

mgr Emilie Szwajnoch

**Beyond Trust and Authoritarian Surveillance: Building the Social  
Credit System Within China's Fragmented Bureaucracy**

**PhD Dissertation**

Supervisor

Prof. Waldemar Wojtasik

Auxiliary supervisor

Dr. Elżbieta Proń

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## Abbreviation list

CAC	Cyberspace Administration of China
CCP/Party	Communist Party of China
CCP CC	Central Committee of the Communist Party of China
CPL	Central Punishment List
CS	Copenhagen School (of security studies)
MHRSS	Ministry of Human Resources and Social Security
MIIT	Ministry of Industry and Information Technology
MoE	Ministry of Education
MoPS	Ministry of Public Security
MoU	Memorandum of Understanding
NCISP	National Credit Information Sharing Platform
NDRC	National Development and Reform Commission
NDRC GO	General Office of the National Development and Reform Commission
NPC	National People's Congress
NSC	National Security Commission
PBoC	People's Bank of China
PBSC	Politburo Standing Committee
PCI	Public Credit Information
PRC	People's Republic of China
SC	State Council
SC GO	State Council General Office
SCS	Social Credit System
SPC	Supreme People's Court

## INTRODUCTION

The domestic security apparatus of the People's Republic of China (PRC) has a long history. Its role in the country, governed by the Communist Party of China (CCP; Party), has been evident for years and aimed at both the Party officials and the country's entire population.<sup>1</sup> China's security is about “stability and unity” under the leadership of the CCP.<sup>2</sup> This has been observed through various actions throughout the existence of PRC, such as addressing ‘the issue of counter-revolutionary crimes’ or post-1989 ‘patriotic education campaign’.<sup>3</sup> In the 21<sup>st</sup> century, prior to Xi Jinping's ascension to power in 2012, the public security spending rose significantly, and concepts such as ‘stability preservation’ (维护稳定) started to be increasingly popular.<sup>4</sup> The stability may be jeopardized by the lack of national unity, which is a considerable security issue in China.

The regime's concerns over the national unity are demonstrated by, for instance, the crackdown on the Uyghur Muslim minority from the Xinjiang Uyghur Autonomous Region<sup>5</sup> and the ‘Sinicization’ of other religious and quasi-religious groups.<sup>6</sup> Under Xi, the fear of *luan*, which is the lack of order, seems to have grown. This has been mirrored, among other activities, in Beijing's intensified control of the media and the online sphere, control of schools and universities, NGOs, Party officials (via, e.g., the anti-corruption campaign), or a crackdown on human rights lawyers.<sup>7</sup> Overall, despite the pre-Xi efforts in the field of security maintenance and social management, it may be concluded that Hu Jintao's administration (2002-2012) was primarily preoccupied with the economy and growing GDP. As set out by Kerry Brown, Xi's administration is more political – he focuses on the Party with the aim of strengthening it. The dominance of economic issues characteristic for Hu was replaced with morality, ideology, national rejuvenation, and the mission to make China great.<sup>8</sup> The current intensified focus on the country's domestic security under Xi, political security included, was manifested in institutional restructuring and reforms as well. Examples include the establishment of the National Security Commission and the National Supervisory Commission.<sup>9</sup>

As Hoffman pointed out, even though not novel in China, under Xi, social management became a matter of security.<sup>10</sup> Social management may be understood as ‘a broader political control process’ which is considered by the CCP to be a ‘blueprint for maintaining power’<sup>11</sup> or as a ‘cycle of shaping, managing and responding, both in society and within the Party itself’.<sup>12</sup> Various tools may be used for the purpose of social management. What had been triggered prior to Xi and has become the ‘extension of existing governance structures’ is the grid management system (网格化管理). The system is based on a division of urban and rural areas into grids. It

is within these grids that supervision and management of communities takes place locally.<sup>13</sup> Technology development has raised concerns over a considerable increase in the capacities of such systems via automation and the broad use of surveillance technologies. These concerns rose in the Xi Era due to the mentioned security focus.<sup>14</sup> The idea of ‘harnessing modern technology to engage in the prevention and control of social order problems’,<sup>15</sup> has been identified by China watchers in contexts other than the grid management system. Another system considered to be a potent one for automating the process of preemptive management of society members is the Social Credit System (SCS; System) (社会信用体系).<sup>16</sup>

Even though mentioned in the context of China’s approach to security and technology development, in 2019, before enrolling for my PhD program and when making choices on the ultimate topic for my research, the Social Credit System was barely studied. This did not halt the most popular media companies from comparing the SCS with a ‘Nosedive’ episode of *the Black Mirror* TV series,<sup>17</sup> or dubbing it an Orwellian ‘dystopian nightmare’.<sup>18</sup> Such a consistently growing bad reputation of the System, which seemed to have been gained without a proper research basis, made it an important case study for an analysis of China’s domestic security policy. The issue seemed to be of even more relevance when articles written by analysts – not solely journalists – have commenced to appear. Some of them began calling the SCS a ‘politically motivated algorithm’ and listing it right next to Beijing’s other surveillance-enhanced projects targeted at controlling individuals, such as the camera systems in Xinjiang.<sup>19</sup> The dystopian visions were also presented in some research articles, including those in very reputable journals.<sup>20</sup>

Overall, along with technological development and increased Chinese capacity to intensify measures for surveillance and monitoring, new research problems appear. Already in 2016, Creemers noted that it is timely to include the essential role of novel technologies in research on issues such as propaganda, public opinion molding, and social management.<sup>21</sup> The SCS seemed to be one of the tech-enhanced projects that could fall within these frames. In view of Beijing’s ongoing focus on political security under Xi,<sup>22</sup> as well as due to the early warnings about the SCS, I made the decision to place the System at the center of my study. The framing of the study and the phases of research were influenced and developed in response and in reference to the literature on the SCS that commenced to appear after 2019. These issues are discussed in more detail the Chapter One. The next section discusses in detail the objective of my study and the questions navigating it.

## **1. Objective of the study and research questions**

The first objective of the study is to determine how the Social Credit System may strengthen Beijing's authoritarian control<sup>23</sup> and censorship efforts targeted at individuals, thus supporting the authoritarian nature of the Chinese regime. The second objective is to determine what the process of Social Credit System construction reveals about the ability of the Chinese state to develop complex projects that involve numerous bureaucratic agents.

Analogously to the research objectives, this study is navigated by two main research questions (MRQs), each supported by detailed research questions (DRQs). Additionally, I posed two questions related to the securitization framework, which were essential during the study design. All questions are presented in Table 1 below and later discussed.

Table 1. Main and detailed research questions.

Research question type	Research question no.	Research question
Main RQs	MRQ1	<b>In what ways may the Social Credit System strengthen Beijing's authoritarian control and censorship efforts targeted at individuals, and thus support the authoritarian nature of the Chinese regime?</b>
Detailed RQs	DRQ1	What are the Social Credit System mechanisms that may affect the lives of individuals most, especially in terms of control and censorship?
	DRQ2	What novelty do the SCS mechanisms bring in terms of identifying and dealing with potential dissidents or other subjects considered untrustworthy?
	DRQ3	What novelty do the SCS mechanisms bring to the governance logic in particular areas of governance?
Main RQs	MRQ2	<b>What does the process of Social Credit System construction reveal about the ability of the Chinese state to develop complex projects that involve numerous bureaucratic agents?</b>
Detailed RQs	DRQ4	What factors related to the nature of Chinese bureaucracy may affect the SCS construction?
	DRQ5	What may be the self-interests of chosen bureaucratic agents that affect the development of chosen SCS mechanisms?
Securitization-related questions	DRQ6	What are the obstacles that may hamper the securitization process of SCS construction and operations?
	DRQ7	Which elements of the securitization theory need to be reconsidered while studying non-democratic regimes?

As will be discussed throughout the dissertation, central authorities claim that the SCS aims to increase mutual trust in society and deal with social contradictions.<sup>24</sup> To reach this objective, the system should affect members of society in particular ways. Dealing with contradictions and increasing the level of trust does not have to be, and is not, in the SCS case, confined to just natural persons. Despite the importance of mechanisms targeted at legal persons in the entire SCS construction, it is the development and operations of mechanisms related to individuals that may be perceived by officials as politically riskiest. Namely, the impact the

SCS has on natural persons' lives determines, to a great extent, whether or not it will be socially accepted.<sup>25</sup> In relation to this and in view of Beijing's focus on political security, the first main research question is the following:

**MRQ1:** In what ways may the Social Credit System strengthen Beijing's authoritarian control and censorship efforts targeted at individuals, and thus support the authoritarian nature of the Chinese regime?

In order to answer this question, it must first be determined what elements of the broad SCS scope may be potent in strengthening Beijing's control and censorship efforts. This leads to the first detailed research question:

**DRQ1:** What are the Social Credit System mechanisms that may affect the lives of individuals most, especially in terms of control and censorship?

Affecting the lives of individuals in some way does not automatically imply increased control over them. This stems from the fact that the sole existence of particular mechanisms is not sufficient proof of the SCS bringing novelty to the governance logic in the PRC or to the process of identification and dealing with potential dissidents or other individuals. Some of the SCS solutions may introduce limited factual developments or intensification of the existing governance patterns. To determine the novelty, the mechanisms must be discussed within the context of preexisting logic in given areas of governance. Based on this, the second and third detailed research questions are the following:

**DRQ2:** What novelty do the SCS mechanisms bring in terms of identifying and dealing with potential dissidents or other subjects considered untrustworthy?<sup>26</sup>

**DRQ3:** What novelty do the SCS mechanisms bring to the governance logic in particular areas of governance?

To provide a more comprehensive picture of the SCS and discuss what its construction reveals, more broadly, about the Chinese state, apart from focusing on the censorship and control efforts, I decided to look at it also through a bureaucratic angle. As discussed in Chapter One, literature on Chinese bureaucracy has often pointed out how local interests affect the

implementation of central directives in the PRC. Contrary to the usual focus in China research, this study does not solely cover the central-local dynamics but also looks at the contradictions that appear already at the central level. Overall, the second main research question is:

**MRQ2:** What does the process of Social Credit System construction reveal about the ability of the Chinese state to develop complex projects that involve numerous bureaucratic agents?

To support the answer to the second main research question, two additional questions were constructed:

**DRQ4:** What factors related to the nature of Chinese bureaucracy may affect the SCS construction?

**DRQ5:** What may be the self-interests of chosen bureaucratic agents that affect the development of chosen SCS mechanisms?

Finally, I posed two additional research questions related to the securitization theory that was introduced in Chapter One. As discussed there, placing the study within the securitization framework (i.e., looking at the SCS construction as a longitudinal process of securitizing a core value<sup>27</sup> – integrity – in non-democratic circumstances) was considered the most appropriate approach in light of the official SCS-related narrative as of 2019 and in relation to the slowly emerging academic literature. The SCS-related discourse revolved around the issue of trust and seemed to be an attempt to securitize trust. In the discourse, the crisis of trust (or integrity) is presented as a threat to the country's stability, as well as its development and growth. In such a narrative, the 'trust-breaking' (or 'untrustworthy') subjects are threatening, which necessitates the use of extraordinary measures (various SCS mechanisms exceptionally intrusive or racking for the subjects) to deal with the threat. The securitization framework turned out to be a useful tool for setting the frames of the study and determining what types of SCS mechanisms should be analyzed in detail. The first of the two research questions related to the securitization framework is the following:

**DRQ6:** What are the obstacles that may hamper the securitization process of SCS construction and operations?

In spite of the fact that the bureaucracy-related aspect surpassed – or even replaced – securitization in a broader discussion of the study outcomes and of what the case study of the SCS reveals, the following question will be addressed in the conclusion:

**DRQ7:** Which elements of the securitization theory need to be reconsidered while studying non-democratic regimes?

Importantly, no hypotheses were formulated, as this research is of an exploratory nature. Formulating them could make the research and the ultimate answers to questions preconceived or biased. As of the early 2020s, the topic of the SCS was heavily underresearched. Numerous coverages of the SCS were not based on minute examinations and included simplifications, and academic literature called for further examinations. The decision not to formulate hypotheses was further informed by the SCS complexities and vagueness. It turned out to be a correct approach, as the findings of the analysis would have likely pushed the pre-molded hypotheses even outside of the study scope.

## **2. The main argument**

The main argument of the dissertation is threefold. First, overall, the Social Credit System is not potent in strengthening Beijing's control and censorship efforts. Being embedded in previously existing laws and regulations, the SCS naturally supports the logic of various areas of governance (and thus the nature of the regime) but does not offer major developments. The fact that the SCS does not trigger increased authoritarian control stems, among other factors, from the fact that the System operates mostly with data collected during the regular course of work of state organs. The data would still be collected and used without the existence of the SCS. Apart from data, the SCS solutions that are operable and in line with the core SCS assumption (as explained later) are of a secondary nature, i.e., use previously existing solutions in a revisited manner. The more innovative solutions seem not to contribute to a coherent SCS in a considerable manner. For instance, the accumulation of data within local quantitative scores has the potential to be more potent in terms of strengthening control over individuals. However, Beijing has already banned the sanctioning of individuals who have low scores. Moreover, the SCS solutions that have the potential to increase the frequency and severity of sanctioning individuals for behaviors such as violating the PRC censorship provisions are either non-operational or their belonging to the SCS remains unclear.

Second, the case of SCS construction reveals that Beijing's capability to efficiently develop and implement complex projects that involve the cooperation of multiple bureaucratic agents at different levels of administration may be impaired by the interplay of bureaucratic self-interests that appear already at the central level. This happens in contrast to the trend of centralization and control over institutions under Xi. The central-level discrepancies in SCS construction appear along with similar problems in the central-local axis. However, bureaucracy-related discussions on how local agents constantly bargain with the central organs and their directives appear more often than discussions on similar processes at the central level. This is one of the reasons why this dissertation placed emphasis on the bureaucratic interplay at the central level. This notwithstanding, the problems in SCS construction also stem from the lack of coordination of actions in different localities and organs at different levels, as well as the low quality of engagement of some agents in delivering SCS-related tasks.

A third and related point is that in shaping their SCS solutions, the bureaucratic agents at different levels of administration often seem to prioritize supporting the pre-existing logic in their areas of governance and serving their own purposes over contributing to the construction of a coherent SCS. Additionally, and in reference to the securitization framework, the discourse performed by top authorities and presented in Chapter One does not seem reflected in the real work of the bureaucratic machine of the Chinese state. In light of this finding and of other problems inherent in applying the securitization theory to non-democratic circumstances (such as the inability to precisely distinguish between 'normal' and 'special' politics), the theory could be further tested for developing frames for the analysis of political agenda setting. Within such frames, a threat is constructed by the central authorities to place the construction of a novel governance tool on the political agenda, which is later instrumentally used by various bureaucratic agents to serve their own interests, as the SCS case primarily reveals. In other words, linking the characteristics of bureaucracies of non-democratic regimes and the securitization frames might be a potent way of proposing new developments to the theory in the future.

The main argument of this dissertation is made in reference to the main research questions. The answers to the detailed research questions that support the main argument and allow for expanding it are presented in the conclusions. The argument and answers to all research questions are based on an analysis of over 400 Chinese documents selected out of thousands. The process of selection and placing the focus of the study on particular governance areas is minutely described in Chapter Three, along with a justification of why official documents are considered a proper major source of information about the SCS. At the same

time, it must be acknowledged that basing the argument of the dissertation mainly on the analysis of official documents is among the limitations of the research. This limitation is a result of three interconnected factors. These are the sensitivity of the topic, the COVID-19 pandemic, and the increasing tensions between China and the broadly understood ‘West’. The combination of the three factors influenced the fact that the findings of the document analysis were ultimately not complemented by a research trip to China. The reasons behind the decision not to conduct research in China are described in more detail – along with other limitations and recommendations for future research – in the conclusion of the dissertation. In order to make up for the research stay in China to the greatest extent possible, I organized other research trips to foreign research institutions (such as Leiden University, which is the workplace of some of the major SCS scholars) that allowed for the most comprehensive discussion and presentation of the topic.

### **3. Dissertation chapters**

The dissertation comprises seven chapters and separate conclusions. Because of the considerable amount of SCS solutions and their construction at various levels of administration, all of which affect the answers to the research questions, the dissertation chapters do not mirror particular questions. Instead, the structure takes into account the compliance of central and local SCS solutions with the core assumption of the SCS and the haziness of the SCS scope (related to MRQ2), as well as the aspect of controlling individuals (MRQ1). The structure of the dissertation and the chapters were chosen to best suit both main research questions simultaneously. The precise reasons for employing the structure presented below are explained and supported in detail later.

Chapter One introduces theoretical frames that were important for the study design. It covers issues from traditional and non-traditional security, through the discussion of the assumptions of the securitization theory and its applicability in non-democratic settings, to a brief discussion of the literature on Chinese bureaucracy. The chapter also offers an explanation of the roles securitization and bureaucratic angles play in the research of the SCS.

Chapter Two presents a review of the literature on the Social Credit System. The body of literature on the SCS began to emerge, especially after 2019. It includes information about the basic shape of the System. As this shape differs considerably from the initial and common understanding of what the System became or might become, Chapter Two also introduces basic information about the SCS operations, shape, history, and its perception by the Chinese society. Chapter Two ends with the identification of a research gap that this study aims to fill.

Chapter Three describes methods and phases of the study. It offers explanations to, among other issues, what parts of the System I focus on and why. For this reason, the chapter follows the literature review. Overall, the first three chapters gradually introduce details related to the scope and logic of the study, as the information provided throughout them is all relevant for the research process.

The following four chapters are empirical ones. Chapter Four focuses on SCS solutions designed at the central level of administration that are to be implemented at lower levels. It discusses those elements of the System that were created in line with the core assumption of the SCS and those that diverge from it. The latter cases are accompanied by a discussion on the potential reasons for the lack of proper coordination at the central level of administration. Apart from solely covering solutions belonging to the areas of governance that are directly related to the regime's censorship and control measures, Chapter Four also tackles the solutions that are most commonly used against individuals.

Chapter Five is partly analogous to Chapter Four, albeit it discusses findings of the analysis of SCS solutions introduced at the local level. It covers solutions that are compliant with and diverging from the central guidelines and discusses their compliance with the core SCS assumption. Chapter Six also covers local solutions. However, it is exclusively focused on the locally developed scores for natural persons of different kinds. It discussed the scope of scorings, as well as other information that was accessible, including the operability of the scores, the technicalities, the consequences of scorings for individuals, and their ability to increase authoritarian control over natural persons.

Chapter Seven is different from the preceding three empirical chapters. It does not discuss particular SCS solutions and their compliance with the core SCS assumptions or with central guidelines. Instead, it discusses the problem of the so-called 'trustworthiness dossier'. The dossiers – or records – are an important and reappearing element of the System that could potentially serve as a comprehensive source of information on individuals covered by them. From an unclear mass of dossiers or records listed in the accessed documents, I identify particular recurring types. I discuss what purposes the different types of records may serve, and discuss the challenges inherent in data sharing, even locally. Apart from discussing how the records might potentially increase the surveillance capacities of the regime, I point out how hazy their scope and use are. Finally, to highlight that the complexities of the SCS scope do not end with all of the solutions discussed in previous chapters and with the trustworthiness dossier, I discuss yet different elements of the system, such as ratings and grades appearing in various areas of governance and localities. Chapter Seven is the most important in terms of revealing

the scale of the haziness of the SCS and mirroring the state of development of the complex project and the many challenges that halt its development.

For the sake of clarity, every empirical chapter contains a concluding section summarizing its main findings. The research questions, however, are ultimately addressed in the main conclusion that follows all the empirical chapters. This solution allows for offering the most comprehensive answers to the research questions, combining findings from all chapters. Apart from combining and commenting on the findings from all preceding empirical chapters, the conclusion of the dissertation presents a post-study reflection and recommendations for future research.

Finally, some of the findings presented throughout the dissertation have been first discussed in two of my single-authored articles published in peer-reviewed journals, *China Information*<sup>28</sup> and *Asian Affairs*.<sup>29</sup> I refer to these articles repeatedly.

#### 4. Notes and references

<sup>1</sup> For a comprehensive coverage of the Chinese security apparatus see Xuezhi Guo, *China's Security State: Philosophy, Evolution, and Politics* (Cambridge: Cambridge University Press, 2012).

<sup>2</sup> Juha A. Vuori, *How to Do Security with Words: A Grammar of Securitisation in the People's Republic of China* (PhD diss., University of Turku, 2011), 225.

<sup>3</sup> Vuori, *How to Do Security with Words*, 227.

<sup>4</sup> Xiaojun Yan, "Patrolling Harmony: Pre-emptive Authoritarianism and the Preservation of Stability in W County," *Journal of Contemporary China* 25, no. 99 (2016): 407. The growing focus on domestic stability under Hu Jintao (2002-2012) was most likely strictly linked with his rather criticized style of governance that led to an increase in the number of protests. For the main problems of Hu's administration see Elizabeth C. Economy, *The Third Revolution* (New York: Oxford University Press, 2018), 8-9.

<sup>5</sup> Uyghurs have often been accused of religious extremism, separatism, and terrorism, and therefore had to undergo 'reeducation'. See, e.g., Adrian Zenz, "'Thoroughly Reforming Them Towards a Healthy Heart Attitude': China's Political Re-Education Campaign in Xinjiang," *Central Asian Survey* 38, no. 1 (2019): 102-128; James Leibold, "The Spectre of Insecurity: The CCP's Mass Internment Strategy in Xinjiang," *The Uyghur American Association*, March 1, 2019; Adrian Zenz, "'Wash Brains, Cleanse Hearts': Evidence from Chinese Government Documents about the Nature and Extent of Xinjiang's Extrajudicial Internment Campaign," *Journal of Political Risk* 7, no. 11 (2019).

<sup>6</sup> On the topic see, e.g., *The Sinicization of Chinese Religions: From Above and Below*, ed. Richard Madsen (Brill, 2021). On Falun Gong see, e.g., Beatrice Leung, "China and Falun Gong: Party and Society Relations in the Modern Era," *Journal of Contemporary China* 11, no. 33 (2002): 761-784.

<sup>7</sup> See, e.g., Elizabeth C. Economy. 2018. *The Third Revolution*. Oxford University Press, New York.

<sup>8</sup> Kerry Brown, *The World According to Xi* (London: I.B. Tauris, 2018); Tony Saich, *What Does General Secretary Xi Jinping Dream About?* (Cambridge, MA: Harvard Kennedy School, Ash Center for Democratic Governance and Innovation, August 2017), 41–42. For an international discussion of changes and trends under Xi, see, e.g., *Wektory zmian w polityce Chińskiej Republiki Ludowej w okresie rządów Xi Jinpinga* [Vectors of Change in the Politics of the People's Republic of China during the Rule of Xi Jinping], ed. Joanna Marszałek-Kawa and Mariusz Bidziński (Toruń: Adam Marszałek Publishing, 2019).

<sup>9</sup> For more details on the institutional aspect of Chinese domestic security under Xi see, e.g., You Ji, “China’s National Security Commission: Theory, Evolution and Operations,” *Journal of Contemporary China* 25, no. 98 (2016): 178–196; Sheena Chestnut Greitens, “Domestic Security in China under Xi Jinping,” *China Leadership Monitor*, no. 59 (March 2019).

<sup>10</sup> Samantha Hoffman, “Programming China: The Communist Party’s Autonomic Approach to Managing State Security,” *MERICS (Mercator Institute for China Studies)*, December 12, 2017, <https://merics.org/en/report/programming-china>.

<sup>11</sup> Samantha Hoffman, “Managing the State: Social Credit, Surveillance and the CCP’s Plan for China,” *China Brief* 17, no. 11 (August 17, 2017), <https://jamestown.org/program/managing-the-state-social-credit-surveillance-and-the-ccps-plan-for-china/>.

<sup>12</sup> Hoffman, *Programming China*.

<sup>13</sup> On the system see, e.g., Jean Christopher Mittelstaedt, “The Grid Management System in Contemporary China: Grass-Roots Governance in Social Surveillance and Service Provision,” *China Information* 36, no. 1 (2021): 3–22.

<sup>14</sup> See Hoffman, *Programming China*.

<sup>15</sup> Mirjam Meissner, Rogier Creemers, Pamela K. Crossley, Peter Mattis, and Samantha Hoffman, “Is Big Data Increasing Beijing’s Capacity for Control? A ChinaFile Conversation,” August 10, 2016, <https://www.chinafile.com/conversation/Is-Big-Data-Increasing-Beijing-Capacity-Control%3F>.

<sup>16</sup> Hoffman, *Programming China*.

<sup>17</sup> See, e.g., Bernard Marr, “Chinese Social Credit Score: Utopian Big Data Bliss or Black Mirror on Steroids?” *Forbes*, January 21, 2019, <https://www.forbes.com/sites/bernardmarr/2019/01/21/chinese-social-credit-score-utopian-big-data-bliss-or-black-mirror-on-steroids/>.

<sup>18</sup> See, e.g., Steven W. Mosher, “China’s New ‘Social Credit System’ Is a Dystopian Nightmare,” *New York Post*, May 18, 2019, <https://nypost.com/2019/05/18/chinas-new-social-credit-system-turnsorwells-1984-into-reality/>.

<sup>19</sup> Yau Tsz Yan, “Smart Cities or Surveillance? Huawei in Central Asia,” *The Diplomat*, August 7, 2019, <https://thediplomat.com/2019/08/smart-cities-or-surveillance-huawei-in-central-asia/>.

<sup>20</sup> See, e.g., Qiang Xiao, “The Road to Digital Unfreedom: President Xi’s Surveillance State,” *Journal of Democracy* 30, no. 1 (2019): 53–67.

<sup>21</sup> Rogier Creemers, “Cyber China: Upgrading Propaganda, Public Opinion Work and Social Management for the Twenty-First Century,” *Journal of Contemporary China* 26, no. 103 (2016): 85–100.

<sup>22</sup> See, e.g., The State Council Information Office of the People’s Republic of China, “Xi Stresses Building Holistic National Security Architecture,” December 13, 2020, [http://english.scio.gov.cn/topnews/2020-12/13/content\\_77006930.htm](http://english.scio.gov.cn/topnews/2020-12/13/content_77006930.htm).

<sup>23</sup> On authoritarian control see, e.g., Milan W. Svolik, *The Politics of Authoritarian Rule*. (Cambridge: Cambridge University Press, 2012).

<sup>24</sup> 国务院关于印发社会信用体系建设规划纲要(2014—2020 年) 的通知 (Notice of the State Council on Issuing Planning Outline for the Construction of a Social Credit System (2014—2020)) (2014).

<sup>25</sup> Wen-Hsuan Tsai, Hsin-Hsien Wang and Ruihua Lin, ‘Hobbling Big Brother: Top-Level Design and Local Discretion in China’s Social Credit System’. *The China Journal* Vol. 86 (2021).

<sup>26</sup> Note: The words ‘untrustworthiness’ ‘trust-breaking’ and their variations are used interchangeably throughout this dissertation.

<sup>27</sup> See Juha A. Vuori, “Illocutionary Logic and Strands of Securitization: Applying the Theory of Securitization to the Study of Non-Democratic Political Orders,” *European Journal of International Relations* 14, no. 1 (2008): 69.

<sup>28</sup> Emilie Szwajnoch, “Regulatory Capture of the Chinese Social Credit System: Bureaucratic Self-Interests in Project Implementation,” *China Information* 38, no. 3 (2024): 309–330.

<sup>29</sup> Emilie Szwajnoch, “Is ‘Untrustworthy’ the New ‘Threatening’? China’s Social Credit System through the Prism of Securitization,” *Asian Affairs* 54, no. 4 (2023): 694–716.

## **CHAPTER ONE.**

### **Development of the Social Credit System: A long-time securitization process or a bureaucratic mess? Theoretical frames of the study**

The main objective in this chapter is to lay out the conceptual framework for the study and build frames for the empirical chapters. The chapter proceeds in five major sections. First, the Chinese approach to security, mainly non-traditional, is briefly discussed, along with basic information about different understandings of *security*. This discussion serves as an introduction to the securitization theory. While there are other differences between the representatives of a traditional approach to security and the representatives of the Copenhagen School (CS),<sup>1</sup> the broad approach to security is one of the reasons for choosing securitization as a framework for the study design. For instance, the social management goals that are potentially to be achieved through the Social Credit System as a mechanism for maintaining security fall into the realm of non-traditional security. In the second section of the chapter, the most essential elements of the securitization theory by the Copenhagen School representatives are introduced, along with its developments and discussions on its applicability in non-democratic contexts.

The third section presents the discourse around the issue of trustworthiness in China, pointing to how Beijing attempts to securitize trust. The arguments presented in the literature on SCS that appeared in the 2020s supported the idea of treating some SCS mechanisms as extraordinary measures to deal with the crisis of trust, which will be discussed in the fourth section. Finally, the last section briefly discusses literature on Chinese bureaucracy and the interests of bureaucratic agents. This section is important in light of the hazy nature of the SCS, which considerably influenced the course of the study and conclusions drawn from it.

#### **1. Beijing's approach to (non-traditional) security**

This study examines the potential of the Social Credit System to support greater authoritarian control over citizens and to strengthen political security. For this reason, Beijing's general approach to non-traditional security needs to be introduced before the discussion on how the securitization theory shaped the current study. This must be preceded by a brief introduction of the traditional and non-traditional approaches to security.

### **1.1. Traditional and non-traditional security**

In security studies, numerous attempts have been made to define the notion of security in both the international and national dimensions. Certain definitions state that international security is ‘a relative freedom from war’<sup>2</sup> or ‘the *relative freedom* from harmful threats’<sup>3</sup>. In his widely cited article on national security, Wolfers argued that ‘security, in an objective sense, measures the absence of threats to acquired values, in a subjective sense, the absence of fear that such values will be attacked.’<sup>4</sup> Luciani stated that ‘[n]ational security may be defined as the ability to withstand aggression from abroad.’<sup>5</sup>

While the traditional approach is characterized by a relatively narrow understanding of the notion of security, with the focus on the concepts of war, aggression or attack, critical security studies present a different perspective. According to Ole Wæver, a representative of the Copenhagen School of security studies:

One can view ‘security’ as that which is in a language theory called a *speech act*; it is not mainly interesting as a sign referring to something more real – it is the utterance itself that is the act: by saying it something is done (like betting, giving a promise, naming a ship). By saying ‘security’ a state-representative moves the particular case into a specific area; claiming a special right to use the means necessary to block this development, but paying the price of some loss of prestige by needing to use this special resort.<sup>6</sup>

Referring to the above and other (both traditional and non-traditional) definitions of security, Barry Buzan, the major CS theorist, claimed that security as a defined concept is challenging ‘to be applied to practical situations in the full knowledge of the contradictions involved.’<sup>7</sup> These contradictions ‘and a host of nuances [...] can cause confusion if not understood’.<sup>8</sup> Later, Buzan and his CS colleagues wrote that security is the ‘survival of [different] collective units and principles’ despite the existential threat that appeared.<sup>9</sup> Thus, ‘the nature of security defies pursuit of an agreed general definition.’<sup>10</sup> Elsewhere, Wæver claimed that it is not possible to create an abstract definition of ‘the “true security” of the state x’.<sup>11</sup> In a different work, Buzan and Wæver jointly state that ““security” is what actors make it”.<sup>12</sup>

Instead of putting forward a new fixed definition of security – and taking into consideration the growing importance of non-traditional threats – Buzan drew a framework for security that incorporated the different contradictions.<sup>13</sup> His approach was based on the assumption that the traditional, narrow, military-focused approach to security was no longer applicable. The importance of economic and environmental issues in the international arena grew in the 1970s and 1980s, and so did the interdependence of states in fields such as economy, environment, and society.<sup>14</sup> Overall, the broader approach to security has been evolving since

World War II, as non-military factors began to impact security.<sup>15</sup> The need to develop a new framework intensified especially after the Cold War.<sup>16</sup> Additional security-related issues appeared then, such as the increase in transnational crime rates in the 1990s.<sup>17</sup>

Addressing these developments, the representatives of the so-called Copenhagen School created a new framework for security studies. They laid out different sectors of security instead of focusing primarily on the military sector, thus introducing non-traditional security as a regular aspect of security studies. Moreover, the CS criticized major representatives of other approaches, such as Kenneth Waltz, for overlooking the internal, domestic dynamics of security.<sup>18</sup> Many of the scholars who decided to develop the non-traditional framework as outlined by the CS representatives seem to share a similar approach to security. Matt McDonald, for instance, sees security as a ‘social construction’ and claims that ‘the meaning of security is fluid and permeable’.<sup>19</sup> Felix Ciută argues that the definition of security is contextually constructed, i.e., ‘is a matter of context’ and is ‘intersubjectively constituted through practices that go beyond labelling threats’.<sup>20</sup>

The non-traditional idea of security being ‘what actors make it’<sup>21</sup> is solely one of the reasons for the CS theoretical approach serving as a base for the design of the conceptual framework for this study. Before offering a more detailed explanation for this choice, Beijing’s approach to security, especially non-traditional security, must first be understood.

## ***1.2. Non-traditional security in China***

First references to non-traditional security in China were made in 1994 by Wang Yong, who back then focused on the problems of the environment, refugees, and drugs.<sup>22</sup> The year 1996 was marked by the introduction of the New Security Concept by Qian Qichen, a then-Minister of Foreign Affairs. The Concept included, for the first time, non-traditional security issues. In the following year, the Concept was written into the 1997 Defense White Paper. The significance of non-traditional security rose worldwide after the 9/11 events.<sup>23</sup> The non-traditional security realm was present in both the domestic and international spheres.<sup>24</sup> It embraces a broad range of potential threats and crises.

As for the domestic arena, even before the official narrative mentioned it, the non-traditional security measures have been increasingly employed after the 1989 Tiananmen events.<sup>25</sup> Based on the analysis of reforms in China in the post-Deng Era by Dali Yang<sup>26</sup>, Patricia Thornton enumerated the factors and events that led to the development of this realm of security in the PRC. These included, for instance, the collapse of the USSR, the 1997

financial crisis in Asia, the SARS epidemic from 2002 to 2004, Tibet and Xinjiang unrests in 2008 and 2009 respectively, and the Arab Spring in the years 2010-2012.<sup>27</sup>

Under Xi, the concept of non-traditional security and its role in national security were included in documents such as the 2013 and 2019 Defense White Papers and the 2015 National Security Law.<sup>28</sup> The latter will be referred to repeatedly in the dissertation. The establishment of the National Security Commission (NSC) in 2013, which deals not only with traditional but also non-traditional security issues,<sup>29</sup> was yet another manifestation of Beijing's interest in this sphere. In 2014, during the first NSC meeting, Xi introduced the Comprehensive National Security Concept (总体国家安全观) embracing 11 areas of security, which ultimately confirmed Beijing's attitude towards non-traditional security. The areas included political, territorial, military, economic, cultural, societal, scientific and technological, informational, nuclear, and ecological security, as well as security of national resources.<sup>30</sup> The 11 areas later developed into 16.<sup>31</sup>

The broad approach to national security continued during (and after) Xi's second term. For instance, in December 2020, Xi Jinping, in his speech at a meeting of the CCP CC Politburo stated that one of the '10 requirements for pursuing a holistic approach to national security' was 'strengthening security in all respects and ensuring both traditional and non-traditional security'.<sup>32</sup> Chinese scholars have also been elaborating on the issue, stating that the non-traditional threats, such as financial, environmental, energy, and population crises, have drawn Beijing's attention.<sup>33</sup> Moreover, non-traditional security commenced to be mentioned in the Chinese media in the 2000s, and this trend intensified in the 2010s.<sup>34</sup>

According to Thornton, '[a] key driver behind the relatively more enthusiastic adoption of the concept of non-traditional security in China is likely the utility of a broader conception of security in supporting the Party-state's interest in suppressing domestic political rivals, preventing social opposition, and controlling potentially restive segments of the domestic population.'<sup>35</sup> Thus, the concept of security may be used instrumentally by Beijing to justify various activities. These include developing surveillance programs and using data gathering, which are often regarded as means for national security maintenance.<sup>36</sup> Other activities that could fall under the broad national security approach include, for instance, the massive anti-corruption campaign or limiting the work of foreign NGOs,<sup>37</sup> as well as repercussions against Uyghurs living in the Xinjiang Uyghur Autonomous Region.<sup>38</sup>

Overall, there is a widely shared understanding among China watchers that 'everything is natural security under Xi'.<sup>39</sup> As Wæver mentioned, 'security *means* different things to

different nations'.<sup>40</sup> It can also be used instrumentally by elites in order to reach a particular political objective.<sup>41</sup> This may be the case with the various activities and projects that help strengthen the Chinese regime. In this sense, the non-traditional security and maintaining the CCP's security are intertwined. Therefore, new projects that have the potential to strengthen such national security efforts, such as the Social Credit System, should be examined through this prism. In the case of the SCS, this can be done within the securitization framework, which will be discussed in the next section.

## **2. Securitization theory**

The securitization theory is one of the three major concepts drawn up by the Copenhagen School of security studies.<sup>42</sup> As Buzan explains, securitization '[...]takes politics beyond the established rules of the game and frames the issue either a special kind of politics or above politics.'<sup>43</sup> Generally, in such a process, an 'existential threat' is defined and presented in such a way that if not taken care of properly, 'everything else will be irrelevant'.<sup>44</sup> In the securitization process, the so-called 'securitizing actor' (e.g., political leaders, governments, lobbyists, or other groups) performs a 'speech act' which is an utterance that represents an issue as a security issue, i.e., indicates the existential threat.<sup>45</sup> The presence of the existential threat requires the use of 'extraordinary measures' to deal with it. The measures may be introduced upon consent from the 'audience' (the public).<sup>46</sup> Since the introduction of this securitization process by the CS scholars, the so-called 'second generation' securitization scholars have been offering developments to the theory.<sup>47</sup> Some of them are important for building the framework for the current study.

### ***2.1. Longitudinal securitization and the examination of ongoing securitization processes***

First, in the original approach to theory, the securitization process ended with a 'speech act'. In other words, the CS sees securitization as a specific point in time, where an issue is transferred from the realm of *normal* to the realm of *exceptional* politics.<sup>48</sup> The majority of empirical cases within the securitization framework used to have a short time span, making it impossible to unveil the different aspects of longer processes and their developments.<sup>49</sup> Second-generation scholars do not focus on one specific moment of transfer, i.e., a single point in time. Instead, securitization is increasingly often considered a longer process with more variables than simply one linguistic moment.<sup>50</sup> According to McDonald, one should not overlook '[t]he potential for

security to be constructed over time through a range of incremental processes and representations'.<sup>51</sup>

Relatedly, the CS presented the securitization process as a set sequence of practices that start with a speech act, go through the audience acceptance, and end with the legitimate use of the extraordinary measure(s). As Wilkinson argues, this is 'a linear and simplified version of events'.<sup>52</sup> She continues that 'the process [of securitization] may in practice start at any point, with the component parts developing simultaneously and contributing to each other's construction'.<sup>53</sup>

The critique of the short-term nature of the securitization process does not imply that the linguistic or discursive approach (focused on words, speech acts) is, by default, erroneous.<sup>54</sup> For instance, Stritzel understands a 'threat text' more broadly, not only as one speech act, which is a *particular event* taking place at a particular point in time. He claims that 'the introduction of the term 'text' is to stress that linguistic structures can evolve sequentially over longer periods of time, consisting of more complex configurations which stem from various influences[...].'<sup>55</sup> He sees the 'act' as 'a more cultural and sequential one, intensifying an already existing or even partly sedimented practice[...].'<sup>56</sup>

Using this development from short-term to longitudinal securitization, increasingly more studies have commenced to cover not solely past processes (which had often been the case) but also ongoing cases of securitization. Such studies do not focus on a particular point in time when a speech act is performed and an extraordinary measure is implemented, having a start and an end at a particular time.<sup>57</sup> These mainly relate to the Western securitization of migration.<sup>58</sup> As will be explained later, and as I discussed in my 2023 article published in *Asian Affairs*, this study was designed to approach the development of the Social Credit System as 'a long-term process of "securitisation" focused on a discourse of trust.'<sup>59</sup>

## **2.2. Applying the securitization theory in non-democratic settings**

The second issue that started to be tackled with time by scholars and is important for this study is the 'deep European roots' of the securitization theory<sup>60</sup>. The majority of the studies within this framework have been conducted within democratic systems,<sup>61</sup> which led to questioning its applicability in non-democratic contexts. This problem of Eurocentrism, which is primarily about employing the Western – or democratic – contexts and understandings in a framework,<sup>62</sup> has been referred to as the 'Wesphalian straitjacket'.<sup>63</sup> This notwithstanding, the securitization framework has the potential to be employed in a non-European environment.<sup>64</sup> Since the mid-2000s, the number of conducted securitization-based case studies has increased, and scholars

from outside Europe have started to refer to this framework.<sup>65</sup> Even though not numerous, studies specifically referring to the PRC security constructed within a securitization framework can be found.<sup>66</sup>

Juha Vuori – who produced an important body of literature about securitization in China<sup>67</sup> – claimed that securitization ‘is not only about legitimating future acts of the speaker that break the rules of liberal democracy, [it] can have political functions beyond legitimacy, such as deterrence and control.’<sup>68</sup> He described different political functions of a securitization process and named five ‘strands of securitization’. Apart from the previously existing function for legitimating future acts,<sup>69</sup> he claimed that securitization might serve other goals: ‘raising an issue on the agenda’, ‘deterrence’, ‘legitimating past acts’, and ‘control’.<sup>70</sup> He presented various purposes in the cases of the Tiananmen protests and the Falun Gong issue.<sup>71</sup> Securitization processes may have different objectives, and widening the theory in such a manner makes it more feasible to employ the framework in a non-democratic environment, Vuori claimed.<sup>72</sup>

Apart from acknowledging various objectives of securitization, in order to apply the framework outside of the democratic realm, certain other adjustments needed to be introduced.<sup>73</sup> If not altered and adjusted, security issues outside of the democratic system are to be ‘Westernized’ and thus distorted by the framework.<sup>74</sup>

#### *2.2.1. The normal-exceptional dichotomy and the existentiality of the threat*

Among the essential problems of adjusting the theory to a non-democratic context is the division between what is *normal* and what is *exceptional* politics. The normal-exceptional dichotomy was developed within the democratic environment. Second generation scholars pointed out that ‘[c]onditions of exceptionality (and normality) are highly contextual’, i.e., what may seem *exceptional* in one place is *normal* in the other.<sup>75</sup> As Vuori stated, in non-democratic regimes, there is no *normal* politics in the democratic understanding from the very beginning.<sup>76</sup> It may be challenging to define the procedures by which politicians are normally bound.<sup>77</sup>

There exists no universal solution to the vagueness of the ‘specialness’, and the line between politicization and securitization is hazy. Vuori claims that ‘[...] security is not always about “special politics” in the sense of breaking rules.[...] Security can be used to reproduce the political order, for renewing discipline, and for controlling society and the political order, for example.’<sup>78</sup> Stritzel argues that forming ‘a rather strict politicization–securitization dichotomy’ limits the ability of the framework to be employed for empirical studies.<sup>79</sup> The problem with the dichotomy leads to questioning the concept of the *existential* nature of a threat. The developments of the securitization theory brought about an exchange of existentiality for a

*continuum* of security, with the existential threat at its very end.<sup>80</sup> One may look at securitization as a ‘gradual and incremental’ process, placed on the security continuum without necessarily ever reaching the category of existential threat, that ‘can include more liberal strategies of incorporation and management of threats.’<sup>81</sup> Together with existentiality, the urgency of a threat should be mentioned. The case of securitization of migration demonstrates that securitization may be ‘a preemptive security practice’,<sup>82</sup> instead of a process aimed at the already existing urgent and direct threat.

Amidst the various doubts and haziness, Vuori argued that in China, during a securitization process, ‘[...]decision makers can be relieved of some other constraints they usually have to take into account, morality or the unmistakability of leadership, for example.’ He has also pointed out that the protection of core values may account for ‘a special type of politics.’<sup>83</sup> As will be explained further in the chapter, these core values will be the starting point for building the framework for the SCS case study, in which the securitization of trust is a longitudinal process within a continuum of security.

### *2.2.2. The problem of the audience*

Apart from the basic issue with what may be considered *normal* in what settings, more problems are identified. Vuori highlighted the differences between democratic and non-democratic audiences.<sup>84</sup> Originally, the success or failure of securitization depended on the audience’s approval (voluntary or coerced) of securitization, or lack of it, no matter whether the threat was real.<sup>85</sup> However, the ability of the audience to reject securitization, which may lead to the failure of the process, may be questioned, especially in non-democratic settings. Such ‘power relations’ between the audience and the securitizing actor have also been observed in securitization processes already in the democratic realm. Elites tend to be presented as much more powerful, allowed to use extraordinary measures repeatedly, and the ‘power of the audience to accept or reject a securitizing move’ has not been explored enough.<sup>86</sup>

Even identifying the relevant audience has been considered challenging. Stritzel points out that ‘[...]in empirical studies one cannot always figure out clearly which audience is when and why most relevant, what implications it has if there are several audiences and when exactly an audience is “persuaded”.’<sup>87</sup> Overall, there may be numerous audiences apart from the general public, such as bureaucrats, consultants, parliamentarians, or officials that must be convinced that securitization is appropriate, efficient, useful, or effective.”<sup>88</sup> Ultimately, Balzacq argued that the audience may not be a necessary element of the securitization process at all and that it may take place ‘without the explicit assent of an audience’.<sup>89</sup>

Balzacq's approach to the audience, considering it as a rather irrelevant element of the securitization process, will be employed for this study for several reasons. First, while Vuori fairly claims that even in regimes, the leaders need a certain level of legitimacy,<sup>90</sup> it may not be assumed that the audience in non-democratic settings possesses sufficient leverage to directly influence the officials' decisions. Apart from exceptions discussed in Chapter Two, where some groups may have influenced chosen SCS solutions, the lack of proof makes it impossible to authoritatively assume that the audience, e.g., in the form of a broader society, possesses sufficient agency to considerably influence the securitization process. The initiative lies with the authorities, and they carefully weigh what measures to implement and which not to.

Another reason for not considering the audience as an essential element of the study is the fact that the SCS covers various areas of governance, affects various types of subjects, and includes the work of numerous bureaucratic agents. Identifying one audience (or even naming several audiences) in the case of SCS development would be a futile process. One of the reasons for this is the different interests of very different groups in SCS development, as will also be discussed in the empirical part. Next, as I argued in my 2023 article, 'in the case of the SCS, we may observe an overlapping of the roles of society members as: audience, potential targets of the extraordinary measures, and potential executors of the non-formal sanctions against other trust-breakers.'<sup>91</sup> Finally, as Salter points out, in longitudinal securitization processes, an issue may continue to be securitized without particular communities' attention, as they 'assume that exceptional security measures have lapsed in the face of a threat that no longer seems pressing or relevant.'<sup>92</sup> As discussed in the next chapter, literature covering the society's approach to some SCS solutions (such as blacklisting) suggests that there generally exists a feeling in Chinese society that the lack of trustworthiness is a pressing problem, and that blacklisting may be helpful in solving this issue. The potential audience, however, was not exceptionally preoccupied with the plethora of SCS solutions implemented in China.

### *2.2.3. Intersubjective construction of threat*

The limited role of the audience in the securitization process leads to yet another problem related to the process being initially designed for the democratic realm. Since the beginning, it has been said that securitization is an answer to an *existential* threat that is constructed intersubjectively and that dealing with it exceeds politicization. This means that there must exist a shared belief between the two participants of the securitization process (the securitizing actor and the approving audience) that a threat is indeed existential.<sup>93</sup> This leads back to the already-discussed accusations: How may an existential threat be constructed intersubjectively, for

instance, if the audience's opinions turn out not to be relevant? And where is the line on the axis between politicization and securitization?

Côté claimed that '[o]ne cannot argue that the speaking of security creates a threat *and* that an intersubjective understanding of the issue *as* a security threat must be established before it can be perceived as such.' Moreover, if a language *creates* reality, there is 'little room for social interaction or authorization.'<sup>94</sup> Even if it was possible to name an audience in this study, it is likely that its approval would be a coerced, not a voluntary one. As argued by Knudsen, the *coerced* authorization itself questions the intersubjective nature of a threat,<sup>95</sup> not to mention the lack of intersubjectivity in the possible absence of an audience.

The above-discussed interrelated problems of the normal-exceptional dichotomy, the existentiality of the treat, and the audience lead to the questioning of the intersubjective nature of the treat discussed in this dissertation. The lack of trust in society, constructed as a threat that justifies the development of the Social Credit System, may be instrumentally used by Beijing. The next section discusses how the Chinese regime discursively securitizes trust.

### **3. Securitization of trust – discourse around trustworthiness**

The word 'credit', often used in English-language discussions of the SCS, does not accurately mirror the intentions behind the System construction. The Chinese word 'chengxin' (诚信), already mentioned in the previous chapter, refers to 'trustworthiness', or 'integrity', and appears repeatedly as the base of official SCS narrative. The CCP has listed 'chengxin' among China's Core Socialist Values (社会主义核心价值观). As argued by Vuori, protecting core values may account for 'a special type of politics.'<sup>96</sup> The official discourse on the SCS 'revolves around the issue of integrity, where a lack of it is conceived as a threat that jeopardizes China's social stability, as well as its development and growth.'<sup>97</sup>

Officially, the SCS aims to strengthen trustworthiness in society and raise the level of mutual trust. It is to reduce the 'bad behavior' of society members through, for instance, moral condemnation.<sup>98</sup> Overall, those considered untrustworthy and threatening to the country's stability must be dealt with. The 'crisis of integrity' in Chinese society has not always been at the center of SCS.<sup>99</sup> The securitization of trust evolved with time, with the construction of this discourse taking place in accordance with McDonald's claim that 'issues can come to be viewed as security issues or threats over an extended period of time'.<sup>100</sup>

Reviewing the discussion on 'integrity' in the chronological order, it appeared in different forms in the political discourse of the 2000s, when the SCS was emerging. The CCP

Central Committee (CC) issued the *Implementation Guideline for the Construction of Civic Morality* in 2001. The document named integrity as one of the basic moral virtues.<sup>101</sup> This document was updated jointly by the CCP CC and the State Council in 2019. The renewed Guideline included a section devoted entirely to the issue of integrity.<sup>102</sup> Before the 2019 update, the thoughts from the Implementation Guideline were reiterated in a book entitled *The Crisis of Integrity: A Glimpse into a Serious Social Problem in China*. The book was published in the Chinese language in 2003 by the China Social Sciences Press, which operated under the Chinese Academy of Social Sciences.<sup>103</sup> The concept of integrity then appeared in a 2006 article titled *Integrity – the Root of Moral Construction* (also in Chinese), which advocated for the vigorous promotion of integrity throughout society.<sup>104</sup> As Creemers noted, an article with the same title was published already in December 2001 in People's Daily.<sup>105</sup> The primary emphasis of the text, however, was on the market economy. During the first decade of the 21st century, at the early phase of the SCS development, the discourse on 'chengxin' and the crisis of trust narrative centered on economic integrity. The same trend was observed in officials' statements. At the 16th Party Congress in 2002, Jiang Zemin had, for the first time, highlighted the importance of establishing a Social Credit System in the modern market economy.<sup>106</sup>

In essence, concerns about an integrity crisis were recognized well before 2014, when the current form of the SCS began to take shape, but the System's connection to broader aspects of moral integrity in society developed gradually over time. Hu's so-called 'lost decade' was a period characteristic of a morality crisis in China's politics, which, according to Creemers, was later mirrored in the references to morality of individuals and officials in documents and speeches on SCS.<sup>107</sup> Relatedly, the shift toward a more comprehensive approach to trustworthiness within the SCS, along with efforts to enhance its importance, coincided with the announcement of the Core Socialist Values by the Communist Party of China. First promoted during the 18th Party Congress that took place in 2012 and appointed Xi Jinping the CCP General Secretary, the Values have been a recurring theme in Xi's speeches. For instance, in 2014, Xi emphasized that the Core Socialist Values are essential for the proper functioning of the social system and for maintaining social order. He also stressed their significance for national governance, governance system, governance capabilities, and long-term stability of the country, asserting that without these Values, China cannot achieve prosperity or progress.<sup>108</sup> In connection with this, the SCS discourse frames the lack of integrity as a serious threat to the country's stability and development, as already mentioned.

Official documents, both non-related and directly related to the SCS, describe the promotion and cultivation of the Core Socialist Values as fundamental to fostering a culture of

trustworthiness and constructing personal creditworthiness.<sup>109</sup> For instance, a decision adopted at the Fourth Plenum of the 19th CCP CC in 2019 devoted a section to the Core Socialist Values and discussed integrity in the SCS context. The decision voiced the need to ‘refine long-term mechanisms for building integrity, improve the credit system covering the entire society, and strengthen disciplinary punishment for breach of trust.’<sup>110</sup>

The SCS-related documents clarify that the SCS is primarily aimed at addressing instances where individuals, companies, or other entities breach trust in manners that are considered as dangers to public interests and public security, and that significantly hinder economic and social development.<sup>111</sup> Integrity of the Chinese people being essential for the country was also mirrored in the 2014 Planning Outline for SCS construction. It stated that the SCS ‘is an important part of the socialist market economy system and the social governance system’.<sup>112</sup> Moreover, the goal of the SCS is to raise the sincere mentality and level of integrity of the entire society. The SCS is also aimed at strengthening the integrity consciousness of society members.<sup>113</sup> The document goes on to say that integrity is crucial to ‘stimulate the progress of society and civilization, and realize social harmony, stability and *a long period of peace and order [or political stability]*’.<sup>114</sup> Overall, the growth of the entire narrative around the ‘crisis of trust’ and integrity present in various types of texts and statements built the foundations for the implementation of SCS solutions targeting the trust-breakers.<sup>115</sup>

The ‘crisis of trust’ discourse, including direct discussions on the Core Socialist Value of ‘chengxin’ (integrity) and framing it as an indispensable condition for maintaining the stability of the country, social order and harmony, and governance capabilities, has been reinforced by other statements. For instance, during a study session of the Central Political and Legal Affairs Commission in April 2014, Xi claimed that in order to maintain China’s national security, the stability and harmony in society must be maintained, as well as all contradictions within society must be prevented. Such contradictions should be solved with the use of legal measures<sup>116</sup>.

The SCS might be considered as one of these measures. It is currently deeply embedded within the PRC’s laws, as reflected in standardizing solutions, such as the Central Punishment List mentioned already in the previous chapter. Nevertheless, some aspects of the SCS have sparked debate, including Chinese legal experts who have expressed concerns about specific practices.<sup>117</sup> Certain SCS punitive solutions could be considered extraordinary within the securitization framework. As McDonald claimed, the extraordinary measures do not have to take the form of ‘dramatic emergency measures’ used at a particular point in time.<sup>118</sup> Securitization may be mirrored in ‘a range of administrative practices’ and be ‘used as a mode

of governmentality by diverse institutions to play with the unease, or to encourage it if it does not yet exist, so as to affirm their role as providers of protection and security and to mask some of their failures.<sup>119</sup> SCS's extraordinary measures will be approached in this manner.

#### **4. Measures aimed to deal with the constructed crisis of trust – the focus and frames of the dissertation**

Having established the theoretical framework for studying securitization, in this section, I focus in more detail on how it navigated the study of the SCS. There are different elements of security construction: threats, referent objects, securitization actors, measures, and the meaning of security. Instead of covering all of these elements, studies tend to focus on a detailed analysis of one or more of these aspects.<sup>120</sup> Stritzel believes that the proper approach to the securitization framework is 'leaving it to the empirical studies themselves to work out in detail which element of the framework is, when and why, most important'.<sup>121</sup> The major focus here is on the SCS elements identified as potential extraordinary measures.

As basically laid out in the previous chapter, the SCS framework includes various elements, ranging from blacklisting and redlisting, through rewards and punishments, to data disclosure and the encouragement to impose informal sanctions by society members and non-state entities. This dissertation focuses primarily on the measures aimed at addressing the constructed crisis of trust, especially in the governance areas related to control and censorship. These measures include the SCS solutions that deal with trust-breakers and may be considered extraordinary measures within the long-term securitization process.

These SCS solutions primarily include joint punishments and data disclosure mechanisms. The joint punishments are considered the 'core' of the entire SCS by Beijing itself.<sup>122</sup> Additionally, as an extensive study by von Blomberg and Ahl has shown, joint punishments raise criticism even among Chinese legal scholars. The scholars argue that these punishments 'are excessive and violate the proportionality principle'.<sup>123</sup> They also operate against 'the prohibition of double sanctioning under administrative procedure law, and the prohibition of improper connection between the breach of a norm and the relevant sanction'.<sup>124</sup>

The data disclosure solutions, e.g., publishing blacklists, may also raise similar proportionality concerns. The sole act of disclosing information is not novel under the SCS. However, the 'rebranding of the publicly disclosed data as "credit" or "trust" information'<sup>125</sup> may cause additional consequences. Exposing information about the untrustworthiness of a subject may lead not solely to ostracization, but also to the 'relational punishment' used against trust-breakers by society members, that is, according to a study by Trauth-Goik and Liu,

manifested ‘at the subtler microlevel’.<sup>126</sup> Moreover, the disclosure naturally raises privacy-related concerns, especially amidst the now-emerging PRC privacy regulations, such as the Personal Information Protection Law.<sup>127</sup> Chinese legal scholars have discussed the conflict between the rule of law and the ‘stigma’ inherent in the sanctioning of untrustworthiness.<sup>128</sup> Western scholars also point to the blacklist disclosure is used for the ‘public shaming’ strategy, or ‘a strategy for regulatory shaming’, which enhances informal punishments that lack a legal framework.<sup>129</sup>

In view of the abovementioned findings of Western and Chinese scholarship, the joint and reputational sanctions will naturally be at the center of the study. For the reasons discussed in more detail in Chapter Two, the particular cases chosen for the study mostly cover those related to censorship and control practices within the SCS joint and reputational sanctioning regime. The empirical chapters will not be, however, arranged according to the types of punishments or solutions. Instead, and for bureaucracy-related reasons more extensively discussed in the next section, the solutions were divided into central (standardized) SCS solutions and local SCS solutions that were compliant with and diverging from general central guidelines. The arrangement of the particular sections, therefore, is highly dependent on the compliance of the discussed SCS solutions with the *core SCS assumption*. This core assumption is understood as ‘raising the level of trustworthiness in society through engaging multiple agents to develop and administer mechanisms that operate and share data under the SCS umbrella, hence raising the cost of violating legal provisions (with joint and reputational sanctions)’.<sup>130</sup>

Additionally, one chapter will be devoted entirely to the local scoring systems that appeared in the three analyzed localities. Despite the fact that, during the course of the study, Beijing banned the sanctioning of individuals as a result of a low number of points, the scoring systems remain the most comprehensive SCS solutions that use most types of data and have the most considerable potential to accumulate data on individuals in one database. This could potentially strengthen the state’s surveillance capabilities that might, even unofficially, be used for purposes other than envisaged within the SCS frames. The comprehensive scorings may also naturally incorporate elements related to censorship and control. During the study, signs of such incorporation were looked for. Moreover, the versatile scorings could potentially enable the identification of trust-breakers other than those who violate laws and regulations, who are dealt with by the more standardized solutions.

The above SCS elements identified as the ‘extraordinary measures’ within a securitization process often share similarities with measures used within longitudinal

securitization of migration. Rather than being ‘dramatic’ or ‘emergency’ measures, these constitute professionalized practices designed and performed by professionals, as in Bigo’s study on security and immigration.<sup>131</sup> Case studies that are not urgent, dramatic, or exceptional have already been tested within the securitization theory in the European environment. What is different from those cases is that previous studies were concerned primarily with security professionals.<sup>132</sup> In the SCS case, it is not entirely so, as the SCS is not officially operating directly under security-related bodies.

Finally, the last empirical chapter, Chapter Seven, will cover issues not directly related to the extraordinary measures of the SCS. Instead, it will expand on the problem that appeared during the study, regardless of the designed framework. The problem is determining the scope of the SCS and the belonging of some elements to its framework. The haziness of the SCS is a phenomenon that was identified in all other empirical chapters. Ultimately, I decided that this haziness, or – to be more explicit – messiness, is such a characteristic feature of the SCS that it may not be omitted in the empirical part. This feature may – after all – considerably influence the (in)ability to use the System for authoritarian control and other purposes.

The messiness affected the study to such an extent that it determined the arrangement of the chapters and sections of this dissertation. Such an arrangement might not seem to be the most natural for the discussion of how the SCS might strengthen the Chinese regime by supporting authoritarian control with its extraordinary measures. However, it was chosen because it better mirrors the research process and materializes one of the major arguments about the SCS development molded after the study. It is that regardless of the Xi administration’s focus on centralization and controlling institutions,<sup>133</sup> the Chinese party-state possesses limited capabilities to develop a complex and coherent project, and that these capabilities may be compromised by the interplay of bureaucratic self-interests *already* at the central level, in addition to the central-local dynamic usually discussed in literature.<sup>134</sup>

Overall, the securitization theory was chosen for the design of the study on the basis of the discourse around integrity and the SCS itself because it constituted a very useful framework for navigating the focus of the study. It helped identify the SCS elements that could be considered the extraordinary measures. Securitization – with its developments by the second generation scholars – also offers a proper framework for studying an ongoing and dynamic process, which the SCS construction and development certainly are. Once perceived ‘as a process rather than an event’, securitization can be examined in terms of how it has changed throughout time,<sup>135</sup> and this dissertation was also to identify such changes. Among the initial assumptions of the study was to combine various developments and findings of securitization

scholars based on various case studies and to ultimately offer additional developments to the framework that could work for longitudinal and ongoing cases of securitization within a non-democratic context. This would allow us to move away from the Eurocentric character of the theory further.

However, the limitation of the securitization theory is its inability to address the messiness of the SCS, the scale of which became evident not during the study design but was gradually unearthed during the study process. This feature and lack of organization disrupts discussions on the potential agents, securitizing actors, or going back to the idea of the audience that was originally planned as one of the outcomes of the case study.

Ultimately, the securitization framework was crucial for the study design, but not for analyzing the obtained results. While it will be referred to in the conclusions, the messiness led to additional questions related to the Chinese bureaucracy and the capabilities of the Chinese state to create a centralized project involving the work of dozens of state organs at different levels of administration. Therefore, before moving on to discussing the methodology in Chapter Three, literature about bureaucracy must be briefly discussed in Chapter Two to constitute a base for the further empirical discussion on the various bureaucratic agents and their interests in SCS construction.

## **5. Chinese bureaucracy and the self-interests of bureaucratic agents**

Vuori claimed that the securitization process may be used for ‘raising an issue on the agenda’.<sup>136</sup> As I wrote in a 2023 article that looked at some SCS elements through the securitization perspective, the theory may thus be used as ‘a framework for political agenda-setting within China, in which the crisis of trust is constructed by Beijing to put the establishment of a new governance tool into the political agenda, and in which the bureaucratic agents use the constructed threat to chase their own interests’. The phenomenon of various bureaucratic agents<sup>137</sup> following their bureaucratic self-interests and reshaping central directives is an important part of discussions on Chinese bureaucracy. The term ‘bureaucratic self-interests’ here refers to factors that shape specific actions of particular agents, i.e., organs such as ministries or commissions, both CCP and government entities. According to Lieberthal and Oksenberg, these factors can encompass the agents’ wish to pursue their ‘particular missions’, to voice ‘the views of their units’, and to push forward their own expertise.<sup>138</sup>

Literature on bureaucracy in the PRC tackles the issue from different angles.<sup>139</sup> The discussion repeatedly includes the relations between Beijing and localities, as well as the parallel Party and the state structures. As for the central-local dynamics, Beijing tries to ‘exert

political control over the localities through the system of party-sanctioned appointments of leading personnel – the *nomenklatura* system'.<sup>140</sup> The CCP also ‘sets the general policy line, which the government implements, and oversees the work of the government.’<sup>141</sup> This notwithstanding, as Saich wrote, localities in China are constantly engaged in “negotiating” a relationship with [...] the higher levels of administration'.<sup>142</sup> Before Saich, Lieberthal and Lampton discussed the ‘bargaining in the Chinese bureaucratic system'.<sup>143</sup> Central policies are often remolded locally, with the local structures and organs often acting in accordance with their own interests. Scholars have discussed this phenomenon within the model of ‘fragmented authoritarianism’ for more than 30 years.<sup>144</sup> The ‘model argues that authority below the very peak of the Chinese political system is fragmented and disjointed’.<sup>145</sup>

The policy implementation and reshaping in the PRC is discussed within the *tiao-kuai* dimensions, which relate to the parallel structures of the CCP and the state. *Tiao* refers to a vertical system in which a lower-level organ is responsible before its higher-level counterpart. *Kuai* refers to the territorial, or spatial, units, ‘such as a provincial, municipal, or county government'.<sup>146</sup> Both *tiao* and *kuai* aspects are important for China’s policy implementation. As indicated by Saich, ‘[a] focus on vertical integration and lines of administrative control, while ignoring the way in which the relationship is negotiated, ignores important horizontal relationships in society.’<sup>147</sup> Overall, the ‘party-state’ refers to the CCP being the dominant actor within these ‘parallel structures of both the party and the state, at various levels of social organization’.<sup>148</sup> In other words, as Shirk argues, there exists ‘an “agency relationship” in which the Communist Party is the “principal” and the government is the “agent”.’<sup>149</sup> In such a relationship, Shirk explains, the CCP ‘has formal political authority over the government, which does the actual work of administering the country’.<sup>150</sup>

The principal-agent model referred to by Shirk is often used to analyze the fragmentation of policy implementation in the PRC.<sup>151</sup> The studies go beyond the general power structures between the CCP and the state. Within the principal-agent model, the agent possesses an ‘information advantage over the principal’.<sup>152</sup> This leads to the agency discretion in which agents ‘pursue different ends and strategies than desired by the principal’.<sup>153</sup> This discretionary power is one of several phenomena caused by the PRC administrative structure. Among other phenomena is the ‘erosion and segmentation of the authority of the state’ due to the abundance of legal provisions that are published by different agents and can potentially be in conflict. Moreover, the agents make use of their legislative capabilities to strengthen their power and please their self-interests.<sup>154</sup> The latter phenomenon was naturally central to the conducted research, as the study discussed in the empirical part is based primarily on regulations issued

by the different agents. It is the discretionary power that appears in an unusual context here; therefore, it should be discussed more extensively.

Discussing the SCS development in the context of the principal-agent problem may be challenging. The SCS development ‘is not restricted to the *tiao* and *kuai* axes or to the central horizontal dynamics.’<sup>155</sup> The myriad of bureaucratic agents, as well as relations between them, result in the lack of a straightforward and single authority chain within the SCS frames. This makes it impossible to identify the overall principal in the process of SCS construction. For instance, the 2014 Planning Outline – a major guideline for SCS construction – was issued by the State Council. This makes it a rational principal, but not a real one, as it does not have the authority over the CCP agents that were made responsible for some SCS solutions. The SC has entrusted the NDRC and the PBoC with the role of coordinating the SCS development. The two agents also issue major documents, such as the mentioned documents standardizing the SCS. They, however, do not have the authority over all the agents participating in SCS construction.

Additionally, the responsibility of constructing particular SCS solutions predominantly falls on particular organs. Various departments, including those on levels of administration lower than Beijing, may therefore be delegated additional principals. The existence of such additional principals is a regular phenomenon in the PRC.<sup>156</sup> They can occur on the vertical (*tiao*) axis or within the spatial realm (*kuai*). That is, ‘a local agent can act either under a higher-level ministry or under its local government, depending on whether the SCS mechanism in question is a local or a top-down one’.<sup>157</sup> In such a situation, however, these bureaucratic agents act solely as principals in the construction of single SCS solutions and not within the entire SCS framework.

In the lack of an overall principal for the entire SCS construction, it seems that the information advantage that often leads to the agents’ discretion might not be the primary reason for not acting entirely in line with the central guidelines in the construction of some SCS solutions. As it will be discussed in the empirical chapters, especially Chapter Four, the discretion appearing already at the central level (with no additional principals engaged), ‘may stem from the lack of any principal, or from an unclear authority chain’.<sup>158</sup> In such settings, even central agents may prioritize following their own interests over adding to the development of a coherent SCS.

Central-local dynamics are at the center of the debate on agency discretion in the PRC.<sup>159</sup> Despite some notable exceptions, such as Duckett’s examination of central-level bureaucratic interests occurring in PRC’s social policy,<sup>160</sup> bureaucracy-related literature often focuses on how China’s local agents reshape hazy central guidelines. This stems from the fact

that Beijing imposes some general objectives on local agents who ‘are given a great deal of latitude in choosing the means and personnel for achieving these targets’.<sup>161</sup> In the SCS case, already the central agents at times seem to prioritize their bureaucratic self-interests over the contribution to SCS construction, which will be discussed in the empirical chapters. Often, very complex policies and projects, such as the Belt and Road Initiative, are important case studies allowing for a minute scrutiny of central-local dynamics in policy implementation.<sup>162</sup> The SCS constitutes an interesting case for discussing not solely the local interpretations of general central guidelines, but also the interplay of bureaucratic self-interests at the central level.

## 6. Notes and references

<sup>1</sup> For details on the differences between CS and other approaches see, e.g., Barry Buzan, Ole Wæver, and Jaap de Wilde, *Security: A New Framework for Analysis* (Boulder, CO: Lynne Rienner Publishers, 1998); B. Buzan et al., 1998; Ole Wæver, “Securitization and Desecuritization,” in *On Security*, ed. Richard D. Lipschutz ([New York]: Columbia University Press, 1995).

<sup>2</sup> Ian Bellamy, “Towards a Theory of International Security,” *Political Studies* 29, no. 1 (1981): 102.

<sup>3</sup> John E. Mroz, *Beyond Security: Private Perceptions Among Arabs and Israelis* (New York: Pergamon Press, 1981), 105.

<sup>4</sup> Arnold Wolfers, “‘National Security’ as an Ambiguous Symbol,” *Political Science Quarterly* 67, no. 4 (1952): 485.

<sup>5</sup> Giacomo Luciani, “The Economic Content of Security,” *Journal of Public Policy* 8, no. 2 (1988): 151.

<sup>6</sup> Ole Wæver, *Security, the Speech Act: Analysing the Politics of a Word. 2nd Draft* (paper presented at the Research Training Seminar, Sostrup Manor, June 1989; revised in Jerusalem/Tel Aviv, June 1989), 5–6. It is noteworthy that Wæver’s definition of security, especially due to the linguistic approach, is often criticized by security scholars.

<sup>7</sup> Barry Buzan, *People, States & Fear: An Agenda for International Security Studies in the Post-Cold War Era* (Colchester: ECPR Press, 1991; reissued 2016), 35.

<sup>8</sup> Buzan, *People, States & Fear*, 35.

<sup>9</sup> Buzan, Wæver, and de Wilde, *Security: A New Framework for Analysis*, 27. The CS representatives have been criticized for non-complementary and much different definitions while attempting to make a link between the traditional and broad security approaches. See, e.g., Felix Ciută, “Security and the Problem of Context: A Hermeneutical Critique of Securitization Theory,” *Review of International Studies* 35 (2009): 307.

<sup>10</sup> Buzan, *People, States & Fear*, 35.

<sup>11</sup> Wæver, *Security, the Speech Act*, 33.

<sup>12</sup> Barry Buzan and Ole Wæver, *Regions and Powers: The Structure of International Security* (Cambridge: Cambridge University Press, 2003), 48.

<sup>13</sup> Buzan, *People, States & Fear*, 38.

<sup>14</sup> Buzan, *People, States & Fear*, 27, 33.

<sup>15</sup> Wæver, “Securitization and Desecuritization,” 50. For a critique of the broad approach that does not consider ‘the military sector the most prominent’, as well as of securitization theory see, e.g., Olav F. Knudsen, “Post-Copenhagen Security Studies: Desecuritizing Securitization,” *Security Dialogue* 32, no. 3 (2001): 355–68.

<sup>16</sup> Buzan, *People, States & Fear*, 34; Buzan, Wæver, and de Wilde, *Security: A New Framework for Analysis*, 211. Apart from the major works that are much referred to in this chapter, the CS theory advanced thanks to, e.g., Barry Buzan, Morten Kelstrup, Pierre Lemaitre, Elzbieta Tromer, and Ole Wæver, *The European Security Order Recast: Scenarios for the Post-Cold War Era* (London: Pinter Publishers, 1990); Ole Wæver, Barry Buzan, Morten Kelstrup, and Pierre Lemaitre, *Identity, Migration and the New Security Agenda in Europe* (London: Pinter Publishers, 1993); Barry Buzan, “Rethinking Security after the Cold War,” *Cooperation and Conflict* 32, no. 2 (1997): 5–28.

<sup>17</sup> Buzan, Wæver, and de Wilde, *Security: A New Framework for Analysis*, 2.

<sup>18</sup> Buzan, *People, States & Fear*, 133.

<sup>19</sup> Matt McDonald, “Contesting Border Security: Emancipation and Asylum in the Australian Context,” in *Contesting Security: Strategies and Logics*, ed. Thierry Balzacq (London: Routledge, 2015), 155, 167.

<sup>20</sup> Ciută, “Security and the Problem of Context,” 304, 314. In this standpoint, the idea of *intersubjectivity* should not be mistaken with the CS’s understanding of the idea, where *intersubjective* points at a shared understandings between different participants, e.g., actors and audience, which means these are socially constructed.

<sup>21</sup> Buzan and Wæver, *Regions and Powers*, 48.

<sup>22</sup> Patricia Thornton, “China’s Non-Traditional Security,” in *Routledge Handbook of Chinese Security*, ed. Lowell Dittmer and Maochun Yu (London: Routledge, 2015), 63.

<sup>23</sup> Thornton, “China’s Non-Traditional Security,” 63.

<sup>24</sup> For details on the international cooperation in this realm see e.g. David Arase, “Non-Traditional Security in China-ASEAN Cooperation: The Institutionalization of Regional Security Cooperation and the Evolution of East Asian Regionalism,” *Asian Survey* 50, no. 4 (2010): 808–833; Thornton, “China’s Non-Traditional Security.”

<sup>25</sup> Thornton, “China’s Non-Traditional Security,” 61.

<sup>26</sup> Dali L. Yang, *Remaking the Chinese Leviathan: Market Transitions and the Politics of Governance in China* (Stanford, CA: Stanford University Press, 2004).

<sup>27</sup> Thornton, “China’s Non-Traditional Security,” 61. For more detail on this issue, see Thornton’s full chapter.

<sup>28</sup> Hongyi Liu, “The Role and Logic of Nontraditional Security in China’s Engagement in Global Governance Mechanisms under Xi Jinping’s Regime,” *Journal of Chinese Political Science*, 2020, 9.

<sup>29</sup> You Ji, “China’s National Security Commission: Theory, Evolution and Operations,” *Journal of Contemporary China* 25, no. 98 (2016): 178–196.

<sup>30</sup> CCP People, “习近平：坚持总体国家安全观，走中国特色国家安全道路 [Xi Jinping: Persisting in the Overall National Security Concept, Following the Path of National Security with Chinese Characteristics],” April 16, 2014, <http://cpc.people.com.cn/n/2014/0416/c64094-24900492.html>.

<sup>31</sup> For a full list and description see, e.g., Katja Drinhausen and Helena Legarda, “‘Comprehensive National Security’ Unleashed: How Xi’s Approach Shapes China’s Policies at Home and Abroad”, *MERICS (Mercator Institute for China Studies)*, September 15, 2022, <https://merics.org/en/report/comprehensive-national-security-unleashed-how-xis-approach-shapes-chinas-policies-home-and>.

<sup>32</sup> Xinhua, “Xi Focus: Xi Stresses Building Holistic National Security Architecture,” December 12, 2020, [http://www.xinhuanet.com/english/2020-12/12/c\\_139584669.htm?bsh\\_bid=5571882358&s=07&fbclid=IwAR3I\\_rIAa36YJodk5Xnt13tb8HU5v3Fqh5aBf4U2VB0rOd3ZO1MSmra9CIU](http://www.xinhuanet.com/english/2020-12/12/c_139584669.htm?bsh_bid=5571882358&s=07&fbclid=IwAR3I_rIAa36YJodk5Xnt13tb8HU5v3Fqh5aBf4U2VB0rOd3ZO1MSmra9CIU).

<sup>33</sup> Yu Xiaofeng, *非传统安全与公共危机治理* [*Non-Traditional Security and the Public Governance of Crises*] (Hangzhou: Zhejiang University Press, 2007), 27. For more works on the issue by the Chinese scholars see, e.g., Zhang Weiyu, Chen Zhe, and Nali Biao, “中国非传统安全研究 - 兼与其他国家和地区比较 [China’s Non-Traditional Security Studies and a Comparison with Different Countries and Regions],” *国际政治科学* [*Quarterly Journal of International Politics*] 34, no. 2 (2013): 94–120; Yu Xiaofeng and Wang Jiangli, “非传统安全维护的‘边界’、‘语境’与‘范式’ [Maintaining Non-Traditional Security: Borders, Context, and Paradigms],” *世界经济与政治* [*World Economics and Politics*], no. 11 (2006): 55–61; Yu Xiaofeng, Luo Zhongshu, Xie Guiping, Wang Zhuo, and Wei Zhijiang, *中国非传统安全研究报告 (2018–2019)* [*Report on China’s Non-Traditional Security Studies (2018–2019)*] (Beijing: Social Science Academic Press (China), 2020).

<sup>34</sup> Liu, “The Role and Logic of Nontraditional Security,” 2.

<sup>35</sup> Thornton, “China’s Non-Traditional Security,” 62.

<sup>36</sup> Both in democratic and non-democratic systems. Min Jiang and King-wa Fu, “Chinese Social Media and Big Data: Big Data, Big Brother, Big Profit?” *Policy & Internet* 10, no. 4 (2018): 388.

<sup>37</sup> For a discussion on these and other activities under Xi, see e.g., Elizabeth C. Economy, *The Third Revolution* (New York: Oxford University Press, 2018).

<sup>38</sup> On the topic see e.g., Adrian Zenz, “‘Thoroughly Reforming Them Towards a Healthy Heart Attitude’: China’s Political Re-Education Campaign in Xinjiang,” *Central Asian Survey* 38, no. 1 (2019): 102–128; James Leibold, “The Spectre of Insecurity: The CCP’s Mass Internment Strategy in Xinjiang,” *The Uyghur American Association*, March 1, 2019; Zainab Raza, “China’s Political Re-Education Camps of Xinjiang’s Uyghur Muslims,” *Asian Affairs* 50, no. 4 (2019): 488–501; Elżbieta Proń and Emilie Szwajnoch, “Kyrgyz and Kazakh Responses to China’s Xinjiang Policy under Xi Jinping,” *Asian Affairs* 51, no. 4 (2020): 761–778.

<sup>39</sup> Such as Bill Bishop, the creator of the Sinocism newsletter – a source of information about China popular and praised among representatives of academia, media, and politics; or Vivian Wang – a Beijing-based New York Times correspondent who, in 2024, wrote an article entitled “An Incomplete List of Everything Threatening China’s National Security” (available here: <https://www.nytimes.com/2024/09/03/world/asia/china-security-threats.html>).

<sup>40</sup> Wæver, *Security, the Speech Act*, 46. For additional reading on the local and regional impact on security see e.g. Nils Bubandt, “Vernacular Security: The Politics of Feeling Safe in Global, National and Local Worlds,” *Security Dialogue* 36, no. 3 (2005): 275–296.

<sup>41</sup> Wæver, *Security, the Speech Act*, 4.

<sup>42</sup> Next to regional security complexes and sectors of security. Ole Wæver, “Aberystwyth, Paris, Copenhagen: New ‘Schools’ in Security Theory and Their Origins between Core and Periphery,” paper presented at the ISA Convention, Montreal, March 2004: 8. Here, the focus will be laid on the securitization framework and the sectors will not be explicitly referred to, as these are simply ‘lenses or discourses rather than objectively existing phenomena’ (Lene Hansen and Helen Nissenbaum, “Digital Disaster, Cyber Security, and the Copenhagen School,” *International Studies Quarterly* 53, no. 4 (2009): 1157. See also: Buzan, Wæver, and de Wilde, *Security: A New Framework for Analysis*, 27). For the essential works of the CS representatives see, e.g., Buzan, Wæver, and de Wilde, *Security: A New Framework for Analysis*; Buzan, *People, States & Fear*; Buzan and Wæver, *Regions and Powers*; Wæver, *Security, the Speech Act*.

<sup>43</sup> Buzan, Wæver, and de Wilde, *Security: A New Framework for Analysis*, 23.

<sup>44</sup> Buzan, Wæver, and de Wilde, *Security: A New Framework for Analysis*, 24.

<sup>45</sup> Buzan, Wæver, and de Wilde, *Security: A New Framework for Analysis*, 26.

<sup>46</sup> Buzan, Wæver, and de Wilde, *Security: A New Framework for Analysis*, 30.

<sup>47</sup> Holger Stritzel, “Securitization, Power, Intertextuality: Discourse Theory and the Translations of Organized Crime,” *Security Dialogue* 43, no. 6 (2012): 552. The term *second generation* refers to scholars who, drawing upon the CS framework and its broad approach to security, continue to develop the securitization framework, both through empirical and normative discussions.

<sup>48</sup> See e.g. Thierry Balzacq, “A Theory of Securitization: Origins, Core Assumptions, and Variants,” in *Securitization Theory: How Security Problems Emerge and Dissolve*, ed. Thierry Balzacq (London: Routledge, 2011), 3. See also: Thierry Balzacq, Sarah Léonard, and Jan Ruzicka, “Securitization Revisited: Theory and Cases,” *International Relations* 30, no. 4 (2016): 495.

<sup>49</sup> Aglaya Snetkov, “Theories, Methods and Practices – A Longitudinal Spatial Analysis of the (De)securitization of the Insurgency Threat in Russia,” *Security Dialogue* 48, no. 3 (2017): 264. She speaks of both securitization and desecuritization processes, focusing mainly on the latter. See also: Matt McDonald, “Securitization and the Construction of Security,” *European Journal of International Relations* 14, no. 4 (2008): 564; Holger Stritzel, “Towards a Theory of Securitization: Copenhagen and Beyond,” *European Journal of International Relations* 13, no. 3 (2007): 377; Stritzel, “Securitization, Power, Intertextuality.”

<sup>50</sup> Note: Even in CS the question of when the exact moment comes may be vague. See: McDonald, “Securitization and the Construction of Security,” 575–576. See also: Mark Salter, “Securitization and Desecuritization: A Dramaturgical Analysis of the Canadian Air Transport Security Authority,” *Journal of International Relations and Development* 11 (2008): 324.

<sup>51</sup> McDonald, “Securitization and the Construction of Security,” 564.

<sup>52</sup> Claire Wilkinson, “The Copenhagen School on Tour in Kyrgyzstan: Is Securitization Theory Useable Outside Europe?” *Security Dialogue* 38, no. 1 (2007): 8.

<sup>53</sup> Wilkinson, “The Copenhagen School on Tour,” 20. See also: Faye Donnelly, “In the Name of (De)securitization: Speaking Security to Protect Migrants, Refugees and Internally Displaced Persons?” *International Review of the Red Cross* 99, no. 1 (2017): 241–261. She developed the idea of

(de)securitization as a ‘game’, initial and final moments of which are not unequivocal. See also a different critique of linearity: Bello, among others, introduced the notion of a ‘spiraling’ phenomenon in the securitization context, ‘which involves different actors, and their policies, practices and narratives, in a spiralling progression that both self-fulfils and reinforces migration-security nexus’ dynamics’: Valeria Bello, “The Spiralling of the Securitisation of Migration in the EU: From the Management of a ‘Crisis’ to a Governance of Human Mobility?” *Journal of Ethnic and Migration Studies* 46, no. 6 (2020): 1328, 1333. Scholars also criticized the CS for equating ‘process’ with ‘speech act’ or ‘utterance’, using them interchangeably. (Stritzel, “Towards a Theory of Securitization,” 364.).

<sup>54</sup> Note: Second generation scholars have offered various explanations for why the so-called ‘linguistic approach’ is not always sufficient for analyzing securitization processes. For instance, Hansen stated that speaking is not always possible (Lene Hansen, “The Little Mermaid’s Silent Security Dilemma and the Absence of Gender in the Copenhagen School,” *Millennium: Journal of International Studies* 29, no. 2 (2000): 285). See also: Wilkinson, “The Copenhagen School on Tour,” 21: ‘The move from speech-act to physical action highlights securitization’s overreliance on the medium of speech[...].’ McDonald also said that the reliance on speech acts ‘encourages a focus only on the discursive interventions of those voices deemed institutionally legitimate to speak on behalf of a particular collective, usually a state.’ (McDonald, “Securitization and the Construction of Security,” 564). He added (pp. 568–569) that language is solely one of the communication means and the purely linguistic approach leads to the overlooking of other elements (such as pictures) that may be included in security construction. Blazacq acknowledged that practices themselves, and not words, can construct a threat from an issue (Thierry Blazacq, “The Policy Tools of Securitization: Information Exchange, EU Foreign and Interior Policies,” *JCMS: Journal of Common Market Studies* 46, no. 1 (2008): 80). Bigo stated that ‘[i]t is possible to securitise certain problems without speech or discourse and the military and the police have known this for a long time. The practical work, discipline, and expertise are as important as all forms of discourse.’ (Didier Bigo, “When Two Become One: Internal and External Securitizations in Europe,” in *International Relations Theory and the Politics of European Integration: Power, Security and Community*, ed. Morten Kelstrup and Michael C. Williams [London: Routledge, 2000], 194.). All this concerned, one of the divisions into types of approaches to securitization can be two levels of analysis: the linguistic and the practice-oriented (see Christina Boswell, “Migration Control in Europe After 9/11: Explaining the Absence of Securitization,” *JCMS: Journal of Common Market Studies* 45, no. 3 [2007]: 606.)

<sup>55</sup> Stritzel, “Towards a Theory of Securitization,” 374

<sup>56</sup> Stritzel, “Towards a Theory of Securitization,” 376

<sup>57</sup> As it happened for instance at the Tiananmen Square in 1989. See: Juha A. Vuori, “Illocutionary Logic and Strands of Securitization: Applying the Theory of Securitization to the Study of Non-Democratic Political Orders,” *European Journal of International Relations* 14, no. 1 (2008): 65–99.

<sup>58</sup> Including European Union policies that have been implemented; primarily those considering border controls are continuous actions that do not have a particular ending point. See, e.g., Christopher Baker-Beall, “The Threat of the ‘Returning Foreign Fighter’: The Securitization of EU Migration and Border Control Policy,” *Security Dialogue* 50, no. 5 (2019): 437–453. See also: Renata Podgórska, “The Issue of Securitization of the Refugee,” *Polish Political Science Yearbook* 48, no. 1 (2019): 67–89. Similarly, in Australia; see, e.g., McDonald, “Contesting Border Security.” There have also been conducted a few analyses of long-term processes outside of the Western world. See, e.g., Snetkov, “(De)securitization of the Insurgency Threat.”

<sup>59</sup> Emilie Szwajnoch, “Is ‘Untrustworthy’ the New ‘Threatening’? China’s Social Credit System through the Prism of Securitization,” *Asian Affairs* 54, no. 4 (2023): 694–716.

<sup>60</sup> Jef Huysmans, “Revisiting Copenhagen: Or, On the Creative Development of a Security Studies Agenda in Europe,” *European Journal of International Relations* 4, no. 4 (1998): 499. For a critique by

a Chinese researcher see e.g. Yihua Xu, “Studies on Religion and China’s National Security in the Globalization Era,” *Journal of Middle Eastern and Islamic Studies (in Asia)* 7, no. 3 (2013): 1–21.

<sup>61</sup> Vuori, “Illocutionary Logic and Strands of Securitization,” 65.

<sup>62</sup> Howell and Richter-Montpetit went further in their accusations. They treat Eurocentrism as a lighter version of *racism* and *white supremacy* and add three more elements: ‘civilizationism, methodological whiteness, and antiblack racism.’ Alison Howell and Melanie Richter-Montpetit, “Is Securitization Theory Racist? Civilizationism, Methodological Whiteness, and Antiblack Thought in the Copenhagen School,” *Security Dialogue* 51, no. 1 (2020): 4. Their accusations were countered by Buzan and Wæver. See: Barry Buzan and Ole Wæver, “Racism and Responsibility – The Critical Limits of Deepfake Methodology in Security Studies: A Reply to Howell and Richter-Montpetit,” *Security Dialogue* 51, no. 4 (2020): 386–394.

<sup>63</sup> See Barry Buzan and Richard Little, “Why International Relations Has Failed as an Intellectual Project and What to Do About It,” *Millennium: Journal of International Studies* 30, no. 1 (2001): 25.; Claire Wilkinson, “The Copenhagen School on Tour in Kyrgyzstan: Is Securitization Theory Useable Outside Europe?” *Security Dialogue* 38, no. 1 (2007): 7.

<sup>64</sup> For literature on securitization not only outside of the European but also the Western realm, see, e.g., Ralf Emmers, Mely Caballero-Anthony, and Amitav Acharya, eds., *Non-Traditional Security in Asia: Dilemmas in Securitization* (London: Routledge, 2016); Simon Mabon and Saloni Kapur, eds., *Securitization in the Non-West* (London: Routledge, 2020); Wilkinson, “The Copenhagen School on Tour.”

<sup>65</sup> Especially those from North America and Asia-Pacific (Balzacq, Léonard, and Ruzicka, “Securitization Revisited,” 507).

<sup>66</sup> See, e.g., James K. Chin, “Human Smuggling and Trafficking in the Taiwan Strait: Security Predicament or Political Dilemma?” in *Security and Migration in Asia*, ed. Melissa Curley and Siu-lun Wong (London: Routledge, 2008), 118–136; Elizabeth Wishnick, “The Securitization of Chinese Migration to the Russian Far East: Rhetoric and Reality,” in *Security and Migration in Asia*, ed. Melissa Curley and Siu-lun Wong (London: Routledge, 2008), 83–99; Tsering Topgyal, “The Tibetan Self-Immolations as Counter-Securitization: Towards an Inter-Unit Theory of Securitization,” *Asian Security* 12, no. 3 (2016): 166–187; Shunji Cui and Jia Li, “(De)securitizing Frontier Security in China: Beyond the Positive and Negative Debate,” *Cooperation and Conflict* 42, no. 2 (2011): 144–165.; Lukas K. Danner, “Securitization and De-securitization in the Diaoyu/Senkaku Islands Territorial Dispute,” *Journal of Alternative Perspectives in the Social Sciences* 6, no. 2 (2014): 219–247; Małgorzata Jakimów, “Desecuritization as a Soft Power Strategy: The Belt and Road Initiative, European Fragmentation and China’s Normative Influence in Central-Eastern Europe,” *Asia Europe Journal* 17, no. 4 (2019): 369–385; Marie Trédaniel and Pak K. Lee, “Explaining the Chinese Framing of the ‘Terrorist’ Violence in Xinjiang: Insights from Securitization Theory,” *Nationalities Papers* 46, no. 1 (2017): 177–195; Xu, “Religion and China’s National Security” (the Chinese author criticized the CS assumptions for not fitting to the Chinese realm, failing to admit the differences between the Western world and China and other developing countries); Maria J. Trombetta, “Securitization of Climate Change in China: Implications for Global Governance,” *China Quarterly of International Strategic Studies* 5, no. 1 (2016): 97–116. The works include also papers by Chinese scholars, in both English and Chinese. See e.g. Bo Yan, “Securitization and Chinese Climate Change Policy,” *Chinese Political Science Review* 1 (2016): 94–112; Ma Xin, Wang Wentao, Zhang Xueyan, Wu Shaohong, and Liu Yanhua, “于哥本哈根学派的中国气候安全化比较分析 [Analysis on China’s Climate Securitization Based on Copenhagen School],” *气候变化研究进展 [Climate Change Research]* 15, no. 6 (2019): 693–699; Xiaoxue Jiang, “The Virtual Panopticon in China: Surveillance through the Securitization of the Internet,” *Mapping China Journal* 2 (2018); Ji, “China’s National Security Commission.” Most important here will be the works by Juha Vuori that are referred to throughout the chapter.

<sup>67</sup> His works are most notable due to two reasons. First, his doctoral dissertation comprised an extensive and comprehensive contribution to the securitization issue in the PRC. It has gained considerable attention, as was reviewed by Ole Wæver himself, one of the major scholars responsible for designing the original securitization framework (Juha A. Vuori, *How to Do Security with Words: A Grammar of Securitisation in the People's Republic of China* (PhD diss., University of Turku, 2011). More importantly, contrary to most of the other mentioned China-related securitization studies, works by Vuori comprise instances of securitization (and counter-securitization) that are closely related to the political security and the legitimacy of the CCP, either regionally or nationally. One of his studies covered the Falun Gong issue, in which he examined the securitizing moves by the securitizing actor (the CCP) and the counter-securitizing moves from the Falun Gong practitioners (Juha A. Vuori, "Religion Bites: Falungong, Securitization/Desecuritization in the People's Republic of China," in *Securitization Theory: How Security Problems Emerge and Dissolve*, ed. Thierry Balzacq [London: Routledge, 2011], 186–211.). Vuori has also examined the case of Tiananmen and focused on different political functions of securitization at the domestic level (Vuori, "Illocutionary Logic and Strands of Securitization.").

<sup>68</sup> Vuori, "Religion Bites," 187.

<sup>69</sup> As proposed by Wæver.

<sup>70</sup> Vuori, "Illocutionary Logic and Strands of Securitization," 76–88.

<sup>71</sup> Vuori paid considerable attention also to the study of counter- or desecuritization, not only in the domestic, but also international realm. See, e.g., Juha A. Vuori, "Let's Just Say We'd Like to Avoid Any Great Power Entanglements: Desecuritization in Post-Mao Chinese Foreign Policy towards Major Powers," *Global Discourse* 8 (2018): 118–136; Juha A. Vuori, "Contesting and Resisting Security in Post-Mao China," in *Contesting Security: Strategies and Logics*, ed. Thierry Balzacq (London: Routledge, 2015), 29–43. His writings were later contested, see: Mark Lacy, "China and Discourses of Desecuritization: A Reply to Vuori," *Global Discourse* 8, no. 1 (2018): 137–138.

<sup>72</sup> Vuori, "Illocutionary Logic and Strands of Securitization," 93.

<sup>73</sup> Wilkinson, "The Copenhagen School on Tour," 20.

<sup>74</sup> Wilkinson, "The Copenhagen School on Tour," 22.

<sup>75</sup> Ciută, "Security and the Problem of Context," 313

<sup>76</sup> Vuori, "Illocutionary Logic and Strands of Securitization," 68.

<sup>77</sup> Buzan et al. said that '[i]f by means of an argument about the priority and urgency of an existential threat the securitizing actor has managed to break free of procedures or rules he or she would otherwise be bound by, we are witnessing a case of securitization.' (Buzan, Wæver, and de Wilde, *Security: A New Framework for Analysis*, 25).

<sup>78</sup> Vuori, "Illocutionary Logic and Strands of Securitization," 69. For more information considering the *normal* and *extraordinary (special)* politics in a regime, see the full article.

<sup>79</sup> Stritzel, "Towards a Theory of Securitization," 367

<sup>80</sup> Sarah Léonard and Christian Kaunert, "The Securitisation of Migration in the European Union: Frontex and Its Evolving Security Practices," *Journal of Ethnic and Migration Studies* 48, no. 6 (2022): 1420.

<sup>81</sup> Rita Abrahamsen, "Blair's Africa: The Politics of Securitization and Fear," *Alternatives: Global, Local, Political* 30, no. 1 (2005): 59, 75. Initially, the existentiality was essential. For instance, Buzan

claimed that ‘[p]olitical threats are aimed at the organizational stability of the state,’ and can involve means such as ‘overthrowing the government’ or ‘fomenting secessionism’ (Buzan, *People, States & Fear*, 109), which are rather ultimate threats. On the other hand, according to CS, the threat itself is not required to be truly existential for securitization to happen, it simply needs to be perceived as such (Buzan, Wæver, and de Wilde, *Security: A New Framework for Analysis*, 26). The government may state instrumentally that a particular threat is an existential threat towards the state to legitimize its actions, whereas, in fact, the threat only jeopardizes the government, which is afraid of losing its power (Buzan, Wæver, and de Wilde, *Security: A New Framework for Analysis*, 152).

<sup>82</sup> Baker-Beall, “The Threat of the ‘Returning Foreign Fighter’,” 438. See also: Marieke de Goede, “The Politics of Preemption and the War on Terror in Europe,” *European Journal of International Relations* 14, no. 1 (2008): 161–185.

<sup>83</sup> Vuori, “Illocutionary Logic and Strands of Securitization,” 69.

<sup>84</sup> See Vuori, “Illocutionary Logic and Strands of Securitization.”

<sup>85</sup> Buzan, Wæver, and de Wilde, *Security: A New Framework for Analysis*, 25. Note: according to the representatives of the CS, the power of coercion is not absolute – no securitizing actor is guaranteed the ability to make the audience accept a claim for necessary security action (Buzan, Wæver, and de Wilde, *Security: A New Framework for Analysis*, 31).

<sup>86</sup> Balzacq, Léonard, and Ruzicka, “Securitization Revisited,” 501–502. Moreover, due to empirical focus on the successful securitization and securitizing actors, the threats themselves and ‘the “targets” of securitization’ are much understudied (Vuori, “Religion Bites,” 186); Jan Ruzicka, “Failed Securitization: Why It Matters,” *Polity* 51, no. 2 (2019): 365–377. See also: Wilkinson, who argues that such a focus on effects of successful instances of securitization does not allow scholars to examine the entire process properly (Wilkinson, “The Copenhagen School on Tour,” 8). Balzacq stated that testing solely successful instances leads to ‘selection bias’ and ‘to applying (not testing) a theory’ (Thierry Balzacq, “Enquiries into Methods: A New Framework for Securitization Analysis,” in *Securitization Theory: How Security Problems Emerge and Dissolve*, ed. Thierry Balzacq [London and New York: Routledge, 2011], 34). Originally, in the view of Buzan et al., it was the studies of successful securitization processes that were most relevant for security research (Buzan, Wæver, and de Wilde, *Security: A New Framework for Analysis*, 39).

<sup>87</sup> He proceeds in his thinking by questioning the role and relevance of the audience in non-democratic realm at all. Stritzel, “Towards a Theory of Securitization,” 363.

<sup>88</sup> Salter, “Securitization and Desecuritization,” 327–328. For instance, in his case study, the general public was not being convinced by the actor.

<sup>89</sup> Balzacq, “The Policy Tools of Securitization,” 76. See also: Stritzel, “Towards a Theory of Securitization,” 363.

<sup>90</sup> Vuori, “Illocutionary Logic and Strands of Securitization,” 68.

<sup>91</sup> Szwajnoch, “Is ‘Untrustworthy’ the New ‘Threatening’?,” 710.

<sup>92</sup> Salter, “Securitization and Desecuritization,” 325. It has also been pointed that in long-term securitization processes the public can at times engage in a more heated debate on the threat, yet this does not necessarily mirror the real intensity of it. Salter, “Securitization and Desecuritization,” 324.

<sup>93</sup> See: Buzan, Wæver, and de Wilde, *Security: A New Framework for Analysis*, 30–31.

<sup>94</sup> Adam Côté, “Agents without Agency: Assessing the Role of the Audience in Securitization Theory,” *Security Dialogue* 47, no. 6 (December 2016): 542–543.

<sup>95</sup> See also: Knudsen, “Post-Copenhagen Security Studies,” 359–360. The critique of the securitization framework by Knudsen includes the view that assuming the sheer subjectivity of a threat is not reliable, but he disagrees that it is irrelevant whether a threat is or not real. He says that ‘[t]hreats have to be dealt with *both in terms of perceptions and in terms of the phenomena which are perceived to be threatening.*’ (Knudsen, “Post-Copenhagen Security Studies,” 360).

<sup>96</sup> Vuori, “Illocutionary Logic and Strands of Securitization,” 69.

<sup>97</sup> Szwajnoch, “Is ‘Untrustworthy’ the New ‘Threatening’?,” 698.

<sup>98</sup> 国务院关于印发社会信用体系建设规划纲要(2014–2020 年) 的通知 (Notice of the State Council on Issuing Planning Outline for the Construction of a Social Credit System (2014–2020)) (2014).

<sup>99</sup> See Szwajnoch, “Is ‘Untrustworthy’ the New ‘Threatening’? ”.

<sup>100</sup> McDonald, “Securitization and the Construction of Security,” 576.

<sup>101</sup> 公民道德建设实施纲要 (Implementation Guideline for the Construction of Civic Morality) (2001).

<sup>102</sup> 新时代公民道德建设实施纲要 (Implementation Guideline for the Construction of Civic Morality for the New Era) (2019).

<sup>103</sup> Wei Xin and Bo Yang, 诚信危机：透视中国一个严重的社会问题 [*The Crisis of Integrity: A Glimpse into a Serious Social Problem in China*] (Beijing: China Social Sciences Press, 2003).

<sup>104</sup> Li Cheng, “诚信——道德建设的根本” [Integrity – the root of moral construction], 精神文明导刊 [*Spiritual Civilization*], no. 8 (2006).

<sup>105</sup> Rogier Creemers, “China’s Social Credit System: An Evolving Practice of Control,” *SSRN Electronic Journal*, May 9, 2018, [https://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=3175792](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3175792); 7. Note: it is no longer available at the website of the People’s Daily and could not be accessed during this study.

<sup>106</sup> The Central People’s Government of the People’s Republic of China, “江泽民在中国共产党第十六次全国代表大会上的报告” [Jiang Zemin’s report at the 16th National Congress of the Communist Party of China], November 8, 2002, [https://www.gov.cn/test/2008-08/01/content\\_1061490.htm](https://www.gov.cn/test/2008-08/01/content_1061490.htm).

<sup>107</sup> Creemers, “China’s Social Credit System,” 6–7.

<sup>108</sup> The mentioned and other excerpts from Xi’s speeches related to the Core Socialist Values can be accessed here: [https://www.xinhuanet.com/politics/2016-12/08/c\\_129395314.htm](https://www.xinhuanet.com/politics/2016-12/08/c_129395314.htm) (Xinhua, “‘平语’近人——习近平谈社会主义核心价值观” [‘Plain Language’ for People’s Comfort: Xi Jinping on the Core Values of Socialism], December 8, 2006).

<sup>109</sup> See, e.g., 国务院办公厅关于加强个人诚信体系建设的指导意见 (Guiding Opinion of the SC GO on Strengthening the Construction of Personal Trustworthiness System) (2016).

<sup>110</sup> 中共中央关于坚持和完善中国特色社会主义制度 推进国家治理体系和治理能力现代化若干重大问题的决定 (Decision of the Central Committee of the Chinese Communist Party on Some Major Issues Concerning Adhering to and Refining the System of Socialism with Chinese Characteristics and Advancing the Modernization of China’s National Governance System and Governance Capacity) (2019). The direct quote comes from the translation provided by the Center for Strategic and International Studies (CSIS Interpret: China): <https://interpret.csis.org/translations/decision-of-the-fourth-plenum-of-the-19th-central-committee-of-the-chinese-communist-party/>

<sup>111</sup>国务院关于建立完善守信联合激励和失信联合惩戒制度，加快推进社会诚信建设的指导意见 (Guiding Opinion of the SC on the Establishment and Improvement of the System of Joint Incentives for Keeping Trust and Joint Punishments for Breaking Trust and Accelerating the Construction of Social Trustworthiness) (2016).

<sup>112</sup>国务院关于印发社会信用体系建设规划纲要(2014—2020年)的通知 (Notice of the State Council on Issuing Planning Outline for the Construction of a Social Credit System (2014—2020)) (2014). The quote in this fragment include the translation by Rogier Creemers which is available at: <https://chinacopyrightandmedia.wordpress.com/2014/06/14/planning-outline-for-the-construction-of-a-social-credit-system-2014-2020/>.

<sup>113</sup>国务院关于印发社会信用体系建设规划纲要(2014—2020年)的通知 (Notice of the State Council on Issuing Planning Outline for the Construction of a Social Credit System (2014—2020)) (2014).

<sup>114</sup>国务院关于印发社会信用体系建设规划纲要(2014—2020年)的通知 (Notice of the State Council on Issuing Planning Outline for the Construction of a Social Credit System (2014—2020)) (2014). Italics are not present in the original document. The phrase in italics is a proposed translation of a Chinese idiom ‘changzhi jiu’an’ 长治久安. The translation with the work ‘order’ does not mirror an essential idea of the idiom that refers specifically to the long-lasting *political/governmental* stability. This same concept of a long period of peace and political stability was presented by Xi Jinping at the National Security Commission in an April 2014 meeting when he emphasized that the NSC was established to serve the main purpose.

<sup>115</sup> For a discussion on the discourse see Szwajnoch, “Is ‘Untrustworthy’ the New ‘Threatening’?”.

<sup>116</sup> CCP People, “习近平：切实维护国家安全和社会安定” [Xi Jinping: Earnestly Safeguard National Security and Societal Stability], April 27, 2014, <http://cpc.people.com.cn/n/2014/0427/c64094-24946886.html>.

<sup>117</sup> See, e.g., Adam Knight, “Basket Case: Reform and China’s Social Credit Law,” *China Law and Society Review* 6, no. 2 (2023): 181–210.

<sup>118</sup> McDonald, “Securitization and the Construction of Security,” 570.

<sup>119</sup> Didier Bigo, “Security and Immigration: Toward a Critique of the Governmentality of Unease,” *Alternatives: Global, Local, Political* 27, no. 1 (supplement) (2002): 65.

<sup>120</sup> Ciută, “Security and the Problem of Context,” 317–318.

<sup>121</sup> Stritzel, “Towards a Theory of Securitization,” 358.

<sup>122</sup> See, e.g.,国家发展改革委办公厅关于做好联合惩戒案例归集和信息共享工作的通知 (Notice of the General Office of the National Development and Reform Commission on doing a good job in collection and information sharing of joint punishment cases) (2018). Along with the joint rewards. However, out of 51 joint rewards or punishments mechanisms, solely five are devoted to rewards and other three include them partially, whereas the rest involve exclusively punishments (as of August 2019). See: National Public Credit Information Center, “2019年8月新增失信联合惩戒对象公示及说明” [Newly Added Subjects to Joint Punishments for Trust Breaking in August 2019 – Disclosure and Explanation], September 5, 2019, [www.gov.cn/fuwu/2019-09/05/content\\_5427393.htm](http://www.gov.cn/fuwu/2019-09/05/content_5427393.htm).

<sup>123</sup> Marianne von Blomberg and Björn Ahl, “Debating the Legality of Social Credit Measures in China: A Review of Chinese Legal Scholarship,” *China Review* 24, no. 3 (2024): 22.

<sup>124</sup> Blomberg and Ahl, “Debating the Legality,” 22.

<sup>125</sup> Szwajnoch, “Is ‘Untrustworthy’ the New ‘Threatening’?,” 701–702.

<sup>126</sup> Alexander Trauth-Goik and Chuncheng Liu, “Black or Fifty Shades of Grey? The Power and Limits of the Social Credit Blacklist System in China,” *Journal of Contemporary China* 32, no. 144 (2022): 1031.

<sup>127</sup> Note: The Personal Information Protection Law in its current version rather protects natural persons from having their data misused by enterprises. It still allows for most state activities. For an overview of China’s evolving privacy-related regulatory environment see Rogier Creemers, “China’s Emerging Data Protection Framework,” *Journal of Cybersecurity* 8, no. 1 (2022).

<sup>128</sup> See Men Zhongjing. “失信联合惩戒之污名及其法律控制” [Stigma of Joint Disciplining Mechanism for Trust-Breaking and Its Legal Control], *法学论坛 [Legal Forum]*, no. 6 (2019): 26.

<sup>129</sup> See Marianne von Blomberg and Haixu Yu, “Shaming the Untrustworthy and Paths to Relief in China’s Social Credit System,” *Modern China* 49, no. 6 (2023): 744–81.

<sup>130</sup> See Szwajnoch, “Is ‘Untrustworthy’ the New ‘Threatening’?,” 696.

<sup>131</sup> See Bigo, “Security and Immigration.” Not entirely in line with Bigo, in the case of SCS, the professionals are usually not directly related to the security sector (yet Bigo mentions non-security actors as well).

<sup>132</sup> See, e.g., Bigo, “Security and Immigration”; Didier Bigo, “The (In)securitization Practices of the Three Universes of the EU Border Control: Military/Navy – Border Guards/Police – Database Analysts,” *Security Dialogue* 45, no. 3 (2014): 209–225.

<sup>133</sup> For discussion, see, e.g., Cheng Li, *Chinese Politics in the Xi Jinping Era: Reassessing Collective Leadership* (Washington, DC: The Brookings Institution, 2016), 3–5.

<sup>134</sup> See Emilie Szwajnoch, “Regulatory Capture of the Chinese Social Credit System: Bureaucratic Self-Interests in Project Implementation,” *China Information* 38, no. 3 (2024): 309–330.

<sup>135</sup> Baker-Beall, “The Threat of the ‘Returning Foreign Fighter’,” 440. See also: Balzacq, “A Theory of Securitization,” 27.

<sup>136</sup> Vuori, “Illocutionary Logic and Strands of Securitization.”

<sup>137</sup> Note: ‘state organs’ mentioned throughout the dissertation are considered ‘bureaucratic agents’. Whenever relevant, CCP entities are also named and fall under the ‘bureaucratic agents’ label as well.

<sup>138</sup> Kenneth Lieberthal and Michel Oksenberg, *Policy Making in China: Leaders, Structures, and Processes* (Princeton, NJ: Princeton University Press, 1988), 28–30.

<sup>139</sup> Zhou offered an overview and discussion of the bureaucracy literature from different angles. See Xueguang Zhou, “Chinese Bureaucracy through Three Lenses: Weberian, Confucian, and Marchian,” *Management and Organization Review* 17, no. 4 (2021): 655–682.

<sup>140</sup> Tony Saich, *Governance and Politics of China*, 4th ed. (London: Bloomsbury Academic, 2015), 154.

<sup>141</sup> Susan L. Shirk, “The Chinese Political System and the Political Strategy of Economic Reform,” in *Bureaucracy, Politics, and Decision Making in Post-Mao China*, ed. Kenneth G. Lieberthal and David M. Lampton (Berkeley: University of California Press, 1992), 61.

<sup>142</sup> Saich, *Governance and Politics of China*, 189.

<sup>143</sup> Kenneth G. Lieberthal and David M. Lampton, eds., *Bureaucracy, Politics, and Decision Making in Post-Mao China* (Berkeley: University of California Press, 1992), 9.

<sup>144</sup> See Lieberthal and Lampton, *Bureaucracy, Politics*.

<sup>145</sup> Lieberthal and Lampton, *Bureaucracy, Politics*, 8.

<sup>146</sup> Lieberthal and Oksenberg, *Policy Making in China*, 141.

<sup>147</sup> Saich, *Governance and Politics of China*, 189.

<sup>148</sup> Vuori, *How to Do Security with Words*, 240.

<sup>149</sup> Shirk, “Chinese Political System,” 61.

<sup>150</sup> Shirk, “Chinese Political System,” 61.

<sup>151</sup> See Yutian An and Taisu Zhang, “Pandemic State-Building: Chinese Administrative Expansion Since 2012,” *Yale Law & Policy Review* 42, no. 2 (2024): 332; Murray Scot Tanner and Eric Green, “Principals and Secret Agents: Central versus Local Control Over Policing and Obstacles to ‘Rule of Law’ in China,” *The China Quarterly* 191 (2007): 644–670.

<sup>152</sup> For a discussion see Szwajnoch, “Regulatory Capture of the Chinese Social Credit System,” 313.

<sup>153</sup> Tom Ginsburg, “Administrative Law and the Judicial Control of Agents in Authoritarian Regimes,” in *Rule by Law: The Politics of Courts in Authoritarian Regimes*, ed. Tom Ginsburg and Tamir Moustafa (New York: Cambridge University Press, 2008), 59.

<sup>154</sup> Yang Guangbin, “Decentralization and Central-Local Relations in Reform-Era China,” in *China’s Political Development: Chinese and American Perspectives*, ed. Kenneth Lieberthal, Cheng Li, and Yu Keping (Washington, DC: Brookings Institution Press, 2014), 259–260.

<sup>155</sup> Szwajnoch, “Regulatory Capture of the Chinese Social Credit System,” 313.

<sup>156</sup> Xueguang Zhou and Hong Lian, “Modes of Governance in the Chinese Bureaucracy: A ‘Control Rights’ Theory,” *China Journal*, no. 84 (2020): 51–75.

<sup>157</sup> Szwajnoch, “Regulatory Capture of the Chinese Social Credit System,” 314.

<sup>158</sup> Szwajnoch, “Regulatory Capture of the Chinese Social Credit System,” 314.

<sup>159</sup> Note: The cited literature mostly deals with the central-local dynamic and interactions stemming from the structure of the Chinese bureaucratic system. For a broader discussion on the central-local relations and potential models for analyzing them that include other approaches than just the structural one see e.g., Zheng Yongnian, *De Facto Federalism in China: Reforms and Dynamics of Central-Local Relations* (Singapore: World Scientific, 2007). Zheng’s work is placed within the context of economic reform and globalization.

<sup>160</sup> Jane Duckett, “Bureaucratic Interests and Institutions in the Making of China’s Social Policy,” *Public Administration Quarterly* 27, no. 1/2 (2003): 210–237.

<sup>161</sup> Joseph Fewsmith, *The Logic and Limits of Political Reform in China* (New York: Cambridge University Press, 2013), 40.

<sup>162</sup> See, e.g., Dominik Mierzejewski, *China’s Provinces and the Belt and Road Initiative* (London: Routledge, 2021). Note: ‘decision making and policy implementation’ constitute solely one of the ‘three

dimensions' to study such issues. The other two include 'value integration' and 'structural distribution of resources and authority'. The fragmented authoritarianism model focuses primarily on two, with the exclusion of value integration. See Lieberthal and Lampton, *Bureaucracy, Politics*, 6.

## **CHAPTER TWO.**

### **Current state of knowledge on the Social Credit System: Basic information about the SCS and a research gap**

In the past few years, researchers have been observing various aspects of SCS development. First, scholars examined the basic shape and elements of the System, as well as the areas it embraces.<sup>1</sup> Some of them discussed it in the context of institutional and regulatory changes related to digital technologies in the PRC.<sup>2</sup> Others looked at it through the prism of political philosophy and the concept of citizenship.<sup>3</sup> The SCS has been examined as a tool potentially useful for social management and governance.<sup>4</sup> The development of the System sparked discussions related to privacy and related legislation.<sup>5</sup> Certain articles focused on rating schemes run by private companies and not the state-run SCS,<sup>6</sup> while others solely discussed ‘real’ SCS developed by the state sector.<sup>7</sup> Some studies aimed to discover the sentiments of the Chinese citizens towards the System,<sup>8</sup> as well as its real impact on the behavioral patterns of the society.<sup>9</sup> SCS’s impact on the Chinese market and business sphere has been primarily examined as well.<sup>10</sup> The Chinese SCS is being juxtaposed with other countries’ rating systems, bringing the SCS-related analysis to the international level.<sup>11</sup> Finally, the years 2020 and 2021 brought up analyses of the SCS development during the COVID-19 pandemic.<sup>12</sup>

Amidst the existing literature on the SCS, the objective of this chapter is twofold. The first aim is to offer an overview of the existing literature in a manner that allows for the general characterization of the System. By referring to findings of other scholars, this chapter constitutes an insight into how the system operates and provides a solid base for the discussion held in the empirical chapters, as well as for understanding the approach to the study presented in the next chapter. The second goal is to determine research gaps that shall be filled throughout the dissertation.

The chapter comprises five main sections. It first presents the history of the development of the SCS, as well as discusses the initial reasons for its establishment. It later briefly presents the current objectives of the System. Next, the basic shape of the SCS is laid out. The section also introduces different types of SCS elements and a differentiation between the private scorings and the state-led System. This long section is followed by a discussion of the findings of studies on the attitude of the Chinese society towards the System. Lastly, based on the preceding sections, research gaps are identified that are to be filled with this dissertation.

## **1. The beginning of the SCS – reasons for SCS development and its early stages**

Currently, the Social Credit System is currently divided into four basic branches: societal, business, governance, and judicial.<sup>13</sup> In order to fully understand the intentions behind the SCS construction, however, one should move back to a brief historical overview of the System.

### ***1.1. Rationale for SCS development***

The construction of the first mechanisms of the SCS dates back to the late 1980s and 1990s and has its roots in the ‘Triangle Debt’ that the PRC was facing back then.<sup>14</sup> During China’s unprecedented economic development due to Deng Xiaoping’s reforms, numerous companies were unable to pay back their debts and owed money to one another. To address the issue of insolvency, corporate credit among the financial and commercial sectors began to be assessed in the 1990s.<sup>15</sup>

Before the 2000s, some rating systems for business entities that assessed the enterprises’ conduct on the market and their solvency had already commenced to appear.<sup>16</sup> The entities were assessed by credit rating companies, such as China Chengxin and Dagong Global. Between 1995 and 2003, local credit rating initiatives were being developed, for instance, in Shanghai and Shenzhen.<sup>17</sup> Nearly over the same period, between the years 1997 and 2002, the Bank Credit Registry and Consulting System was established and developed by the People’s Bank of China (PBoC).<sup>18</sup> In 2006, the body was developed into the Credit Reference Center (征信中心). This public utility organization collects data from all banking institutions that are obliged to share their data with it.<sup>19</sup> It was created due to the lack of cooperation between regions and rating agencies, and it was meant to solve the problem.<sup>20</sup> The Credit Reference Center used to be the sole credit-scoring agency<sup>21</sup> to which financial entities were passing both financial and non-financial data about their clients (both natural persons and business entities).

This data is collected from, among other entities, courts, government departments, telecommunication companies, and fiscal authorities. It includes information such as credit card numbers, mortgage history, and delays in payments.<sup>22</sup> As of 2014, over 1,800 entities were involved in cooperation with the Credit Reference Center.<sup>23</sup> Despite the fact that the Center collects different types of information, its aim is to assess solely the financial credibility of natural and legal persons.<sup>24</sup> It is thus a platform connecting different data and fragmented ratings. Due to the low number of Chinese citizens having bank accounts back then, the mechanism did not have a considerable impact on the lives of the masses.<sup>25</sup> In 2014, it encompassed only 35% of the society.<sup>26</sup> Both the Bank Credit Registry and Consulting System

and the Credit Reference Center that followed were focused not on the development of various elements that make up the current SCS, but on financial credit ratings that are widely used in the West.

### ***1.2. Early stages of the SCS and the 2014 breakthrough***

While the corporate (financial) credit rating, which was an answer to the mounting economic problems, had been developing for a few years, the first reference to the Social Credit System itself at the central level took place at the 16<sup>th</sup> CCP Congress in 2002. In his report, Jiang Zemin spoke of the SCS in the context of developing the Chinese market economy and referred mainly to the financial sector. At this phase of development, the System was much reminiscent of, for instance, FICO scores used in the United States. Yet the then-General Secretary was referring to ‘integrity’ (or ‘trustworthiness’; ‘trust’) on the market,<sup>27</sup> giving rise to Beijing’s current prevailing narrative of trustworthiness in the context of SCS, as discussed in Chapter One. The mentioned PBoC’s Credit Reference Center, which was ultimately launched in 2006, started to be developed in 2004, following this very Congress.<sup>28</sup> Yet the idea of creating a national platform for the SCS was molded not by Jiang, but by a sociologist, Liu Junyue, in the year 2003.<sup>29</sup>

The next years brought about more developments and mentions of the SCS at the central level, yet these remained within the financial sphere. The 11<sup>th</sup> Five-Year Plan (for the years 2006-2010) included the building of credit for the economic sector.<sup>30</sup> In 2007, the State Council (SC) issued a document that obligated government agencies to collect data not only referring to subjects’ financial credit, but also considering tax payments, contract defaults, as well as product quality data.<sup>31</sup> It also established the Interministerial Joint Conference for the Construction of the Social Credit System (社会信用体系建设部际联席会议). The body operates under the National Development and Reform Commission (NDRC) and the People’s Bank of China (PBoC).<sup>32</sup>

At the time of its establishment, the Interministerial Joint Conference consociated 16 agencies of mainly financial and economic concerns, such as the SC, PBoC, NDRC, the Ministry of Commerce, and the Banking Regulatory Commission.<sup>33</sup> Apart from the central-led Conference, there are leading small groups or Interministerial Joint Conferences at the provincial level.<sup>34</sup> The bodies are to coordinate actions performed and data collected by different government agencies with the goal of developing the SCS. The Conference has been expanding swiftly since its foundation, involving 35 government agencies in 2012 and 47 in

2017.<sup>35</sup> The institutions that currently cooperate within the platform of the Joint Conference are characterized by different points of interest reflecting the expansion of the System into various fields, going beyond financial issues.

The expansion of the Interministerial Joint Conference was one of the signs of expanding the SCS beyond the financial sphere. The idea for such a move possibly has its roots in the Sixth Plenum of the 17<sup>th</sup> Central Committee (CC) of the CCP,<sup>36</sup> which took place under Hu Jintao's second term of office, in 2011. Back then, China faced numerous problems, such as power fragmentation and a worsening socio-economic situation related to issues such as environmental contamination, corruption, and unfavorable economic trends.<sup>37</sup> During the Sixth Plenum, the idea of formulating the four areas of SCS focus was officially announced. In the same year, the Interministerial Joint Conference drew up the "Plan for the Construction of the Social Credit System (2011-2015)".<sup>38</sup> The expansion of the SCS beyond solely financial matters was influenced by the fact that Beijing was seeking to combat trust-breaking behaviors, such as the production and sale of adulterated food and violations of intellectual property rights.<sup>39</sup>

Even though the idea for SCS had been growing before Xi's ascension to power, the major document ultimately introducing the directions of its development— the Planning Outline for the Construction of a Social Credit System (2014-2020) (the Planning Outline) – was issued under Xi Jinping in 2014. Under Xi, the first mention of the SCS took place in November 2013, during the Third Plenum of the 18<sup>th</sup> CCP CC, seven months before the issuance of the Planning Outline.<sup>40</sup> Following the issuance of the Planning Outline in 2014, and between 2014 and 2015, local counterparts of the document on SCS construction were published.<sup>41</sup> In 2016, the Central Commission for Comprehensively Deepening Reforms (back then a leading small group), of which Xi is a leader, held four meetings during which they accepted essential SCS-related documents.<sup>42</sup> These meetings, featuring speeches by the General Secretary himself, indicated the priority status that was ascribed to the SCS under Xi.<sup>43</sup>

### ***1.3. Experimenting with a comprehensive assessment of individuals prior to 2014***

Overall, the year 2014 was a milestone for the construction of the SCS. This point in time can be considered as marking the real beginning of the construction of the current System that embraces not only the financial sphere, but also the three other mentioned fields. Earlier attempts to expand the SCS beyond the financial area were more or less successful depending on the media attention they drew and the direction in which they expanded.

In 2010, the Suining county in Jiangsu province launched “mass credit” (大众信用) that assessed not only financial credibility, but also the behavior of individuals. The evaluation was point-based. Depending on the number of points, individuals were assigned to one of the categories ranging from A to D. The categories determined the privileges and limitations they faced.<sup>44</sup> The pilot program caused an outcry and was subject to extensive critique from both citizens and the state media, which led to the shutdown of the system.<sup>45</sup> A few years later, other cities, counties, and provinces launched their own SCS pilot program. One can observe numerous elements from the Suining SCS in the current local pilots.<sup>46</sup> This notwithstanding, as will be discussed in Chapter Six, none of the pilots performs a comprehensive assessment of individuals’ conduct.

Another example of a credit-related solution that anticipated the 2014 developments and, contrary to the Suining project, did not cause social dissatisfaction, was ‘Credit Hangzhou’ (信用杭州). It has been running in the capital of Zhejiang province since 2002. Not only did it expand the financial SCS by adding civil servants to the equation, but it also involved 69 government agencies to build an infrastructure for data sharing, which was much-needed for the SCS.<sup>47</sup> Not assessing the entire society and its behavioral patterns, however, the Hangzhou mechanism did not cause an outcry similar to the one in Suining.

Qingzhen – a rather rural than urban area under the administration of Guiyang, the capital of the Guizhou province – triggered its project in 2009. Possibly due to the insignificance of the area, the system that has been developing there did not draw much public attention. ‘Honest Qingzhen’ (诚信清镇) has been running its ‘reputation tracking and analysis’ mechanism, which is said to have had a positive impact on the city’s GDP growth, investment flows, and social order.<sup>48</sup>

Apart from the abovementioned examples, other and more numerous regional variations of strictly financial credit systems were appearing in the 2000s.<sup>49</sup> In the late 2000s, it was also common for private entities to set up ratings due to the development of Internet services. E-commerce platforms introduced internal credit ratings to provide information on the credibility of their clients, to facilitate transactions, and to regulate activities. Such mechanisms are familiar to Western societies, as these are used by numerous private enterprises, such as Uber, eBay, and Airbnb.<sup>50</sup> Ultimately, however, the Chinese entities aimed to offer their own private financial services based on the credit scores of individual subjects.<sup>51</sup> The rise of the internal rating systems of private companies in the late 2000s was also an answer to market-related issues. Since 2013, following the flourishing of online banking (lending) platforms, hundreds

of rating companies have started to offer their services, which were used not only by the private sector but also by regular banks.<sup>52</sup>

To conclude, before 2014, the Social Credit System was focused on the financial sphere, and the credit ratings embracing both commercial entities and natural persons were reminiscent of the Western systems that determine, for instance, borrowing capacity. Even though the idea of expanding the SCS had been discussed before Xi, it was not until 2014 that the factual development of the SCS was triggered. The real expansion of the SCS started after the 2014 issuance of the Planning Outline, and from that moment on, one may commence discussing the current version of the SCS. The earlier local ideas of SCS expansion beyond the financial sphere were rather of an exceptional nature. The ratings performed by private entities for their own purposes are not said to have been closely cooperating with the state sector, and they cannot be considered a part of the state-run SCS.

#### ***1.4 State-run SCS: current objectives***

The financial rationale behind the initial SCS design, as well as further developments of the SCS objectives under Hu Jintao, were important bases for the next steps of SCS construction. The current objectives of the System were officially set out in the 2014 Planning Outline. According to the document, the goal of the SCS is to raise awareness of trustworthiness and the level of trust in the entire society.<sup>53</sup>

The Chinese media have also pictured the SCS as a tool not only for raising financial trustworthiness, but also for favorably influencing social issues, governance issues, and fighting against corruption, fraud, and other problems that lower the levels of trust in Chinese society.<sup>54</sup> The media coverage is primarily focused on the moral implications of SCS, rather than financial issues.<sup>55</sup> Ohlberg et al. examined Chinese media reports to find out about Beijing's official narrative on the goals of the SCS. They divided the objectives into three categories: 'creating a "culture of integrity"', 'solving economic problems', and 'improving governance'.

The first category included objectives such as the construction of social trust and an honest society, moral education of the Chinese, and molding desired online behaviors. The economy-related category consists of, among other goals, fighting against counterfeit and adulteration of food and drugs, as well as improving the quality of services, and enhancing economic growth.<sup>56</sup> The SCS is said to be very beneficial to financial markets as both the lender and the borrower gain from it. No information is hidden from the former, and no danger of exaggerated moral hazard assessment that increases the interest rates made by the lender exists for the latter.<sup>57</sup> Lastly, in terms of governance, the SCS aims to, for instance, raise the credibility

of the PRC's administration, employ anti-corruption measures, and regulate data privacy issues.<sup>58</sup>

Researchers have claimed the official objectives are true, acknowledging the chance the SCS brings for the improvement of the governance and legal apparatuses, for supporting the rules and regulations that are not enforced in certain sectors,<sup>59</sup> for increasing intra-governmental control,<sup>60</sup> raising the level of the Chinese justice system, and introducing favorable solutions to the market economy. SCS is also perceived as a chance to improve the accuracy of creating economic statistics,<sup>61</sup> as the data collected and shared further should not be compromised by local politicians wishing to raise their status in the eyes of Beijing's officials.

This notwithstanding, researchers have also pointed to the SCS's goal to develop a dystopian digital dictatorship<sup>62</sup> and digitize social governance.<sup>63</sup> These voices are backed by the fact that the Party 'believes in social engineering' so the SCS shall be of much use in this respect.<sup>64</sup> Whether or not the SCS brings about the dystopian visions or to what extent it causes positive effects relies on how the SCS elements will develop, as well as on the wording of the laws and regulations that introduce them.<sup>65</sup> The empirical chapters (Four to Seven) of this dissertation look at the potential of the SCS in its current form to develop the mentioned dystopian vision and further increase the state and Party control over individuals. Before delving into details, however, the basic information about the shape of the SCS should be laid out.

## **2. The basic shape of the SCS**

A starting point for the characterization of the SCS is highlighting that the Social Credit System could be and is, by some scholars, called the Social Credit Systems (SCSs).<sup>66</sup> Taking into consideration the local pilots, it might even be called a system of systems, or a system of partly independent solutions that are characterized by different levels of interconnectivity. The local fragmentation of the SCS must be discussed as it affects its basic shape. Before this discussion, however, due to the complex nature of the SCS, several subtypes of the SCS that have been introduced in the literature must be explained.

### ***2.1. Differentiating between various types and parts of the SCS***

The major differentiation between different SCSs used to be made on the basis of their connection to either the state or the private sector.<sup>67</sup> Possibly due to Beijing's attempt to cooperate with the private sector in SCS construction, early SCS literature mentioned

commercial scoring systems in SCS discussions, along with solutions developed by the state.<sup>68</sup> Currently, there is no official connection between the privately run scorings and the state-led SCS discussed in this dissertation. Various parts of the SCS currently operate within the state sector, as will be explained in this section. However, early literature on the SCS discussed the private and state projects collectively, and Western public opinion often continues to consociate the two labels. For this reason, the discussion on the basic shape of the SCS will start with a brief differentiation between the private scoring and state-run SCS to explain the history of intertwining between the two projects and to highlight the exclusion of private scorings from the current shape of the state-run SCS.

### *2.1.1. Differentiation between the private scorings and the state-run SCS*

As it has been noted, China's credit rating commenced in the late 1980s,<sup>69</sup> and the first commercial credit rating companies appeared in the 1990s.<sup>70</sup> After the issuance of the 2014 Planning Outline, Beijing continued, or even deepened, its cooperation with private companies. The private companies could be useful participants in SCS design and development for at least two reasons. First, they possess data that the state sector cannot obtain in its regular course of work.<sup>71</sup> Second, they could provide technological support, e.g., for the creation of SCS data infrastructure.<sup>72</sup>

In 2015, the government granted eight private companies consent to carry out 'preparatory work' for the SCS construction.<sup>73</sup> Possibly the most popular scorings that appeared in the process include the Sesame Credit (run by AntFinancial, a subsidiary of the Alibaba holding) and Tencent Credit (run by Tencent, the designer and owner of WeChat and other online services). Each of the eight companies was to propose its own pilot project for a potential nationwide System. The PBoC was to grant official licenses to the private entities after a six-month trial period.<sup>74</sup>

Not all of the eight trials were run by tech giants such as Alibaba or Tencent. According to Chen and Grossklags, they can be divided into three types. The first one is 'traditional companies' that deal specifically with credit ratings and were established primarily for this purpose. These include Pengyuan Credit, China Chengxin Credit, and IntelliCredit. These companies do not generate credit information through their own business operations, but obtain access to it from private and government sources. Pengyuan Credit worked on ratings for enterprises and individuals. China Chengxin Credit worked on a scoring system that was targeted solely at individuals. IntelliCredit prepared ratings solely for companies, not for individuals.<sup>75</sup>

The second type is the most well-known and most broadly commented on – the ‘Internet and financial giants’. These firms include Sesame Credit, Tencent Credit, and Qianhai Credit (by Ping’an Insurance, one of the biggest insurance companies in PRC).<sup>76</sup> These scoring systems were designed to rate users of online services. They have access to huge amounts of data produced through online actions and behavior, being able to collect information on people who do not leave a track on themselves in an offline world, for instance, because of not using traditional banking services.<sup>77</sup> The third type is other scorings of different backgrounds and characteristics. These include Sinoway Credit (run jointly by four large enterprises) and Koala Credit (by Lakala Credit Management, a firm designing intelligent point-of-sale systems).<sup>78</sup> These companies also rely heavily on cooperation with business partners who share data with them.<sup>79</sup>

Importantly, details on how the algorithms work are not disclosed, and they remain a trade secret; it is not clear what actions exactly help users reach a higher score and to what extent. Seldom are particular actions spoken of, yet without any details considering the points assigned (or reduced) after particular behaviors. For instance, Ant Financial’s chief credit data scientist, Yu Wujie, claimed that donating to charity increases the score. The technology director, Li Yingyun, revealed that playing video games results in a decrease in the score, whereas buying a considerable number of diapers raises it.<sup>80</sup> These claims, however, were later found to be false.<sup>81</sup>

The permission to design nationwide private pilot programs was granted in January 2015, whereas in July the same year, the PBoC finished its assessment of the half-year progress made by the eight entities.<sup>82</sup> Yet it was not until 2017 that, after a long period of uncertainty, the PBoC’s decision to ultimately not grant a nationwide license to any of the companies was announced.<sup>83</sup> The justification included different reasons, such as the lack of understanding of the private companies of what the SCS is supposed to be, the reluctance to share data collected by them with Beijing,<sup>84</sup> bad sentiments of the public opinion towards the trustworthiness of private companies, inability to properly handle the users’ privacy, gathering too much irrelevant data,<sup>85</sup> creating unjust ratings, not being institutionally independent, as well as mishandling of security and privacy issues. Also, conflict of interest was said to be one of the reasons for not granting the licenses.<sup>86</sup> Some of the reasons used by the PBoC to explain their decision seemed surprising to SCS observers, as Beijing must have known about these problems prior to launching the six-month licenses.<sup>87</sup>

Ultimately, Beijing chose to employ such a model of cooperation with the private sector that grants it considerably more control than extending the licenses would. Namely, there was

solely one license granted. In February 2018, a credit scoring bureau, Baihang Credit (百行信用), was established by the National Internet Finance Association of China (NIFA) under the PBoC with the cooperation of the eight private companies that had been included in the SCS development process since 2015. The eight companies became shareholders of Baihang Credit. Each of them co-funded the entity and is in possession of 8% of it, whereas NIFA's shares comprise 36% of the shares. Therefore, Baihang is controlled by the PBoC.<sup>88</sup> The Baihang Credit was granted a 3-year license. Under this license, a single 'Credit Union' (信联) was to be set up to enable the implementation of a unified nationwide credit reporting system.<sup>89</sup> It started to operate in 2019, yet the details of its operations – type of credit information it collects, its data sources, techniques of data analysis, and its exact subjects and sectors it covers – remain unknown.<sup>90</sup> It is not disclosed how data sharing between parties takes place either.<sup>91</sup> What is known, however, is that it is ancillary to the PBoC and, therefore, preoccupied with the financial area of the SCS. This aspect of the SCS – as will be explained at the beginning of the next section – falls outside of the scope of the dissertation and, as such, will not be more broadly discussed.

Importantly, the refusal to grant the eight companies the licenses and the establishment of the Baihang Credit did not lead to the shutting down of the private scoring schemes developed during the trial period. For instance, the scoring systems by Internet giants can currently be compared to loyalty schemes offering certain advantages, such as discounts, implemented widely around the world.<sup>92</sup> The benefits include, for instance, deposit-free car and bike rental and hotel room booking, as well as the possibility to share a score on a dating app that may result in a positive impact on dating experience.<sup>93</sup> The benefits that the users can experience do not solely embrace the services offered by applications run by the same company that runs a particular scoring system (for instance, all services offered by the Alibaba holding, from online shopping, through dating, to financial services). They are expanded to services offered by their business partners, i.e., other companies.<sup>94</sup> Some localities are said to honor the Sesame rating score in the public sector, e.g., in healthcare. For instance, in Shanghai, one reportedly does not have to pay for the treatment until it is completed and has the possibility to register for an appointment with Alipay.<sup>95</sup> Alipay, however, is widely used for various purposes in China, and using it in the public sector does not necessarily imply a direct link with the Sesame Credit that is developed by the same holding.

Out of the eight companies that were granted the six-month trial period, six were still operating as of 2020.<sup>96</sup> The other two continued to cooperate with the government by

participating in the development of the Baihang Credit. Interestingly, there were four other private systems listed on the Credit China platform. Two of them belong to the ‘internet and financial giants’ type and include JD Xiaobai Credit by JD Finance, Panshi Xiaomanfen by Du Xiaoman Financial, a part of the Baidu holding. The other two belong to the third type of private scoring systems. These are the Wanda Credit by Wanda Group and China Youth Credit. The latter is focused on the young generation of the Chinese. It runs the Volunteers of China platform, having access, for instance, to voluntary work data of the youth. In total, as of 2020, there existed at least 13 private scoring schemes in PRC: the eight companies that started to run their SCSs in 2015, the additional four firms, and Baihang Credit.<sup>97</sup>

Apart from the existence of the Baihang Credit, which deals with the financial branch of the SCS, there is no proof of real cooperation between the state-run SCS and the private companies. The scale of the employment of data sourced from private entities in the state SCSs is not known. Xin Dai claims that the government does not use private SCS data for their purposes, with the exception of a few local SCSs, such as Hangzhou, which cooperates closely with Sesame Credit.<sup>98</sup> The cooperation between the private and state entities might have deepened during the COVID-19 pandemic, as the QR health codes were co-created by AntFinancial and Tencent, under the guidance of the E-government Office of the General Office of the State Council.<sup>99</sup>

A study conducted by Chen and Grossklags revealed that all private companies running their SCS either share data with the state sector or provide no information on their actions in this matter.<sup>100</sup> Sharing data with the state sector, however, does not mean that the private scoring systems share them for the purpose of using the data within the scope of the state-run SCS. None of the materials analyzed for this dissertation revealed the cooperation between the private scorings and the SCS. Possibly also due to the lack of proof for this cooperation, the more recent literature on the SCS does not treat the private rating schemes as a part of the SCS. Throughout this dissertation, the SCS refers solely to the state-led project. The state-led project, however, itself may be divided into at least two major parts.

### *2.1.2. The ‘moral’ and the financial SCS*

Within the state-led project itself, a differentiation can be made between the solutions focused on financial and ‘moral’ (all other) aspects of subjects’ behavior. The former are more related to the roots of the SCS, while the latter became a crucial part of the SCS after the 2014 developments. The SCS construction (centrally and locally) is overseen by two already-mentioned institutions, the PBoC and the NDRC. The PBoC can be said to manage the finance-

related SCS<sup>101</sup> applying to both natural and legal persons. The NDRC is focused on the non-financial aspects of SCSs, which are more related to social governance.<sup>102</sup> The difference between the main focus of PBoC and NDRC can be explained by referring to the specific keywords they focus on. The PBoC addresses the financial credit with the word ‘zhengxin’ (征信), whereas the NDRC addresses credit – or rather trustworthiness or integrity – with the word ‘chengxin’ (诚信). The moral layer of SCS and trustworthiness (chengxin), focusing on people’s and other entities’ behavior,<sup>103</sup> is central to the research problem of this dissertation. The empirical parts, therefore, focus on these aspects of the SCS.

The final remark on the differentiation of various aspects of the SCS is that there exists no centralized nationwide SCS that would embrace the entire Chinese society, as well as courts, local governments, and firms or organizations that operate in the PRC. The SCS is fragmented into a) various solutions standardized centrally and introduced at lower levels of administration and b) designed and operating locally. These two aspects of the SCS will be briefly discussed on the basis of existing literature to serve as a base for further discussion and set primary frames for the empirical chapters. The complexity of the SCS stems not solely from the central-local dynamic but also from sectoral fragmentation. For this reason, the scope of the SCS in terms of the covered sectors of governance and subjects must be discussed first.

## **2.2. SCS key fields and subjects**

As it was already mentioned, the SCS is basically divided into four key fields (重点领域): societal, business, governance, and judicial. Within these fields, the 2014 Planning Outline identified more detailed areas for credit development. The areas seem to have been determined either due to the fact of being important for the Chinese economy (e.g., e-commerce, taxation, finance) or because they are crucial for the country’s stable functioning (e.g., healthcare, production safety, energy and environmental protection).<sup>104</sup> They also include areas such as culture and tourism, Internet, education and scientific research. Not all industry, business, or societal branches are covered by the System. The focus is on developing the SCS within these key areas. This already indicates the limitations in the scope of the SCS, which is not a comprehensive tool covering all areas of governance.

Moreover, the subjects of the SCS are both natural and legal persons. For instance, apart from individuals, the societal field of the SCS embraces also, among other subjects, social organizations, healthcare facilities, and Internet enterprises. The governmental field of the SCS is to evaluate governments at different levels, as well as civil servants. The judicial branch will

assess courts, procuratorates, and their employees. The business field primarily covers business entities and their legal representatives or major responsible persons. In reality, the SCS is primarily preoccupied with business entities. As of 2021, 73.3% of all mentions of SCS subjects in SCS-related documents at different levels of administration referred to enterprises. Individuals comprised just over 10% of such mentions.<sup>105</sup>

The common denominator of SCS operations in different fields and for various subjects is the assessment of the subjects' behavior in relation to laws and regulations. Such an assessment of the lawfulness of subjects' actions would have happened also without the existence of the SCS. It is not quantified; yet, at times, a point-based quantification might occur in some fields locally. The evaluations may include different factors, depending on the sector of the operation. Details on the manner in which the data is analyzed in the different fields often remain unknown.<sup>106</sup> What is rather universal in SCS operations is the fact that it raises the cost of violating legal provisions. Once a subject acts in violation of laws and regulations and causes a serious social impact, they might face more serious punishments than previously provided by the law. This common denominator in the form of raising the cost of seriously violating legal provisions appeared due to Beijing's standardization efforts that resulted in the introduction of the first major nationwide SCS standards in 2021.

### ***2.3. Standardized SCS solutions***

The 2014 Planning Outline, as well as a related task deployment document published by the NDRC and PBoC, urged state organs responsible for particular areas of governance to develop trustworthiness-related solutions within the SCS scope. After several years, in 2021, the NDRC and PBoC issued the first SCS standardizing documents – the Central Punishment List (CPL)<sup>107</sup> and the Public Credit Information (PCI) Catalogue.<sup>108</sup> These two documents were discussed, among other literature titles, in the first academic book on the SCS published by Vincent Brussee in 2023.<sup>109</sup> They established, in a top-down manner, standardized rules that lower-level state organs should implement within the SCS framework.<sup>110</sup> The documents are a result of work performed by dozens of agents and solely coordinated by the NDRC and PBoC.

The PCI Catalogue is a list of data types used within the SCS framework. It is informative about the logic of data usage within the SCS. It reveals, for instance, that the SCS framework does not embrace a wide use of data gathered by Chinese corporations, nor does it lead to the collection of new types of data. Instead, it uses data that would have been collected by particular state organs even in the absence of the SCS. The data on, for instance, legal violations, may be a basis for the imposition of punishments within the SCS framework. The

CPL is a major document revealing the potential effects of the data use. It is a catalogue of sanctions that may be used within the so-called joint punishment scheme.<sup>111</sup> The joint punishment scheme is what raises the cost of violating legal provisions and is the basic and most common manner of sanctioning the untrustworthy within the SCS scope.

### *2.3.1. Joint punishments*

The idea behind the joint punishment scheme is described by the Chinese phrase ‘yichu shixin, chuchu shouxian’ (一处失信，处处受限), which can be translated as ‘trust-breaking here, restrictions everywhere’.<sup>112</sup> The SCS joint punishment scheme is used against subjects who seriously broke trust. In brief, if a subject seriously violates laws and regulations, they may be blacklisted by a state organ responsible for the relevant area of governance. The blacklist is shared with other state organs that signed a specific Memorandum of Understanding (合作备忘录) (MoU), which is the basis for the cooperation between the different agents.<sup>113</sup> The MoUs create the frames for cooperation between state organs from the Joint Conference<sup>114</sup> and other entities in particular areas of governance. On the basis of the MoU, these agents apply additional punishments that had existed in Chinese laws and regulations before, but would normally not be imposed for the particular deed. Additionally, if the blacklisted subject is a legal person, its legal representative and the major responsible person are blacklisted as well, facing sanctions.

Overall, under SCS, one person is subject to a plethora of rules, regulations, and mechanisms. To picture it with an example, two natural persons could be similarly treated in some general matters, such as loan payments, yet a healthcare worker and an owner of a publishing house will be subject to separate sectoral blacklisting solutions for sectoral offences.<sup>115</sup> Similarly, being considered an outstandingly trustworthy subject in a particular sector may lead to rewards. Apart from blacklisting and joint punishments, SCS-related documents call for the establishment of a joint rewards scheme. Contrary to the catalogued punishments, the rewards have not been centrally standardized. This notwithstanding, these two schemes have been repeatedly mentioned together as joint punishments and rewards (联合惩戒). As of November 2018, there were 38 memoranda, mostly focused on joint sanctions and much less so on joint rewards.<sup>116</sup>

The joint punishments should be performed in a top-down manner by particular organs at different levels of administration under the SCS label. Before the standardizing CPL, the scheme had been developing with local variations, which will be mentioned in the next section. The most established and efficient SCS blacklisting solution that may well picture the logic of

the joint punishment scheme operates with the blacklist called the Defaulters' List (失信被执行人名单). The Defaulters' List includes subjects who failed to comply with a court's judgment to settle financial liabilities, e.g., to pay back a loan. To translate the original name of its subjects (失信被执行人) more precisely, the persons included on the list can be called 'untrustworthy persons subject to enforcement'.<sup>117</sup> Less officially, individuals on the blacklist have been given a special name, 'laolai' (老赖), which means a 'very dishonest person who refused to pay his/her debts'.<sup>118</sup>

The blacklist was launched by the Supreme People's Court (SPC) and applies to natural persons, organizations, governments, and companies.<sup>119</sup> The lists of defaulters are posted online and thus can cause a string of other unpleasant consequences. Apart from facing 'public shaming',<sup>120</sup> the defaulters, or laolai, face joint punishments which are described in more detail later in the dissertation. The sanctions include, for instance, limitations on air travel, a bar on the purchase of first-class train tickets, the inability to purchase real estate, the inability to work or be promoted in public institutions, and the bar on the defaulters' children to attend private schools.<sup>121</sup> Overall, the SPC's blacklist has a considerable impact on the lives of the blacklisted subjects because of the number of state actors whose work it engages.<sup>122</sup> In 2016, 45 agencies signed a memorandum of understanding for the creation of the joint punishment mechanism for untrustworthy persons subject to enforcement. It consists of 32 obligations that both the CCP and state bodies agree to fulfill under the provisions of the memorandum.<sup>123</sup> In other words, the defaulters may face as many as 32 punishments imposed by a total of 45 actors. Importantly, as it should happen with all blacklists, the blacklisting of a company leads to the blacklisting of its legal representatives. Also, when a local government is on the list, the local political leaders should also face sanctions and limitations.<sup>124</sup>

Apart from the Defaulters' List, Beijing set other blacklists that should operate in different areas of governance, all of which belong to the mentioned key areas of SCS. For reasons discussed later in the dissertation, this standardization of blacklists happened via the CPL, which treats the blacklists not solely as a means for the imposition of joint punishments but as sanctions on their own. Before the issuance of the CPL in 2021, the blacklisting processes implemented in different localities took various forms and triggered various consequences. The standardization should have limited the flexibility of local bureaucratic agents in this respect. However, as it will be discussed in the empirical chapters, there still exist blacklist other than those included in the CPL, and it is not clear whether they belong to the SCS scope or not.

For this reason, the next section presents discussions from the literature on the blacklisting solutions that appeared in various localities before 2021. Some of the mentioned solutions may or may not continue to be in force. Regardless of whether the chosen blacklists continue to exist, they constitute SCS elements that – at a basic level – follow the central guidelines for SCS construction. Redlists are similar in this respect. Despite the lack of central standardization of SCS redlists and rewards, they appear in local variations as basically instructed by Beijing. The two types of blacklists (along with some other colors) are briefly discussed together in the next section. Additionally, discussing the local variations of the lists will introduce a broader discussion on local SCS solutions.

#### ***2.4. Local lists of various colors – local SCS mechanisms following central guidelines***

Punishments and rewards – as well as blacklists and redlists – have often been spoken of collectively in general SCS guidelines. A document on the punishment and reward schemes was issued in 2016 jointly by the General Offices of the CCP Central Committee and the State Council. It encouraged local agencies to impose restrictions on the local level.<sup>125</sup> Since then, relevant regional regulations have been appearing. The local solutions are varied. For instance, apart from blacklists and redlists, some localities introduced other colors of lists, such as white and greylists, indicating slightly negative and neutral ratings.<sup>126</sup>

In Henan province, if a person accepted to a university decided not to enroll for studies, they were considered to have performed a trust-breaking behavior. In Rongcheng (where a point-based evaluation operates), caring for one's aged parents raised a local score and led to rewards.<sup>127</sup> This is related to the fact that the Chinese are obliged to visit their parents who are over 60 years old.<sup>128</sup> In the Shaanxi province, there is a Youth Redlist that even offers monetary prizes to the most trustworthy young citizens.<sup>129</sup> There existed (or exist) different types of blacklists in various sectors, including the insurance sector, energy sector, food security sector, and more.<sup>130</sup> Overall, at the moment of describing such list-based solutions in literature, in the second half of the 2010s, both the punishments imposed by particular organs and the joint punishment and reward schemes at the local level were rather underdeveloped.

Not only do the types of red and blacklists differ between localities, but also the consequences of being written into the same blacklist in various localities. For instance, High People's Courts in provinces run their local Defaulters' List. They act under identical regulations, and their operations are basically alike. However, certain minor differences between localities appear, as some local People's Courts have decided to develop the system. An example of such a phenomenon is the High People's Court in Hebei province that created a

map on the WeChat application ('Laolai ditu' 老赖地图) indicating whenever any defaulter from the blacklist is around. In other regions, when someone makes a phone call to a blacklisted individual, they will hear a special ringtone with a warning that the interlocutor is on the Defaulters' List.<sup>131</sup> Also, the court in Luoyuan (in Fujian province) publicly displayed names, photographs, addresses, and the amount of money owed by debtors failing to pay back money in movie theatres before playing the movie.<sup>132</sup>

Similar to the central documents, local regulations stipulate that misconduct resulting in blacklisting in one area of life can bring limitations in other fields.<sup>133</sup> MoUs are being signed jointly by local governments and non-government actors at different levels to share data and execute joint punishments.<sup>134</sup> The scopes of the joint schemes vary, and so does the number of agencies that cooperate under one MoU. Single MoUs do not include all government agencies cooperating under a particular municipal SCS. Instead, memoranda tend to cover certain types of regulatory issues, such as environmental or tax-related ones.<sup>135</sup> Non-government actors, including commercial actors and industry associations, have also reportedly been locally engaged in the joint punishment scheme.<sup>136</sup> For instance, AntFinancial (running the ill-famed Sesame Credit) has reportedly signed a MoU with the NDRC to work on joint punishments and rewards.<sup>137</sup> Moreover, apart from government agencies, chambers of commerce and industry associations are entitled to run their own lists.<sup>138</sup> As will be discussed later in the dissertation, however, Beijing has not offered any details on how the lists run by associations should operate and what implications they should trigger. No details on this were found in the analyzed local documents.

The idea of building joint punishment and reward solutions around a particular type or group of regulatory issues can bring about certain contradictions, with the potential of limiting the credibility of the SCS. Namely, scholars have pointed out the fact that some agencies cooperating under one MoU can redlist a subject, while other agencies cooperating under another MoU can, at the same time, blacklist the very same subject. Thus, it was possible to figure on two contradictory lists simultaneously. For instance, one could be redlisted due to meeting all regulations relating to environmental protection and blacklisted for conducting a so-called creative accounting and evading taxes.<sup>139</sup> Beijing has already called for limiting such contradictions by removing from all redlists those subjects who were written into a blacklist in a different sector. Dealing with such contradictions requires an efficient system of data sharing between various organs and at different levels of administration. This is to take place via the National Credit Information Sharing Platform (NCISP).<sup>140</sup>

Overall, the efficient functioning of the joint punishment and reward schemes relies heavily on the construction of the SCS data sharing infrastructure. The logic of the implementation of the schemes with a proper infrastructure was described by Liang et al. back in 2018. First, governments at different levels of administration determine what types of black- and redlists will be drawn up. Information about particular punishments and rewards can later be spread by news companies and business entities. The next step is sharing three types of data with the NCISP – basic information (such as names, ID numbers), trustworthy and trust-breaking behaviors, and rewards and punishments with possible ‘credit repair’ opportunities. If one subject (a natural or a legal person) seriously breaches rules and acts in a significantly untrustworthy manner, they should be included in blacklists that should be published online.<sup>141</sup> The lists are shared on local and sectoral web pages.<sup>142</sup> In the end, the agencies cooperating under a memorandum impose sanctions.

In less serious cases, a ‘focus group list’ (or ‘key scrutiny list’, or simply a grey list) is created with the names of those who are potentially untrustworthy and need to be more cautiously monitored. Such a list is not publicly available. If one subject is considered by three agencies to be potentially untrustworthy, they should be listed on a ‘big data warning list’ for a minute observation with the aim of determining whether one should be blacklisted.<sup>143</sup> Such a list, as opposed to the key scrutiny list, should be made public.<sup>144</sup> Despite all of the rules, the data sharing is flawed and – as will be discussed in the empirical part of the dissertation – the entire process may be hazy.

Despite local variations in the imposition of joint punishments and compilation of different lists, as well as obstacles in the efficient or coordinated actions, this part of SCS development, in general, follows general central guidelines. The above-described SCS elements have a common denominator – they are based on a qualitative, not quantitative evaluation. Namely, they do not run any applications and do not assign any points to citizens or legal persons, nor do they group them into categories based on their score. No information on quantitative scores appeared in the 2014 Planning Outline;<sup>145</sup> thus, one might assume that there is no goal of forming such a type of evaluation under the SCS. The local SCS development, however, often includes testing solutions that had not been ordered by Beijing. The next section discusses such solutions described in existing literature. More developments in this respect will also be described in the empirical part of the dissertation.

## ***2.5. The non-standardized, local SCS pilot solutions***

Local scoring systems are defined by local regulations, and each of them functions separately. The local SCS pilots are rather focused on more developed areas, predominantly in Eastern China.<sup>146</sup> As of May 2019, a total of 48 local SCSs were running or under construction.<sup>147</sup> Localities propose unique solutions to raise the level of trustworthiness in their societies. The number of agents contributing particular local mechanisms varies from city to city as well.<sup>148</sup> From the beginning, the aim of local administrations was likely to design and develop SCS prototypes with the potential of a future nationwide use.<sup>149</sup> As mentioned in the discussion on the beginnings of the SCS, scoring systems had appeared before 2014, but most of them were triggered after the issuance of the 2014 Planning Outline.

Among the best-known and most outstanding SCS scoring systems is the one operated in Rongcheng, Shandong province. It assigns subjects to one of the scoring groups ranging from ++A (or AAA; more than 1050 points for individuals) to D (less than 600 points for individuals).<sup>150</sup> Subjects who, due to the low number of points, belong to lower categories used to face limitations and punishments,<sup>151</sup> albeit in a different procedure than those who were blacklisted. Literature on local scoring systems published before 2021 often mentions punishing individuals with a low score. Since then, Beijing has banned the sanctioning of natural persons as a result of a low number of points, as will also be discussed in the empirical part of the dissertation.

Apart from punishments, local scoring systems offered rewards for those with the highest scores. Even before Beijing's ban on punishments within the scoring systems, rewards seemed to have been at a more advanced stage of development. According to SCS observers, they were implemented more often than sanctions. For instance, the application 'Honest Shanghai' running in the city classified SCS subjects into one of three groups of citizens: very good, good, and bad. Individuals – even those with a bad record – reportedly never suffered from any repercussions stemming from a low credit score. Instead, those with high scores only enjoyed privileges for behaving in a sincere and trustworthy manner. These included, among other rewards, receiving discounts for flight tickets.<sup>152</sup>

In Rongcheng, people who regularly donate to charity should be named 'trust-keeping donors' and obtain rewards, such as an acceleration of the city hukou<sup>153</sup> registration process. Moreover, young volunteers who continue to have a good score for the period of three years should be labeled as '5A Young Volunteers'. As a result, it should be easier for them to be accepted to the CCP, university, and enterprises. If such a trustworthy person works in a company, the entity should also enjoy privileges in fields such as taxation.<sup>154</sup> Labelling

someone as an outstandingly trustworthy member of society (e.g., an outstanding young volunteer) may be materialized in the form of a redlist. For those who are redlisted, the so-called ‘green channels’ in the public sector should apply. The channels include rewards such as priority in managing administrative issues, accessing other services, or even cheaper mortgages.<sup>155</sup> The green channels were mentioned in the central guidelines, but their precise implementation depends on localities.

Apart from creating versatile scorings assessing various aspects of individuals’ lives, some sectoral scorings have appeared within the SCS scope as well. For instance, the enterprise environmental credit has been created to monitor the impact of business entities on the environment. It uses four types of variables and ascribes points within a 100-point scale.<sup>156</sup> Similar sectoral ratings for natural persons also appeared in some localities and will be discussed in Chapter Six of the dissertation.

The organization of the local variations of scoring systems and of punishing and rewarding mechanisms requires different approaches to data collection and analysis, as well as a proper infrastructure for managing the data. While not all localities publicly disclose their approach to this issue, the next sections compile available information on these aspects of SCS found in the literature.

### *2.5.1. Data infrastructure within the SCS*

In order to perform quantitative ratings, localities must coordinate the data collected by different local-level organs. Apart from the operations of local-level Interministerial Joint Conferences, there are various platforms focused on data sharing, collection, and analysis in different fields. They were invented centrally; however, local documents often mention their local counterparts that enable the work of the local SCSs.

There are several SCS-related platforms focused on data collection, sharing, analysis, and publication. These include the Credit Reference Center (征信中心), the National Enterprise Credit Information Publicity System (NECIPS; 国家企业信用信息公示系统), as well as the already-mentioned NCISP (National Credit Information Sharing Platform; 全国信用信息共享平台). The Credit Reference Center is run under the PBoC and is focused on finance-related data. The National Development and Reform Commission set up the NCISP in 2015. The NCISP connects numerous central agencies, local governments, and market entities with the aim of accumulating data on different subjects, including natural persons, from different entities that upload the data into NCISP.<sup>157</sup> NECIPS was created to publish information, but it is

focused particularly on business entities, allowing interested parties to search for specific companies, their licenses, and the potential blacklists they figure in.<sup>158</sup>

Additionally, there exists the Credit China website (信用中国网) that serves various purposes – from sharing information on untrustworthy subjects, through publishing SCS-related regulations and policies, to sharing news on the ‘model’ trustworthy citizens.<sup>159</sup> The above platforms and Credit China have their local counterparts that enable the operations of various SCS elements. It is challenging, however, to create a full repository of SCS-related platforms and other elements of data infrastructure, as many sectoral platforms for sharing trustworthiness-related data appear as well. Moreover, despite the knowledge of the existence of the mentioned platforms, their exact operations and mechanisms for data aggregation remain unknown.<sup>160</sup> Their existence, however, suggests that, despite the fragmented design and implementation of the SCS, Beijing likely planned the interconnection of credit information from various localities.

As the various platforms specialize in data sharing and cooperation between different agencies, a proper identification system of SCS subjects had to be established. For this purpose, the unified social credit number system (统一社会信用代码制度) was triggered in 2015.<sup>161</sup> The system assigns an 18-digit ID code to natural persons (exclusively to Chinese citizens) and legal persons. While assigning the ID code to natural persons is not challenging, it poses certain challenges in the case of legal persons. These entities had been ascribed different numbers by different sectoral agencies, including separate fiscal numbers, license numbers, and social security numbers. Currently, new entities obtain one unified code, whereas the already-existing ones are in the process of exchanging and unifying their IDs, according to the rule ‘one license, one code’ (一照一码).<sup>162</sup>

Notably, based on the Law on Foreign-Funded Enterprises, foreign business entities operating in Chinese territory must obtain a PRC license. Therefore, they obtain the same 18-digit code.<sup>163</sup> In SCS-related documents, no distinction is made between Chinese and foreign companies that operate in China.<sup>164</sup> Every company that is subject to general business registration and is required to abide by sectoral regulations, which are the base for SCS operations to a considerable extent, is treated equally.<sup>165</sup> The same rule applies to foreign NGOs that are obliged to obtain the code since January 2017.<sup>166</sup> Foreign individuals can also be subject to SCS, even though they are not given the 18-digit code. If a foreign company that they work for in the PRC (as a responsible staff or a legally-designated representative) is considered trust-

breaking, such a person will be labeled as untrustworthy in China with the use of their passport or other ID number.<sup>167</sup>

The sole existence of an identification system and data sharing platforms does not guarantee the efficient interdepartmental and nationwide data sharing and analysis needed for effective nationwide operations of the SCS. Apart from technical issues, such as the unification of data formats allowing data transfers, the fragmented, localized design of the SCS solutions and scoring systems currently disables the centralization of data management. The next section shares insights from the discussions on the variations of local solutions related to data collection and use in the literature.

#### *2.5.2. Local indicators for assessing the level of trustworthiness and the public availability of data*

According to an overview of various scoring schemes performed by Liu, localities employ different numbers of indicators (information types) in their ratings. These numbers vary from 49 to 1503. The indicators use data documenting both positive and negative behaviors or activities.<sup>168</sup> The considerable discrepancies in the numbers of indicators stem from the different design of the scoring schemes. For instance, certain localities started to access information from the education and healthcare fields, biometric data, and personal data, including ethnicity or marital status, whereas other localities have considered such data collection illegal.<sup>169</sup>

The data collection techniques also differ among localities. Some operate with digitalized data from state organs, while others even use a human-based assessment of some aspects of individuals' behaviors. An example might be the case of Qingzhen city, which uses a 'peer review' system with people scoring particular behavioral patterns or 'village norms' in the behavior of others. This scoring technique has a real impact on decisions made by particular organs, such as granting agricultural loans.<sup>170</sup> Some local regulations referring to civilized behavior, such as the one passed in Qingdao, stipulate that whistleblowers are welcome.<sup>171</sup> In some localities, such as Shenzhen, facial recognition had been integrated with the SCS, as it caught jaywalkers and reduced their credit score.<sup>172</sup>

The publication of the Public Credit Information Catalogue in 2021 universally limited the scope of the information allowed for use as credit information. The term 'Public Credit Information' refers to information produced and obtained in the course of work of state organs that can be used to identify, analyze, and judge the conditions of credit of a subject.<sup>173</sup> Since then, information on activities such as blood donations or on religious beliefs may not be used

in SCS. Only in severe circumstances may the credit information include data on, e.g., jaywalking or evasion of public transport fees.<sup>174</sup> Along with the ban on punishing individuals for a low number of points, this further limited the scope of local scoring schemes.

What, next to an evolving regulatory environment, makes the analysis of local scoring schemes challenging is the varied level of transparency between localities developing their pilot SCS solutions. Not all of the cities running their pilots publicly share the lists of indicators, and some of them solely publish positive indicators. Thus, in numerous cases, neither the individuals nor the legal persons are aware of what they are evaluated for.<sup>175</sup> The set of indicators collected on natural persons in some localities allegedly depends on their profession. Thus, the types of data collected on lawyers, teachers, students, and doctors may be different.<sup>176</sup>

The local variations of indicators are based on sectoral and local regulations. Some of them have – as will also be discussed in the empirical part – a particular focus, such as ‘promoting civilized behaviors’ (文明行为促进). Such a focus sets its own rules for good behavior,<sup>177</sup> influencing the criteria of choice of the indicators. Moreover, different government agencies that participate in the Interministerial Joint Conference are characterized by different inputs of data in the SCSs. For instance, apart from the NDRC itself, the Ministry of Industry and Information Technology, as well as the Ministry of Agriculture, are very much active in this field, sharing grand bunches of data, whereas there are agencies whose input is marginal.<sup>178</sup>

Despite the different characteristics of particular local scoring schemes, one might say that, on average, there are typically hundreds of indicators that are taken into consideration, and at least 50% of these refer to business entities. In Shanghai, for instance, out of 1,200 indicators, as many as 1,000 apply to legal persons and solely 200 to individuals.<sup>179</sup> The Shanghai case seems to be representative of a nationwide trend. In 2018, Liang et al. broadly examined the quotas for the collection of data on particular SCS subjects in the case of NCISP.<sup>180</sup> Out of 400 data sets, two-thirds referred to business entities and commerce, 20% of the data considered individuals, and the remaining data referred to social organizations and governments, with less than 10% each.<sup>181</sup> Thus, contrary to the Western media focus (and roughly in line with the other, previously cited, study conducted by Brussee and Drinhausen in 2021), the SCS’s real focal point for Beijing is on the commercial area.<sup>182</sup> This claim can be further backed by the fact that there are not too many actors responsible for the political area in the Interministerial Joint Conference.<sup>183</sup> At the same time, this might be a result of the still-ongoing development of the ‘moral’ aspects of SCS, while financial or commercial matters had been discussed for much longer.

Notably, around 75% of all data collected under sharing platforms is publicly available (公开). This does not necessarily mean that anyone can have access to it at any time. Accessing the data often requires the knowledge of an identification number. The publicly available data sets may include names (of both natural and legal persons), addresses, field of interest (in case of legal persons) or profession (for individuals), and much more. This type of information is made available so that one may, for instance, check a potential employee or business partner prior to making a decision on potential cooperation.<sup>184</sup> There are different local possibilities for such data checks. For instance, with the Honest Shanghai app, one can easily check a local business before using its services.<sup>185</sup> In other localities, this happens, for instance, with the use of a local credit platform. Roughly 20% of the data is the information assigned to the ‘limited sharing’ category (有限共享), i.e., data with limited sharing possibilities (it is not known who exactly has access to such data). These include information on issues such as punishments, credit records, and fraud. The rest of the data collected is accessible solely to the government (政务共享), such as student credit information and administrative penalties.<sup>186</sup>

To conclude, the local pilot scoring schemes are characterized by a considerable freedom in design, and they considerably differ from the centrally standardized qualitative determination of the lawfulness of subjects’ actions in chosen areas of governance that may trigger the joint punishment scheme. Apart from the pilot scoring schemes, the various types of SCS subjects fall under SCS solutions designed centrally and implemented in a top-down manner by particular state agencies. The locally and centrally designed solutions at times intertwine, albeit to what extent this occurs depends on the locality. The most notable centrally designed blacklisting solution affecting local ratings is the Defaulters’ List. This list may reportedly influence the subjects’ local SCS rating, as well as the PBoC financial credit reports.<sup>187</sup>

Amid the complexities of the state-led SCS and the private rating schemes, as well as the history of connection between these two, a question arises of how Chinese society reacts to the SCS development. The next section discusses research on this issue that has been conducted. The discussion on the citizens’ approach to the SCS shall constitute an important context for the discussion on the logic of Chinese control that will be referred to repeatedly in the empirical chapters.

### 3. The approach of the Chinese society to the SCS

The non-democratic nature of the PRC's political regime makes it challenging to study the sentiments of members of the Chinese society towards various issues with tools such as surveys and even interviews. This notwithstanding, there have been attempts to examine the approach and anxieties that the SCS evokes. The results of such research offer valuable insight into how Chinese society might approach not only some elements of the System but also – more broadly – the issues of data collection, surveillance, and privacy.

Kostka was likely the first Western researcher to conduct a major study on the approach of the Chinese society to the SCS. Her research was based on online surveys and semi-structured interviews conducted in 2018.<sup>188</sup> The outcomes of her surveys indicated a high level of approval towards the SCS, with 80% of respondents either strongly approving or approving of the idea (49% and 31% respectively). 19% of the surveyed Chinese had a neutral attitude, and only 1% disapproved of the System. Kostka herself acknowledged that these outcomes might have been influenced by the nature of China's political regime.<sup>189</sup>

This notwithstanding, Kostka's survey-based results were later confirmed by the outcomes of the interviews conducted by Ollier-Malaterre. Her respondents showed a rather positive approach towards the SCS. They argued, for instance, that it would support the governance of the country as it would help to deal with the lack of trust in society.<sup>190</sup> When pointing at some weaknesses of the System, her 'participants [...] directed their concern on the transparency and predictability of the criteria and algorithms underlying the social credit system rather than on challenging the existence of the system itself.'<sup>191</sup> Liu's 2022 study similarly revealed the high level of support towards the SCS, yet with variations among social groups. According to his study, individuals who are not members of the Party are more likely to support the state-run SCS than members of the CCP. At the same time, 'people who have middle-level political capital are the least supportive of state-centered SCSs, compared with those political elites and the public.'<sup>192</sup>

Apart from the general approval rates, the results of Kostka's survey revealed some interesting trends. The respondents seemed not to be precisely aware of what they were actually sharing their opinion about. 43% of the respondents lived in localities that run a local pilot of a state-run SCS, yet solely 11% of them were aware of participating in such a system. Their opinions were most likely shaped based on their knowledge of private scoring systems, especially since 80% of the respondents were using at least one of them (with Sesame Credit being the most popular one).<sup>193</sup> Other studies conducted later also revealed the limited or varied level of knowledge on the SCS in Chinese society. For instance, in their study, Trauth-Goik and

Liu found that the primary SCS-related connotation for their respondents is the Defaulter's List.<sup>194</sup>

Early SCS-related works often referred to studies on the citizens' approach towards data collection in China. For instance, a study conducted by Chinese scholars Wang and Yu revealed that, generally, the Chinese are more trusting of data collection performed by governments and more suspicious about data collection by enterprises and social organizations.<sup>195</sup> Kostka claimed that her survey results confirmed what Wang and Yu had stated on trust of the Chinese towards the private and state sectors. 64% of her respondents who were covered by the state SCS claimed *strong* approval towards the System. At the same time, the *strong* approval rate reached 55% among the respondents who participated solely in private scoring systems.<sup>196</sup> However, the fact that the number of participants (2209) was not significant, and – most importantly – the fact that an overwhelming majority of the respondents who participated in the local state-run SCS were not aware of that (89%) may raise questions about the exact accuracy of this interpretation of results. Still, in a different question, 77% of respondents claimed that the central government used personal data in the most responsible manner and that they do not trust the private sector.<sup>197</sup> This seems to further back the argument of higher levels of trust towards the state than the private sector.

Similarly to the mentioned interviews conducted by Ollier-Malaterre, Kostka's interviews conducted during her experiment also revealed some SCS-related concerns. These concerns spoken of included anxiety about the fairness of the quantitative assessment of the credit rating, the negative influence of random events and accidents on the credit score (such as illness), or an unequal, less strenuous observation and rating of powerful individuals. The interviews also revealed positive attitudes towards the System in terms of the benefits and the subsequent improvement of life quality due to the reward mechanisms. Another positive aspect was similar to the findings of other studies. Namely, interviewees stressed that the SCS building trust in society is of great importance. At the same time, as many as 76% of the survey respondents claimed that there were trust issues in Chinese society. Lastly, some of the Chinese were convinced that the CCP already had access to any data they wished;<sup>198</sup> therefore, the SCS did not make any difference; on the contrary, it could be used for favorable purposes.

As for citizens voicing their SCS-related opinions on their own initiative, according to research by Ohlberg et al., limited attention to the SCS has been observed in social media. Most of the posted content refers to the Sesame Credit, its algorithms, and methods for raising the score.<sup>199</sup> No open, broad critique was addressed towards state SCS or private scoring systems, with reactions being either positive or neutral. However, some symptoms of negative sentiments

towards the System have been voiced. They referred to technology-related issues, such as data collection, integration, and exchange between agencies. In some cases, the privacy issues were also raised, concerning the wide access of different parties to the users' information and, in the case of private scorings, anxieties about possible illegal sale of data or data theft.<sup>200</sup> Once again, in the context of privacy, society seemed to trust state actors more than private ones, staying in line with other research. Yet Ohlberg et al. claim that this might be a consequence of either self-censorship or limited knowledge of the state-run SCS.<sup>201</sup>

If Beijing precisely monitors and reacts to both public opinion sentiments and the circumstances, there is a high possibility that no widespread outcry will appear among the members of the Chinese society. Apart from the fact that the Chinese are likely to genuinely see the need to raise the level of trustworthiness in Chinese society,<sup>202</sup> they also have a different approach to privacy than that observed in Western societies. For instance, as found out in the mentioned research by Ollier-Malaterre, the Chinese might consider the care for privacy as indicative of 'hiding a shameful secret'.<sup>203</sup> Despite the allegedly positive attitude of the Chinese society towards the SCS, one still cannot rule out the possibility of 'external rejection' of the SCS in the future and its potential impact on the form of the System. As Creemers notes, even though Chinese citizens do not blatantly oppose regulations, popular protests have often shaped Beijing's policies to a certain degree. It was the case, for instance, when the Suining SCS was shut down.<sup>204</sup>

Overall, the empirical part of the dissertation will also discuss how some bureaucratic agents involved in SCS construction might bear in mind the possibility of the Chinese society rejecting some parts of the SCS. Despite no widespread rejection of the SCS or some of its parts, the fear of such rejection – or acts of defiance – might have influenced some SCS-related regulations and decisions, as well as impaired the operability of some SCS solutions. Before moving on to the empirical part, and prior to discussing the framework for the study of this dissertation, the research gap that will be filled later on must be determined on the basis of previous literature, referred to earlier throughout this chapter.

#### **4. Conclusion on the present state of knowledge, research gaps, and the focus of the dissertation**

There are several general conclusions on the basic shape and operations of the SCS that might be drawn from the existing literature and serve as the base for the current study. First, as indicated by various researchers, including Liu,<sup>205</sup> Knight and Creemers,<sup>206</sup> localities have considerable discretion in the creation of SCS solutions. This discretion, however, has been

limited in some areas by Beijing since the 2021 standardization actions, as described by Brussee.<sup>207</sup> As a result, some SCS solutions are centrally standardized, while others are designed locally and are more or less compliant with central guidelines. Such a division into types of solutions will be mirrored in the subsequent empirical chapters.

Moreover, as scholars, e.g., Kostka, claim, despite the SCS fragmentation into localities and elements developed by various agents, the different SCS solutions (as well as private scoring schemes) have been created with a common denominator. Their goal is to mold the behavior of individuals, business entities, and other organizations.<sup>208</sup> This molding of behavior can be materialized through the imposition of punishments or rewards supported by the use of blacklists and redlists. These lists have been examined by Engelmann et al. before the 2021 standardization.<sup>209</sup> Overall, a plethora of law-embedded punishments exists within the SCS framework, and they may be implemented in the joint punishment scheme, leading to severe repercussions for trust-breakers. The rewards include some bonuses or priority treatments, yet scholars have pointed out that most incentives are of a reputational character.<sup>210</sup> Reputation itself is an important part of the state-led SCS due to data disclosure procedures, which will be tackled later in the dissertation. Von Blomberg and Yu discussed the public disclosure of blacklists as ‘a strategy for regulatory shaming’<sup>211</sup>, while Trauth-Goik and Liu wrote about the ‘relational punishment’ imposed on the compromised trust-breakers by members of society.<sup>212</sup> Both reputational and joint punishments within the SCS will be tackled in the empirical chapters.

#### ***4.1. Research gaps and the focus of the dissertation***

The existing literature on the SCS enabled the overall understanding of the SCS and the debunking of the myth about the SCS as an Orwellian means of control.<sup>213</sup> Apart from understanding the logic of the SCS, the literature unearthed different aspects of its construction and operations, which were listed at the beginning of this chapter. These included, for instance, the legal embeddedness of the SCS and people’s attitudes towards the System. Despite the growing body of SCS literature, for several years, researchers have consistently stated that fact-based studies on the SCS were still very much undeveloped and that future examinations should focus on documentation of the System’s progress.<sup>214</sup> They mentioned that there were not enough detailed analyses of SCS,<sup>215</sup> and that ‘[s]cholarship on China’s SCS [...] is at a nascent stage’.<sup>216</sup> More studies are said to be needed on how the SCS is designed within different government agencies and locally, how the criteria are agreed upon, and how the SCS may be approached by the citizens.<sup>217</sup>

Focusing a great extent on technicalities and other mentioned aspects, the existing literature has been less focused on several issues. The first is how, despite not being an Orwellian tool for control, the SCS might support the Chinese regime by tightening control over individuals. This is a vital question, especially since previous literature has indicated that the SCS supports law enforcement. As I explained in an article published in 2024 in *China Information*, the SCS as a law enforcement tool is ‘a cog in an authoritarian machine’.<sup>218</sup> This means that ‘by supporting law enforcement in the PRC [the SCS] naturally amplifies the authoritarian system under which the laws and regulations have been created’ and that ‘these laws include provisions that limit freedoms, for example, freedom of speech.’<sup>219</sup>

Other researchers have also expressed the need to examine the use of SCS for governance in the context of the work of the Ministry of Public Security and related agencies, as these are involved in the implementation of the System.<sup>220</sup> This is especially important due to the mentioned focus of the Xi administration on regime security. Taking all this into consideration, the SCS elements chosen for detailed scrutiny in this study mostly cover solutions that are related to control and censorship of different types (online and offline), in different areas of governance (from Internet to education), and designed at different levels of administration (central, provincial, municipal). Additionally, all local comprehensive ratings appearing in the accessed materials will be discussed in order to ponder over the possibility of locally performing a comprehensive surveillance of various types of individuals’ behaviors and thus enhancing comprehensive control.

Despite this focus, in order not to present the SCS as a tool aimed primarily to strengthen authoritarian control and censorship – which it is not – the empirical chapters will often refer to solutions in other areas of governance that are related to individuals and may affect them. For instance, the Defaulters’ List – albeit dealing with those who have not settled financial liabilities – must naturally be discussed as the major SCS solution targeted at individuals in order not to present the SCS in a distorted manner. Further information on the key of choice (e.g., of particular localities) will be provided in a specifically devoted section.

The second issue less covered in the literature is how particular SCS solutions may affect or interact with the logic of particular areas of governance.<sup>221</sup> In order to examine this aspect of SCS construction minutely and guarantee feasibility, the scope of the research could not encompass all governance areas. The third and related issue that has thus far obtained a relatively limited attention is the question of how particular bureaucratic agents shape their SCS solutions at different levels of administration to satisfy their self-interests in their areas of governance. This aspect of the SCS is important as the Chinese party-state – despite the often

discussed power centralization and a tighter grip over institutions under the Xi administration – is far from being a monolith with unified and consistent objectives, e.g., constant tightening of control.<sup>222</sup>

The empirical chapters will focus especially on the first and the second issues of SCS design and operations. It will devote some attention to how bureaucratic self-interests might have affected the current shape of the SCS as well. The discussion on the bureaucratic self-interests, however, will not refer to all of the discussed SCS solutions for three reasons. First, the Chinese administration does not act in a transparent manner, and it is often challenging to determine the motives behind the actions of particular bureaucratic agents. This is especially challenging in local circumstances,<sup>223</sup> therefore, the discussion on bureaucratic self-interest will be more potent in the examination of central-level SCS solutions.

The second reason is more technical. The primary scope of this dissertation is to examine the manners in which the SCS might support the regime by strengthening control over individuals. As such, it aims to showcase and discuss the trends related to the SCS construction and design in the context of control and censorship, as well as the general feasibility of the designed solutions. A minute scrutiny of the bureaucratic interests standing behind the construction, operations (or lack thereof) of every single solution discussed in the dissertation is not a task for one researcher, but rather for an entire team of China watchers. This leads to the third reason. Among the factors that led to the decision to discuss the bureaucratic self-interests primarily at the central, and not local, level stems from the fact that most studies – as it will be discussed in the next chapter – focus on the central-local dynamics in policy implementation. The SCS may serve as an interesting case for the analysis of the central horizontal dynamic. More details on the choice of particular SCS elements, as well as the framework for the study, will be discussed in the next chapter.

## 5. Notes and references

<sup>1</sup> See, e.g., Chuncheng Liu, “Multiple Social Credit Systems in China,” *Economic Sociology: The European Electronic Newsletter* 21, no. 1 (2019): 22–32; Minxin Pei, “China’s Social Credit System: Genesis, Framework, and Key Provisions,” *China Leadership Monitor*, no. 63 (March 1, 2020); Rogier Creemers, “China’s Social Credit System: An Evolving Practice of Control,” *SSRN Electronic Journal*, May 9, 2018, [https://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=3175792](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3175792); Mareike Ohlberg, Shazeda Ahmed, and Bertram Lang, “Central Planning, Local Experiments: The Complex Implementation of China’s Social Credit System,” *MERICS (Mercator Institute for China Studies)*, December 12, 2017, <https://merics.org/en/report/central-planning-local-experiments>.

<sup>2</sup> See, e.g., Rogier Creemers, “Cyber China: Upgrading Propaganda, Public Opinion Work and Social Management for the Twenty-First Century,” *Journal of Contemporary China* 26, no. 103 (2016): 85–100.

<sup>3</sup> See, e.g., Liav Orgad and Wessel Reijers, “How to Make the Perfect Citizen? Lessons from China’s Social Credit System,” *Vanderbilt Law Review* 54 (2021): 1087–1138; Liav Orgad and Wessel Reijers, “A Dystopian Future? The Rise of Social Credit Systems,” *SSRN Electronic Journal*, November 25, 2019, [https://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=3491179](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3491179).

<sup>4</sup> See, e.g., Samantha Hoffman, “Managing the State: Social Credit, Surveillance and the CCP’s Plan for China,” *China Brief* 17, no. 11 (August 17, 2017), <https://jamestown.org/program/managing-the-state-social-credit-surveillance-and-the-ccps-plan-for-china/>; Samantha Hoffman, “Programming China: The Communist Party’s Autonomic Approach to Managing State Security,” *MERICS (Mercator Institute for China Studies)*, December 12, 2017, <https://merics.org/en/report/programming-china>.

<sup>5</sup> Yongxi Chen and Anne S. Y. Cheung, “The Transparent Self under Big Data Profiling: Privacy and Chinese Legislation on the Social Credit System,” *The Journal of Comparative Law* 12, no. 2 (2017): 356–77; Mo Chen and Jens Grossklags, “An Analysis of the Current State of the Consumer Credit Reporting System in China,” *Proceedings on Privacy Enhancing Technologies* 2020, no. 4 (2020): 89–110.

<sup>6</sup> See, e.g., Shazeda Ahmed, “Cashless Society, Cached Data: Security Considerations for a Chinese Social Credit System,” *The Citizen Lab*, January 24, 2017, <https://citizenlab.ca/2017/01/cashless-society-cached-data-security-considerations-chinese-social-credit-system/>.

<sup>7</sup> See, e.g., Fan Liang, Vishnupriya Das, Nadiya Kostyuk, and Muzammil M. Hussain, “Constructing a Data-Driven Society: China’s SCS as a State Surveillance Infrastructure,” *Policy & Internet* 10, no. 4 (2018): 415–453.

<sup>8</sup> See, e.g., Genia Kostka, “China’s Social Credit Systems and Public Opinion: Explaining High Levels of Approval,” *New Media & Society* 21, no. 7 (2019): 1565–1593.

<sup>9</sup> See, e.g., Genia Kostka and Lucas Antoine, “Fostering Model Citizenship: Behavioral Responses to China’s Emerging Social Credit Systems,” *Policy & Internet* 12, no. 3 (2020): 256–289.

<sup>10</sup> Zahy Ramadan, “The Gamification of Trust: The Case of China’s ‘Social Credit,’” *Marketing Intelligence & Planning* 36, no. 1 (2018): 93–107; Mirjam Meissner, “China’s Social Credit System: A Big-Data Enabled Approach to Market Regulation with Broad Implications for Doing Business in China,” *MERICS (Mercator Institute for China Studies)*, May 24, 2017, <https://merics.org/en/report/chinas-social-credit-system>.

<sup>11</sup> Daithí Mac Sithigh and Mathias Siems, “The Chinese Social Credit System: A Model for Other Countries?” *The Modern Law Review* 82, no. 6 (2019): 1034–1071; Saif Shahin and Pei Zheng, “Big Data and the Illusion of Choice: Comparing the Evolution of India’s Aadhaar and China’s Social Credit System as Technosocial Discourses,” *Social Science Computer Review* 38, no. 1 (2020): 25–41.

<sup>12</sup> See, e.g., Lydia Khalil, “Digital Authoritarianism, China and COVID,” *Lowy Institute*, November 2, 2020, <https://www.lowyinstitute.org/publications/digital-authoritarianism-china-and-covid>; Adam Knight and Rogier Creemers, “Going Viral: The Social Credit System and COVID-19,” *SSRN Electronic Journal*, January 20, 2021, [https://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=3770208](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3770208).

<sup>13</sup> 国务院关于印发社会信用体系建设规划纲要(2014–2020 年) 的通知 (Notice of the State Council on Issuing Planning Outline for the Construction of a Social Credit System (2014–2020)) (2014).

<sup>14</sup> Zhuo Huang, Yang Lei, and Shihan Shen, “China’s Personal Credit Reporting System in the Internet Finance Era: Challenges and Opportunities,” *China Economic Journal* 9, no. 3 (2016): 288; Liang et al., “Constructing a Data-Driven Society,” 424.

<sup>15</sup> Liang et al., “Constructing a Data-Driven Society,” 424.

<sup>16</sup> Liu, “Multiple Social Credit Systems,” 23.

<sup>17</sup> Huang, Lei, and Shen, “China’s Personal Credit Reporting System,” 288.

<sup>18</sup> Nicola Jentzsch, “An Economic Analysis of China’s Credit Information Monopoly,” *China Economic Review* 19 (2008): 540.

<sup>19</sup> Jentzsch, “An Economic Analysis of China’s Credit Information Monopoly,” 544.

<sup>20</sup> Huang, Lei, and Shen, “China’s Personal Credit Reporting System,” 288.

<sup>21</sup> With an exception of a private-run Shanghai Credit Information Services Co. Ltd. that operated in Shanghai starting in 1999. Chen and Grossklags, “An Analysis of the Current State,” 92.

<sup>22</sup> Liu, “Multiple Social Credit Systems,” 23.

<sup>23</sup> Chen and Grossklags, “An Analysis of the Current State,” 92.

<sup>24</sup> Orgad and Reijers, “How to Make the Perfect Citizen?” 1093.

<sup>25</sup> Creemers, “China’s Social Credit System,” 9.

<sup>26</sup> Chen and Grossklags, “An Analysis of the Current State,” 92.

<sup>27</sup> Creemers, “China’s Social Credit System,” 8–9.

<sup>28</sup> Chen and Grossklags, “An Analysis of the Current State,” 92.

<sup>29</sup> Knight and Creemers, “Going Viral,” 3.

<sup>30</sup> Creemers, “China’s Social Credit System,” 11. Note: Following the central Five-Year Plan, Zhejiang province included in the provincial equivalent of the document an broadened idea of credit by civil servants.

<sup>31</sup> Yujie Chen, Chingfu Lin, and Hanwei Liu, “Rule of Trust: The Power and Perils of China’s Social Credit Megaproject,” *Columbia Journal of Asian Law* 32, no. 1 (2018): 8. Note: Even before that, in 2005, the PBoC issued a document on collecting individual credit information for financial reasons related to financial creditworthiness: 个人信用信息基础数据库管理暂行办法 (Interim Measures for the Administration of the Basic Database of Personal Credit Information) (2005).

<sup>32</sup> Chen, Lin, and Liu, “Rule of Trust,” 13.

<sup>33</sup> Creemers, “China’s Social Credit System,” 29.

<sup>34</sup> Ohlberg, Ahmed, and Lang, “Central Planning, Local Experiments.”

<sup>35</sup> Liang et al., “Constructing a Data-Driven Society,” 425.

<sup>36</sup> Creemers, “China’s Social Credit System,” 12.

<sup>37</sup> Creemers, “China’s Social Credit System,” 6–7.

<sup>38</sup> Cheng Cheng and Shuyang Ou, “The Status Quo and Problems of the Building of China’s Social Credit System and Suggestions,” *International Business and Management* 8, no. 2 (2014): 170.

<sup>39</sup> Creemers, “China’s Social Credit System,” 3.

<sup>40</sup> Pei, “China’s Social Credit System.”

<sup>41</sup> Ohlberg, Ahmed, and Lang, “Central Planning, Local Experiments.”

<sup>42</sup> The Central Commission for Comprehensively Deepening Reforms is responsible for the implementation and development of the SCS. It chose the NDRC and PBoC to be the leaders of SCS development and implementation. Meissner, “China’s Social Credit System,” 6.

<sup>43</sup> Pei, “China’s Social Credit System.”

<sup>44</sup> Creemers, “China’s Social Credit System,” 10.

<sup>45</sup> Orgad and Reijers, “How to Make the Perfect Citizen?” 1091.

<sup>46</sup> Creemers, “China’s Social Credit System,” 10.

<sup>47</sup> Creemers, “China’s Social Credit System,” 11.

<sup>48</sup> Dai Xin, “Toward a Reputation State: The Social Credit System Project in China,” SSRN Electronic Journal, June 24, 2018, 1, [https://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=3193577](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3193577); Knight and Creemers, “Going Viral,” 4.

<sup>49</sup> Knight and Creemers, “Going Viral,” 4.

<sup>50</sup> Orgad and Reijers, “A Dystopian Future?” 8.

<sup>51</sup> Xin, “Toward a Reputation State,” 15–16.

<sup>52</sup> Xin, “Toward a Reputation State,” 16.

<sup>53</sup> 国务院关于印发社会信用体系建设规划纲要(2014–2020 年) 的通知 (Notice of the State Council on Issuing Planning Outline for the Construction of a Social Credit System (2014–2020)) (2014).

<sup>54</sup> Ohlberg, Ahmed, and Lang, “Central Planning, Local Experiments,” 5.

<sup>55</sup> Ohlberg, Ahmed, and Lang, “Central Planning, Local Experiments,” 6.

<sup>56</sup> Ohlberg, Ahmed, and Lang, “Central Planning, Local Experiments,” 6.

<sup>57</sup> Huang, Lei, and Shen, “China’s Personal Credit Reporting System,” 290.

<sup>58</sup> Ohlberg, Ahmed, and Lang, “Central Planning, Local Experiments,” 6.

<sup>59</sup> Creemers, “China’s Social Credit System,” 25.

<sup>60</sup> Xin, “Toward a Reputation State,” 15, 24, 58.

<sup>61</sup> Meissner, “China’s Social Credit System,” 9.

<sup>62</sup> Orgad and Reijers, “A Dystopian Future?”

<sup>63</sup> See e.g., Hoffman, “Managing the State”; Hoffman, “Programming China.”

<sup>64</sup> Creemers, “China’s Social Credit System,” 26.

<sup>65</sup> Orgad and Reijers, “A Dystopian Future?” 9.

<sup>66</sup> Some scholars use the plural version (see Ollier-Malaterre, 2024), while others decided to use the singular. Both singular and plural versions currently refer to the same project and have the same meaning. The singular form is used throughout this dissertation, and the variations and elements of the SCS that reflect the System’s complexity are referred to as ‘solutions’, ‘elements’ or, at times, ‘mechanisms’.

<sup>67</sup> On the private, so-called ‘Consumer Credit Reporting System’ see, e.g., Chen and Grossklags, “An Analysis of the Current State,” 89.

<sup>68</sup> See e.g., Liu, “Multiple Social Credit Systems.”

<sup>69</sup> Huang, Lei, and Shen, “China’s Personal Credit Reporting System,” 288.

<sup>70</sup> Liu, “Multiple Social Credit Systems,” 30.

<sup>71</sup> Note: Private companies in China are legally obliged to cooperate with the state in national security matters and to pass relevant data to state organs (see, e.g., 中华人民共和国国家安全法 [National Security Law of the People’s Republic of China] (2015)), so even without the SCS, the state is able to access the data when sees the need to do so. The data collected by the private companies online can be assigned to particular individuals in China thanks to the so-called ‘real-name registration system’ that requires the use of real names during online activities in the PRC.

<sup>72</sup> Liang et al., “Constructing a Data-Driven Society,” 425; Chen and Grossklags, “An Analysis of the Current State,” 103.

<sup>73</sup> Creemers, “China’s Social Credit System,” 22.

<sup>74</sup> For details on the private scorings see e.g., Chen and Grossklags, “An Analysis of the Current State.”

<sup>75</sup> Chen and Grossklags, “An Analysis of the Current State,” 92–93. For additional information and characteristics of these systems see, e.g., Huang, Lei, and Shen, “China’s Personal Credit Reporting System,” 299–300.

<sup>76</sup> Currently there are five SCSs run by tech giants, the other two include SCSs by Baidu and JD Finance.

<sup>77</sup> Chen and Grossklags, “An Analysis of the Current State,” 93.

<sup>78</sup> Currently there are five SCSs in this category, the other three include Baihang Credit, China Youth Credit, and Wanda Credit.

<sup>79</sup> Chen and Grossklags, “An Analysis of the Current State,” 94–95.

<sup>80</sup> Ahmed, “Cashless Society, Cached Data.”

<sup>81</sup> Ariane Ollier-Malaterre et al., “Navigating Through the Fog: Reflexive Accounts on Researching China’s Digital Surveillance, Censorship, and Other Sensitive Topics,” *Journal of Contemporary China*, March 2025, 13.

<sup>82</sup> Huang, Lei, and Shen, “China’s Personal Credit Reporting System,” 298.

<sup>83</sup> Xin, “Toward a Reputation State,” 17.

<sup>84</sup> Liu, “Multiple Social Credit Systems,” 24.

<sup>85</sup> Ohlberg, Ahmed, and Lang, “Central Planning, Local Experiments,” 12.

<sup>86</sup> Xin, “Toward a Reputation State,” 17.

<sup>87</sup> Xin, “Toward a Reputation State,” 18.

<sup>88</sup> Creemers, “China’s Social Credit System,” 25. Note: during the study, which was not devoted to the financial aspect of credit, Baihang did not appear in the analyzed documents.

<sup>89</sup> Kostka, “China’s Social Credit Systems and Public Opinion,” 1568–1569.

<sup>90</sup> Chen and Grossklags, “An Analysis of the Current State,” 94.

<sup>91</sup> Chen and Grossklags, “An Analysis of the Current State,” 94.

<sup>92</sup> Creemers, “China’s Social Credit System,” 25.

<sup>93</sup> Ahmed, “Cashless Society, Cached Data.”; Kostka, “China’s Social Credit Systems and Public Opinion,” 1585.

<sup>94</sup> Chen and Grossklags, “An Analysis of the Current State,” 93.

<sup>95</sup> Chen and Grossklags, “An Analysis of the Current State,” 94

<sup>96</sup> These are: Sesame Credit, Tencent Credit, Qanhui Credit, Pengyuan Credit, China Chengxin Credit, Sinoway Credit (Chen and Grossklags, “An Analysis of the Current State,” 92).

<sup>97</sup> Chen and Grossklags, “An Analysis of the Current State,” 92, 94.

<sup>98</sup> Xin, “Toward a Reputation State,” 29.

<sup>99</sup> Chen and Grossklags, “An Analysis of the Current State,” 104. For further discussion on SCS developments during the COVID-19 pandemic see Knight and Creemers, “Going Viral.”

<sup>100</sup> Chen and Grossklags, “An Analysis of the Current State,” 96.

<sup>101</sup> As well as dealing with some privately-run finance-related commercial scorings.

<sup>102</sup> Liu, “Multiple Social Credit Systems,” 23.

<sup>103</sup> Ohlberg, Ahmed, and Lang, “Central Planning, Local Experiments,” 6.

<sup>104</sup> See, e.g., Meissner, “China’s Social Credit System,” 5.

<sup>105</sup> Katja Drinhausen and Vincent Brussee, “China’s Social Credit System in 2021: From Fragmentation towards Integration,” *MERICS (Mercator Institute for China Studies)*, March 3, 2021, <https://merics.org/en/report/chinas-social-credit-system-2021-fragmentation-towards-integration>.

<sup>106</sup> Liang et al., “Constructing a Data-Driven Society,” 431.

<sup>107</sup> 全国失信惩戒措施基础清单（2021 年版）(National basic list of disciplinary measures for dishonesty (2021 edition) (2021).

<sup>108</sup> 全国公共信用信息基础目录(2021 年版) (National basic catalogue of public credit information (2021 edition) (2021).

<sup>109</sup> Vincent Brussee, *Social Credit: The Warring States of China's Emerging Data Empire* (Singapore: Palgrave Macmillan, 2023), 139–143.

<sup>110</sup> Note: Some localities published their versions of such documents before the year 2021. For instance, Lishui issued a PCI Catalogue in 2019. 丽水市公共信用信息目录 (2019 版) (Lishui City Public Credit Information Catalogue (2019 Edition)) (2019). It covered pieces of information that the central document later excluded from the scope of PCI, such as information on blood donations. Other SCS planning documents, even the 2014 Outline, had their local versions prior to the central one. See, e.g., 南山区社会信用体系建设规划 (2013-2020 年) (Kunshan District Plan for the Establishment of the Social Credit System (years 2013-2020)) (2013?).

<sup>111</sup> See, e.g., 国务院关于建立完善守信联合激励和失信联合惩戒制度, 加快推进社会诚信建设的指导意见 (Guiding Opinion of the SC on the Establishment and Improvement of the System of Joint Incentives for Keeping Trust and Joint Punishments for Breaking Trust and Accelerating the Construction of Social Trustworthiness) (2016).

<sup>112</sup> Chen, Lin, and Liu, “Rule of Trust,” 17.

<sup>113</sup> Chen, Lin, and Liu, “Rule of Trust,” 18.

<sup>114</sup> Chen, Lin, and Liu, “Rule of Trust,” 17.

<sup>115</sup> Ohlberg, Ahmed, and Lang, “Central Planning, Local Experiments,” 10.

<sup>116</sup> Chen, Lin, and Liu, “Rule of Trust,” 18.

<sup>117</sup> Creemers, “China’s Social Credit System,” 13.

<sup>118</sup> Liu, “Multiple Social Credit Systems,” 25.

<sup>119</sup> Chen, Lin, and Liu, “Rule of Trust,” 16.

<sup>120</sup> Marianne von Blomberg and Haixu Yu, “Shaming the Untrustworthy and Paths to Relief in China’s Social Credit System,” *Modern China* 49, no. 6 (2023): 744–781.

<sup>121</sup> Liu, “Multiple Social Credit Systems,” 25.

<sup>122</sup> Knight and Creemers, “Going Viral,” 5.

<sup>123</sup> Creemers, “China’s Social Credit System,” 14.

<sup>124</sup> Liu, “Multiple Social Credit Systems,” 25.

<sup>125</sup> Creemers, “China’s Social Credit System,” 15.

<sup>126</sup> Xin, “Toward a Reputation State,” 25.

<sup>127</sup> Chen, Lin, and Liu, “Rule of Trust,” 14.

<sup>128</sup> Orgad and Reijers, “How to Make the Perfect Citizen?” 1093. This is a legal obligation, in accordance with the Law of the People’s Republic of China on Protection of the Rights and Interests of the Elderly.

<sup>129</sup> Chen, Lin, and Liu, “Rule of Trust,” 15.

<sup>130</sup> Creemers, “China’s Social Credit System,” 15–16.

<sup>131</sup> Orgad and Reijers, “How to Make the Perfect Citizen?” 1091.

<sup>132</sup> Liu, “Multiple Social Credit Systems,” 25.

<sup>133</sup> Creemers, “China’s Social Credit System,” 16.

<sup>134</sup> Xin, “Toward a Reputation State,” 33–34.

<sup>135</sup> Xin, “Toward a Reputation State,” 34.

<sup>136</sup> Ohlberg, Ahmed, and Lang, “Central Planning, Local Experiments,” 10.

<sup>137</sup> Chen and Grossklags, “An Analysis of the Current State,” 103.

<sup>138</sup> Creemers, “China’s Social Credit System,” 17.

<sup>139</sup> Xin, “Toward a Reputation State,” 36.

<sup>140</sup> 国家发展改革委 人民银行 关于加强和规范守信联合激励和失信联合惩戒对象名单管理工作的指导意见 (Guiding Opinion of the NDRC and PBoC on Strengthening and Standardizing the Management of the List of Trustworthy and Untrustworthy subjects of Joint Punishments and Rewards) (2017). Note: The document has expired.

<sup>141</sup> Liang et al., “Constructing a Data-Driven Society,” 433.

<sup>142</sup> Liang et al., “Constructing a Data-Driven Society,” 433.

<sup>143</sup> Liang et al., “Constructing a Data-Driven Society,” 433.

<sup>144</sup> Creemers, “China’s Social Credit System,” 17.

<sup>145</sup> Creemers, “China’s Social Credit System,” 13.

<sup>146</sup> Liu, “Multiple Social Credit Systems,” 27.

<sup>147</sup> Liu, “Multiple Social Credit Systems,” 26.

<sup>148</sup> Liu, “Multiple Social Credit Systems,” 26.

<sup>149</sup> Ohlberg, Ahmed, and Lang, “Central Planning, Local Experiments,” 11.

<sup>150</sup> Orgad and Reijers, “How to Make the Perfect Citizen?” 1092. For legal persons, the pointing system is different. See, e.g., Knight and Creemers, “Going Viral,” 14. For detailed information about the Rongcheng municipal SCS see: Adam Knight, “Vortrag: In Laotianye We Trust: Social Credit, Morality and Governance in China’s Exemplary Society,” master’s thesis, University of Oxford, 2018.

<sup>151</sup> Knight and Creemers, “Going Viral,” 5.

<sup>152</sup> Creemers, “China’s Social Credit System,” 18.

<sup>153</sup> Hukou is a household registration system that, basically, divides citizens into urban and rural residents and determines their access to social services, healthcare, education, etc.

<sup>154</sup> Chen, Lin, and Liu, “Rule of Trust,” 19–20.

<sup>155</sup> Liang et al., “Constructing a Data-Driven Society,” 433.

<sup>156</sup> Liang et al., “Constructing a Data-Driven Society,” 431.

<sup>157</sup> Chen, Lin, and Liu, “Rule of Trust,” 12.

<sup>158</sup> Ohlberg, Ahmed, and Lang, “Central Planning, Local Experiments,” 11.

<sup>159</sup> See e.g., Liang et al., “Constructing a Data-Driven Society,” 429.

<sup>160</sup> Liang et al., “Constructing a Data-Driven Society,” 429.

<sup>161</sup> Xin, “Toward a Reputation State,” 16; Ohlberg, Ahmed, and Lang, “Central Planning, Local Experiments,” 10.

<sup>162</sup> Creemers, “China’s Social Credit System,” 21.

<sup>163</sup> Chen, Lin, and Liu, “Rule of Trust,” 20.

<sup>164</sup> Also, no distinction between private-owned and state-owned companies is made. Meissner, “China’s Social Credit System,” 5.

<sup>165</sup> Chen, Lin, and Liu, “Rule of Trust,” 20.

<sup>166</sup> Chen, Lin, and Liu, “Rule of Trust,” 21.

<sup>167</sup> Chen, Lin, and Liu, “Rule of Trust,” 21.

<sup>168</sup> Liu, “Multiple Social Credit Systems,” 26.

<sup>169</sup> Chen and Cheung, “The Transparent Self,” 15; Liu, “Multiple Social Credit Systems,” 26–27.

<sup>170</sup> Xin, “Toward a Reputation State,” 30.

<sup>171</sup> Xin, “Toward a Reputation State,” 32.

<sup>172</sup> Orgad and Reijers, “How to Make the Perfect Citizen?” 1092.

<sup>173</sup> 全国公共信用信息基础目录(2021 年版) (National basic catalogue of public credit information (2021 edition) (2021).

<sup>174</sup> See, e.g., Brussee, *Social Credit*, 141.

<sup>175</sup> Liu, “Multiple Social Credit Systems,” 26.

<sup>176</sup> Liang et al., “Constructing a Data-Driven Society,” 428.

<sup>177</sup> Xin, “Toward a Reputation State,” 32.

<sup>178</sup> Liang et al., “Constructing a Data-Driven Society,” 428. For a more detailed information on the input of data of particular government agencies, see Liang et al., “Constructing a Data-Driven Society.”

<sup>179</sup> Mirjam Meissner, Rogier Creemers, Pamela K. Crossley, Peter Mattis, and Samantha Hoffman, “Is Big Data Increasing Beijing’s Capacity for Control? A ChinaFile Conversation,” August 10, 2016, <https://www.chinafile.com/conversation/Is-Big-Data-Increasing-Beijing-Capacity-Control%3F>.

<sup>180</sup> Liang et al., “Constructing a Data-Driven Society,” 426–427.

<sup>181</sup> Liang et al., “Constructing a Data-Driven Society,” 426–427.

<sup>182</sup> Liang et al., “Constructing a Data-Driven Society,” 427.

<sup>183</sup> Liang et al., “Constructing a Data-Driven Society,” 429.

<sup>184</sup> Liang et al., “Constructing a Data-Driven Society,” 428; M. Meissner, 2017: 6.

<sup>185</sup> Knight and Creemers, “Going Viral,” 5.

<sup>186</sup> Liang et al., “Constructing a Data-Driven Society,” 428; Meissner, “China’s Social Credit System,” 6.

<sup>187</sup> Liu, “Multiple Social Credit Systems,” 27.

<sup>188</sup> Kostka, “China’s Social Credit Systems and Public Opinion,” 1566.

<sup>189</sup> Kostka, “China’s Social Credit Systems and Public Opinion,” 1573–1575.

<sup>190</sup> Ariane Ollier-Malaterre, *Living with Digital Surveillance in China: Citizens’ Narratives on Technology, Privacy, and Governance* (New York: Routledge, 2024), 74.

<sup>191</sup> Ollier-Malaterre, *Living with Digital Surveillance in China*, 69.

<sup>192</sup> Chuncheng Liu, “Who Supports Expanding Surveillance? Exploring Public Opinion of Chinese Social Credit Systems,” *International Sociology* 37, no. 3 (2022): 404. For yet another study on the approval towards the SCS see Yu Zeng and Stan Hok-wui Wong, “Social Media, Fear, and Support for State Surveillance: The Case of China’s Social Credit System,” *China Information* 37, no. 1 (2022): 51–74.

<sup>193</sup> Kostka, “China’s Social Credit Systems and Public Opinion,” 1573.

<sup>194</sup> Alexander Trauth-Goik and Chuncheng Liu, “Black or Fifty Shades of Grey? The Power and Limits of the Social Credit Blacklist System in China,” *Journal of Contemporary China* 32, no. 144 (2022): 1025.

<sup>195</sup> Zhong Wang and Qian Yu, “Privacy Trust Crisis of Personal Data in China in the Era of Big Data: The Survey and Countermeasures,” *Computer Law & Security Review* 31, no. 6 (2015): 782–792.

<sup>196</sup> Kostka, “China’s Social Credit Systems and Public Opinion,” 1575. For more details on the study and more detailed results, please see the full article.

<sup>197</sup> Kostka, “China’s Social Credit Systems and Public Opinion,” 1586. The second choice was the provincial governments and the third: municipal government. The private sector entities were not considered a good data-collection organ.

<sup>198</sup> Kostka, “China’s Social Credit Systems and Public Opinion,” 1585–1586.

<sup>199</sup> Ohlberg, Ahmed, and Lang, “Central Planning, Local Experiments,” 5.

<sup>200</sup> Ohlberg, Ahmed, and Lang, “Central Planning, Local Experiments,” 7–8.

<sup>201</sup> Ohlberg, Ahmed, and Lang, “Central Planning, Local Experiments,” 8.

<sup>202</sup> Ohlberg, Ahmed, and Lang, “Central Planning, Local Experiments,” 13.

<sup>203</sup> Ollier-Malaterre, *Living with Digital Surveillance in China*, 104.

<sup>204</sup> Creemers, “China’s Social Credit System,” 27.

<sup>205</sup> Liu, “Multiple Social Credit Systems.”

<sup>206</sup> Knight and Creemers, “Going Viral.”

<sup>207</sup> Brussee, *Social Credit*.

<sup>208</sup> Kostka, “China’s Social Credit Systems and Public Opinion,” 1566.

<sup>209</sup> Severin Engelmann, Mo Chen, Felix Fischer, Ching-yu Kao, and Jens Grossklags, “Clear Sanctions, Vague Rewards: How China’s Social Credit System Currently Defines ‘Good’ and ‘Bad’ Behavior,” in *FAT ’19: Proceedings of the Conference on Fairness, Accountability, and Transparency* (New York: Association for Computing Machinery, 2019), 69–78.

<sup>210</sup> Engelmann et al., “Clear Sanctions, Vague Rewards,” 69–78.

<sup>211</sup> von Blomberg and Yu, “Shaming the Untrustworthy.”

<sup>212</sup> Trauth-Goik and Liu, “Black or Fifty Shades of Grey.”

<sup>213</sup> For such dystopian visions in media see, e.g., Steven W. Mosher, “China’s New ‘Social Credit System’ Is a Dystopian Nightmare,” *New York Post*, May 18, 2019, <https://nypost.com/2019/05/18/chinas-new-social-credit-system-turnsorwells-1984-into-reality/>.

<sup>214</sup> Pei, “China’s Social Credit System.”

<sup>215</sup> Xin, “Toward a Reputation State,” 3, 61.

<sup>216</sup> Liang et al., “Constructing a Data-Driven Society,” 420.

<sup>217</sup> Liu, “Multiple Social Credit Systems,” 31.

<sup>218</sup> Emilie Szwajnoch, “Regulatory Capture of the Chinese Social Credit System: Bureaucratic Self-Interests in Project Implementation,” *China Information* 38, no. 3 (2024): 310.

<sup>219</sup> Szwajnoch, “Regulatory Capture of the Chinese Social Credit System,” 310.

<sup>220</sup> Creemers, “China’s Social Credit System,” 28.

<sup>221</sup> Note: such literature has started to appear: Emile Dirks and Diana Fu, “Governing ‘Untrustworthy’ Civil Society in China,” *The China Journal* 89 (2023): 24–44.

<sup>222</sup> Rogier Creemers, “Uneven Coverage and Blank Spaces: Bringing the State Back In,” *Asiascape: Digital Asia* 10, no. 1–2 (2023): 137–152.

<sup>223</sup> See, e.g., Dominik Mierzejewski, *China’s Provinces and the Belt and Road Initiative* (Routledge, 2021), 11.

## **CHAPTER THREE.**

### **The phases and methods of the study**

The study of the SCS is primarily based on the qualitative content analysis of various types of documents. Basically, they included over 400 documents chosen out of thousands at various levels of administration, most of which were issued until early 2022, when the major part of the document collection took place. The materials were accessed via particular official websites, mainly including the nationwide Credit China website<sup>1</sup> and its local counterparts.<sup>2</sup> In the PRC, such websites regularly have a dedicated tab with policy documents and regulations (政策法规) that are relevant for particular areas of governance or tasks. The phases of the study included searching for and accessing, screening, sorting out, and selecting documents that were finally analyzed. The study process is minutely discussed in this short chapter, followed by a brief note on the linguistic aspect of the research. Additional post-study comments and reflections related to the process and its limitations, as well as recommendations for future research based on Chinese documents, are presented in the conclusions of the dissertation.

#### **1. Choosing materials and scope for analysis – the central and local levels**

The prelude to the empirical study was a thorough analysis of the content of the Planning Outline for the Construction of a Social Credit System (2014-2020). It allowed for understanding the major areas of governance covered by the SCS and the general plans for the direction of its development. More importantly, it enabled the identification of the types of potential extraordinary measures within the SCS scope – as described in the previous chapter – as well as of areas of SCS development with the potential to strengthen Beijing's censorship and control efforts. This was important for the next steps, which included sorting out other documents at various levels of administration that were later subject to analysis.

##### ***1.1. Central-level SCS-related documents***

This prelude was followed by the first phase of the study, which was devoted to the initial selection of documents for the study. It commenced with a review of the central-level Credit China website. At the moment of the review, the relevant tab with policy documents and regulations offered immediate access to materials within the time scope from 20 February 2020 to 4 January 2022. This scope referred to dates of online publication; therefore, the tab revealed

materials issued before the year 2020 as well. The documents published in the tab were subject to an initial selection. The selection led to saving and cataloguing the relevant documents in a process described later in the chapter.

During this initial screening, documents evidently irrelevant to the scope of the research were rejected. These included materials related to enterprises in sectors irrelevant to the censorship and control efforts, such as import and export. At the same time, as this dissertation primarily focuses on natural persons, the fact that such sectoral documents focusing on enterprises may relate to individuals responsible or working for the enterprise could not be ignored. Therefore, exemplary documents from sectors that fall outside of the primary scope of the dissertation were collected as well. This was essential also for presenting the realistic overall picture of the SCS and its impact on individuals, despite the study's focus on control and censorship efforts.

The screening of the tab with policy documents and regulations was complemented by a keyword search at the Credit China website, which revealed many more documents that were saved. Additional central-level documents were accessed via the lower-level Credit China websites. Finally, the introductions or first passages in Chinese documents repeatedly refer to other important documents. These were found at relevant governmental websites via a search on the Baidu engine.

The various types of materials accessed and collected in the abovementioned ways included documents issued by the State Council, the Central Committee of the Communist Party of China, ministries, and central-level commissions (such as the National Development and Reform Commission, which, along with the People's Bank of China, issued important documents as SCS coordinators). Overall, the central-level documents were mostly of a general nature, constituting general planning documents and guidelines that revealed directions for further development. There were important exceptions to this rule, however, such as the central-level standardizing documents.

At times, some sectoral documents that offered more detailed solutions to be introduced in a top-down manner appeared. The vast majority of the accessed central-level sectoral documents, however, solely mentioned single SCS-related keywords. For instance, they vaguely urged the establishment of credit supervision. For this reason, the analysis of central-level sectoral documents published on the Credit China website turned out to be of limited efficiency in discovering the development and operations of the SCS. Local sectoral documents dealing with particular areas of governance turned out to be more potent in this respect, which

is mirrored in the amount of cited local-level sectoral documents referred to throughout the empirical chapters.

### ***1.2. Lower-level documents from local-level Credit China websites***

The process of collecting and choosing local-level materials for analysis was similar to the one at the central level. However, at the local level, the screening and collection of relevant documents was preceded by choosing particular localities for analysis. This choice of localities was made among what the National Development and Reform Commission and the People's Bank of China announced as 'model cities and districts' in SCS construction (社会信用体系建设示范城市 (区) ).

The first-generation model cities were chosen in September 2017. The NDRC and the PBoC chose 12 cities and districts in total. They made their choice out of the ongoing pilots due to their progress in designing and implementing SCS and its particular aspects, or its efficiency in particular areas of governance. The first round of model cities included, among other localities, Rongcheng, Hangzhou, Xiamen, and Suqian.<sup>3</sup> Each of the 12 pilots was characterized by achieving success in different fields, ranging from the technical aspects, through healthcare, to industry and export.<sup>4</sup> In August 2019, the NDRC and PBoC chose 16 cities and districts as the 'second-generation' model cities. The last batch of model cities was announced in September 2021 and included 34 cities and districts.

Out of the most recent batch, I chose three cities. The reason for choosing this number of localities for analysis was dictated by a simple factor – feasibility. The choice of the particular three cities was based on several factors. First, it was based on the descriptions of the 34 localities. Nearly all of them were available at the Credit China website. Five remaining descriptions were found in the NDRC sources. Due to the study's focus on the potential of the SCS to strengthen the regime's censorship and control efforts, especially in relation to individuals, I focused on the most potent cities in this respect. Once solutions supporting such potential are successfully piloted in some localities, they may be later broadened and implemented in other areas of the country.

Additionally, the geographical locations of the model cities were relevant for making the choice. It is beneficial for SCS-related studies to embrace model cities, all of which are placed in different provinces. The city-level Credit China websites often share province-level documents that, for instance, introduce solutions for lower-level implementation. Choosing three cities from three different provinces meant accessing more materials presenting solutions

designed at the provincial level. Finally, the relevant materials needed to be sufficient and accessible for conducting the analysis. This meant that the local Credit China websites of the chosen model cities had to be at a sufficient level of development and transparency, allowing for the collection of materials.

Following this logic, out of the 34 localities, I primarily chose 11 cities for potential analysis on the basis of the descriptions. Two out of the three choices were relatively easy to make. The city of Shenzhen (in Guangdong province) was praised for the large quantity of data collected on natural persons. It was also praised for the standardization of some mechanisms (which could limit the number of interim, test-mode regulations that often appear locally). Additionally, it was said to have a good reaction to the COVID-19 pandemic within the SCS frames, which could potentially have an impact on testing some comprehensive control mechanisms for individuals within the SCS scope. The city of Lishui (in Zhejiang province) was similarly praised for high quantities of digitalized data on natural persons, and focusing on the digital aspect, e.g., by promoting the ‘digital society’ (数字社会) within the SCS and on the interconnection of data. Among other advantages listed in the case of Lishui was also designing solutions for Internet information services, as well as creating quantitative scorings, such as the ecology credit score for a quantitative evaluation of enterprises and individuals in this respect.

Out of the remaining nine cities that, in some manners, highlighted natural persons (as opposed to, for instance, cities praised for good solutions focused on legal entities in a particular branch of industry), I chose those that were said to offer the most solutions or coverage for natural persons. For instance, a model city was considered less attractive for analysis if, next to natural persons, a prevailing focus was placed on the business branch of the SCS and key areas not related to the main focus of the study. Following this rule and after adding the geographical factor (excluding cities from the Zhejiang and Guangdong provinces), the number of model cities for potential analysis was narrowed down from the remaining nine to three.

The three remaining localities included Siping (Jilin province), Kunshan (Jiangsu province), and Dezhou (Shandong province). The final choice – Kunshan – was ultimately made after a review of the local Credit China websites of these three localities on the basis of access to materials. As of 2020, Siping offered a limited number of documents, with the last documents published online in May 2019, before the standardizing moves were triggered by Beijing. The Credit China website in Dezhou was not available in Poland, from where I was accessing the documents. Using a VPN may slow down the connection and lead to a failure to upload a website. Ultimately, choosing Dezhou was considered risky in terms of accessing

materials. The Credit China website of Kunshan was available and offered materials issued throughout the years, with first documents published in early 2016, following the establishment of a city-level small group for SCS construction in 2015.

An additional advantage of the ultimate choice of Shenzhen, Lishui, and Kunshan was the fact that the three cities are of a different administrative type. Shenzhen is a sub-provincial city of major nationwide significance. Lishui is a prefecture-level city. Kunshan is a county-level city under the administration of the prefecture-city of Suzhou. While this is not a major factor affecting the choice of the cities, it was observed – and is mentioned later in the dissertation – that some SCS solutions introduced in Kunshan and Suzhou naturally share common points (and fate). Similarly, among documents published at the Lishui Credit China website, there were materials covering particular counties in Lishui.

## **2. Collection, cataloguing, and referring to documents**

The documents chosen during the initial screening and specifically searched for were all saved and catalogued in accordance with the types of the issuing organs. During the next phases of the study, I occasionally returned to the Baidu search in order to access and save major documents that are updated periodically and are essential for the SCS shape (such as the Central Punishment List or the Public Credit Information Catalogue).

The process of saving the materials was crucial, as documents published on the Chinese governmental websites are often taken down over time and may even be inaccessible elsewhere. Even if the documents remain available at different websites, e.g., of specific organs, they are then not accessible through the original links that were my source. For this very reason, the links leading to the documents cited in this dissertation are included neither in endnotes nor in the bibliography. Instead – and to make up for the inconvenience this may cause – all references to documents in every chapter are cited with full title, no matter whether the document is referred to for the first or a consecutive time in a given chapter. The use of full versions of document titles makes them easier to find online at any time when reading the dissertation (e.g., in a Baidu search). Whenever the precise date, or even year, of a document promulgation was unavailable due to the lack of a relevant notice or the design of a relevant website – and when the date was unavailable elsewhere – the year of issuance is followed by a question mark (?) in bibliography and footnotes. In such situations, I attempted to estimate the year of issuance on the basis of the issuance dates of materials referred to in the document. Literature sources follow the regular rules of the Chicago Manual of Style, i.e., shortened notes are used whenever a source is cited for the second or consecutive time in the same chapter.

Ultimately, sectors widely covered in this dissertation include the areas of education, culture, and the Internet. Documents related to these sectors were identified as most suitable for analysis within the scope of the study. Documents introducing any SCS solutions that could considerably increase the level of surveillance and the regime's control over individuals (e.g., pilots of comprehensive scorings) are also repeatedly referred to. Additionally, major SCS elements that have the greatest influence on the life of individuals by imposing joint and reputational sanctions (e.g., the Defaulters' List) were also chosen for analysis in order to point at those potential extraordinary measures that are the most operable in the entire SCS. As already mentioned, other SCS documents from different sectors are referred to when considered informative. These documents include various solutions related mostly to natural persons, yet covering various areas of governance. They not solely reveal in what manner the SCS may influence individuals, but also allow for discussing broader trends in SCS construction. Failing to refer to these solutions would distort the picture of the SCS as a whole.

Finally, even though over 400 documents were identified as potentially informative and read, not all of them are cited throughout this dissertation. The study prioritized revealing specific solutions that might potentially serve Beijing's censorship and control efforts. At the same time, despite the focus on a fragment of the entire project, it has to discuss the broader SCS picture, especially since the SCS was found not to be a project that primarily serves these efforts. This was necessary in order not to present a distorted picture of the SCS. Additionally, the haziness of the SCS scope needs to be discussed to reveal the many problems that would have to be tackled effectively before widening and unifying the SCS scope for the entire country.

This approach required a careful balancing between not confining the discussion to censorship and control, and not citing and minutely describing all of the documents. The latter would radically decrease the readability of the dissertation. The structure and content of this dissertation, therefore, mirror the trends in SCS construction identified during the analysis. The chapters offer examples of solutions that picture these very trends. Placing the discussed SCS solutions within the broader logic of the given areas of governance was also important. This broadened the scope of the cited documents by, among other materials, laws and regulations that are now used as legal bases in SCS solutions to, for instance, impose joint punishments. For this reason, additional materials that are not directly related to the SCS or issued for the purpose of SCS construction were accessed throughout the study.

### **3. Additional materials**

The other sources cited throughout the study include national laws, such as the PRC National Security Law, that were accessed via the website of the National People's Congress. Additional nationwide regulations referring to particular sectors were accessed via the State Council website or websites of relevant ministries. These documents were often referred to in SCS-related documents at various levels of administration. They also appeared in the extensive lists of documents that serve as legal bases for SCS punishments or for collecting credit information included in the CPL and the PCI Catalogue. Yet other regulations were cited in order to provide the regulatory context and picture the logic operations of particular areas of governance.

The content of the various documents was not the sole information source during the study. The research process included browsing various websites, e.g., of particular bureaucratic agents at various levels of administration. This was complemented by Baidu searches that, at times, led to some local news published by local authorities. This all enabled several types of findings. For instance, it allowed for collecting information on the progress or effects of particular solutions, such as quantitative scores discussed in Chapter Six. Moreover, the abandonment of some solutions was at times discussed in such sources. Occasionally, some online descriptions, statements, or press releases, other than official documents offered by local bureaucratic agents, offered more details on particular solutions than the accessed documents. Finally, such searches supported the verification of whether some of the solutions that might constitute a major contribution to Beijing's censorship and control efforts (such as the Internet Credit Blacklist) and that exist in documents are implemented in reality. Empirical findings by other scholars were also referred to in the empirical chapters whenever informative in the context of the discussion. Regardless of the different types of materials and sources used for the study, the documents remain the main source of information. Their different types and their analysis should be briefly discussed.

### **4. Types of documents and reasons for them being the basis for the study**

Apart from the simple distinction between SCS-related and additional documents, the documents analyzed during the study were of different kinds. The term 'documents' is used throughout the dissertation to refer to different types of Chinese legislative and quasi-legislative materials. Their titles differ, depending to a great extent on the issuing agent and include names such as 'measures' (办法), 'regulations' (条例), 'provisions' (规定), or – at times – 'laws' (法

律).<sup>5</sup> The scope of the analyzed materials also includes policy documents, such as ‘implementation plans’ (实施方案) or ‘planning outlines’ (规划纲要).

The variety of documents with different names appearing in SCS construction is likely caused by two major factors. First, the number of various agents at different levels of administration engaged in SCS development naturally leads to the promulgation of various types of documents. Second, the SCS is still under construction, and its development is not characterized by efficient coordination and legal clarity. This lack of clarity in SCS development was spotted by Chinese academia, and the System was subject to ‘legal scholarship criticism over the lack of clear legal bases’.<sup>6</sup> At some point in 2022, the NDRC and PBoC, along with other relevant agents, created a draft of the ‘Law of the People’s Republic of China on the Establishment of the Social Credit System’.<sup>7</sup> The idea to promulgate the Law never made it out of the ‘draft’ phase. This further confirms that the SCS is not at a stage allowing for making such a major legal institutionalization. Additionally, the sole use of the term ‘establishment’ indicates that – despite the passing of eight years between the issuance of the 2014 Planning Outline and this draft – the SCS is considered by Beijing to be at an early stage of development.<sup>8</sup> Instead of issuing the Law, the ‘Social Credit System Establishment Action Plan for 2024-2025’ was promulgated by the NDRC.<sup>9</sup> It does mention the need to accelerate the promulgation of the SCS Establishment Law, yet it does not introduce any specific points or much novelty to the SCS and is far from being a milestone in SCS construction similar to the 2014 Planning Outline.

This lack of a firm legal framework around the SCS and its hazy scope, as well as the local implementation, necessitate building this study not upon particular types of legal documents, but on all available policy documents and regulations. At this point, they may all be crucial for a better understanding of the SCS. Analyzing all documents also allows for drawing the most comprehensive picture of the SCS because of the different roles the documents have. For instance, the 2014 Planning Outline sets the general guidelines and is a widely available document that can be expected, also by Beijing authorities, to be reached and read by broader audiences, including those from outside of China. The local documents, on the other hand, can often be expected to serve specifically as guidelines for civil servants and those involved in SCS construction. The mentioned problems with accessing some local documents suggest that the public disclosure of very local documents is not primarily dictated by ‘propaganda messaging’ targeted at broader audiences, at least at international China watchers.

This notwithstanding, most documents are publicly and broadly available, at least those that were identified by authorities as ‘publishable’. It must be noted that building studies on Chinese projects upon publicly available documents is not a universal method for understanding actions of the Chinese regime. For instance, analyzing the regime’s activities in Xinjiang through the prism of official documents might not be the proper procedure. The large number of documents published via dedicated Credit China websites, however, makes the SCS case different. This amount may stem from the fact that the 2014 Planning Outline itself mentioned increasing transparency in various areas among the goals of SCS development. For instance, it spoke about increasing the level of disclosure of governmental affairs and creating the image of an open and transparent government.<sup>10</sup> The highlighting of transparency and legal embeddedness of the SCS may also be one of the symptoms of Beijing appreciating the ‘legitimizing power of law’ under Xi.<sup>11</sup> In other words, the SCS construction, no matter how disorderly it is, may be seen as a chance to show the PRC’s devotion to building the rule of law (as understood in China).

Finally, as Creemers noted, ‘[g]iven the current limitations to fieldwork in China, the misgivings of many social scientists about the ‘armchair’ approach must give way to constructive discussions on how to draw insights from such documents.’<sup>12</sup> This study was designed and conducted during and after the COVID-19 pandemic. The timing naturally directed it towards analyzing documents, which created a convenient environment for the overall verification of the possibilities offered by building studies on such materials. The relative transparency of SCS construction and the abundance of documents were also especially important for the feasibility of the study. Namely, following the COVID-19 pandemic, China and the West never got back to ‘business as usual’, leaving researchers studying the Chinese regime unsure about the ethical and security implications of conducting field research.

## **5. Following the initial selection and categorization of materials: the analysis of the documents**

Documents that were saved and catalogued in accordance with the issuing organs were later screened for the second time before analysis. At this point, duplicate documents – which appeared regularly – were deleted. During the second screening, I also rejected documents issued in sectors that fall outside of the main scope of the study and that fail to mention natural persons entirely. Such documents focused entirely on processes related to legal persons, such as the registration of an entity. Documents found redundant but saved from the accessed websites to be verified for content were removed from the main catalogues as well.

In terms of content, all of the central-level documents that were ultimately chosen for analysis may be divided into three basic types. The first includes materials directly related to the SCS. The second is the legal documents relevant to the SCS operations, but not issued specifically for the purpose of developing the System. The last type covers sectoral documents published on the main Credit China website, not because of their relevance to the SCS but because they mention an SCS-related keyword at some point. While the first two types of documents were read in full, the central-level sectoral documents were first checked for keywords that were listed after reading the first type of documents.<sup>13</sup> A similar use of a keyword search was rejected in other documents. The local documents were also all read in full. Contrary to the central level, the local sectoral materials were expected to offer more valuable information, as they introduce details on SCS solutions operating in a particular locality.

Several types of information were searched for in the documents. First, the elements embraced by the basic shape of the SCS were sought. Second, the basic logic of the SCS operations was to be established. The essential information gathered from the major planning documents enabled two important moves, which influenced the focus of the analysis of all remaining documents. The first was ultimately confirming what precise types of SCS solutions fall under the ‘extraordinary’ label. The initial identification of the types of extraordinary measures was made on the basis of literature, as discussed in a previous chapter.

The second was the development of the idea of the core assumption of the SCS. The core assumption of the SCS is to raise the level of trust by using joint and reputational sanctions. Due to the discussed proportionality and privacy-related concerns, these solutions can be considered extraordinary measures. Discovering the shape and the operations of these extraordinary measures, with the focus on the chosen areas of governance, was the third aspect of the analysis, and it was expected to be the major one. The core assumption of the SCS was not expected to be at the center of the study. The more messiness of the SCS was unearthed during the examination, however, the more significant it grew. Ultimately, the majority of the empirical chapters and sections are related to this very concept.

Fourth, solutions that employ vast data collection and enable more comprehensive scoring, raising the regime’s control capabilities, were looked for and examined. Finally, the documents were probed for various SCS elements, including credit records, dossiers, evaluations, and ratings. I then determined their types and their place within the SCS. This aspect of the study became important early in the study process, once it became clear that the vagueness of the SCS scope and the inoperability of some of its elements disabled the

examination of the SCS primarily as an efficient and operational collection of extraordinary measures that are to deal with the crisis of trust.

In terms of order, the analysis of the documents was divided into several steps, reflecting the basic division into the central- and local-level documents and the secondary division in accordance with the issuing organs. Early on, the analysis revealed that the SCS shape will not allow for a simple discussion structured around how the major solutions within the SCS framework are to deal with the crisis of trust. For this reason, during the various steps of the analysis, I was not solely marking particular solutions in terms of their compliance with the core SCS assumption, but I was also creating a list of various elements appearing in the documents that were reported as SCS-related, even if their belonging to the SCS scope was unclear. Ultimately, I based the dissertation on the list of solutions with the basic division into central and local ones, and with a secondary division into types of SCS elements, such as punishment mechanisms, point-based scorings, dossiers, or credit evaluations.

## **6. A note on the linguistic aspect**

Finally, a brief note on the linguistic aspect of the study is required. At the early stages of the study, the analysis of the original Chinese-language central documents was complemented by reading translations of these documents issued online on websites of projects such as China Law Translate,<sup>14</sup> affiliated with the Paul Tsai China Center at Yale Law School, or DigiChina<sup>15</sup> at Stanford University. This move allowed for consulting the SCS-related vocabulary as proposed by other scholars, eliminating potential translation, and for partly employing the vocabulary that had been established, whenever found reasonable. For instance, some names of SCS-specific elements, e.g., of particular platforms (such as the National Credit Information Sharing Platform), proposed by other scholars appear throughout the dissertation.

This notwithstanding, whenever I found it beneficial for the clarity of the discussion, I proposed translations of SCS-related terms other than those used before. Whenever I considered it justified throughout the dissertation, I added a note on the various translations or terms. All notes (along with references) are found at the end of every chapter. As for longer passages from documents referred to throughout the chapters – apart from single instances where it is explicitly stated, all translations of document fragments and content are my own, and so are all potential translation errors.

## 7. Notes and reference

<sup>1</sup> <https://www.creditchina.gov.cn/xyxf/lczy/>.

<sup>2</sup> Mainly: <https://www.szcredit.org.cn/#/index>; <https://xyls.lishui.gov.cn/>; <http://www.creditks.cn/>.

<sup>3</sup> See Genia Kostka, “China’s Social Credit Systems and Public Opinion: Explaining High Levels of Approval,” *New Media & Society* 21, no. 7 (2019): 1568.

<sup>4</sup> See, e.g., Rogier Creemers, “China’s Social Credit System: An Evolving Practice of Control,” *SSRN Electronic Journal*, May 9, 2018.

<sup>5</sup> For a more comprehensive explanation on the names and types of documents promulgated in the PRC see the publications by Laney Zhang, a foreign law specialist working at the Law Library of Congress (e.g., <https://blogs.loc.gov/law/2014/01/a-guide-to-chinese-legal-research-who-makes-what/?loclr=bloglaw>; <https://blogs.loc.gov/law/2014/04/a-guide-to-chinese-legal-research-administrative-regulations-and-departmental-rules/?loclr=bloglaw>; <https://blogs.loc.gov/law/2020/01/a-guide-to-chinese-legal-research-administrative-regulations/>) and by the NPC Observer, a platform affiliated with the Paul Tsai China Center at the Yale Law School and dedicated to a better understanding of China’s legislature (e.g., <https://npcobserver.com/legislation/>).

<sup>6</sup> Björn Ahl, Larry Catá Backer, and Yongxi Chen, “Law and Social Credit in China: An Introduction,” *China Review* 24, no. 3 (2024): 3.

<sup>7</sup> 中华人民共和国社会信用体系建设法（向社会公开征求意见稿）(Law of the People’s Republic of China on the Establishment of the Social Credit System) (Draft for Solicitation of Public Comments) (2022).

<sup>8</sup> For Jeremy Daum’s discussion on the topic see: Jeremy Daum, “‘Franken-Law’: Initial Thoughts on the Draft Social Credit Law,” *China Law Translate*, November 15, 2022, <https://www.chinalawtranslate.com/franken-law-initial-thoughts-on-the-draft-social-credit-law/>.

<sup>9</sup> 2024—2025 年社会信用体系建设行动计划 (Social Credit System Establishment Action Plan for 2024-2025) (2024).

<sup>10</sup> 国务院关于印发社会信用体系建设规划纲要(2014—2020 年) 的通知 (Notice of the State Council on Issuing Planning Outline for the Construction of a Social Credit System (2014—2020)) (2014).

<sup>11</sup> For the discussion on the rule of law in China see, e.g., Jamie P. Horsley, *Party Leadership and Rule of Law in the Xi Jinping Era: What Does an Ascendant Chinese Communist Party Mean for China’s Legal Development?* (Washington, DC: Brookings Institution, September 2019).

<sup>12</sup> Rogier Creemers, "Uneven Coverage and Blank Spaces: Bringing the State Back In," *Asiascape: Digital Asia* 10, no. 1–2 (2023): 145.

<sup>13</sup> These included: 信息, 体系, 失信, 守信, 诚信, 征信, 名单, 信用, 共享, 个人, 自然人, 负责, 从业, 处罚, 记录, 档案, 惩戒, 奖励, 激励, 百行, 监督, 监管, 奖惩, 约谈, 责任人, 等级.

<sup>14</sup> <https://www.chinalawtranslate.com/en/>.

<sup>15</sup> <https://digichina.stanford.edu/about/>.

## **CHAPTER FOUR.**

### **The mayhem begins: Central-level SCS solutions supporting and diverging from the core SCS assumption**

This chapter discusses the Social Credit System solutions that were created by central-level agents. These solutions involve various types of punishments. Nearly all of the 51 joint reward or punishment schemes involve exclusively punishments.<sup>1</sup> Overlooking SCS rewards in the discussion of the centrally designed SCS solutions also stems from the fact that rewards have not been standardized by Beijing. While the Central List of Punishments (CPL) exists, there is no analogous list of rewards.

The process of CPL compilation included various tasks. SCS punishments of all types and at every level of administration had to undergo the process of ‘sorting out’.<sup>2</sup> The process involved various bureaucratic agents declaring sanctions operating under the SCS at different levels of administration. The sanctions were categorized, verified for their compliance with relevant regulations, and presented as centrally-standardized punitive measures that particular bureaucratic agents were to implement locally within the SCS frames. While SCS documents anticipated this standardization process even prior to 2021, when it ultimately took place,<sup>3</sup> the accessed materials made no announcement of plans for an analogous procedure for the SCS rewards.

The first section of the chapter discusses the joint punishment scheme and the data disclosure procedure. In doing so, it devotes considerable attention to sanctions from the CPL. Relevant subsections first present the logic behind the joint punishment scheme and the data disclosure procedure. They then offer particular examples of SCS solutions that operate in line with this logic. The effects of screening the CPL for solutions that may strengthen the censorship and control efforts and considerably influence the lives of individuals are also discussed (addressing the MRQ1 and DRQs 1-3).

Three other sections of the chapter discuss solutions proposed by particular bureaucratic agents that diverge from the core SCS assumption (in order to inform the answers to MRQ2 and DRQs 4-5). The core assumption is to increase the level of trustworthiness in Chinese society by increasing the cost of violating laws and regulations through reputational and joint sanctions. The discussed solutions serve as representations of three phenomena induced, at least partly, by bureaucratic self-interests and the Chinese administrative structure. Two of the solutions are related to censorship and control efforts. The third one is not directly related to

these efforts, but is implemented for the highest number of individuals in the entire SCS scope. In this manner, this solution can be considered to have the most influence on individuals' lives, and as such requires attention.

Overall, some of the sanctions discussed in this chapter fully comply with the core SCS assumption, even if they seem not to introduce any significant novelty in social governance or censorship and control efforts. Other solutions seem to fit perfectly into the core assumption but fail to be executed, while yet another one partly diverges from the assumption. Moreover, not all punitive measures proposed by central bureaucratic agents made it to the CPL, despite their seeming belonging to the SCS scope.

## **1. Central SCS mechanisms supporting the core SCS assumption**

The assumption of the SCS to raise the cost of violating legal provisions is realized primarily through two types of actions. The first is the imposition of joint punishments against untrustworthy subjects, and the second is the imposition of reputational sanctions. As already mentioned, the joint punishments have even been named in official documents as the *core* of the entire SCS. Their novel nature, however, may turn out to be limited when it comes to punishing new types of behavior or even using entirely new types of sanctions.

### ***1.1. Joint punishments***

To trigger the joint punishment scheme, a subject must commit an untrustworthy act that jeopardizes public interests and security, has a considerable negative impact on the development of the economy and society, and falls into the scope of 'serious trust-breaking'.<sup>4</sup> Following such an untrustworthy act, one department – responsible for a relevant governance area – places the subject on a joint punishment list (blacklist). The current scope of the SCS – joint punishments included – is limited to the so-called 'key areas' discussed in Chapter Two.

The joint punishment scheme goes beyond regular law enforcement, in which a punishment is imposed on a subject by one department. The scheme enables organs to impose additional punishments within the scope of their authority that would normally not be imposed for the particular act. These organs sign Memoranda of Understanding (MoUs) that are valid for a particular area of governance (e.g., cultural market or the area of scientific research). The MoUs serve as a base for the imposition of joint sanctions on subjects placed on the area's blacklist.<sup>5</sup> The joint punishment scheme uses sanctions that are listed in the CPL. The CPL comprises 14 categories of punishments. Most categories directly 'absorb' administrative

punishments that had existed before and are often based on legal documents unrelated to the SCS and even issued before the year 2014.

This notwithstanding, new types of sanctions appear in the CPL as well, for instance, in the form of blacklists. Even though blacklists had existed in the PRC before,<sup>6</sup> most of those in the CPL were established for SCS purposes. As will be expanded on later, the blacklists serve a dual role. On the one hand, they enable the imposition of joint punishments. On the other hand, they are sanctions on their own since their public disclosure may cause reputational damage. Likely for this reason, blacklists were considered not solely a means for punishment but a separate category of sanctions.

Additionally, some punishment categories (e.g., numbers 13 and 14) do not comprise as strictly defined sanctions as in other categories. The less precise categories do not offer full lists of sanctions or limitations that have particular legal bases and may be directly used within the joint punishment scheme. Instead, they are given collective names in the CPL, such as sending credit information to government departments or market entities for their individual reference. These entities are expected to make their own independent inquiries into credit information and thus contribute to the construction of a trustworthy society. In this manner, the full range of SCS-related sanctions is not known or centrally planned, as various market entities may come up with their own solutions to, for instance, avoid taking up cooperation with an untrustworthy subject.

More details on various entities' use of credit information for reference can be found in the MoUs. For instance, according to a MoU for the cultural market, information on untrustworthiness may be taken into consideration while taking credit decisions in commercial banking.<sup>7</sup> It is challenging to establish whether such sanctions are widely executed countrywide due to the limitations in sharing locally produced data on untrustworthiness with both the public and the private sector. For this reason, at this point of SCS development, it is more important to focus on the concretely specified punishments belonging to the other, very precise categories of sanctions appearing in the CPL. These mostly include already existing administrative punishments.

#### *1.1.1. Using already existing administrative punishments under the SCS label*

The strong embeddedness of the CPL punishments in already existing laws and regulations is a confirmation of voices that appeared before the year 2021 that the SCS is focused on enforcing preexisting laws and norms.<sup>8</sup> To a considerable extent, the CPL constitutes a broad set of previously existing, now categorized, administrative punishments. Apart from simply

categorizing the sanctions, the CPL includes information on when and according to what legal provision a particular punishment can be imposed. It also specifies by whom and on what subject it should be imposed. The subjects include not solely individuals, but also legal persons.

The information found in the CPL manifests that the SCS is relatively little engaged with judging the trustworthiness of individuals' conduct in their private lives or with imposing punishments related to the non-professional sphere. Among sanctions targeted at untrustworthy individuals is a ban on leaving the country for people who are either suspects in criminal cases or are suspected of threatening China's interests and security.<sup>9</sup> Others include restrictions on promotion to a higher-grade school or resuming studies for refusing or evading military service.<sup>10</sup> A major category is restrictions on consumption imposed primarily on those who failed to fulfill financial liabilities. The majority of sanctions are related to the professional sphere and are imposed as a result of individuals' law-violating behaviors at work. Moreover, the CPL does not cover a broad spectrum of professions and is limited to the previously-mentioned 'key areas'.

The CPL includes, among other punishment categories, bans on taking up positions and limitations for employment, bans on serving as a legally-designated representative or a senior manager in a particular sector, limitations on applying for public funds, and the already mentioned inclusion on the list of seriously trust-breaking subjects (blacklists). Nearly all of the categories – with exceptions, such as the mentioned sending of credit information for reference – include precise lists of particular sanctions falling under the category.

For instance, the category 'inclusion on the list of seriously trust-breaking subjects' names all standardized blacklists existing within the SCS framework – 35 in the first edition issued in 2021 and 42 in the latest, 2024, edition. Contrary to most of the sanctions listed in other categories, the blacklists are introduced not by laws or regulations but opinions – policy documents that are not unequivocally binding. The weak legal base might question the legal institutionalization of blacklists. However, the policy documents by the CCP CC and State Council have officially been considered a good enough base for SCS operations.<sup>11</sup> There exist blacklists, however, that had been legally established independently from the SCS and were later included in the CPL. For instance, the list of seriously trust-breaking subjects in the field of fulfilling the national defense obligations is among the few ones implemented by a law, and not an opinion. It is also made explicit in the law that its existence is aimed to enable the implementation of joint punishments.<sup>12</sup>

As for examples of bans on taking up positions, one sanction disables obtaining teacher qualifications for five years following the revocation of such qualifications if, for instance, the

person obtained them by fraud.<sup>13</sup> The ban may be lifelong if the subject has, for instance, been sentenced to prison.<sup>14</sup> The CPL also includes professional limitations on those who have committed criminal acts related to prostitution, rapes, or drugs, thus violating article 5 of the Regulation on entertainment venues management.<sup>15</sup> According to the Regulation, such individuals may not run or work in an entertainment venue.

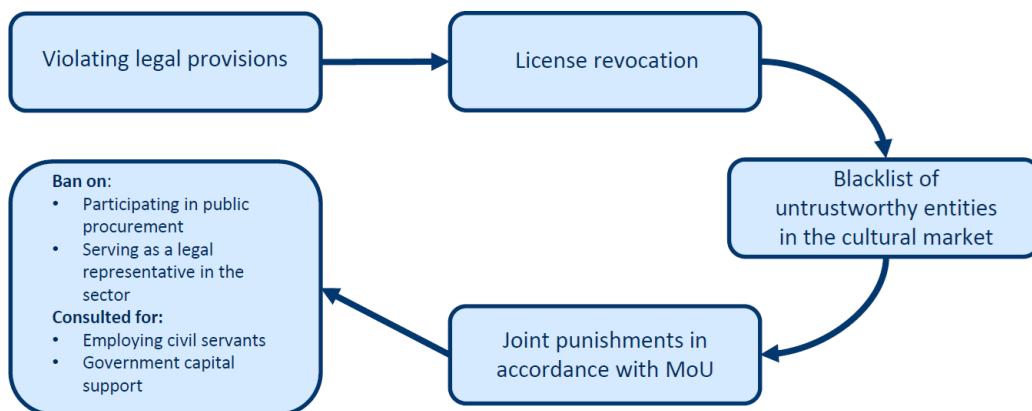
Another major punishment type for individuals is the ban on serving as a legally-designated representative or major responsible person in particular sectors. It typically follows a revocation of the business license of the entity they worked for.<sup>16</sup> According to the CPL, in some cases, the ban on serving as a legally designated representative or major person responsible could apply to the owners of individually owned companies who then might not engage in any business activities in a particular sector.<sup>17</sup> According to the Regulation on entertainment venues management, in the case of entertainment venues, the sanction takes the form of a 5-year or a lifelong ban, depending on whether the facility had its license revoked or was run without any permit.<sup>18</sup>

The MoU for the cultural market, signed by 17 parties, confirms that this restriction may be used in the SCS joint punishment regime.<sup>19</sup> As a part of joint punishments, this sanction is used against legally-designated representatives or major responsible persons of companies that were signed into the cultural market blacklist for serious untrustworthiness. Apart from solely entertainment venues, the cultural market blacklist includes businesses related to art, commercial performances, or Internet culture. This exemplifies not solely how particular sanctions may be transferred from the simple table in the CPL to the joint punishment scheme imposed by specific organs for breaking trust in a particular area of governance. It also shows how the joint punishment scheme goes beyond regular law enforcement. The sanction that, according to the Regulation on entertainment venues management, would be used solely against those who violated article 53 of the Regulation, may now be used against a broader range of subjects. Despite using a punishment more broadly than stipulated in the legal base, the use may still be confined to a particular area of governance, which, in this case, is the cultural market.

The license revocation, which, as it was already mentioned, often serves as the condition for the imposition of further restrictions, is an administrative punishment on its own. This administrative punishment, however, has not been included in the CPL. The punishment may be imposed as a consequence of serious violations of legal provisions that list prohibited acts or even prohibited content. Such lists of prohibited content appear in the area of culture. The lists are identical – or nearly identical – for audiovisual products, for the movie and publishing

industries, and for venues providing internet access services, such as internet cafes. They include, among others, content that jeopardizes national unity, security, interests, and public morality, violates the basic principles stipulated in the Constitution (which include the leadership of the CCP), libels others, or disrupts social order and social stability.<sup>20</sup>

Before the SCS, the license revocation would be the final administrative punishment, potentially with some further limitations for individuals, such as a ban on serving a similar role for a particular period of time. Under the SCS joint punishment scheme, the process continues as pictured in Graph 1 below. The graph includes examples of the consequences that individuals who had worked in an entity in the cultural market that had its license revoked may face under the SCS joint punishment scheme. Following the blacklisting, the joint punishments in accordance with the MoU are imposed. These include a ban on serving as a legally-designated representative in the cultural sector or potential limitations in becoming a civil servant.



Graph 1. The example of the joint punishment process (cultural market sector).

Overall, an administrative punishment of banning individuals from working in top positions is a result of another administrative punishment – license revocation – which is a consequence of violating particular legal provisions. All of these elements had existed before the SCS. Thus, writing the already existing punishments into the SCS scope may seem purposeless in terms of introducing new governance tools. However, the ban may now be used within the joint punishment scheme, which is in line with the core assumption of the SCS, as it raises the cost of violating legal provisions and broadens the scope of use of a particular sanction.

The existing administrative punishments themselves lack any extraordinary character, as understood within securitization frames. One manner of adding extraordinary character to

them is to write them into the joint punishment scheme. The other one is adding a ‘trust-breaking’ label to pieces of information that are being disclosed as part of the SCS. Such reputation-related sanctions created within the SCS scope are more novel, less embedded in laws, and may cause not solely proportionality, but also privacy-related concerns.

### ***1.2. Data disclosure***

Data disclosure as a result of violating legal provisions itself is not an entirely novel phenomenon. In China, the disclosure of information on administrative punishments that have a particular social impact is stipulated in the Administrative Punishment Law of the PRC.<sup>21</sup> However, in the SCS case, the disclosure may take place more often, the disclosed pieces of information are labeled as ‘untrustworthy’ or ‘trust-breaking’, and the securitization of trust may trigger reputational consequences falling under the extraordinary scope. This is in line with the core assumption of the SCS.

The Credit China website offers a tool for inquiring whether someone was subject to, for instance, joint punishments. This function is to help the inquirers avoid potential losses that could result from engaging in an interaction with an untrustworthy subject.<sup>22</sup> The data disclosure mechanism is of dual use. First, it severely punishes the untrustworthy subjects by adding a reputational sanction to the imposed punishment. Ideally to Beijing, it would also deter subjects from breaking trust in the first place. Second, it helps the broad audience to identify the trust-breakers, which may lead to ostracization. Society members are encouraged to introduce less formal punishments and non-state entities to impose their own sanctions. The documents analyzed in the study repeatedly included encouragements for these entities to participate in SCS construction by doing so. The State Council claims that this approach should enable social oversight and intimidation of the untrustworthy.<sup>23</sup>

The link between data disclosure and the joint punishment scheme is made through the publication of blacklists of seriously untrustworthy individuals who are subject to joint punishments. Importantly, most of the 42 blacklists fail to include natural persons. For instance, there is a blacklist of schools but not of teachers. There is one for academic journals, but not for researchers.<sup>24</sup> The most prominent example of the public disclosure of blacklists including natural persons is the Defaulters’ List. Defaulters are blacklisted for failing to execute the court’s order to settle liabilities, such as debt.<sup>25</sup> Defaulters are also those subjected to the ill-famed consumption-related restrictions, such as a ban on buying plane tickets. The Defaulters’ List – discussed extensively later – is a list designed centrally, and effectively implemented in a top-down manner at various levels of administration throughout the country. The disclosure

takes place online and offline – e.g., by displaying the lists in public places. Locally, other types of sharing data on defaulters appear, as discussed in Chapter Two.

Disclosing data on subjects to joint punishments is solely one type of publicly disclosed credit information. Trust-breaking information is a category broader than merely information on SCS-related punishments. Some non-SCS sanctions are imposed for deeds that may be considered ‘untrustworthy’ but do not qualify as ‘*serious* trust-breaking’ (严重失信) acts. For instance, fines are administrative punishments imposed on subjects who violate the mentioned laws and regulations in the area of culture, but the violations are not serious enough to trigger the SCS joint punishment scheme.<sup>26</sup> Under the SCS, however, data on the so-called ‘common untrustworthiness’ (一般失信) is labelled as ‘untrustworthy’ and disclosed.

Research conducted by Engelmann et al. proved that, indeed, even the administrative punishments that are not severe and do not constitute parts of the SCS punishment regime – such as fines – are disclosed on the Credit China website that keeps a register of such data.<sup>27</sup> Overall, a distinction must be made between the SCS punishment scheme and the SCS disclosure mechanism, which is essential for the entire SCS. One does not have to be sanctioned under the SCS joint punishment regime to have their public information disclosed by the SCS and suffer from reputational damage. The concept of ‘trust-breaking’ or ‘untrustworthy’ information includes behaviors that are against the laws and regulations, but – in this case – the SCS does not discriminate between the serious and non-serious conduct.<sup>28</sup> There is a rule, however, that all pieces of information, regardless of their seriousness, must have a strict, legally-binding base, such as an effective court judgment or an administrative decision on, for instance, administrative punishment.<sup>29</sup>

The above discussion of joint and reputational sanctions overlooks major parts of the SCS that are not concerned with individuals and focus considerably on market entities. Apart from looking for SCS elements focused on individuals, the review of the CPL prioritized those solutions that could in any manner support Beijing’s censorship and control efforts. This scope of examination allows for determining the impact that joint punishments and reputational sanctions might have on individuals and whether they can further limit individual freedoms and thus support the strengthening of the Chinese regime.

### ***1.3. The impact of joint punishments and reputational sanctions on individuals and their effects on strengthening authoritarian control, censorship, and limiting individual freedoms***

From the breakdown of various MoUs created by Jeremy Daum's collaborative project, China Law Translate, we can observe that the joint punishment scheme is not widely used against individuals.<sup>30</sup> The joint sanctioning applies mostly to legally-designated representatives and responsible persons of enterprises that were blacklisted. When a trust-breaking behavior occurs in a business entity, it is recorded not only for the entity but also for these individuals, with the use of personal trustworthiness files. This allows for subjecting them to the joint sanctioning pattern.<sup>31</sup>

Even though the scope of joint punishments indicates SCS's limited interest in severe – or disproportionate – sanctioning of individuals, the official numbers indicate an opposite trend. Solely in August 2019, relevant organs sent information to the National Credit Information Sharing Platform (the main SCS platform enabling the flow of data) about the new 258,623 untrustworthy subjects facing joint punishments, including as many as 214,631 natural persons, and 43,870 legal persons and other organizations. The numbers seem considerable; however, the overwhelming majority of the natural persons mentioned in the statistics (99.13%) were defaulters.<sup>32</sup> This limits the considerable impact of SCS on individuals to those who failed to settle their financial liabilities. The source of this data is Credit China directly. According to Qichacha – a Chinese company offering, among other services, market research and enterprise credit assessment – the total number of newly blacklisted defaulters in the entire year of 2019 reached nearly 3 million. Overall, between 2013 and 2020, over 15 million subjects were written into the Defaulters' List.<sup>33</sup>

As many as 44 actors signed a MoU for a total of 32 punishments that may be imposed on defaulters. Apart from the public disclosure of the blacklist, these punishments include mostly consumption-related restrictions that ban, among other activities, the purchase of luxurious goods, cars, real estate, and plane tickets. They also restrict traveling abroad and ban the subjects' children from attending high-fee private schools.<sup>34</sup> The punishments are severe, yet they limit consumption for those who are not financially capable of paying back their liabilities, not, as often believed by the Western public opinion, for those whose deeds in private life, such as excessive playing of video games, would be considered detrimental to society or the nation.<sup>35</sup> As it was exemplified with the joint punishment scheme in the area of culture (which had the closest connection to censorship efforts out of all analyzed standardized solutions), the punishments are broad and severe, but generally are applied to a particular area and not to the entire society.

Even with its limited scope, the joint and reputational sanctions imposed on individuals may still cause proportionality- and privacy-related concerns. The controversial nature of the sanctions, however, does not change the fact that elements used within the SCS would exist without it. This does not apply solely to the already existing administrative punishments. It is also true for the Defaulters' List, as this blacklist was first created by the Supreme People's Court in 2003,<sup>36</sup> and refined in 2013,<sup>37</sup> both before the 2014 SCS Outline.

As already suggested, the analysis of sanctions included in the CPL revealed that the SCS is little concerned with strengthening authoritarian control, censorship, or limiting individual freedoms. The SCS is, to a great extent, of a secondary nature, i.e., it uses already existing elements in a new manner. As such, it does not punish new categories of behavior and does not lead to further limitations of freedoms or increased censorship. It is also unlikely that the SCS on its own causes the intensification of, for instance, enforcing censorship-related regulations. However, as the SCS strengthens law enforcement, it naturally amplifies various legal provisions, including those that introduce censorship and authoritarian control. In this manner, the SCS is a cog in an authoritarian machine.

The case of the cultural market exemplifies how the SCS mechanisms are triggered *after* a subject violates legal provisions. Even though the SCS itself does not punish new types of behaviors and likely does not lead to an increase in the number of punished subjects, it does intensify the punishment itself. Serious violations of censorship-related provisions, therefore, may lead to a punishment more severe than before the SCS construction. This, however, happens in all areas covered by the SCS and is not exclusive to censorship and control. The cultural market is one of the few examples of SCS connections to censorship and control efforts, and others will be discussed throughout this dissertation.

The centrally designed SCS solutions that are in line with the project's core assumption constitute solely a part of the solutions found in central-level SCS documents. Further sections of this chapter will expand on bolder and more novel solutions proposed in the analyzed materials. These solutions somewhat diverge from the SCS core assumption. Before discussing them, the advantages of using the less innovative, already existing solutions as part of the SCS should be briefly mentioned. These advantages may later be juxtaposed with the circumstances of introducing more innovative solutions that diverge from the core SCS assumption.

#### ***1.4. Advantages of using already existing solutions over introducing novel mechanisms***

Reaching for the already existing administrative punishments and the previously existing idea of data disclosure in SCS development stands in contrast to the observers' early perceptions of what the SCS could become. The lack of considerable innovation, which may seem to be the SCS's limitation, may, in fact, be its greatest strength. Contrary to the novel solutions, they are relatively easy to implement, they are also in a way familiar to Chinese society. The realization of the core SCS assumption with the use of these stable solutions does not lead to challenges caused by bureaucratic interests of the organs participating in SCS construction, such as unknown or overlapping authority, which will be observed in the other cases discussed.

The administrative punishments that are used in a new manner within the SCS joint punishment scheme are long-established, tested, and have strong legal bases. While the numerous bureaucratic agents involved in SCS construction might not prioritize contributing to the core SCS assumption over other tasks, they may relatively easily contribute by performing their already-existing responsibilities. Overall, the bureaucratic interests that may stand behind the idea of writing long-existing solutions into the SCS may be pictured with the example of the area of culture. The bureaucratic agents in the area include the Ministry responsible for the movie industry (dealing with the self-registered companies of individuals in the movie industry), the Ministry of Culture and Tourism (dealing with venues providing internet access services), and the State Administration for Market Regulation (appears repeatedly; dealing with legally-designated representatives and major responsible persons in the following sectors: movie; audiovisual products; publishing). In declaring the already-existing mechanisms as SCS solutions, they deliver their task of participating in SCS construction in a very secure manner. According to the 2014 guideline, the SCS is tasked with regulating the market of culture and entertainment and dealing with different cultural products.<sup>38</sup> Formally, the proposed solutions do not diverge from the general guidelines of building trustworthiness in the area of culture. They also do not cause any controversy, as they are embedded in laws.

This strategy manifests how bureaucratic agents participating in the SCS construction may be unwilling to propose creative central solutions that would go far beyond the already existing laws. Should the more innovative mechanisms be poorly received – either by the SCS coordinators or the general public – there would be no local agent to blame. The agents may further avoid controversies as the untrustworthy subjects on whom the already existing sanctions are now imposed within the SCS scheme may possibly not even be fully aware of the fact of being punished under the SCS. At the same time, this strategy is in line with the central calling to embed the SCS in laws and regulations. As already pointed out, Beijing has

announced that opinions are a sufficient base for SCS construction, which could leave room for more decisive moves. Still, the proposal of innovative solutions might be a short-term strategy, as there seems to be an increased push for the legal embeddedness of the SCS. Overall, the central agents may choose to use the previously existing solutions in a revised manner to avoid both additional workload and controversies. As will be discussed in the next chapters, novel solutions are to be tested locally, while the standardized procedures follow an established path, which is not an uncommon logic for project development in China.

This strategy is not necessarily against the interests of the SCS coordinators, e.g., the NDRC. The relatively simple, law-based mechanisms do not induce novel bureaucratic issues and challenges for the central government. They possibly help in limiting the existing criticism related to the legal institutionalization of the SCS. Most importantly, despite the seeming lack of novelty, the already existing solutions may be most potent in terms of SCS development. While the later-discussed more innovative solutions generate various problems, the absorbed solutions are stable enough to constitute the base for the implementation of SCS-characteristic procedures of data disclosure and joint punishments.

Similarly to the administrative punishments, data disclosure also does not require the implementation of fully novel solutions. It, therefore, does not induce problems related to the bureaucratic interests. Its feasibility relies more on the technical capabilities of transferring data between organs and regular disclosure and updates. The privacy concerns it induces have been, to some extent, addressed in the more recent SCS documents. Back in 2016, a major document that spoke of the construction of the personal trustworthiness system stipulated that information on individuals who seriously broke trust should be publicly disclosed.<sup>39</sup> Currently, disclosing any personal information may take place either upon consent from the person in question or upon a relevant legal provision allowing it, e.g., in the form of a law, regulation, or order by the State Council.<sup>40</sup> Additionally, individuals must also consent to the process of data collection and should be informed about the scope, method, and reason for data collection.<sup>41</sup>

Overall, the lack of consent legally disables the public disclosure of trust-breaking information on natural persons and – relatedly – prevents the ostracization and the imposition of various types of additional punishments from members of society and non-state actors. This might somewhat limit the privacy- and proportionality-related objections. However, it is likely that the legal provisions do not considerably limit the scope of disclosed data and, relatedly, of damage caused to individuals by the SCS mechanisms. The privacy-related provisions fail to clarify the procedures for collecting consents. Moreover, where the consent of an individual is

not needed, questions remain about the individuals' real awareness – or lack thereof – about the reputational sanction imposed on them in the case of either minor or serious trust-breaking.

The abovementioned uncertainties and unknowns are minor compared to the mechanisms that are discussed next. For instance, one of the blacklists for seriously untrustworthy individuals, discussed in the next section, is named in the CPL but is not executed. Yet another blacklist appeared in the accessed SCS-related documents, but was not included in the CPL. This is where the SCS shape, scope, and functions become increasingly hazy. The remaining sections of this chapter discuss the shape and operations (or lack thereof) of novel SCS mechanisms that, contrary to the long-established solutions, diverge from the core SCS assumption. This divergence, as claimed here, is, to a considerable extent, a result of bureaucratic self-interests that hamper the successful development and implementation of a coherent SCS already at the central level. The next sections use the chosen SCS solutions to picture the various potential reasons for bending the SCS scope.

## **2. Lack of interest in execution – the Internet Credit Blacklist**

Even though the picture of the SCS as a tool aimed to tighten control over individuals has proven untrue, the Internet Credit Blacklist (ICB; 网络信用黑名单) may be considered one of the most controversial SCS elements in terms of the potential to amplify the PRC's content control efforts. The ICB is included in all existing editions of the CPL. Enterprises and individuals who perform seriously trust-breaking behavior on the Internet, such as committing online fraud and starting and disseminating rumors, should be included in the ICB. The punished subjects should face not only public exposure. Further punitive measures should be imposed on them, including restrictions on online activity.<sup>42</sup>

Responsible organs should impose this CPL sanction, and the 2014 Outline orders the public exposure of this blacklist.<sup>43</sup> However, searches at Credit China websites (central and local) and relevant departmental websites did not confirm the existence of such a blacklist. A search with the use of the Baidu search engine containing phrases related to the ICB was to no avail either. Therefore, most likely, this standardized SCS punishment, which should severely punish those breaking trust on the Internet, is not operational.

Like many other blacklists, the ICB is characterized by a weaker legal embeddedness than most SCS sanctions, as it is not based on a law or regulation, but on policy documents. These include the 2014 SCS Outline and an analogous NDRC document introducing task deployment that briefly mentions the ICB.<sup>44</sup> The latest, 2024, edition of the CPL additionally

listed articles 12 and 71 of the PRC Cybersecurity Law as the legal base. These articles, appearing later in the discussion and indirectly connected to the ICB since the beginning, however, do not directly speak of any blacklist. A search at the Credit China website for more detailed documents that would describe the ICB mechanism precisely at any level of administration resulted solely in discovering further planning documents that repeated the 2014 Outline content.<sup>45</sup>

This notwithstanding, the Cyberspace Administration of China (CAC) – an executive arm of the Xi-led Central Cyberspace Affairs Commission and China’s major organ responsible for Internet regulations and online content control – does limit online activity for those who share improper content, or ‘spread rumors’ online. Natural persons may be targeted by CAC either individually<sup>46</sup> or during targeted crackdowns.<sup>47</sup> Such crackdowns are often announced for a limited period of time and may focus on specific aspects of online activities, such as operating illegal news services<sup>48</sup> or running ‘self-media’ (i.e., publishing on independent social media accounts) that spread rumors or copycat accounts of official institutions, people, or other entities.<sup>49</sup> Crackdowns may also focus on specific groups and during specific times, such as targeting sports fans during the Paris Olympics.<sup>50</sup>

In the case of previously existing administrative punishments written into the CPL, the already existing sanctions may now be used within a new, joint punishment scheme. Analogously, as the CAC already limits online activity for sharing improper content, a question arises as to why this particular solution is not similarly reused under the SCS label. The general motive behind the lack of ICB execution might be that the CAC sees no interest in performing the punishment under the scope of SCS. This might stem from several interrelated reasons.

## ***2.1. Potential reasons for the lack of ICB execution***

There are several potential reasons behind the reluctance to execute the ICB. First, the CAC currently chooses when to enforce online censorship and when to publicly announce its operations. More standardized and less flexible enforcement would be against China’s censorship logic, which is discussed in more detail below, and full transparency might even lead to a public outcry. Over the years, the CAC has issued or co-issued various regulations that include content-limiting provisions and lay the ground for its activities. The regulations are transparently published, but not all CAC activities that enforce them are openly discussed.

For instance, according to the Management Regulations for Online Audio and Video Information Services, websites, online platforms, and other channels cannot be used to perform conduct that endangers political security and social stability or that is considered illegal by the

PRC Cybersecurity Law.<sup>51</sup> Article 12 of the Cybersecurity Law bans acts such as using the Internet to jeopardize national security, incite subversion of state power, overthrow the socialist system, incite separatism, undermine national unity, as well as starting and disseminating false information that disrupts economic and social order.<sup>52</sup> Similar content-constraining provisions appear in other legal documents, such as regulations related to the governance of the ecosystem of online information content<sup>53</sup> and the regulations of the use of deep synthesis technology.<sup>54</sup> Upon a violation of the provisions, relevant departments, such as the CAC, should impose punitive measures in accordance with their duties, regulations, and laws.<sup>55</sup>

Within the SCS scope, such punitive measures could include blacklisting and other sanctions triggered by the inclusion in the ICB. However, the ICB should be publicly disclosed, which means that all subjects punished for breaking, for instance, article 12 of the Cybersecurity Law, would be known. This could reveal the logic and scope of operations performed by the CAC. Moreover, the existence of the ICB – as a standardized procedure comprising one element of a bigger system – could increase the number of individuals sanctioned for performing untrustworthy behaviors online. Considering the increase in the number of sanctioned individuals as a potential drawback for the CAC might seem counterintuitive, but, in fact, it might be against PRC censorship logic.

China does not perform full authoritarian control over citizens. Instead, the control is ‘more fragmented and heterogeneous’,<sup>56</sup> or ‘tamed and regulated’.<sup>57</sup> Censorship-related regulations constitute a rather flexible legislative framework, and information control in the PRC may be intensified and loosened at times. According to different studies, this may be a response to ‘symbolic events and policy and leadership changes’<sup>58</sup>, or to ‘the level of underlying social tensions’.<sup>59</sup> As for publicly announcing cases of punishment for online censorship breaches, a study by Ruan et al. concluded that the PRC authorities are not always equally likely to do so. The public announcements are more likely when the illegal act involves voices critical of the government.<sup>60</sup> An effectively implemented and non-flexible ICB could, therefore, be against the underlying logic of the CAC area of governance.

Second, the execution of the ICB could lead to coordination problems between various bureaucratic agents. The various online censorship regulations mentioned above engaged the work of numerous state organs, some of which are left out in the ICB. The regulations were either promulgated jointly by the CAC, the Ministry of Culture and Tourism, and the State Administration of Radio and Television<sup>61</sup>, jointly by CAC, the Ministry of Public Security (MoPS), and the Ministry of Industry and Information Technology (MIIT)<sup>62</sup>, or by the CAC alone.<sup>63</sup> As the main Internet watchdog and the only actor appearing in all of the regulations,

the CAC is the natural leader and coordinator of the actions. However, the ICB under the SCS should be run by three organs – the CAC, the MIIT, and the MoPS – without indicating which one plays the leading role.<sup>64</sup> The two ministries participated in the issuance of some content-related regulations, albeit not all of them.

Apart from causing coordination problems, the participation of MIIT and MoPS in compiling the ICB could limit the discretion of CAC operations in terms of how, when, and to what extent transparently enforce all the content-related provisions. The ministries could perhaps access relevant online activity data and even compile the ICB without the CAC authority. This scenario is, however, highly unlikely as usually one state organ is the main actor responsible for compiling the blacklist and later cooperating with other entities. As the main organ in online content control, the CAC would likely be in charge of the compilation. This notwithstanding, with an operational ICB, a greater number of actors would be involved in dealing with the untrustworthy netizens. This could happen as information on untrustworthiness would be uploaded to the National Credit Information Sharing Platform (NCISP), leading to the shared use of the data. This is within the interest of the NDRC. The NDRC aims to attain the interconnection of Internet credit information in order to introduce an online and offline multi-area shared use of it.<sup>65</sup> Such use enables both the introduction of joint punishments and of reputational sanctions.

Even with CAC deciding over whom to include in the ICB, it would lose control over the consequences of blacklisting following the disclosure of the list or the upload of proper data to the NCISP. The introduction of joint and reputational sanctions – as well as further damages caused by them – again, would be against the logic of content control normally performed in the PRC. Overall, writing the already-existing mechanism of limiting online activity of chosen subjects and involving numerous bureaucratic agents in the process could limit the CAC's flexibility and prove poorly balanced. Retaining the role of the major Internet watchdog, the CAC could, as a result, be blamed for poorer performance.

## ***2.2. Avoiding execution amid orders to contribute to the SCS***

Not particularly interested in the ICB execution, the CAC has superficially manifested its devotion to the development of the SCS. The already cited legal documents co-issued by the CAC vaguely mention the construction of a credit management system that would influence the access to online services<sup>66</sup> or, in very general terms, the establishment of a credit system.<sup>67</sup>

CAC's biggest step towards the ICB establishment was the issuance, in July 2019, of the Measures for Credit Information Management for Seriously Untrustworthy Internet

Information Services Entities (Draft Measures). The measures were published among other SCS-related documents on the Credit China website. However, they were solely issued in the draft for comments version, and the final version, which could come into effect, has never been published. The Draft Measures speak of the blacklist of seriously trust-breaking subjects in the area of Internet information service (互联网信息服务严重失信主体黑名单).<sup>68</sup> Despite a different name, it seems to be the same mechanism as the ICB. The Draft Measures present more details about the rationales for imposing the punishment. These include publication or dissemination of information that violates social morality, honesty, and credit, or seriously disrupting communication order in cyberspace, harming the public interest and the lawful rights and interests of others, and creating an abominable social influence.<sup>69</sup> The blacklist should be valid for three years.<sup>70</sup>

The Draft Measures would introduce the SCS blacklist, yet on CAC's terms. Namely, the document overlooks the role of MIIT and MoPS, which, along with the CAC, were named responsible for the blacklist by the NDRC. According to the Draft Measures, only the CAC should use information on untrustworthy netizens provided by Internet information service providers. Based on the provided data, the CAC would verify whether a subject meets the requirements for being included in the ICB and compile it.<sup>71</sup> Overall, the ICB would be compiled and published by the central CAC or compiled by the province-level CAC and published by the central CAC.<sup>72</sup> This diverges from the directive to run the mechanism jointly with the two ministries. However, in line with article 71 of the Cybersecurity Law,<sup>73</sup> the Draft Measures announced the creation of relevant credit dossiers.<sup>74</sup> They also called for creating a proper MoU allowing for the imposition of joint punishments on the blacklisted subjects.<sup>75</sup> Despite all this, the measures are not in effect, and the act of drafting them was likely a superficial manifestation of CAC's willingness to fulfill the task assigned by the State Council and the NDRC.

Such conduct performed by CAC, in which it performs some SCS-related actions but fails to introduce the mechanism in reality, has not been successfully addressed by the SCS coordinators – the NDRC and PBoC, who assigned the task to the CAC<sup>76</sup> – or by the State Council, which issued the 2014 Outline. The legal base for the ICB, as stipulated by the CPL, is the 2014 Outline, which was issued by the State Council. Setting the goals and ordering the implementation, the State Council should, therefore, act as the bureaucratic principal in ICB construction. The NDRC could be an additional principal as it reaffirmed the task of ICB construction and implementation in a document complementary to the 2014 Outline.<sup>77</sup> In reality,

neither the State Council nor the NDRC – not to mention the PBoC – has the authority over the CAC. The latter answers before the CCP Central Committee. In such a lack of authority chain, the CAC has enough discretion to act in accordance with its own interests and not in accordance with orders by the State Council or the NDRC.

### ***2.3. What does the ICB case reveal about the problems in SCS development?***

The ICB is not representative of the entire SCS, nor does it involve all bureaucratic agents participating in the SCS construction. However, this case allows for an attempt to make several conclusions related to the SCS development and characteristics, as well as to Chinese bureaucracy. Perhaps similar phenomena may be observed in areas other than Internet governance or, more broadly, other than censorship and control.

First, the case of the ICB reveals that bureaucratic self-interests may hamper project implementation already at the central level. This phenomenon goes somewhat against the general image of a strong and centralized power under Xi Jinping. It is also not in line with many voices on China's bureaucracy. Discussions on how the interests of various agents affect policy and project implementation in China have usually been focused on how local agents dilute central orders.<sup>78</sup>

Second, the ICB case shows that even the seemingly innovative mechanisms – those lacking a strong legal base – are, in fact, strongly embedded in other regulations. Both the 2014 Outline and the Draft Measures may be considered as SCS documents, yet the ICB would still work in accordance with a plethora of Internet regulations that determine which online conduct is forbidden in the first place. Even the idea of using a blacklist in the area of the Internet turned out not to have been first invented within the SCS framework. Already in 2009, a blacklist of illegal websites was introduced jointly by 12 state organs (MoPS and MIIT among them), yet it was focused on the websites and not on individual netizens.<sup>79</sup> Overall, to understand the real ramifications that various SCS elements may have on particular areas of governance, these elements should be contemplated within a group of regulations that appear in a particular area of governance.

Finally, the ICB causes a conflict of interests between serving the core SCS assumption and supporting the underlying logic of censorship and control in the PRC. Even if the ICB was operational, it would primarily be a re-labelled mechanism that already exists. It would lead to the limitation of online activity and, as such, would not introduce a revolution in China's approach towards censorship and content control. Doing this via the ICB, however, could raise the cost of violations of legal provisions related to online content via the imposition of joint

punishments and public disclosure of the blacklist. Serving the core SCS assumption would – at the same time – be against the underlying logic of censorship actions run by the CAC, which currently adjusts its actions more flexibly than it could under the scope of SCS.

Perhaps for the same reason, some of the other potential solutions of the SCS for maintaining social order seem to have never been introduced or developed. For instance, among the seriously trust-breaking behaviors that should trigger joint punishments is ‘illegally gathering crowds to disrupt social order’.<sup>80</sup> However, none of the accessed documents suggest that organizing protests may result in the imposition of joint punishments. No signs of relevant sanctions were found in the Central Punishment List either. Imposing the extended sanctions overtly in such cases could prove to be counter-productive and amplify the ‘crisis of trust’ – by harming the society’s trust towards the government this time.

The blacklist discussed in the next section presents different problems for project implementation in China, generated by bureaucratic self-interests. It also reveals additional challenges in the attempts to determine the SCS scope, as it has not been included in the standardized CPL, despite being developed by central-level agents.

### **3. Delivering two tasks at one go – blacklisting employees of off-campus tutoring institutions**

Among various documents published as SCS materials at the central and local Credit China websites, many make no mention of the SCS or SCS-related keywords, such as ‘trustworthiness’, ‘credit’, or ‘trust-breaking’. During the collection of materials for analysis, this phenomenon was more common at the local level. The central-level documents were usually more or less explicitly linked to the SCS. However, some documents issued by central organs introduced solutions that do not easily qualify as solutions belonging exclusively to the SCS scope. This is pictured in this section with a blacklist for employees of off-campus tutoring institutions.

The so-called off-campus tutoring institutions (OTIs) offer extracurricular classes at different levels of education. The Chinese education system is characterized by harsh competition. Attending additional classes in the form of after-school tutoring is a common phenomenon, which has made the OTIs widespread in the PRC. In September 2021, the Ministry of Education (MoE) and the Ministry of Human Resources and Social Security (MHRSS) promulgated Trial Measures for the management of employees of off-campus tutoring institutions (the Measures).<sup>81</sup> The Measures listed the requirements for the conduct of OTI employees. These included endorsing the CCP leadership, adhering to the guidance of Xi

Jinping Thought on Socialism with Chinese Characteristics for a New Era, and comprehensively implementing the Party's education policy.<sup>82</sup> The employees also need to possess a very good ideological and moral character and professional ethics.<sup>83</sup> Such an ideological focus is visible in other education-related documents, and covers regular schools and teachers as well, even at a very local level.<sup>84</sup> At the central level, the ideological focus is also mirrored in, for instance, the issuance of the Patriotic Education Law.<sup>85</sup>

Distinctively from other education-related documents, the Measures introduce the Blacklist of Off-Campus Tutoring Institutions Employees (校外培训机构从业人员黑名单) and a subsequent ban for individuals from working in OTIs.<sup>86</sup> Contrary to other SCS sanctions and their relevant regulations, e.g., from the area of culture, the Measures explicitly state that statements and actions that harm the CCP authority or violate the Party's line, guidelines, or policies may lead to blacklisting.<sup>87</sup> The same punishment may be imposed upon those who publish or transmit erroneous viewpoints in the classroom and through other channels. Other rationales for blacklisting include conduct not related to content control, such as using corporal punishment on students or demanding improper benefits from students or parents.<sup>88</sup>

Contrary to the ICB case, the OTI Employees Blacklist seems to exist not solely in documents. China Daily covered the real execution of this blacklist and other operations undertaken in accordance with the Measures. According to their account, at the turn of 2021 and 2022, local education departments throughout the country carried out a three-month-long investigation. It covered nearly 770,000 employees, and resulted in blacklisting 64 individuals and writing them into locally compiled blacklists.<sup>89</sup>

### ***3.1. Two overlapping labels?***

What raises doubts in the case of the OTI Employees Blacklist is its belonging to the SCS scope. The mechanism seems to operate under and belong simultaneously to two separate labels – the SCS and the Double Reduction Policy (DRP). The DRP was implemented in 2021,<sup>90</sup> and it is one of the elements of a nationwide crackdown on OTIs. The crackdown included other activities, such as the issuance of measures for administrative punishments imposed in this sector.<sup>91</sup> The objective of the DRP is to reduce the – very characteristic of China – pressure put on the youth by curtailing the amount of homework and limiting the work of OTI.<sup>92</sup> The above-mentioned investigations are carried out as part of these efforts. Overall, the blacklisting of the ‘untrustworthy’ OTI employees does not directly follow the breaching of relevant provisions of the Measures. The blacklists are compiled as a aftermath of an investigation, which itself is

performed to deliver the assumptions of the DRP. Moreover, the investigation is not focused exclusively on supervising the employees' conduct. It also includes, for instance, the verification of the content of teaching materials used in an OTI.<sup>93</sup> The verification of such content takes place under the same investigation, but on the basis of yet other legal measures.<sup>94</sup>

The case of the OTI Employees Blacklist reveals how bureaucratic agents may design and deliver one mechanism that works within the scope of two separate labels.<sup>95</sup> While the China Daily's coverage made it explicit that the Blacklist exists under the DRP frames, its simultaneous belonging to the SCS scope is more ambiguous. Notwithstanding, three facts speak for it. First, even though blacklists had existed before the SCS, as exemplified by the blacklist of illegal websites introduced in 2009, blacklists generally became an element characteristic of the SCS. Second, all CPL editions include an analogous blacklist of OTIs – institutions, not their employees. It can thus be expected that the OTI Employees Blacklist belongs to the SCS scope as well. Finally, the Measures were among other SCS regulations on the Credit China website. Credit China has also reported their introduction.<sup>96</sup> This suggests that the MHRSS and the MoE might have reported the promulgation of the Measures as their input in the SCS construction. The 2014 Outline, among other documents, made education and science one of the 'key areas' and ordered the strengthening of teachers' trustworthiness.<sup>97</sup>

By reporting the blacklist as their contribution to the SCS construction, the ministries could deliver two separate tasks at one go. On the one hand, by carrying out the investigations, they made progress in the implementation of the DRP. On the other hand, they fulfilled an SCS task by compiling the Blacklist afterwards. This solution not only limits the workload of the ministries, but it may also be in their financial interest. Namely, the MoE and the MHRSS might obtain double funding for the implementation of one product, from the SCS and the DRC budgets, albeit this would require verification. Even if the ministries do not obtain additional funds for these activities, they may limit their spending by performing two tasks simultaneously.

A question arises as to why the NDRC and other agents compiling the CPL decided to formally standardize the OTIs Blacklist as a part of the SCS framework and failed to do so with an analogous blacklist for individuals. The discussion of potential reasons behind it requires the consideration of not only the interests of the MoE and MHRSS, but also other SCS agents. For instance, the NDRC may consider it profitable not to include numerous solutions targeted at individuals in the CPL, as it is an easily available document that clearly summarizes the SCS punishments. The introduction of mechanisms targeted at natural persons is the riskiest part of the entire SCS construction from a political point of view.<sup>98</sup> Leaving the OTI Employees Blacklist outside the CPL scope takes the responsibility away from the NDRC. If the Blacklist

was contested, the responsibility for a faulty solution would lie with the MoE and MHRSS. Additionally, as the Measures are executed by local-level departments who compile the lists, the local agents could be blamed, with NDRC – once again – carrying no risk.

Moreover, the Measures were found among thousands of SCS documents and might have been overlooked in the standardizing work. This is less likely, as then it could be added to the next second editions of the CPL. Finally, the reason for excluding the Blacklist from the CPL might be more technical and simple. The Measures constitute a *trial* document, which may simply disqualify them from being included in the CPL, which is to standardize and ultimately establish SCS solutions.

The exclusion of the OTI Employees Blacklist from the CPL and the overlapping of SCS and DRP generate two problems. The first one, clearly, is adding to the haziness of the SCS scope. Second, the goals of the SCS and the DRP differ, and it remains unclear which of the two labels serves as the main reference in the assessment of the effects of the blacklisting mechanism. The SCS is a project aimed to raise the level of trust, and the DRP is more of a policy goal of limiting pressure put on students. The objectives of the SCS and the DRP are not mutually exclusive and, in fact, may be complementary. However, in such circumstances, it is hard to define the role of the NDRC as a potential principal overseeing or evaluating the work performed by the MoE or MHRSS. The overlapping of two labels may lead to challenges related to – again – the authority chain and coordination. Despite all the uncertainties and opposite to the ICB case, the OTI Employees Blacklist in its current form should not cause major inconveniences to the two ministries running it.

### ***3.2. OTI Employees Blacklist vs. the core SCS assumption and the pre-existing governance logic in the area of education***

Running the Blacklist does not seem to be in a striking conflict with the MoE or MHRSS interests. In terms of behavior and content control, it constitutes a new type of punishment against teachers who, among others, act against the Party line. However, even without the SCS label, sharing inappropriate content in class may trigger punitive actions, also in the public education sector.<sup>99</sup> Blacklisting constitutes a new manner of identifying untrustworthy teachers, but it does not introduce further SCS-characteristic punitive actions. The Measures do not mention joint punishments, nor do they introduce a reputational sanction, as they fail to speak of the disclosure of the blacklist. The blacklist is unavailable on the Credit China website, nor is it exhibited on the websites of the two ministries. Overall, it fails to contribute to the core SCS assumption.

To compare, the OTI Blacklist, which does not include natural persons, can be found online. This lack of transparency in the case of the OTI Employees Blacklist is against the overall SCS rule to publicly disclose information of the untrustworthy subjects, the example of which is blacklisting.<sup>100</sup> On the other hand, personal information disclosure does require a legal base in the form of a law, regulation, SC decision or order, or consent from the individual.<sup>101</sup> Therefore, as the Measures failed to mention the data disclosure procedure, the lack of relevant provisions simply disables the imposition of the reputational sanction. This all questions the fundamental objective for the existence of such a blacklist under the SCS framework in the first place. The OTI Employees Blacklist seems to serve solely a bureaucratic objective – i.e., enabling MoE and MHRSS to deliver some SCS results, which they are obliged to do, while, in fact, working towards fulfilling the DRP-related objectives.

Finally, the blacklisting mechanism does not trigger any other significant changes to the governance logic in the area of education. The rationales for blacklisting are diverse and combine varied norms important for the area of education. They include not only guarding the proper ideological attitude in the PRC education system, but also other moral norms, such as a ban on obtaining illegal benefits from the children's parents or a ban on performing corporal punishment on students. Overall, the blacklist naturally supports content control efforts that would otherwise continue to exist, but it does not foreground them. It is designed for those who violate various education-related norms that go beyond ideological issues. The mentioned investigations in OTIs that precede the blacklisting process may amplify the enforcement of these norms, but these are not a part of the SCS. This further indicates that – despite covering very contentious aspects of China's governance – the discussed SCS-related solutions are not necessarily more intrusive than the other, already-existing governance tools. In fact, the previously discussed administrative punishments that enforce pre-existing laws in a revised manner are more potent in terms of introducing innovation in PRC governance.

Interestingly, the problem of two overlapping labels appeared in the case of other SCS elements, and will be discussed in Chapter Six. The blacklists discussed next also add to the haziness of the SCS scope, but do not constitute further examples of the development of one mechanism under two labels. They represent the phenomenon of a partial inclusion of an existing mechanism in the SCS scope.

#### **4. Partial inclusion of travel restrictions in the SCS scope – blacklists banning air and train travel**

Among the SCS punishments that repeatedly appear in Western media coverage are the restrictions on air and train travel. These restrictions are likely among the most often imposed sanctions in the entire SCS. Defaulters who failed to comply with a court's order to settle financial liabilities face such limitations, and they are the most considerable group of individuals impacted by the SCS overall. Defaulters are naturally the group of individuals that is most often discussed in the context of limiting air and train travel. In reality, they constitute solely one of the groups of individuals facing travel limitations in China. These bans basically operate with two types of blacklists: one for subjects restricted from taking planes and one for those who face limitations on train travel. Among subjects written into the blacklists are various groups of people, yet solely in some cases, the ban operates directly under the SCS scope.

Despite the fact that the punishment of travel restriction is operational and often consociated solely with the SCS, the two mentioned blacklists were omitted in the CPL. The exclusion of these blacklists from the standardized SCS scope of sanctions may be a result of them combining two separate fields of operation. The first is related to sanctioning those who disrupt order or cause a security hazard – either in a plane or train, or at a train station and airport.<sup>102</sup> The rationales for the imposition of the punishment include, among others, smoking on planes and trains or presenting invalid or forged tickets. Air travels are also restricted for those who fabricate or purposefully disseminate false terrorist information or steal other passengers' belongings.<sup>103</sup> The second field is related to various aspects of financial vices. It involves imposing restrictions on those who failed to settle their financial liabilities (i.e., the already-discussed defaulters) or committed a serious trust-breaking act in fields related to finance, investment, or insurance. These include major tax cases or misuse of government funds.<sup>104</sup> The goal of such operations is not necessarily maintaining order or security in transport, but rather imposing consumption-related restrictions. This is mirrored in the scope of the imposed bans. The first group of subjects – those who are disrupting order and jeopardizing security – faces a full ban on air and train travel. The second group is restricted from using the more costly means of transportation, which includes all planes and only particular types of trains or train seats.

Both groups of punished individuals could be sanctioned on the basis of the same legal documents. On one day in 2018, the NDRC – jointly with other agents, such as the Civil Aviation Administration of China<sup>105</sup> and the China Railway<sup>106</sup> – published two opinions that introduced the restrictions on, respectively, plane and train trips. Each of the documents

includes – and makes a differentiation between – the two mentioned groups of trust-breaking subjects.<sup>107</sup> The opinions mention the construction of the SCS already in the title. The inclusion of the two lists in the CPL could therefore be expected, especially since opinions are often cited as the legal or policy base for other blacklists. This, however, is not the case, and the sole mention of the air and train restrictions appears in the case of the defaulters.

It is not the inclusion in the train and aviation blacklists that results in imposing these restrictions under the SCS, but the inclusion in the Defaulters' List. The travel restrictions occur in the CPL among various other consumption-related limitations, such as a ban on purchasing real estate, cars, or luxury goods – all of which apply to defaulters. The legal base for the Defaulters' List is a document promulgated by the Supreme People's Court that refers to defaulters exclusively, and not to the other subjects from either of the two groups.<sup>108</sup> The two opinions explicitly state that these restrictions are to support the efforts to build the system of joint punishments under the SCS. This notwithstanding, it seems that restricting train and plane travel has been only partially included in the standardized scope of SCS punishments.

Overall, the punishment of blacklisting of various subjects and the subsequent limitations on travel were solely partially incorporated in the SCS, while a considerable part of the scope of the travel restricting mechanism, in terms of types of punished subjects, continues to operate outside of its scope.

#### ***4.1. Links between the SCS and smoking on a train or other misbehaviors***

The Defaulters' List and its consequences exemplify how an SCS mechanism may fully serve the core SCS assumption, as it was already presented in the last chapter. The standardized SCS punishments do not include restrictions targeted at individuals smoking on trains, presenting forged tickets, or even fabricating false terrorist information. These restrictions, therefore, do not easily qualify as SCS sanctions. Their exclusion from the SCS seems intended, given that the restrictions that are already operable could easily be included in the SCS standardized scope. Despite not being a part of the SCS joint punishment scheme, the blacklisted subjects face some SCS sanctions.

Namely, information on the untrustworthy subjects who are banned from taking planes or trains is published on the Credit China website, even if the rationale for imposing the sanction was, for instance, smoking.<sup>109</sup> The subjects, therefore, face the reputational punishment inherent in data disclosure. As discussed earlier in the chapter, the joint punishment scheme and data disclosure are two separate functions of the SCS. One does not have to perform a trust-breaking behavior serious enough to qualify for an SCS punishment in order to fall under the

SCS data disclosure mechanism. The disclosure of data and the shaming strategy embrace other acts of trust-breaking as well.

Perhaps owing to the data disclosure under the SCS label, the first group of subjects from the train and plane blacklists (individuals who perform improper behavior that disrupts order and security) is reported in SCS-related statistics. In August 2019 alone, 547 and 965 people were written into, respectively, the railway and the aviation blacklists. Nearly all – 528 and 946, respectively – were representatives of the first group. These numbers come from the same report that was cited earlier in the chapter, and presented the numbers of individuals written into the Defaulters' List. Over 200,000 individuals were written into the Defaulters' List in August 2019.<sup>110</sup> According to these numbers, individuals who disrupt order constitute a fraction of individuals facing travel restrictions.

Interestingly, regardless of the inclusion of the defaulters in the two opinions among the second group of subjects facing travel restrictions, they are excluded from the statistics of the two blacklists. Most likely, this is caused by the fact that the SPC is the leading actor that blacklists and triggers the joint punishments for the defaulters.<sup>111</sup> This further implies that the fact of being included in the Defaulters' List – and not in the two travel blacklists – is the basis for the imposition of travel restrictions. In such circumstances, a question arises as to why the two opinions that were published in 2018, i.e., after the SPC document that introduced the Defaulters' List, mention defaulters in the first place.

As the NDRC is both the main actor in the overall SCS construction and the organ that led the publication of the two opinions introducing the blacklists, it is challenging to name the conflicting interests that would cause such a situation. Perhaps such a solution is aimed to facilitate the Civil Aviation Administration of China and the China Railway to enforce the travel bans with the use of one blacklist (for air or train travel, respectively), without the need to additionally consult the Defaulters' List while issuing tickets. Apart from streamlining the work, the inclusion of defaulters on the separate aviation and train blacklists further questions the effectiveness of the enforcement of joint punishments imposed on defaulters. Similar doubts related to the enforcement of the sanctions also appear in the case of other consumption-related restrictions. For instance, how may state organs guarantee the enforcement of the ban on purchasing luxury goods, e.g., a Chanel bag, if the sanctioned individual is making their purchase with cash at a stationary shop?

Overall, the analyzed documents suggest that the two blacklists do not wholly belong to the SCS. Despite the claimed commitment to the task of constructing the SCS and fulfilling the requirements related to building the system of joint punishments, they do not entirely realize

the core SCS assumption. Most of the subjects from the two blacklists do not face joint punishments for their behavior. Instead, solely some representatives of the second group of trust-breaking subjects face SCS joint punishments. These punishments are imposed on the basis of the SPC document and the MoUs, not on the basis of the two opinions. At the same time, however, SCS statistics do include both blacklisted groups, most likely because of the fact that they face reputational sanctions. In this respect, the two blacklists indirectly belong to the SCS scope and partly fulfill the core SCS assumption.

The two blacklists picture less how bureaucratic interests may hamper the SCS development, but rather how fragmentation of some mechanisms into various documents – opinions, measures, and MoUs, promulgated by various bodies – introduces haziness to the scope of projects such as the SCS. This is related to China’s bureaucracy, as it partly pictures one of the three phenomena triggered by China’s government administration structure, as described by Yang Guangbin. The ‘erosion and segmentation of the authority of the state’ is a result of potentially conflicting legal provisions of a parallel status issued by various organs.<sup>112</sup> While these provisions are not in explicit conflict with each other, they present different scopes of operation of very similar mechanisms. This, in turn, leads to the ‘segmentation’ of these mechanisms.

Overall, among the accessed materials, solely two (potential) SCS censorship- and control-related solutions targeted at individuals were found. Additionally, the last section covered solutions that are not directly related to these efforts, but have the most considerable impact on individuals within the entire SCS and, as such, should be discussed in detail. All of the solutions discussed in the three sections are blacklists. Perhaps, as these SCS elements that are not as established and have weaker legal bases than other solutions, they are more prone to the influence of the interests of those who participate in their development, and, therefore, are more likely to diverge from the core SCS assumption. Their weak legal institutionalization may also be among the reasons for the doubling of documents introducing some of them (see: the aviation and train blacklists vs. the Defaulters’ List).

## 5. Concluding remarks

The analysis of the central-level Social Credit System solutions – focused especially on extraordinary measures that could support Beijing’s control and censorship efforts (related to MRQ1 and DRQs 1-3) – was informative about the capability of the Chinese state to build the SCS (related to MRQ2 and DRQs 4-5, as well as to DRQ6). Namely, it revealed that bureaucratic agents involved in its construction often prioritize their own interests over the

development of the SCS itself. In certain cases, these interests align with those of the SCS coordinators and its intended goals, but in others they diverge, producing a variety of outcomes. These include the non-execution of particular initiatives, as illustrated by the case of the Internet Credit Blacklist, and the overlap of projects and labels, as in the Blacklist of Off-Campus Tutoring Institutions Employees. Furthermore, some measures, such as the blacklists for train and air travel, are only partially included within the scope of the SCS. These all constitute cases of how, even at the central level, both the interplay of bureaucratic interests and fragmentation into different labels can limit the capacity of the party-state to construct a coherent and integrated system.

The standardized SCS punishments are secondary in nature and function primarily as support for preexisting governance practices. They introduce little novelty in terms of authoritarian control, censorship, or restrictions on individual freedoms. Nonetheless, because they operate on the basis of existing laws and regulations, the SCS amplifies the authoritarian nature of the Chinese regime, particularly in sectors such as culture, where censorship-related provisions are embedded. At the same time, the standardized solutions within the joint punishment scheme can increase the cost of legal violations by imposing both reputational and joint sanctions, thereby reinforcing the core assumption of the SCS. As such, the seemingly most ‘ordinary’ solutions may potentially be most potent in serving the goal of dealing with the ‘crisis of trust’.

The repurposing of existing punishments adds an extraordinary character to them since it raises proportionality concerns, as exemplified by the memorandum of understanding (MoU) in the cultural sector. Blacklists that lead to joint punishments often rely not on laws or regulations but on opinions, raising further legality-related questions. Moreover, the disclosure of information about trust-breaking individuals may have profound consequences, including unofficial and non-standardized sanctions imposed by members of society or non-state entities. While information disclosure is not itself new, the application of the ‘untrustworthy’ label and the provision of channels for disseminating this designation greatly expand its scope and potential impact. Such disclosure may even follow from minor acts of trust-breaking insufficient to trigger the joint punishment scheme, compounding proportionality concerns.

Among all groups, the so-called defaulters are the most heavily affected by SCS sanctions, as they are subject to both joint and reputational punishments. They also constitute the largest group of blacklisted individuals in China. Beyond this case, the standardized SCS mechanisms have little to do with regulating individuals’ private lives. Most sanctions restrict professional activity and concern compliance with laws and regulations that predate the SCS.

When SCS-specific mechanisms such as joint punishments are imposed, they are most often applied to legally designated representatives of business entities or to senior managers, with defaulters representing a key exception.

The most contentious SCS measures in terms of behavior and content control include the proposed Internet Credit Blacklist, targeting ‘trust-breaking’ netizens, and the Blacklist of Off-Campus Tutoring Institutions Employees, which applies to those who, among other things, disseminate improper information or act against the Party line in classrooms. However, the former remains non-operational, while the latter appears to function primarily under another project rather than within the SCS framework. Although these measures explicitly involve content control, they add little to the already existing logic of governance in their respective domains.

Central-level agents may prefer to rely on repurposed, preexisting solutions rather than develop new mechanisms in order to avoid additional workload or political controversy. Similarly, SCS coordinators may favor these more conventional approaches to mitigate critiques concerning the legal embeddedness or feasibility of more innovative projects. The interests of bureaucratic agents influencing the SCS therefore range from protecting operational flexibility, through minimizing workload, to maximizing efficiency by pursuing multiple objectives simultaneously. Where SCS mechanisms diverge from the intended vision, coordinators may prove unable to respond, either due to a lack of authority over the implementing agents or because of blurred lines of authority stemming from overlapping projects.

Counterintuitively, considering all the above, the SCS solutions using preexisting administrative punishments in a revisited manner are more potent in terms of introducing innovation to PRC governance (by serving the core SCS assumption) than the seemingly novel solutions.

## 6. Notes and references

<sup>1</sup> As of August 2019. National Public Credit Information Center, “2019年8月新增失信联合惩戒对象公示及说明” [Newly Added Subjects to Joint Punishments for Trust Breaking in August 2019 – Disclosure and Explanation], September 5, 2019, [www.gov.cn/fuwu/2019-09/05/content\\_5427393.htm](http://www.gov.cn/fuwu/2019-09/05/content_5427393.htm).

<sup>2</sup> The scope and work of sorting out and standardization were stipulated in this document: 国家发展改革委办公厅关于开展失信约束措施清理规范工作的通知 (Notice of the NDRC GO on Sorting out and Standardization of Punitive Measures for Breaking Trust) (2021).

<sup>3</sup> See, e.g., 国务院办公厅关于进一步完善失信约束制度构建诚信建设长效机制的指导意见 (Guiding Opinion of the State Council General Office [SC GO] on Further Improving the System of Punishments for Breaking Trust and Establishing a Long-term Mechanism for Building Trustworthiness) (2020).

<sup>4</sup> For a brief discussion on ‘serious’ trust-breaking (as opposed to general trust-breaking) see Emilie Szwajnoch, “Is ‘Untrustworthy’ the New ‘Threatening’? China’s Social Credit System through the Prism of Securitization,” *Asian Affairs* 54, no. 4 (2023): 703.

<sup>5</sup> 国务院关于建立完善守信联合激励和失信联合惩戒制度，加快推进社会诚信建设的指导意见 (Guiding Opinion of the SC on the Establishment and Improvement of the System of Joint Incentives for Keeping Trust and Joint Punishments for Breaking Trust and Accelerating the Construction of Social Trustworthiness) (2016).

<sup>6</sup> For a history of blacklists in China see Alexander Trauth-Goik and Chuncheng Liu, “Black or Fifty Shades of Grey? The Power and Limits of the Social Credit Blacklist System in China,” *Journal of Contemporary China* 32, no. 144 (2022): 1021–1022.

<sup>7</sup> See, e.g., 关于对文化市场领域严重违法失信市场主体及有关人员开展联合惩戒的合作备忘录 (Memorandum of Understanding on Joint Punishments for Market Entities and Personnel for Serious Law Violations and Trust Breaking in the Cultural Market) (2018).

<sup>8</sup> See, e.g., Xin Dai, “Enforcing Law and Norms for Good Citizens: One View of China’s Social Credit System Project,” *Development* 63 (2020): 38–43.

<sup>9</sup> 中华人民共和国出境入境管理法 (Exit and Entry Administration Law of the People’s Republic of China) (2012), art. 12, 28.

<sup>10</sup> 中华人民共和国兵役法 (Military Service Law of the People’s Republic of China) (1984 (last revision: 2021)), art. 57, 58. The enforcement of sanctions against those who refuse military service is reported via SCS websites. See, e.g., Shenzhen Credit, “拒服兵役? 纳入严重失信名单实施联合惩戒! ” [Refusing Military Service? You’ll Be Included in the List of Serious Trust-Breakers and Subject to Joint Punishments!], June 2, 2023, <https://www.szcredit.org.cn/!/lhjc/details?id=309d2a514d21462da86592fd448c4e3d#/lhjc/details?id=309d2a514d21462da86592fd448c4e3d>.

<sup>11</sup> 国家发展改革委办公厅关于开展失信约束措施清理规范工作的通知 (Notice of the NDRC GO on Sorting out and Standardization of Punitive Measures for Breaking Trust) (2021); 国务院办公厅关于进一步完善失信约束制度构建诚信建设长效机制的指导意见 (Guiding Opinion of the SC GO on Further Improving the System of Punishments for Breaking Trust and Establishing a Long-term Mechanism for Building Trustworthiness) (2020). Relatedly, the proper headline in the table with the centrally designed punishments is ‘legal and policy base’ and not ‘legal base’.

<sup>12</sup> 中华人民共和国兵役法 (Military Service Law of the People’s Republic of China) (1984 (last revision: 2021)), art. 57.

<sup>13</sup> 教师资格条例 (Regulations on Teachers’ Qualifications) (1995), art. 19.

<sup>14</sup> 中华人民共和国教师法 (Teachers Law of the People’s Republic of China) (1993), art. 14.

<sup>15</sup> 娱乐场所管理条例 (Regulations on the Administration of Entertainment Venues) (2006 (last revision: 2020)), art. 5.

<sup>16</sup> See 中华人民共和国电影产业促进法 (Film Industry Promotion Law of the People’s Republic of China) (2016), art. 53; 电影管理条例 (Regulations on the Administration of Movies) (2001), art. 64; 音像制品管理条例 (Regulations on the Administration of Audiovisual Products) (2001), art. 46; 出版管理条例 (Regulations on the Administration of Publication) (2001), art. 70; 互联网上网服务营业场所管理条例 (Regulations on the Administration of Business Premises for Internet Access Services) (2002), art. 35.

<sup>17</sup> See 中华人民共和国电影产业促进法 (Film Industry Promotion Law of the People’s Republic of China) (2016), art. 53; 音像制品管理条例 (Regulations on the Administration of Audiovisual Products) (2001), art. 46.

<sup>18</sup> 娱乐场所管理条例 (Regulations on the Administration of Entertainment Venues) (2006 (last revision: 2020)), art. 53.

<sup>19</sup> 关于对文化市场领域严重违法失信市场主体及有关人员开展联合惩戒的合作备忘录 (Memorandum of Understanding on Joint Punishments for Market Entities and Personnel for Serious Law Violations and Trust Breaking in the Cultural Market) (2018).

<sup>20</sup> 中华人民共和国电影产业促进法 (Film Industry Promotion Law of the People’s Republic of China) (2016), art. 16; 音像制品管理条例 (Regulations on the Administration of Audiovisual Products) (2001), art. 3; 电影管理条例 (Regulations on the Administration of Movies) (2001), art. 25; 出版管理条例 (Regulations on the Administration of Publication) (2001), art. 25; 互联网上网服务营业场所管理条例 (Regulations on the Administration of Business Premises for Internet Access Services) (2002), art. 14.

<sup>21</sup> 中华人民共和国行政处罚法 (Administrative Punishments Law of the People’s Republic of China) (2021), art. 48.

<sup>22</sup> National Public Credit Information Center, “2019 年 8 月新增失信联合惩戒对象公示及说明.”

<sup>23</sup> See, e.g., 国务院办公厅关于加强个人诚信体系建设的指导意见 (Guiding Opinion of the SC GO on Strengthening the Construction of Personal Trustworthiness System) (2016).

<sup>24</sup> 全国失信惩戒措施基础清单 (2022 年版) (National Basic List of Disciplinary Measures for Dishonesty (2022 Edition) (2022).

<sup>25</sup> 最高人民法院关于公布失信被执行人名单信息的若干规定 (Several Provisions of the Supreme People’s Court on Publishing List of Persons Subject to Enforcement) (2017).

<sup>26</sup> For the types of data that are assigned a ‘trust’ label see, e.g., 国家发展改革委办公厅 人民银行办公厅关于对 失信主体加强信用监管的通知 (Notice of the National Development and Reform Commission and the People’s Bank of China on Strengthening Credit Supervision of Trust-breaking Subjects) (2018). Note: This was a trial document which expired on 31.12.2020.

<sup>27</sup> Severin Engelmann, Mo Chen, Felix Fischer, Ching-yu Kao, and Jens Grossklags, “Clear Sanctions, Vague Rewards: How China’s Social Credit System Currently Defines ‘Good’ and ‘Bad’ Behavior,” in *FAT ’19: Proceedings of the Conference on Fairness, Accountability, and Transparency* (New York: Association for Computing Machinery, 2019), 73–75.

<sup>28</sup> For details on levels of the seriousness of untrustworthy behavior see, e.g., 国家发展改革委办公厅关于进一步完善“信用中国”网站及地方信用门户网站行政处罚信息信用修复机制的通知 (Notice

of the NDRC GO on Further Improving the Credit Repair Mechanism for Administrative Punishment Information on the "Credit China" Website and Local Credit Websites) (2019).

<sup>29</sup> 国务院办公厅关于进一步完善失信约束制度构建诚信建设长效机制的指导意见 (Guiding Opinion of the SC GO on Further Improving the System of Punishments for Breaking Trust and Establishing a Long-term Mechanism for Building Trustworthiness) (2020).

<sup>30</sup> For a breakdown of MoUs see: <https://www.chinalawtranslate.com/en/social-credit-mou-breakdown-beta/>.

<sup>31</sup> 国务院关于建立完善守信联合激励和失信联合惩戒制度，加快推进社会诚信建设的指导意见 (Guiding Opinion of the SC on the Establishment and Improvement of the System of Joint Incentives for Keeping Trust and Joint Punishments for Breaking Trust and Accelerating the Construction of Social Trustworthiness) (2016).

<sup>32</sup> National Public Credit Information Center, "2019年8月新增失信联合惩戒对象公示及说明." Note: Legal persons may also be blacklisted in the SPC mechanism in which case their legally-designated representatives and major responsible persons are also blacklisted and face sanctions.

<sup>33</sup> Qichacha, "《2020年失信被执行人风险数据报告》发布" [2020 Risk Data Report on Persons Subject to Enforcement Released], January 28, 2021, [https://www.sohu.com/a/447341762\\_774283](https://www.sohu.com/a/447341762_774283). Note, Qicahcha's statistics did not differentiate between natural and legal persons. As – according to Credit China data – legal persons constitute a great minority of defaulters, it may be assumed that most of the 15 million subjects were natural persons.

<sup>34</sup> 关于对失信被执行人实施联合惩戒的合作备忘录 (Memorandum of Understanding on Joint Punishments Against Untrustworthy Persons Subject to Enforcement) (2016). For a full list of restrictions see the document.

<sup>35</sup> See, e.g., Steven W. Mosher, "China's New 'Social Credit System' Is a Dystopian Nightmare," *New York Post*, May 18, 2019, <https://nypost.com/2019/05/18/chinas-new-social-credit-system-turnsorwells-1984-into-reality/>.

<sup>36</sup> 最高人民法院关于在中国法院网公布民事案件被执行人名单的通知 (Notice of the Supreme People's Court on Publishing List of Persons Subject to Civil Cases on the Chinese Court Website) (2003).

<sup>37</sup> Note: The last revision of the SPC mechanism was introduced in 2017: 最高人民法院关于公布失信被执行人名单信息的若干规定 (Several Provisions of the Supreme People's Court on Publishing List of Persons Subject to Enforcement) (2017).

<sup>38</sup> 国务院关于印发社会信用体系建设规划纲要(2014—2020年)的通知 (Notice of the State Council on Issuing Planning Outline for the Construction of a Social Credit System (2014—2020)) (2014).

<sup>39</sup> 国务院办公厅关于加强个人诚信体系建设的指导意见 (Guiding Opinion of the SC GO on Strengthening the Construction of Personal Trustworthiness System) (2016).

<sup>40</sup> 国家发展改革委办公厅关于开展失信约束措施清理规范工作的通知 (Notice of the NDRC GO on Sorting out and Standardization of Punitive Measures for Breaking Trust) (2021).

<sup>41</sup> 全国公共信用信息基础目录(2021年版) (National Basic Catalogue of Public Credit Information (2021 Edition)) (2021).

<sup>42</sup> 国务院关于印发社会信用体系建设规划纲要(2014—2020 年) 的通知 (Notice of the State Council on Issuing Planning Outline for the Construction of a Social Credit System (2014—2020)) (2014).

<sup>43</sup> 国务院关于印发社会信用体系建设规划纲要(2014—2020 年) 的通知 (Notice of the State Council on Issuing Planning Outline for the Construction of a Social Credit System (2014—2020)) (2014).

<sup>44</sup> 国务院关于印发社会信用体系建设规划纲要(2014—2020 年) 的通知 (Notice of the State Council on Issuing Planning Outline for the Construction of a Social Credit System (2014—2020)) (2014); 《社会信用体系建设规划纲要 (2014—2020 年) 》任务分工(Division of Tasks for the Planning Outline for the Construction of a Social Credit System (2014—2020)) (2014).

<sup>45</sup> See, e.g., 市政府关于印发苏州市社会信用体系建设规划 (2014 ~ 2020 年) 的通知 (Notice of the Municipal Government on the Issuance of the Plan for the Construction of a Social Credit System in the City of Suzhou) (2015); 辽宁省“十四五”社会信用体系建设规划 (The Liaoning Province 14<sup>th</sup> Five-Year Plan for the Construction of a Social Credit System) (2022).

<sup>46</sup> See, e.g., Liang Xinlu, “Nationalistic Blogger Sima Nan Banned from Chinese Social Media,” *South China Morning Post*, August 23, 2022, <https://www.scmp.com/news/china/politics/article/3189923/nationalistic-blogger-sima-nan-banned-chinese-social-media>.

<sup>47</sup> See, e.g., Mia Ping-chieh Chen and Gu Ting, “China to Crack Down on Online ‘Rumors’ amid Public Distrust of Official Statements,” *Radio Free Asia*, February 3, 2023, <https://www.rfa.org/english/news/china/teen-rumors-02032023185713.html>.

<sup>48</sup> See, e.g., a Crackdown launched by the CAC in October 2024 (Cyberspace Administration of China, “中央网信办部署开展‘清朗·整治违规开展互联网新闻信息服务’专项行动” [The Cyberspace Administration of China Launched a Special Operation Called ‘Clear and Repair: Rectify Illegal Internet News and Information Services’], October 3, 2024, [https://www.cac.gov.cn/2024-10/03/c\\_1729643985936583.htm](https://www.cac.gov.cn/2024-10/03/c_1729643985936583.htm)).

<sup>49</sup> Cyberspace Administration of China, “关于开展‘清朗·从严整治‘自媒体’乱象’专项行动的通知” [Notice on Launching the Special Campaign of ‘Clear and Repair: Strictly Rectifying the Chaos in “Self-Media”’], March 12, 2023, [https://www.cac.gov.cn/2023-03/12/c\\_1680256771482498.htm](https://www.cac.gov.cn/2023-03/12/c_1680256771482498.htm).

<sup>50</sup> See, e.g., a crackdown of defamations and other illegal activities during the 2024 Olympics: Ministry of Public Security of the People’s Republic of China, “公安机关网安部门依法打击涉体育领域‘饭圈’违法犯罪行为” [The Internet Security Department of the Public Security Bureau Cracks Down on Illegal and Criminal Activities in Sports-Related ‘Fan Circles’ in Accordance with the Law], August 7, 2024, <https://www.mps.gov.cn/n2254098/n4904352/c9692761/content.html>.

<sup>51</sup> 网络音视频信息服务管理规定 (Provisions on the Administration of Management Online Audio and Video Information Services) (2019), art. 2, 9.

<sup>52</sup> 中华人民共和国网络安全法 (Cybersecurity Law of the People’s Republic of China) (2017), art. 12.

<sup>53</sup> 网络信息内容生态治理规定 (Provisions on the Governance of the Online Information Content Ecosystem) (2019), art. 6, 7, 18, 21.

<sup>54</sup> 互联网信息服务深度合成管理规定 (Provisions on the Administration of Deep Synthesis of Internet-based Information Service) (2022), art. 6, 11.

<sup>55</sup> See, e.g. 网络信息内容生态治理规定 (Provisions on the Governance of the Online Information Content Ecosystem) (2019), art. 38.

<sup>56</sup> Diana Fu, “Fragmented Control: Governing Contentious Labor Organizations in China,” *Governance* 30, no. 3 (2016): 446.

<sup>57</sup> Baogang He and Stig Thøgersen, “Giving the People a Voice? Experiments with Consultative Authoritarian Institutions in China,” *Journal of Contemporary China* 19, no. 66 (2010): 690. For a discussion on political control see also: Daniel C. Mattingly, *The Art of Political Control in China* (Cambridge: Cambridge University Press, 2019).

<sup>58</sup> Rongbin Han and Li Shao, “Scaling Authoritarian Information Control: How China Adjusts the Level of Online Censorship,” *Political Research Quarterly* 75, no. 4 (2022): 1355.

<sup>59</sup> Peter Lorentzen, “China’s Strategic Censorship,” *American Journal of Political Science* 58, no. 2 (2014): 404.

<sup>60</sup> Lotus Ruan, Jeffrey Knockel, and Masashi Crete-Nishihata, “Information Control by Public Punishment: The Logic of Signalling Repression in China,” *China Information* 35, no. 2 (2021): 133–157.

<sup>61</sup> 网络音视频信息服务管理规定 (Provisions on the Administration of Management Online Audio and Video Information Services) (2019).

<sup>62</sup> 互联网信息服务深度合成管理规定 (Provisions on the Administration of Deep Synthesis of Internet-based Information Service) (2022).

<sup>63</sup> 网络信息内容生态治理规定 (Provisions on the Governance of the Online Information Content Ecosystem) (2019).

<sup>64</sup> 全国失信惩戒措施基础清单 (2022 年版) (National Basic List of Disciplinary Measures for Dishonesty (2022 Edition) (2022).

<sup>65</sup> Xinhua, “国家发展改革委李聚合：加快网络信用黑名单建设 放大失信惩戒结果” [NDRC’s Li Juhe: Accelerate the Construction of the Internet Credit Blacklist, Amplify the Results of Punishments for Breaking Trust], July 6, 2016, [http://www.xinhuanet.com/politics/2016-07/06/c\\_129121857.htm](http://www.xinhuanet.com/politics/2016-07/06/c_129121857.htm).

<sup>66</sup> 网络信息内容生态治理规定 (Provisions on the Governance of the Online Information Content Ecosystem) (2019), art. 15.

<sup>67</sup> 网络音视频信息服务管理规定 (Provisions on the Administration of Management Online Audio and Video Information Services) (2019), art. 5.

<sup>68</sup> 互联网信息服务严重失信主体信用信息管理办法 (征求意见稿) (Measures for the Management of Credit Information of Seriously Untrustworthy Internet Information Services Entities (Draft for Comments)) (2019), art. 4.

<sup>69</sup> 互联网信息服务严重失信主体信用信息管理办法 (征求意见稿) (Measures for the Management of Credit Information of Seriously Untrustworthy Internet Information Services Entities (Draft for Comments)) (2019), art. 4, point 3.

<sup>70</sup> 互联网信息服务严重失信主体信用信息管理办法 (征求意见稿) (Measures for the Management of Credit Information of Seriously Untrustworthy Internet Information Services Entities (Draft for Comments)) (2019), art. 11.

<sup>71</sup> 互联网信息服务严重失信主体信用信息管理办法 (征求意见稿) (Measures for the Management of Credit Information of Seriously Untrustworthy Internet Information Services Entities (Draft for Comments)) (2019), art. 14.

<sup>72</sup> 互联网信息服务严重失信主体信用信息管理办法 (征求意见稿) (Measures for the Management of Credit Information of Seriously Untrustworthy Internet Information Services Entities (Draft for Comments)) (2019), art. 3.

<sup>73</sup> 中华人民共和国网络安全法 (Cybersecurity Law of the People's Republic of China) (2017), art. 71.

<sup>74</sup> 互联网信息服务严重失信主体信用信息管理办法 (征求意见稿) (Measures for the Management of Credit Information of Seriously Untrustworthy Internet Information Services Entities (Draft for Comments)) (2019), art. 14.

<sup>75</sup> 互联网信息服务严重失信主体信用信息管理办法 (征求意见稿) (Measures for the Management of Credit Information of Seriously Untrustworthy Internet Information Services Entities (Draft for Comments)) (2019), art. 13.

<sup>76</sup> See 《社会信用体系建设规划纲要（2014—2020 年）》任务分工(Division of Tasks for the Planning Outline for the Construction of a Social Credit System (2014—2020)) (2014).

<sup>77</sup> 《社会信用体系建设规划纲要（2014—2020 年）》任务分工 (Task division for the Planning outline for the construction of the Social Credit System [years 2014-2020]) (2014).

<sup>78</sup> With some exceptions, as discussed in Chapter One.

<sup>79</sup> 关于建立境内违法互联网站黑名单管理制度的通知 (Notice on the Establishment of a Blacklist Management System for Illegal Domestic Websites) (2009).

<sup>80</sup> 国务院关于建立完善守信联合激励和失信联合惩戒制度，加快推进社会诚信建设的指导意见 (Guiding Opinion of the SC on the Establishment and Improvement of the System of Joint Incentives for Keeping Trust and Joint Punishments for Breaking Trust and Accelerating the Construction of Social Trustworthiness) (2016).

<sup>81</sup> 教育部办公厅 人力资源社会保障部办公厅关于印发《校外培训机构从业人员管理办法（试行）》的通知 (Notice of the General Office of the Ministry of Education and the General Office of the Ministry of Human Resources and Social Security on the Issuance of the Measures for the Management of the Employees of Off-Campus Tutoring Institutions (Trial Implementation)) (2021).

<sup>82</sup> 教育部办公厅 人力资源社会保障部办公厅关于印发《校外培训机构从业人员管理办法（试行）》的通知 (Notice of the General Office of the Ministry of Education and the General Office of the Ministry of Human Resources and Social Security on the Issuance of the Measures for the Management of the Employees of Off-Campus Tutoring Institutions (Trial Implementation)) (2021), art. 4, point 1.

<sup>83</sup> 教育部办公厅 人力资源社会保障部办公厅关于印发《校外培训机构从业人员管理办法（试行）》的通知 (Notice of the General Office of the Ministry of Education and the General Office of the Ministry of Human Resources and Social Security on the Issuance of the Measures for the Management of the Employees of Off-Campus Tutoring Institutions (Trial Implementation)) (2021), art. 4, point 3.

<sup>84</sup> See, e.g., 大鹏新区公共事业局关于进一步加强师德师风建设德实施意见 (Implementation Opinions of the Public Utilities Bureau of the Dapeng New District [Shenzhen - added] on Further Strengthening Teachers' Ethics and Professional Conduct) (2017?); 丽水市校外培训机构管理办法

(试行) (Lishui City Measures for the Management of Off-Campus Tutoring Institutions (Trial Implementation)) (2020), art. 4, 11.

<sup>85</sup> 中华人民共和国爱国主义教育法 (Patriotic Education Law of the People's Republic of China) (2023).

<sup>86</sup> 教育部办公厅 人力资源社会保障部办公厅关于印发《校外培训机构从业人员管理办法 (试行)》的通知 (Notice of the General Office of the Ministry of Education and the General Office of the Ministry of Human Resources and Social Security on the Issuance of the Measures for the Management of the Employees of Off-Campus Tutoring Institutions (Trial Implementation)) (2021), art. 5, point 1.

<sup>87</sup> 教育部办公厅 人力资源社会保障部办公厅关于印发《校外培训机构从业人员管理办法 (试行)》的通知 (Notice of the General Office of the Ministry of Education and the General Office of the Ministry of Human Resources and Social Security on the Issuance of the Measures for the Management of the Employees of Off-Campus Tutoring Institutions (Trial Implementation)) (2021), art. 11, point 1.

<sup>88</sup> 教育部办公厅 人力资源社会保障部办公厅关于印发《校外培训机构从业人员管理办法 (试行)》的通知 (Notice of the General Office of the Ministry of Education and the General Office of the Ministry of Human Resources and Social Security on the Issuance of the Measures for the Management of the Employees of Off-Campus Tutoring Institutions (Trial Implementation)) (2021), art. 11, 13.

<sup>89</sup> China Daily, “‘双减’工作专门协调机制办：64 人纳入地方校外培训从业人员黑名单” [Bureau of the Special Coordination Mechanism for ‘Double Reduction’ Work: 64 People Included in Local OTI Employees Blacklists], March 4, 2022, <https://cn.chinadaily.com.cn/a/202203/04/WS6221d814a3107be497a092ea.html>.

<sup>90</sup> Interestingly, reports suggest that the DRP is a failed policy and the OTI business thrives regardless off it. See, e.g., Thomas Hale, “China’s Anxious Parents Turn to Tutoring Black Market after Xi Jinping’s Crackdown,” *Financial Times*, June 23, 2023, <https://www.ft.com/content/a23cdb7b-8bda-402a-af4e-04f06f93e264>.

<sup>91</sup> See, e.g., measures by the MoE: 校外培训行政处罚暂行办法 (Interim Measures for Administrative Punishments for Off-Campus Tutoring) (2023).

<sup>92</sup> 中共中央办公厅 国务院办公厅印发《关于进一步减轻义务教育阶段学生作业负担和校外培训负担的意见》 (The General Office of the CCP CC and the General Office of the SC issued the “Opinions on Further Reducing the Burden of Homework and Off-Campus Tutoring for Students in Compulsory Education”) (2021).

<sup>93</sup> China Daily, “‘双减’工作专门协调机制办：64 人纳入地方校外培训从业人员黑名单” [Bureau of the Special Coordination Mechanism for ‘Double Reduction’ Work: 64 People Included in Local OTI Employees Blacklists], March 4, 2022, <https://cn.chinadaily.com.cn/a/202203/04/WS6221d814a3107be497a092ea.html>.

<sup>94</sup> 教育部办公厅关于印发《中小学生校外培训材料管理办法 (试行)》的通知 (Notice of the General Office of the Ministry of Education on the Issuance of the Measures for the Administration of Extracurricular Tutoring Materials for Primary and Secondary School Students (Trial Implementation)) (2021).

<sup>95</sup> Note: Trauth-Goik has also pointed at a local overlapping of two projects: SCS and National Civilized Cities Award (Alexander Trauth-Goik, “Civilized Cities or Social Credit? Overlap and Tension between Emergent Governance Infrastructures in China,” *Global Media and China* 8, no. 3 (2023): 305–326.).

<sup>96</sup> See Credit China, “校外培训机构从业人员‘黑名单’将建立” [OTI Employees Blacklist Will Be Established], September 23, 2021, <http://credit.dongying.gov.cn/312/113006.html>.

<sup>97</sup> 国务院关于印发社会信用体系建设规划纲要(2014—2020年)的通知 (Notice of the State Council on Issuing Planning Outline for the Construction of a Social Credit System (2014—2020)) (2014).

<sup>98</sup> Wen-Hsuan Tsai, Hsin-Hsien Wang, and Ruihua Lin, “Hobbling Big Brother: Top-Level Design and Local Discretion in China’s Social Credit System,” *The China Journal* 86 (2021): 1–20.

<sup>99</sup> See Gu Ting, “Nanjing University Suspends Lecturer after Comments about Imported Food, US Guns,” *Radio Free Asia*, March 10, 2023, <https://www.rfa.org/english/news/china/lecturer-03102023105143.html>.

<sup>100</sup> See, e.g., 国国务院办公厅关于加强个人诚信体系建设的指导意见 (Guiding Opinion of the SC GO on Strengthening the Construction of Personal Trustworthiness System) (2016).

<sup>101</sup> 国家发展改革委办公厅关于开展失信约束措施清理规范工作的通知 (Notice of the NDRC GO on Sorting out and Standardization of Punitive Measures for Breaking Trust) (2021).

<sup>102</sup> For the full list of subjects see 关于在一定期限内适当限制特定严重失信人乘坐火车 推动社会信用体系建设的意见 (Opinions on Appropriately Restricting Certain Seriously Untrustworthy Persons from Traveling by Trains for a Certain Period of Time to Promote the Development of a Social Credit System) (2018), chapter 1, point 1; 关于在一定期限内适当限制特定严重失信人乘坐民用航空器 推动社会信用体系建设的意见 (Opinions on Appropriately Restricting Certain Seriously Untrustworthy Persons from Traveling by Civil Aircrafts for a Certain Period of Time to Promote the Development of a Social Credit System) (2018), chapter 1, point 1.

<sup>103</sup> 关于在一定期限内适当限制特定严重失信人乘坐民用航空器 推动社会信用体系建设的意见 (Opinions on Appropriately Restricting Certain Seriously Untrustworthy Persons from Traveling by Civil Aircrafts for a Certain Period of Time to Promote the Development of a Social Credit System) (2018), chapter 1, point 1.

<sup>104</sup> For the full list of subjects see 关于在一定期限内适当限制特定严重失信人乘坐火车 推动社会信用体系建设的意见 (Opinions on Appropriately Restricting Certain Seriously Untrustworthy Persons from Taking Trains for a Certain Period of Time to Promote the Development of a Social Credit System) (2018), chapter 1, point 2; 关于在一定期限内适当限制特定严重失信人乘坐民用航空器 推动社会信用体系建设的意见 (Opinions on Appropriately Restricting Certain Seriously Untrustworthy Persons from Traveling by Civil Aircrafts for a Certain Period of Time to Promote the Development of a Social Credit System) (2018), chapter 1, point 2.

<sup>105</sup> A civil aviation authority operating under the Ministry of Transport.

<sup>106</sup> A state-owned company that operates both passenger and freight transport in the PRC and participates in SCS construction.

<sup>107</sup> 关于在一定期限内适当限制特定严重失信人乘坐火车 推动社会信用体系建设的意见 (Opinions on Appropriately Restricting Certain Seriously Untrustworthy Persons from Taking Trains for a Certain Period of Time to Promote the Development of a Social Credit System) (2018); 关于在一定期限内适当限制特定严重失信人乘坐民用航空器 推动社会信用体系建设的意见 (Opinions on Appropriately Restricting Certain Seriously Untrustworthy Persons from Traveling by Civil Aircrafts for a Certain Period of Time to Promote the Development of a Social Credit System) (2018).

<sup>108</sup>最高人民法院关于公布失信被执行人名单信息的若干规定 (Several Provisions of the Supreme People's Court on Publishing List of Persons Subject to Enforcement) (2017).

<sup>109</sup> Severin Engelmann, Mo Chen, Lorenz Dang, and Jens Grossklags, “Blacklists and Redlists in the Chinese Social Credit System: Diversity, Flexibility, and Comprehensiveness,” in *AIES '21: Proceedings of the 2021 AAAI/ACM Conference on AI, Ethics, and Society* (New York: Association for Computing Machinery, 2021), 78–88.

<sup>110</sup> National Public Credit Information Center, “2019 年 8 月新增失信联合惩戒对象公示及说明.”

<sup>111</sup> For the MoU introducing the joint punishment see 关于对失信被执行人实施联合惩戒的合作备忘录 (Memorandum of Understanding on Joint Punishments Against Untrustworthy Persons Subject to Enforcement) (2016).

<sup>112</sup> Yang Guangbin, “Decentralization and Central-Local Relations in Reform-Era China,” in *China's Political Development: Chinese and American Perspectives*, ed. Kenneth Lieberthal, Cheng Li, and Yu Keping (Washington, DC: Brookings Institution Press, 2014), 259.

## **CHAPTER FIVE.**

### **Local proliferation of the haziness: how localities distort the central guidelines for SCS construction**

The intricacies related to the shape and operations of the SCS seen at the central level constitute the tip of an iceberg. The solutions introduced at a lower level of administration are additionally affected by the fact that local agents respond both before their higher-level counterparts and before the local government. The interests, therefore, multiply. Moreover, they are related not solely to factors such as the inherent logic of particular areas of governance, but also to local circumstances.

This chapter further explores the hazy scope of the SCS (to further inform the answer to MRQ2). Due to the difficulties inherent in taking into account local circumstances and interests, as already emphasized in previous chapters, the discussion in this chapter is primarily focused on the compliance of the local SCS solutions with the central guidelines. Some of the locally-specific SCS solutions are fully compliant with central guidelines or with the core SCS assumption. Others are more innovative and often diverge from the assumption. Overall, the analysis of the accessed documents revealed that the various local solutions may be classified into several types in accordance with their level of innovativeness and with their compliance with the general guidelines. This division is mirrored in the sections of this chapter. The content of the sections offers characteristics of the given types of solutions and presentations of particular solutions that picture them. All of the discussed solutions reveal the complexity and difficulties in the implementation of a project that involves the work of dozens of state organs at various levels of administration throughout the country.

The chapter is divided into two main sections, further divided into subsections. The first one discusses local solutions that are compliant with general central guidelines. It covers both the top-down implementation of centrally designed mechanisms, as well as locally developed solutions that do not diverge from the central directives, which includes a brief discussion on rewards. The second section focuses on trustworthiness-related, locally-developed solutions diverging from standard mechanisms or non-compliant with central guidelines. Apart from discussing local blacklists, it also covers findings related to the public-private cooperation in local SCS construction.

The analysis of local documents was intended to focus on control and censorship practices (to address MRQ1 and DRQs 1-3). While this chapter tackles these issues, it does not

foreground them. This is because the analysis has revealed, similarly to the central level, that the SCS solutions are little preoccupied with such efforts. This notwithstanding, the chapter primarily focuses on solutions targeted at individuals in order to reveal the potential impact the local SCS solutions might have on individuals. At times, the covered solutions are designed for other entities, such as social organizations or educational institutions, that are highly controlled by the PRC regime.

## **1. Local SCS solutions with a limited level of innovativeness: top-down mechanisms and local solutions compliant with general central guidelines**

General guidelines for SCS construction are often published in a top-down manner, at several levels of administration – central, provincial, municipal, or even district. This applies to outlines for SCS construction, and similar policy documents, e.g., for the construction of the governmental trustworthiness system and the personal trustworthiness system,<sup>1</sup> or the establishment of the joint punishment scheme.<sup>2</sup> The contents of analogous documents at various levels correspond to each other to a considerable extent. They usually repeat the higher-level content and types of solutions.<sup>3</sup> These include general ideas, such as offering the so-called ‘green channels’ to individuals who had no bad credit record for three consecutive years,<sup>4</sup> or more specific solutions, such as including particular trust-breaking entities as objects of key supervision.<sup>5</sup> The local documents often seem to be regularly updated, which is not always the case with the central ones.<sup>6</sup> Apart from repeating the general ideas or specific solutions, the local documents often mention specific solutions that are to be implemented or trialed locally that are in line with the general guidelines but were not as defined at the central level. These are all discussed in the next two subsections.

### ***1.1. Top-down SCS solutions***

The centrally standardized punishments discussed in Chapter Four should be enforced by local counterparts of the relevant central agents in a top-down manner.<sup>7</sup> Such a top-down pattern is, indeed, seen in the local introduction of the punishments mentioned in the CPL. These include blacklists, such as the blacklist of seriously untrustworthy entities in the cultural market<sup>8</sup> and the Blacklist of Off-Campus Tutoring Institutions (the institutions, not teachers, as mentioned in Chapter Four).<sup>9</sup> The legal or policy bases for the CPL sanctions are documents, laws, and regulations of a national reach. Localities often issue their own documents that reiterate these central provisions. For instance, local measures for credit management of science and

technology in Lishui mention the need to impose joint punishments on those who seriously break trust in the area of scientific research by resorting to bribes or fraud to obtain grant projects, plagiarizing the work of others, infringing intellectual property rights, violating provisions of grant project management, leaking relevant secrets and violating financial discipline or other laws.<sup>10</sup> This is also in line with the content of the relevant central-level Memorandum of Understanding (MoU).<sup>11</sup> Overall, MoUs issued by top-level organs are often mirrored in analogous Memoranda signed locally.<sup>12</sup> For instance, the MoUs listed by Shenzhen on its Credit website include those targeted at serious trust-breaking subjects in areas such as work safety, insurance, government procurement, or wages of migrant workers.<sup>13</sup>

The top-down SCS sanctions are, as discussed in Chapter Four, not considerably preoccupied with individuals or aspects of authoritarian control and censorship. The above-referenced MoUs and other sanctions for individuals consider mostly legally-designated representatives and senior managers in particular sectors. The top-down SCS solution for individuals that is possibly most efficiently and broadly enforced is the Defaulters' List. It was first established by the Supreme People's Court and is being implemented by lower-level people's courts.<sup>14</sup> The joint punishment scheme for defaulters is repeated in a top-down manner. However, at times, localities slightly change the data disclosure procedures, adding different channels for announcing who the defaulters are, as described by other scholars and presented in Chapter Two.

Apart from such minor alterations, the top-down solutions do not introduce novelty to the centrally designed ideas. They do not experiment with aspects such as assessing or sanctioning new types of behaviors. For instance, the mentioned Blacklist of Off-Campus Tutoring Institutions in Lishui includes OTIs that were considered seriously untrustworthy during an annual inspection. If, in the course of the inspection, an OTI obtains a 'not up to standard' (不合格) grade, its operations may be suspended or – if the circumstances are serious – its license may be revoked.<sup>15</sup> License revocation takes place along with blacklisting and results in the ban of the owner from reapplying to run a school for a period of five years.<sup>16</sup> Among the ten circumstances that lead to the assigning of this negative grade are violating the Party's and national educational policies, violating education laws and regulations, and creating a serious negative influence, or seriously harming the lawful rights and interests of staff or students. Other circumstances are related to various issues related to taxation, management, or business permits.<sup>17</sup> This solution was mentioned in the central CPL and briefly commented on in Chapter Four.

Some of the top-down solutions that are operable, such as the Defaulters' List, support the core SCS assumption. However, some other solutions introduced in policy documents at different levels of administration seem not to have been introduced at all. This also concerns the most contentious ideas related to individuals and enforcing legal provisions with the potential to increase authoritarian control. The next subsection discusses the top-down solutions that could potentially strengthen the regime's capabilities to limit personal freedoms or increase control.

#### *1.1.1. Top-down local solutions with the potential to affect personal freedoms or increase authoritarian control*

In general terms, joint punishments for serious untrustworthiness should be imposed on to those who 'seriously' jeopardize people's health and life safety (e.g., in the areas of food and drugs, environment, engineering quality), 'seriously' harm fair market competition, market order and normal social order (e.g., violation of intellectual property rights), or 'seriously' infringe the cyberspace order by information dissemination or social order (by gathering crowds), who refuse to fulfil legal obligations and by this seriously influence the public credibility of judicial and administrative organs (i.e., failing to perform obligations as ordered by judicial or administrative organs despite having the ability to do so), refuse to fulfil national defense obligations (e.g., evasion of military service), and who perform other actions that seriously violated laws and broke trust.<sup>18</sup> The latter condition leaves space for numerous other circumstances and future developments. This was already mentioned in Chapter Four and applies to localities as well.

The lack of execution of joint punishments for disrupting the cyberspace order at any level of administration (via the Internet Credit Blacklist) was already discussed. The introduction of joint punishments for the disruption of social order by gathering crowds – mentioned in policy documents at different levels of administration and briefly discussed in Chapter Four – has not been further specified in any accessed local documents either. At the same time, the top-down mechanisms include joint punishment solutions that fall into the other of the abovementioned categories. For instance, the Defaulters' List is the means for the imposition of sanctions on those who 'fail to perform obligations as ordered by judicial or administrative organs despite having the ability to do so'.

It appears that the most contentious solutions in terms of control and limiting individual freedoms have not materialized within the SCS, despite their existence within the planning documents. While the PRC has a long tradition of dealing with protesters or 'misbehaving'

citizens, transferring relevant tasks to the SCS might turn out counterproductive and defy the logic of censorship and control in China. Using the SCS for these purposes could lead to a greater transparency of Beijing's activities towards potential dissidents and be against the logic of control in China, as was already discussed with the example of the Internet Credit Blacklist. This may be one of the reasons why the SCS solutions designed and planned for a top-down implementation failed to be introduced.

Another approach seems to have been followed in the case of social organizations. Namely, among top-down SCS solutions that may affect freedoms – e.g., of expression – of entire groups of individuals are those preoccupied with social organizations. For instance, Shenzhen's Civil Affairs Department was running an abnormal activity list (活动异常名录) for social organizations.<sup>19</sup> The list resembles more of a warning list than a blacklist. An analogous list was found in a central document that introduces both a blacklist and an abnormal activities list for social organizations.

The abnormal activities include failing to submit an annual report or participate in an annual inspection,<sup>20</sup> concealing the real situation of the social organization, or the inability to reach the registered headquarters. No direct mentions of activities defying the Party line are made, which was the case for OTIs. Thus, SCS solutions targeted at social organizations do not necessarily intensify the control over their activities. This is despite the fact that intensified efforts to contain the undesired activities of social organizations have been observed under Xi. For instance, CCP committees are being established in Chinese NGOs to oversee their actions and limit possibilities for cooperation with foreign NGOs.<sup>21</sup> Additionally, the Law of the Management of Foreign Nongovernmental Organizations, issued in 2017, requires foreign NGOs to be registered with the MoPS.<sup>22</sup> Moreover, various documents not related to the SCS continue to highlight the need to adjust the approach to social organizations. For instance, the Five-Year Plan for the construction of the rule of law in China (2020-2025) required the writing of the CCP leadership into relevant regulations and documents related to the work of social organizations.<sup>23</sup>

As for consequences of being considered untrustworthy, according to the Shenzhen document, the list is an important reference for the municipal Civil Affairs Department while providing financial support, rank evaluations (等级评估<sup>24</sup>), or giving honorary titles. The relevant organization may not be commissioned by the government to perform some services on its behalf.<sup>25</sup> Additionally, other departments may make the directory an important reference point in their work as well. The legally-designated representatives and major responsible

personnel are also noted in the municipal Social Organizations Credit Information Publishing Platform.

The ‘abnormal activities’ seem not to fall within the scope of ‘serious trust-breaking’. While being in the abnormal activity list triggers some limitations, also for the organization’s legal representatives and managing personnel, it is challenging to determine the extent to which this sanction serves the core SCS assumption. More resembling a warning list, it is highly unlikely to trigger the joint punishment scheme. However, the relevant data on untrustworthy behavior, including data on natural persons, should be shared via the Social Organizations Credit Information Disclosure Platform (社会组织信用信息公示平), which might ultimately trigger some reputational sanctions. The Shenzhen document clarified that the list was to promote the trustworthiness and self-discipline of social organizations, as well as strengthen credit punishments.

The document that introduced the abnormal activity list was valid for a period of five years. The attempts to find its precise issuance date were to no avail, and likely, this document is no longer in force. While the ability to confirm the existence of this abnormal activity list is limited, according to a more recent document, Shenzhen runs a blacklist for seriously untrustworthy social organizations. It resembles a top-down implementation as instructed by the CPL (the blacklist for social organization appears in all CPL editions). However, its Shenzhen counterpart applies to social organizations of a specific profile.<sup>26</sup> Overall, the doubts related to the abnormal list and the altered scope of the local-level blacklist reveal that even the top-down mechanisms are not implemented in an uninterrupted and smooth manner. Such conclusions taken on the basis of the content of documents seem to be confirmed in reality. Dirks and Fu have found that the Civil Affairs departments continue to treat this sanction of blacklisting social organizations – and related consequences – flexibly.<sup>27</sup> For instance, not all blacklisted organizations are publicly disclosed. In their actions, the authorities act in accordance with their regular logic of flexible control.

The flexible implementation of some solutions limits the ability to determine the precise, real-life impact of the SCS on particular entities or areas of governance. Another problem related to examining the SCS is the inability to compile a full directory of solutions, even those implemented in a top-down manner.

### *1.1.2. A complete directory of top-down solutions?*

Despite the clear examples of a top-down implementation of some SCS elements, it seems unfeasible to compile a complete inventory of them, even for one locality. Creating a full list of elements falling under one type of solutions, such as blacklists, is similarly challenging. As discussed in Chapter Four, the blacklists that appear in documents issued by central organs may be included in the CPL, may fall outside its scope, or even be non-operational. Even if present in the CPL, some solutions are not necessarily established locally. Additionally, as will be shown, many local SCS elements do not appear centrally.<sup>28</sup> Moreover, it must be expected that the publicly available documents that introduce SCS elements constitute solely a part of all relevant materials. Many elements may possibly remain hidden from the observers' view, and many of those mentioned in the available materials may remain non-operable. Finally, some solutions were introduced by documents that have already expired, and their fate is unknown. Due to all these reasons, seamlessly linking all SCS mechanisms (or some of their types) at different levels of administration (or even in one locality) appears to be an unfeasible task.

In order to characterize the top-down SCS elements in the most comprehensive manner possible, it must be noted that, apart from, e.g., specific sanctions discussed above, some other general functions of the SCS are introduced in a top-down manner as well. For instance, interested subjects may obtain a comprehensive public credit information report (公共信用信息报告). Such reports may be provided by the Credit China website and local credit websites. They have a standardized format<sup>29</sup> and include various types of PCI, including information on administrative punishments, other punishments for breaking trust, rewards for trustworthy behavior, various types of qualifications, and licenses. This notwithstanding, localities may include any other type of credit information that they possess. Based on the information, the report presents an analysis of the subject's credit situation. Additionally, the reports contain suggestions on how to improve one's credit.<sup>30</sup>

Overall, there are various manners of consulting credit information, either by the subject in question or by a third party. As it was already mentioned, various types of state and non-state organs are encouraged to consult credit information in the course of their work and interaction with natural and legal persons. This may be done by verifying blacklists or other credit-related information. Unfavorable credit information may encourage various entities to impose non-standardized sanctions, as was already discussed. Favorable credit information, on the contrary, may be used as a basis for offering rewards. Again, even though implemented top-down, the operability of credit inquiries and dedicated credit services websites differs among localities,

making it challenging to unequivocally state that these operate in a particular manner nationwide.<sup>31</sup>

Even though there is no central list of standardized SCS rewards (contrary to some initial plans<sup>32</sup>), central authorities order their implementation and present the general rules. For instance, the general solutions include offering the so-called ‘green channels’ for the trustworthy, i.e., giving chosen subjects with good credit records preferential treatment in public services. This idea was mentioned, among other materials, in a document<sup>33</sup> that predates the 2014 Outline but speaks of SCS construction and using credit records and credit reports in administrative management matters. Local documents issued throughout the years implement the ‘green channels’. However, they may be more specific or have a different approach to what areas of public services should offer such preferable treatment. In Kunshan, for instance, these include public transportation, public bike rentals, borrowing books, education, obtaining employment, housing, health insurance, and even yearly inspection of vehicles.<sup>34</sup> Localities, however, are given latitude in terms of how to implement the channels. For instance, there exist local inhabitants’ cards or point-based scores, described in Chapter Six. Some other localities mentioned the establishment of a system for linking credit ranks (信用等级) with the joint reward and punishment measures.<sup>35</sup> As such, these are solutions that are compliant with central guidelines but are developed in a detailed manner locally. These are discussed in the next section.

## ***1.2. Locally-designed solutions compliant with central guidelines***

Contrary to more innovative local mechanisms discussed later, some SCS solutions are fully compliant with central guidelines. They do not, however, belong to the standardized SCS scope and are not introduced in a top-down manner. This is especially applicable to locally implemented rewards. For instance, central documents announce the need to introduce redlists for the most ‘trustworthy’ individuals,<sup>36</sup> but fail to standardize them, as happened with the blacklists. As a result, numerous types of redlists appear locally that were not mentioned in the accessed central documents.

Most of the red and blacklists found in the analyzed materials focused on market entities and were less preoccupied with individuals.<sup>37</sup> This notwithstanding, various types of redlists for natural persons were found in the accessed local materials. Overall, the local redlists cover various areas and entities and include, among other lists, the Redlist for Trustworthy Youth in Lishui<sup>38</sup> or a Redlist for outstanding performance in epidemic prevention and control

introduced in Kunshan during the COVID-19 pandemic.<sup>39</sup> Other examples of redlists for natural persons include A-class taxpayers<sup>40</sup> or blood donors.<sup>41</sup>

Redlists for legal persons sometimes appear in tandem with a corresponding blacklist.<sup>42</sup> While the blacklists may be centrally standardized in the CPL, it is the localities that add their ‘red’ counterparts. Such lists include, for instance, lists of enterprises with good/bad product quality,<sup>43</sup> or lists for work units that (dis)respect workers’ right,<sup>44</sup> lists for units engaged in the production of food, food additives and food-related products,<sup>45</sup> as well as lists for medical institutions,<sup>46</sup> lists the transportation sector,<sup>47</sup> or for business entities operating in the cultural market.<sup>48</sup>

The local documents often offer detailed descriptions of the blacklisting and redlisting processes. Possible causes of blacklisting that reappear in documents include: a) particular deeds that violate regulations, such as arrears in payments made for workers,<sup>49</sup> b) a cumulation of administrative punishments (such as several fines), or c) the ultimate administrative punishment of license revocation,<sup>50</sup> as well as d) obtaining a low credit grade, such as the D grade.<sup>51</sup> The central-level documents named as legal bases in the Central Punishment List tend to provide fewer circumstances leading to blacklisting and are limited to, for instance, license revocation. Centrally-issued MoUs may add additional circumstances, such as engaging in business activities of one’s own accord, causing serious accidents, or negative social impact.<sup>52</sup>

Many of the lists are created by a responsible bureau (local branch of a particular ministry). In some cases, a different process appears in the legal provisions. For instance, when serious violations of content regulations appear, local departments are obliged to promptly submit relevant data on untrustworthy behaviors of individuals to central ministries. This applies to, among others, those who perform prohibited content and cause serious social harm, actors sanctioned by public security organs, or those who were found guilty of a criminal felony of drug use. This is the case for, e.g., the cultural market in Shenzhen.<sup>53</sup>

Redlisting and blacklisting appear as a part of an entire ‘trustworthiness management’ (诚信管理) system developed in a given area of governance. The concept of trustworthiness management system appears in the central documents, including the 2014 Outline.<sup>54</sup> The detailed management solutions are often developed locally. For instance, a trustworthiness management system exists in the area of scientific research in Shenzhen, where personnel running or participating in local scientific projects are supervised within such a trustworthiness system and sign a trustworthiness commitment letter before starting a scientific project. Trust-breaking behaviors – such as plagiarism, endangering national security, harming the public

interests, or violating relevant provisions on the confidentiality of state science and technology activities – are recorded and adequate punitive measures are implemented against such subjects (personnel or units, depending on the type of trust-breaking behavior) and may even include the ban on applying for scientific projects for some time or forever. Overall, having a good trustworthiness situation is a necessary requirement for passing the review for a municipal science and research project. For those with good credit, incentives are implemented, such as increased autonomy in project management or reduced frequency of supervision.<sup>55</sup>

The CPL clearly stipulates that localities have the right to propose their own unique sanctions in accordance with relevant local documents.<sup>56</sup> This does take place and is mirrored in, among other solutions, various blacklists that did not appear in the CPL but appeared in local documents. For instance, one district in Shenzhen planned – with an unknown outcome – the establishment of a blacklist for those who fraudulently obtained access to affordable housing.<sup>57</sup> Lishui introduced the blacklist system for printing companies, which may be triggered upon publishing content prohibited by the state.<sup>58</sup> It does not have its CPL counterpart, but the CPL includes a similar list that more broadly covers the cultural market. As blacklists may be publicly disclosed and may be a means for the introduction of joint punishments, such local solutions comply with the central guidelines and may fully comply with the core SCS assumption.

Local punishments other than blacklists also go beyond the standardized CPL scope, but are compliant with the general guidelines, such as the 2014 Outline. Such solutions include, for instance, canceling the declaration of qualifications of professional and technical personnel working in enterprises and public institutions in Lishui. This sanction is applied as a result of fraud in the declaration of personal qualifications. It is followed by making a record in an individual's credit dossier.<sup>59</sup> Another sanction for individuals includes the ban on participating in assessments of scientific project applications. It is imposed on members of the jury group who resort to favoritism, fraud, or other illegal actions in the assessment process. The untrustworthy behavior is further recorded in their credit dossier.<sup>60</sup> This solution is in line with the central directive to nurture trustworthiness in the area of science and in academia, as well as respond to misconduct in the area.<sup>61</sup> The particular idea for sanctioning untrustworthy jury members, however, did not appear in the accessed central documents.

Such punishments, linked to the SCS via records in relevant credit dossiers, generally do not defy central directives. The lack of divergence from the central directives itself, however, does not mean that these solutions serve the core SCS assumption. If the records are made public – which is not a universal rule – they may trigger reputational sanctions and support the

core assumption. However, the failure to disclose the relevant information deprives the solutions of this function. This shows how the local solutions may be designed in line with the general guidelines but fail to truly serve the SCS assumption.

A similar development of general central directives is observed in the plan for the implementation of a trustworthiness system among Party cadres in Shenzhen's Longgang district. It mentions the need to establish a four-element (四个一; literal translation: 'four ones') trustworthiness system for Party members and cadres. This system includes one trustworthiness handbook, one trustworthiness dossier, one trustworthiness database, and one reward and punishment mechanism.<sup>62</sup> Another district-level document called for the establishment of a district-level civil servant's trustworthiness dossier database, and later expanding the database to an HR management system in various areas, including education, healthcare, and public security.<sup>63</sup> This is likely due to the fact that many workers in the sectors are Party members and, as such, constitute Party cadres. None of the accessed documents spoke of the progress in implementing the plan.

It is likely that the progress in implementing SCS solutions targeted at Party cadres will be additionally hampered due to a general atmosphere around the establishment of a trustworthiness system in the government affairs sector. Officials are offered a different treatment already by the central level documents. For instance, a general document issued by the State Council in 2016 stipulates that if, following a trust-breaking behaviour, an official redeems the damage on their own initiative, eliminates the unfavourable effect of the behaviour, or limits the harmful result, they can be treated with leniency or avoid the implementation of any punitive measures whatsoever.<sup>64</sup>

### ***1.3. The contribution of top-down solutions and local ideas complying with central directives to China's governance and the core SCS assumption***

Overall, both types of the above-discussed solutions are rather limited in terms of introducing novelty to different areas of governance. Instead, they tend to support the existing logic of various governance segments (see, e.g., the case of social organizations). Their potential to punish new categories of behaviors or to intensify control and limit personal freedoms is similar to the cases discussed in the previous chapter. This stems from the resemblance of these local solutions to the central ones and the links between them. Also similarly to the findings from Chapter Four, some chosen solutions may be related to authoritarian control. For instance, the term 'harming the public interests' in the area of research likely covers a vast range of politically

sensitive issues and may limit freedom of research. This supports the preexisting logic of the area. This notwithstanding, the analysis of the documents revealed a limited number of solutions that may support the regime's censorship and control efforts.

Both the top-down mechanisms and the local mechanisms that are compliant with more general central guidelines may support the core SCS assumption. However, the sole fact of being compliant with higher-level documents does not guarantee that the local solutions will raise the cost of violating legal provisions by implementing harsher, joint or reputational sanctions. Overall, the solutions discussed among the analyzed materials suggest several possible outcomes of the local organs' implementation of centrally designed SCS elements and the design of solutions that are compliant with central guidelines. These outcomes are listed below for the sake of clarity. The list was created in relation to the solutions' links to the core SCS assumption and level of innovativeness:

- 1) The realization of the core SCS assumption by executing centrally-designed solutions (e.g., local-level Defaulters' Lists);
- 2) Lack of local execution of centrally-designed solutions (e.g., the Internet Credit Blacklist);
- 3) Lack of local developments of general central-level plans (e.g., joint punishments for illegally gathering crowds);
- 4) Potential partial realization of the core SCS assumption (e.g., the abnormal activities list);
- 5) The realization of the core SCS assumption by proposing solutions that are not a part of the standardized SCS scope (e.g., of the CPL) but could be because of their form (e.g., the blacklists existing solely in particular localities);
- 6) Using 'trustworthiness management' for internal purposes in particular areas of governance and in line with general provisions of central planning documents, without resorting to reputational and joint sanctions (e.g., the trustworthiness system for scientific projects);
- 7) Unknown compliance with the core SCS assumption (e.g., some local blacklist may exist but not be publicly disclosed due to the lack of legal provisions allowing for it, thus halting the reputational sanctions; a blacklist may exist, but in the absence of a proper local MoU or an operable local data-sharing platform between departments, the joint punishments are not imposed);

- 8) Not realizing the core SCS assumption because of a preferential treatment of a particular group covered by the SCS scope (e.g., Party cadres);
- 9) Moving away from the core SCS assumption by placing greater emphasis on incentives and rewards than on punishments, contrary to what is observed at the central level (e.g., locally-developed redlists and green channels).

The last outcome is not necessarily against Beijing's plans. The idea of rewarding trustworthiness appears in central-level documents, and the details are to be developed locally. The lack of central detailing of the rewarding mechanisms does not necessarily mirror Beijing's reluctance to reward trustworthiness. It rather stems from the fact that standardization might be considered more essential in the case of the more contentious SCS solutions, i.e., sanctions, and flexibility might be seen as advantageous in the case of rewards. At the same time, discretion in designing local reward schemes within the SCS may have been among the factors affecting the creation of solutions that sneak out of the regular SCS framework. Such local solutions diverging from or non-compliant with central guidelines are discussed in the next section.

## **2. Trustworthiness-related, locally-developed solutions diverging from standard mechanisms or non-compliant with central guidelines**

Apart from implementing top-down solutions or offering developments and specifications of more general central ideas, localities use their discretion created by the general nature of central SCS documents to create various mechanisms. They often deliver solutions that are somehow related to the notion of 'trustworthiness' and are found in the SCS-related documents published online by local Credit China websites, but seem to have a limited or unspecified link with the entire SCS, or do not realize the central-level assumptions. Compared to the standardized, legally embedded solutions, they may be characterized by a higher level of innovativeness.

The three local SCS projects chosen for analysis in this study were praised by Beijing for their trustworthiness-related solutions for natural persons. This section discusses solutions found in the accessed documents that are related to individuals. Again, the main focus was on solutions that could support censorship and control efforts or further limit individual freedoms. Similarly to the general trend of the study, such solutions were scarce. The next subsection discusses the solution targeted at ideologically-flawed teachers in Shenzhen. It is followed by a discussion on the signs of private-public cooperation developed locally. The link between the two sectors was examined due to the fact that the private sector holds considerable amounts of data on natural persons, often from the private sphere of life. The engagement of private entities

in the SCS development could, therefore, potentially broaden the scope of the SCS in terms of monitoring individuals' behaviors in private life.

## ***2.1. Implementing the ‘spirit’ of central documents with loose relation to trustworthiness: The case of ideologically-flawed teachers in Shenzhen***

A very local (district-level) document reported among SCS-related regulations and policies, despite its seemingly loose connection to the SCS, established a solution related to control and upholding the country's ideological unity. The solution is preoccupied with assessing teachers' morality and ethics. It determines the red line (红线) and announces zero tolerance (零容忍) for certain types of behavior. As such, it closely follows the nationwide style of handling 'misbehaviors' in the area of education.

In China, 'zero tolerance' implies that harsh consequences, regardless of the circumstances, will be taken against those who break rules. The term is often used in areas where dissent is not tolerated. These may include not solely education but also other sectors. The term was used broadly during the COVID-19 pandemic to signify the rigid nature of restrictions. Zero tolerance policy is also used in reference to a plethora of actions targeted against three evils (terrorism, separatism, and extremism) in the Xinjiang Uyghur Autonomous Region. 'Red lines' signify boundaries for behaviors in particular sectors. Crossing a red line would usually trigger serious consequences as stipulated in official documents published in various areas of governance. Red lines are typically related in some way to the CCP and the Chinese regime and appear in political spheres, referring to issues such as ideology, legitimacy, stability, or national security. Red lines also embrace aspects more loosely related to ideology, yet within some important areas of governance. The said red line of teachers' behaviors includes, for instance, private tutoring activities, corporal punishment for students, or the amount of schoolwork put on students.<sup>65</sup>

Per the document published by Shenzhen's Dapeng district, the proposed solution does not aim to implement the spirit of the SCS, as many other SCS documents do. The goal is rather to implement the spirit of a central document related to teachers' ethics and morality<sup>66</sup> and its municipal counterpart. The 'implementation of the spirit' regularly appears in Chinese documents to signify the devotion to act in line with general ideas and values rather than directly implementing particular or detailed solutions as ordered by higher-level organs. As such, it may be characterized by a greater discretion when compared to a top-down implementation of more specified mechanisms.

The Dapeng district was to implement a dossier system for teachers, as well as grey and blacklists for teachers who disobey the ethics. The disobedience could take forms of individualism, hedonism, ‘confused’ political beliefs, and values that are impacted by Western political ideology.<sup>67</sup> Particular forbidden behaviors named in the document include having a seriously degenerate lifestyle, disseminating opinions on public affairs that harm the country’s reputation, as well as organizing or participating in assemblies, marches, and demonstrations. The forbidden behaviors are not limited to the issues of ideology, control, and censorship. They also include accepting bribes, using corporal punishment on students, not being able to ensure students’ safety, or insulting them.

This local blacklist for the disobedient teachers shares several similarities with the previously discussed centrally-designed OTI Employees’ Blacklist. First, the mechanism follows the underlying logic of the area of education in China. It does not foreground censorship and control. Instead, it combines all of the behaviors considered unethical – or untrustworthy – by the central MoE. Second, the evaluation of teachers’ ethics is a part of an annual school assessment process. The assessment of teachers is carried out by a special working group composed of relevant personnel, including those in charge of the teaching staff, teacher representatives, and representatives of parental committees. In the next step, a proper leading small group (领导小组)<sup>68</sup> for the work of establishing teachers’ dossiers should review and approve the annual teachers’ ethics grades.<sup>69</sup> As specified in another document, the dossier includes four types of norms: political and ideological, professional work, teaching and educating, and being a role model for others.<sup>70</sup> Third, the solution proposed by the Dapeng district as an SCS element does not seem closely – or primarily – related to the SCS. The accessed documents were likely reported as a contribution to the SCS construction to present a devotion to the task. Finally, the solution does not seem to serve the core SCS assumption. Per the reading of the document, the blacklist does not trigger the joint punishment scheme, nor does it cause reputational sanctions.

Contrary to the centrally designed OTI Employees Blacklist, no effects of blacklisting of teachers in Shenzhen are explicitly discussed. What is explicit is that crossing the red line, i.e., performing any of the forbidden behaviors, results in assigning a ‘not up to standard’ annual grade. As a result, teachers should not be promoted, may not participate in excellence contests, and are not eligible for the annual bonus. They must be transferred from a teaching position and participate in special training. If a teacher obtains this grade for two years in a row, their

employment contract is terminated, and their teacher's qualifications are revoked. It likely marks the moment of blacklisting.

The content of the accessed document reveals some features characteristic of the SCS. The results of the mentioned assessment are to trigger not solely punishments, but also rewards. For instance, teachers with outstanding ethical standards should be prioritized in promotions. Stories about such teachers should be shared as exemplary models to create positive propaganda about teachers' ethics. The public disclosure of exemplary models is among the characteristic SCS rewards.<sup>71</sup> Another linking part between this document and the SCS is the fact that among the CPL sanctions, there is a lifelong ban on teaching for serious violations of ethical issues, violating professional conduct norms, harming children, or accepting financial benefits in violation of regulations.<sup>72</sup> This suggests that such a ban on teaching could be a part of a joint punishment scheme.

This notwithstanding, it is challenging to determine which of the discussed elements of the entire assessment process (grading, blacklisting, sanctioning, rewarding, or all) were thought of as a contribution to the SCS. This is because the entire process does not resemble the regular standardized SCS procedure. Moreover, it is not known whether the ideas set out in the document, e.g., blacklisting, are being implemented, which further adds to the haziness of the real SCS scope. The cited document does not introduce minute details on the teachers' assessment process – it solely mentions that these should be further developed and optimized in the future.

Similarly to numerous other documents appearing among SCS-related materials, this one fails to establish a detailed mechanism and rather reveals the devotion to implementing the general spirit of central policy documents. This is natural for this type of document – opinions. More specific documents, e.g., measures, introducing this blacklist were not found in the accessed materials. This, however, is not sufficient proof that the solution has not been implemented, as it must be expected that in the plethora of materials provided by various departments, not all documents are publicly disclosed, and perhaps not all were reported for publication at the local Credit China website.

Overall, if operational, the blacklist in Shenzhen would be another solution within the Chinese regime to deal with ideologically flawed individuals. However, the document follows the logic of the area of education and does not sanction new types of behavior. It also does not reveal the potential to support the core SCS assumption by implementing joint or reputational sanctions. Its belonging to the SCS scope remains unclear. It is not known whether the accessed document was followed by more specific measures. All this adds to the messiness of the SCS

framework. The next local phenomenon that adds to uncertainties related to the framework for SCS construction is the private-public cooperation in some SCS-related solutions.

## ***2.2. Public-private cooperation***

It is challenging to determine the overall extent to which private entities cooperate with the public organs within the scope of SCS. As discussed in Chapter Two, private actors evidently used to be engaged in SCS construction. They were the main actors in 2015, when the short-term trial licenses were offered to them. Later, the state organs took over the role of developing the SCS, especially in the moral aspect of trustworthiness (as opposed to financial integrity). Still, the ideas proposed by state organs require the work of private actors, either to execute sanctions or to provide state organs with necessary data.

For instance, the various consumption-related restrictions, such as the ban on purchasing luxurious goods, cars, real estate, or sending children to private schools, do require that the ban be executed by private entities offering particular goods or services. Private actors are also encouraged to take credit information into consideration in their activities and impose informal sanctions on trust-breakers. This, however, is a part of the network of informal punishments. As for providing data, private entities are obliged by various laws and regulations to provide data to state organs. For instance, as mentioned in Chapter Four, Internet information service providers are the entities responsible for identifying the violations of censorship provisions and providing relevant data to state organs.

Locally, a type of engagement of private entities appeared that differs from the public-private dynamic seen centrally. This was observed in the case of the bike rental industry in Shenzhen. This solution is also another example of a local trustworthiness-related mechanism targeted at individuals that somewhat diverges from centrally appearing mechanisms.

### ***2.2.1. Blacklist in the bike rental industry***

In 2019, Shenzhen published interim measures for credit information management in the Internet bike rental sector. The measures introduced a blacklist (called the ‘trust-breaking list’ 失信名单) for bike users who perform one of three types of behaviors. These are maliciously destroying or stealing a bike, pasting small advertisements on the bikes, as well as being sanctioned by the relevant government department or by a relevant enterprise three or more times within one year for riding or parking in violation of regulations.<sup>73</sup>

The language of the document introducing the blacklist makes a clear link to the SCS, as the notion ‘credit information’ appears in the text regularly, and is even included in the document’s title.<sup>74</sup> Credit information refers to data on both enterprises and users of services offered by them. Data on the enterprises offering bike rental services (as of 2017, there were ten such companies operating in Shenzhen),<sup>75</sup> includes basic information on the legal representatives and major responsible persons of the enterprise, on administrative punishments in effect, being on a blacklist or an ‘abnormal operation’ list, or being subject to joint punishments. Quite typically for the SCS, the relevant organ – the Municipal Transportation Management Bureau – also collects information on the results of inspections and fulfilling commitments. Apart from these standard types of credit information, the collection scope includes data on safety accidents.

As for individuals, the scope of information collection includes not only identity information and phone number, but also information on administrative punishments in effect, including sanctions for bicycle theft, destruction, or pasting advertisements on the bikes, as well as sanctions for illegal riding or parking of the bike in the wrong places. Data on incidents of riding and parking in violation of regulations, which have not been administratively punished – so recorded by state organs – but have been noted and verified by the bike renting company, are included in the scope as well.<sup>76</sup>

The cooperation between the private and public sectors is, therefore, seen in the collection of credit information on individuals who use the services offered by the bike rental enterprises. Thus, in this solution, enterprises have a dual role. On the one hand, they serve as contributors to the SCS and, on the other hand, are among the controlled subjects. The processes of information collection and calculation of a credit situation are performed monthly for both users and enterprises. If, following the processes, it is revealed that an enterprise has performed a seriously trust-breaking behavior, it is blacklisted. The blacklisting rationales do not diverge from regular SCS mechanisms and include, for instance, violations of laws and regulations that cause a serious impact, violations of service commitments, or violations of the requirements of bicycle parking management.<sup>77</sup> The blacklisted enterprise is not banned from operating in the city of Shenzhen. Instead, it is banned from renewing or adding new bicycles, leading to a slow decline of the enterprise during the three-year blacklisting period (unless the blacklisting period is shortened<sup>78</sup>). At the same time, the legally-designated representative of the enterprise may face joint punishments.<sup>79</sup>

Blacklisting of individuals should lead to their inclusion in the personal credit reporting system (个人征信系统). The punishments for untrustworthy individuals should include

limitations on using the services of the bike rental enterprises. The Municipal Transportation Management Bureau does not explicitly order the enterprises to implement specific sanctions on such users. Instead, it solely sends the information on blacklisting through the Government Supervision Platform (政府监管平台) to bike rental enterprises. The enterprises are *encouraged* and *supported* in jointly employing sanctions on the blacklisted individuals, no matter which of the companies recorded a trust-breaking behavior of a particular blacklisted individual. The sanction should take the form of a ban on using the services of the various bike rental enterprises for a period of one year.<sup>80</sup>

In this manner, the state organ proposes a very specific solution but does not explicitly order the private actors to implement it. This could limit the enforcement of the sanctions. However, one of the reasons for including an enterprise on a blacklist in the bike rental sector is violating relevant management provisions and causing serious consequences. A question arises of whether ignoring the state organ's encouragement to ban some clients from using the bike rental services is considered to cause consequences serious enough to blacklist such an enterprise. Moreover, the existence of Party cells in companies limits the likelihood of the enterprises ignoring the suggestions and encouragement of public organs.

Credit information was supposed to be disclosed through the website of a relevant municipal-level bureau responsible for transportation, as well as sent to the Municipal Credit Information Platform. The disclosure period for the blacklist was, typically for the SCS, three years. Searching for the blacklist on the websites of the Municipal Transportation Management Bureau and of the Shenzhen Credit revealed no results. The former website did reveal the results of a point-based assessment of bike rental enterprises in the city, but neither the results nor the legal base for the assessment<sup>81</sup> mentions SCS or SCS-related keywords. Moreover, a search through blacklisted trust-breaking subjects publicized via the Shenzhen Credit website did not lead to the finding of this blacklist.

The sole absence of this blacklist from the official website is not sufficient proof that the ban on misbehaving users of bike rental services imposed jointly by several enterprises is not executed on the basis of the mentioned credit information. However, the cited document is not valid anymore, and no follow-up document was found on the Shenzhen Credit website or via the Baidu search engine. This further questions the existence of the blacklist. However, another document – seemingly in force – generally urges the blacklisting of users who violate rules. The implementation plan for the standardized management and regulation of internet bike rental in Shenzhen – published in 2017 without any mention of its temporality – also urges that

users should be included in the National Unified Credit Information Sharing and Exchange Platform (possibly meaning the NCISP).<sup>82</sup> The document was reshared online by the Shenzhen Justice Bureau (the local branch of the Ministry of Justice) in 2024,<sup>83</sup> which further increases the likelihood of it being in force. This all adds to the haziness of the SCS scope.

The abovementioned implementation plan is not an SCS document. It lists 22 measures aimed to support the management of the bike rental industry in Shenzhen. The strengthening of the users' credit management, including the blacklist management, is solely one of the points. While it is clearly a part of the SCS framework (as it mentions the use of the NCISP), it constitutes a fracture of a broader management system. Among the other 22 measures are, for instance, regulating the bike parking management in public places, accelerating the planning and construction of bicycle lanes, or strengthening enterprise inspections. One of the measures also introduces corporate credit management (企业信用管理). It does not mention blacklisting of untrustworthy companies, but urges recording relevant data in a credit dossier and data upload to the NCISP.<sup>84</sup>

Moreover, the document reinforces the cooperation between the private and the public sector as it explicitly indicates entities responsible for particular measures. In the case of credit management, the leading unit is the Municipal Public Security Traffic Police Bureau (traffic police operating under the local counterpart of MoPS), and the responsible units are the Internet rental bike enterprises.<sup>85</sup>

Overall, the blacklist in the bike rental industry in Shenzhen is an SCS solution that – if operable – could, at first glance, support the core SCS assumption. The measures that introduce it superficially speak of both reputational and joint punishments. However, it diverges from standard centrally-developed solutions in several manners. First, the joint punishment measures refer to sanctioning both legally designated representatives and major persons responsible for untrustworthy bike rental enterprises and the users of their services. Despite using the very same wording (联合惩戒措施), the SCS joint punishment scheme is meant solely for the legally-designated representatives. In the case of individual users, the phrase refers to imposing one sanction (a ban on using bike rental services) jointly by all bike rental enterprises in the city. Individuals other than major representatives of the enterprises, therefore, are not supposed to be sanctioned more heavily in line with the core SCS assumption. Second, the lack of public disclosure of the blacklist disables the imposition of informal, reputational sanctions.

What might prove challenging in the seamless implementation of this mechanism is the unusual dynamic of the public-private cooperation. In general, the centrally-designed SCS

solutions frame private entities not solely as SCS subjects, but also involve some private actors in the implementation of the SCS. This is seen in the imposition of consumption-related restrictions or in the provision of data by Internet service providers. However, in the case of bike rental, the bike rental enterprises are placed in all of the possible roles at the same time. They may be subject to punishment, and are data providers and punishment executioners. As for the latter role, central documents do encourage the private sector to implement its own sanctions on trust-breakers. However, neither the types of enterprises nor the exact punishments are specified in such materials. In Shenzhen, the relevant materials are explicit about what type of companies should impose what type of sanctions. The different roles may induce various conflicts of interest. For instance, an enterprise might be reluctant to punish its customers as suggested by the document, as it might lead to limiting their competitiveness in comparison to similar companies that are less rigorous in implementing the sanction.

Finally, the public-private cooperation in the bike rental industry in Shenzhen was the main example of such cooperation covering individuals found in the research process. No similar examples that could be more invasive, increase authoritarian control, or more comprehensively assess individuals' conduct with the use of vast amounts of data from the private sector were found during the study. This notwithstanding, the analysis of various materials did reveal more comprehensive scoring systems, albeit with a limited input from the private sector. These solutions are covered in the next chapter.

### **3. Concluding remarks**

This chapter analyzed local-level SCS solutions with a focus on their compliance with the central guidelines, which supports the answer to MRQ2. The findings suggest that the development of local SCS mechanisms has taken various forms. These include the direct top-down implementation of central directives, the specification and adaptation of general central guidelines within local contexts, and, in some cases, the creation of original mechanisms with only a loose connection to the idea of 'trustworthiness' or diverging from central intentions. Despite the presence of contentious proposals in planning documents, the most restrictive solutions in terms of control and limitations on individual freedoms have not, in practice, materialized at either the central or local levels, limiting the potential to develop some extraordinary measures targeted against trust-breakers. This further informs answers to MRQ1 and DRQ6. Even top-down solutions are subject to local adaptation, with their enforcement often implemented flexibly, as exemplified by the case of social organizations.

Constructing a comprehensive directory of SCS solutions is unfeasible, even within a single locality, and even for measures introduced through top-down channels. Several factors contribute to this difficulty: the selective online publication of relevant documents, the uncertain operability of some mechanisms, and the possible discontinuation of others once interim measures expire. Interestingly, some localities introduce ‘tandems’ of analogous red- and blacklists, while others develop distinctive redlists for both legal and natural persons.

Some locally developed solutions that comply with central guidelines, such as blacklists not explicitly listed in the Central Punishment List, may reflect the core assumption of the SCS. However, the compliance of local SCS elements with general guidelines is not equal to supporting the core SCS assumption. For example, a ban on serving a particular profession and the recording of relevant trust-breaking behavior in a sectoral dossier may accord with central guidelines. Yet, if these measures are not accompanied by joint or reputational sanctions, their contribution to the SCS remains limited.

Importantly, there exists a limited number of solutions directly supporting Beijing’s censorship and control efforts among the SCS elements that are compliant with the central directives. The locally developed solutions that could bolster censorship, similarly to those at the central level, follow the established logic of their respective governance areas rather than supporting the core SCS assumption. This is exemplified by the blacklist targeting ideologically flawed teachers in Shenzhen.

Overall, the work of local organs related to the implementation of top-down directives or developing solutions consistent with central guidelines produces diverse outcomes, both in terms of the extent to which they support the core SCS assumption and in the level of innovativeness they exhibit. Moreover, local documents reported as a contribution to the SCS often include elements other than those implemented top-down or developing detailed solutions in line with central guidelines. In such cases, it is not always clear which elements (assessments, ranks, blacklisting, rewards, punishments, or all) are formally considered part of the SCS. Such elements – the processes they trigger and their effects – differ significantly from standardized SCS mechanisms.

Moreover, some localities attempt to integrate public-private cooperation into SCS construction. The bike rental industry in Shenzhen offers an example, in which private companies function simultaneously as data providers, punishment executors, and subjects of SCS sanctions themselves. This case also illustrates how local documents may use SCS-related keywords without realizing their SCS-related role. The use of ‘joint punishments’ in the Shenzhen bike rental industry refers merely to the imposition of a single sanction – a ban on

bike rentals – by multiple companies. This approach, coupled with the absence of reputational sanctions, renders the solution non-compliant with the core SCS assumption.

While the above blacklisting solution appears connected to the SCS, it is solely one of the many measures aimed at strengthening the municipal management of the bike rental industry. Serving the development of the SCS might, therefore, not be the priority in the construction of the solution. The case also further reveals how the SCS framework might intertwine with broader management schemes for particular sectors. Finally, it is important to note that the operability of this (and other) measures is difficult to ascertain without field research.

#### 4. Notes and references

<sup>1</sup> See, e.g., 浙江省加强个人诚信体系建设的实施方案 (Implementation Plan for Strengthening the Construction of Personal Trustworthiness System in Zhejiang Province) (2017).

<sup>2</sup> See, e.g., 坪山区贯彻落实守信联合激励和失信联合惩戒制度的实施方案 (Pingshan District [Shenzhen – added] Implementation Plan for the System of Joint Incentives for Keeping Trust and Joint Punishments for Breaking Trust) (2018?).

<sup>3</sup> Note: some of local SCS planning documents appeared before the year 2014, when the central Planning Outline was issued. See, e.g., 南山区社会信用体系建设规划 (2013-2020 年) (Kunshan District Plan for the Establishment of the Social Credit System (years 2013-2020)) (2013?).

<sup>4</sup> See, e.g., 浙江省加强个人诚信体系建设的实施方案 (Implementation Plan for Strengthening the Construction of Personal Trustworthiness System in Zhejiang Province) (2017); 丽水市人民政府关于建立完善守信联合激励和失信联合惩戒制度 加快推进社会诚信建设的实施意见 (Implementation Opinions of the Lishui Municipal People's Government on the Establishment and Improvement of the System of Joint Incentives for Keeping Trust and Joint Punishments for Breaking Trust and Accelerating the Construction of Social Trustworthiness) (2016).

<sup>5</sup> 昆山市社会组织信用信息管理办法 (试行) (Measures for the Management of Social Organizations Credit Information in Kunshan City) (2016), art. 15.

<sup>6</sup> This applies especially to general planning guidelines which appeared as often as annually at lower levels of administration. See, e.g., 大鹏新区社会信用体系建设 2016 年度重点工作计划 (Dapeng New District [Shenzhen – added] 2016 Key Work Plan for the Construction of a Social Credit System) (2016?).

<sup>7</sup> Note: Localities are allowed to propose their own Punishment Lists that include locally-specific solutions, leaving room for some leeway.

<sup>8</sup> 深圳市文化市场主体诚信经营暂行办法 (Interim Measures for the Trustworthy Operations of Cultural Market Entities in Shenzhen) (2018).

<sup>9</sup> 丽水市校外培训机构管理办法（试行）(Lishui City Measures for the Management of Off-Campus Tutoring Institutions (Trial Implementation)) (2020). Note: The local solutions might differ in names or have a slightly different scope from the central solutions. For instance, Lishui has a blacklist for work units that violate workers' rights (丽水市劳动保障诚信红黑名单管理暂行办法 (Interim Measures for the Management of Labor and Social Security Credit Red and Black Lists in the Lishui City) (2016)), while the CPL includes more specific blacklists, e.g., for enterprises that fail to pay wages to migrant workers in the agricultural sector (全国失信惩戒措施基础清单（2024年版）(National Basic List of Disciplinary Measures for Dishonesty (2024 edition) (2024)).

<sup>10</sup> 丽水市科技计划信用管理办法（修订）(Measures for the Lishui City Science and Technology Plan Credit Management (Revised)) (2021), art. 4, 12.

<sup>11</sup> For the central-level MoU see: China Law Translate, “Memorandum of Understanding on Carrying Out Joint Disciplinary Action Against Entities Responsible for Serious Untrustworthiness in the Field of Scientific Research,” November 19, 2018, <https://www.chinalawtranslate.com/en/memorandum-of-understanding-on-carrying-out-joint-disciplinary-action-against-entities-responsible-for-serious-untrustworthiness-in-the-field-of-scientific-research/>.

<sup>12</sup> See, e.g., the case of businesses and employees from the transportation and logistics industry: 深圳市运输物流行业严重违法失信市场主体及其有关人员实施联合惩戒的合作备忘录 (Memorandum of Understanding on the Implementation of Joint Punishments on Market Entities and Personnel for Serious Law Violations and Trust Breaking in Shenzhen's Transportation and Logistics Industry) (2018?); the insurance market: 深圳市关于对社会保险领域严重失信人单位及其有关人员实施联合惩戒的合作备忘录 (Shenzhen Municipal Memorandum of Understanding on the Implementation of Joint Punishments on Seriously Untrustworthy Employers and Related Personnel in the Social Insurance Sector) (2019?); and joint punishments for tax evasion for both natural and legal persons: 深圳市关于对重大税收违法案件当事人实施联合惩戒措施的合作备忘录 (2017 版) (Shenzhen Municipal Memorandum of Understanding on the Implementation of Joint Punishments on Parties Involved in Major Tax Violation Cases (2017 Edition)) (2017).

<sup>13</sup> See <https://www.szcredit.org.cn/?/lhjc#/lhjc>.

<sup>14</sup> See, e.g., 关于落实对失信被执行人联合惩戒机制的实施意见（试行）(Implementation Opinions on the Joint Punishment Mechanism for Persons Subject to Enforcement for Trust-Breaking (Trial Implementation) [Kunshan – added]) (2017); 深圳市中级人民法院执行局关于纳入失信执行措施若干问题的纪要 (Minutes of the Enforcement Bureau of the Shenzhen Intermediate People's Court on Several Issues Concerning the Measures for the Inclusion in Enforcement for Breaking Trust) (2016).

<sup>15</sup> 丽水市校外培训机构管理办法（试行）(Lishui City Measures for the Management of Off-Campus Tutoring Institutions (Trial Implementation)) (2020), art. 23-25.

<sup>16</sup> 丽水市校外培训机构管理办法（试行）(Lishui City Measures for the Management of Off-Campus Tutoring Institutions (Trial Implementation)) (2020), art. 31.

<sup>17</sup> 丽水市校外培训机构管理办法（试行）(Lishui City Measures for the Management of Off-Campus Tutoring Institutions (Trial Implementation)) (2020), art. 25.

<sup>18</sup> 国务院办公厅关于进一步完善失信约束制度构建诚信建设长效机制的指导意见 (Guiding Opinion of the SC GO on Further Improving the System of Punishments for Breaking Trust and Establishing a Long-term Mechanism for Building Trustworthiness) (2020).

<sup>19</sup> 深圳市社会组织活动异常名录管理办法 (Shenzhen City Measures for the Management of an Abnormal Activity List for Social Organizations) (2016?). Note: This document had a validity period of five years. A distinction between a directory and a blacklist is present in another Shenzhen document, related to the Internet bike rental industry: 深圳市互联网租凭自行车行业信用信息管理暂行办法 (Interim Measures for the Credit Information Management in the Internet Bicycle Rental Industry in Shenzhen) (2019). Note: These Measures expired in 2022.

<sup>20</sup> In accordance with a separate document, the annual reports are submitted via the municipal Social Organizations Credit Information Publishing Platform, making them an inherent part of the SCS: 深圳市社会组织年度工作报告管理办法 (Measures for the Management of Social Organization Annual Work Report in Shenzhen) (2016?). Note: This document had a validity period of five years.

<sup>21</sup> Elizabeth C. Economy, *The Third Revolution* (New York: Oxford University Press, 2018), 184.

<sup>22</sup> 中华人民共和国境外非政府组织境内活动管理办法 (Law of the People's Republic of China on Administration of Activities of Overseas Nongovernmental Organizations in the Mainland of China) (2017), art. 6.

<sup>23</sup> 法治中国建设规划(2020 – 2025 年) (Plan for the Construction of the Rule of Law in China (for Years 2020-2025)) (2021).

<sup>24</sup> This type of rank shows no direct link to the SCS.

<sup>25</sup> This was reiterated in a more recent document which stipulated that the credit situation of an organization must be verified before commissioning to it the performance of some public services: 深圳市龙岗区人民政府办公室关于印发《社会组织承接政府购买服务评价监督办法》的通知 (Notice of the Office of the People's Government of Shenzhen's Longgang District on the Issuance of the Measures for the Evaluation and Supervision of Social Organizations Undertaking Government-Purchased Services) (2019). Note: This document had a validity period of five years.

<sup>26</sup> 深圳市龙岗区人民政府办公室关于印发《社会组织承接政府购买服务评价监督办法》的通知 (Notice of the Office of the People's Government of Shenzhen's Longgang District on the Issuance of the Measures for the Evaluation and Supervision of Social Organizations Undertaking Government-Purchased Services) (2019).

<sup>27</sup> Emile Dirks and Diana Fu, “Governing ‘Untrustworthy’ Civil Society in China,” *The China Journal* 89 (2023): 24–44.

<sup>28</sup> Additionally, sometimes it may even be challenging to determine whether a local mechanism is – for certain – not a top-down one. However, if localities implement their mechanisms on the basis of higher-level guidelines or measures, they usually explicitly mention it.

<sup>29</sup> For an exemplary template see, e.g., <https://credit.lvliang.gov.cn/xingxian/naturalPersons/MCs/downloadPdf>.

<sup>30</sup> See, e.g., 公共信用信息报告标准 (2021 年版) (Public Credit Information Reporting Standards (2021 Edition)) (2021).

<sup>31</sup> For a relatively functional credit services website, see, e.g., Beijing Credit website: [https://creditbj.jxj.beijing.gov.cn/credit-portal/credit\\_service](https://creditbj.jxj.beijing.gov.cn/credit-portal/credit_service).

<sup>32</sup> See 国务院关于建立完善守信联合激励和失信联合惩戒制度, 加快推进社会诚信建设的指导意见 (Guiding Opinion of the SC on the Establishment and Improvement of the System of Joint

Incentives for Keeping Trust and Joint Punishments for Breaking Trust and Accelerating the Construction of Social Trustworthiness) (2016); 国家发展改革委 人民银行 关于加强和规范守信联合激励和失信联合惩戒对象名单管理工作的指导意见 (Guiding Opinion of the National Development and Reform Commission [NDRC] and the People’s Bank of China [PBoC] on Strengthening and Standardizing the Management of the List of Trustworthy and Untrustworthy subjects of Joint Punishments and Rewards) (2017).

<sup>33</sup> 国家发展改革委 人民银行 中央编办关于在行政管理事项中使用信用记录和信用报告的若干意见 (Several Opinions of the National Development and Reform Commission, the People’s Bank of China, and the Central Organization Department on the Use of Credit Records and Credit Reports in Administrative Matters) (2013).

<sup>34</sup> 2018 年昆山市社会信用体系建设工作要点 (Key Points for Kunshan’s Construction of a Social Credit System in 2018) (2018) . Appendix: 2018 年昆山市社会信用体系建设工作任务分解表 (2018 Kunshan Social Credit System Construction Task Breakdown).

<sup>35</sup> See, e.g., 浙江省加强个人诚信体系建设的实施方案 (Implementation Plan for Strengthening the Construction of Personal Trustworthiness System in Zhejiang Province) (2017).

<sup>36</sup> The rationales behind considering someone a trustworthy individual and including them in a redlist vary among governance areas. Apart from acting fully in accordance with existing laws and regulations, the factors affecting trustworthiness may include, for instance, various forms of social activities.

<sup>37</sup> Note: As discussed, blacklisting a market entity or other institution may affect relevant natural persons. See, e.g., 浙江省卫生健康信用信息管理办法 (试行) (Measures for the Health and Medical Credit Information Management in Zhenjiang Province (Trial Implementation)) (2020).

<sup>38</sup> 丽水市公共信用信息目录 (2019 版) (Lishui City Public Credit Information Catalogue (2019 Edition)) (2019).

<sup>39</sup> 关于进一步加强疫情防控期间信用管理和服务工作的通知 (Notice on Further Strengthening Credit Management and Service Work During the Period of Epidemic Prevention and Control) (2020).

<sup>40</sup> 深圳市地方税务局关于发布深圳市地方税务局纳税信用等级评定管理试行办法的公告 (Announcement of the Shenzhen Municipal Local Taxation Bureau on the Issuance of the Trial Measures for the Administration of Taxpayer Credit Rating Assessment) (2013).

<sup>41</sup> 浙江省卫生健康信用信息管理办法 (试行) (Measures for the Health and Medical Credit Information Management in Zhenjiang Province (Trial Implementation)) (2020).

<sup>42</sup> Warning – or grey – lists appear as well for ‘general’ (一般) trust-breaking. See, e.g., 深圳市文化市场主体诚信经营暂行办法 (Interim Measures for the Trustworthy Operations of Cultural Market Entities in Shenzhen) (2018).

<sup>43</sup> 丽水市监局产品质量红黑榜发布制度 (试行) (Lishui Municipal Bureau for Market Regulation Product Quality Red and Black List Release System (Trial Implementation)) (2018?).

<sup>44</sup> 丽水市劳动保障诚信红黑名单管理暂行办法 (Interim Measures for the Management of Labor and Social Security Credit Red and Black Lists in the Lishui City) (2016).

<sup>45</sup> 丽水市食品安全信用“红黑榜”制度 (试行) (Lishui City Food Safety Credit “Red and Black List” System (Trial Implementation)) (2018?).

<sup>46</sup> 丽水市级医疗机构依法执业信用管理“红黑榜”制度（试行）(Lishui “Red and Black List” System for Credit Management of Medical Institutions’ Lawful Practice (Trial Implementation)) (2018?). Note: The existence of *all* of the black- and redlists for legal persons that appeared in the analyzed documents is difficult to determine. Numerous documents date back to the 2000s and were issued in a trial basis. The confirmation of the existence of all local lists would require a thorough analysis of various local governmental websites in different areas of governance, which is not the main focus of the discussion.

<sup>47</sup> 丽水市公共信用信息目录（2019 版）(Lishui City Public Credit Information Catalogue (2019 Edition)) (2019).

<sup>48</sup> 深圳市文化市场主体诚信经营暂行办法 (Interim Measures for the Trustworthy Operations of Cultural Market Entities in Shenzhen) (2018).

<sup>49</sup> See, e.g., 丽水市劳动保障诚信红黑名单管理暂行办法 (Interim Measures for the Management of Labor and Social Security Credit Red and Black Lists in the Lishui City) (2016), art. 4.

<sup>50</sup> See, e.g., 深圳市文化市场主体诚信经营暂行办法 (Interim Measures for the Trustworthy Operations of Cultural Market Entities in Shenzhen) (2018), chapter 2.

<sup>51</sup> This mechanism is used, for instance, in the case of units engaged in traffic construction project activities. See 丽水市交通建设工程从业单位失信黑名单制度 (Lishui City Blacklist System for Untrustworthy Transportation Construction Engineering Companies) (2018?), art. 5.

<sup>52</sup> China Law Translate, “Memorandum of Understanding on Carrying Out Joint Punishments Against Entities with Serious Illegal Untrustworthiness in the Cultural Market Sector,” January 9, 2019, <https://www.chinalawtranslate.com/en/memorandum-of-understanding-on-carrying-out-joint-punishments-against-entities-with-serious-illegal-untrustworthiness-in-the-cultural-market-sector/>.

<sup>53</sup> 深圳市文化市场主体诚信经营暂行办法 (Interim Measures for the Trustworthy Operations of Cultural Market Entities in Shenzhen) (2018), art. 14.

<sup>54</sup> 《社会信用体系建设规划纲要（2014—2020 年）》任务分工 (Division of Tasks for the Planning Outline for the Construction of a Social Credit System (2014—2020)) (2014).

<sup>55</sup> For details see 深圳市科技创新委员会关于印发《深圳市科研诚信管理办法（试行）》的通知 (Notice of the Shenzhen Science and Technology Innovation Committee on the Issuance of the Measures for the Management of Scientific Research Integrity in Shenzhen (Trial Implementation)) (2020). Note: This document entered into force in January 2021 and had a validity period of three years.

<sup>56</sup> 全国失信惩戒措施基础清单（2021 年版）(National Basic List of Disciplinary Measures for Dishonesty (2021 Edition)) (2021).

<sup>57</sup> 南山区社会信用体系建设规划（2013-2020 年）(Kunshan District Plan for the Establishment of the Social Credit System (years 2013-2020)) (2013?).

<sup>58</sup> 关于《丽水市印刷企业“黑名单”制度》的解读 (Explanation to the “Blacklist System” for Printing Enterprises in Lishui City) (2016).

<sup>59</sup> 丽水市专业技术人员继续教育学时制管理实施办法 (Implementation Measures for the Management of Hour System of Professional and Technical Personnel Continuing Education in Lishui) (2020).

<sup>60</sup> 丽水市科技计划项目验收管理办法（修订）（Measures for the Management of Lishui City Science and Technology Project Acceptance (Revised)) (2020).

<sup>61</sup> 国务院关于印发社会信用体系建设规划纲要(2014–2020 年) 的通知 (Notice of the State Council on Issuing Planning Outline for the Construction of a Social Credit System (2014–2020)) (2014).

<sup>62</sup> 龙岗区探索建立党员干部诚信体系工作实施方案 (Longgang District's [Shenzhen – added] Implementation Plan for Exploring the Establishment of a Credit System for Party Members and Cadres) (2015?).

<sup>63</sup> 关于开展廉洁城区“五常”建设的工作方案 (Work Plan for Carrying out the “Five Norms” Construction of Clean Urban Areas) (2016?), point 14. Note: This is a district-level document from Shenzhen, yet there was no information available on which district issued it.

<sup>64</sup> 国务院关于加强政务诚信建设的指导意见 (Guiding Opinion of the State Council on Strengthening the Establishment of Trustworthiness in Government Affairs) (2016).

<sup>65</sup> 大鹏新区公共事业局关于进一步加强师德师风建设德实施意见 (Implementation Opinions of the Public Utilities Bureau of the Dapeng New District [Shenzhen – added] on Further Strengthening Teachers' Ethics and Professional Conduct) (2017?).

<sup>66</sup> 教育部关于进一步加强和改进师德建设的意见 (Opinions of the Ministry of Education on Further Strengthening and Improving Teachers' Ethics) (2005). Note: another major central document related to teacher's ethics appeared in 2019 and was issued by MoE jointly with 7 other departments: 教育部等七部门引发《关于加强和改进新时代师德师风建设的意见》的通知 (The Ministry of Education and seven other departments issued a notice on “Opinions on Strengthening and Improving the Construction of Teachers' Ethics in the New Era”) (2019). Neither of the two documents mention the dossier or blacklists – these seem to appear solely at lower administrative levels.

<sup>67</sup> 大鹏新区公共事业局关于进一步加强师德师风建设德实施意见 (Implementation Opinions of the Public Utilities Bureau of the Dapeng New District [Shenzhen – added] on Further Strengthening Teachers' Ethics and Professional Conduct) (2017?).

<sup>68</sup> In the PRC, LSGs have been rather informal bodies that worked with Chinese leadership and helped, among other tasks, with the implementation of policy decisions. They often dealt with sensitive areas of governance. For a discussion on LSGs under Hu Jintao see, e.g., Alice L. Miller, “The CCP Central Committee’s Leading Small Groups,” *China Leadership Monitor*, no. 26 (2008), Hoover Institution, <https://www.hoover.org/research/ccp-central-committees-leading-small-groups>. Under Xi Jinping, the number of LSGs working both under the Party or under the State Council, rose considerably. They currently cover a plethora of public policy issues. For a discussion on LSGs under Xi see, e.g., Christopher K. Johnson, Scott Kennedy, and Mingda Qiu, *Xi’s Signature Governance Innovation: The Rise of Leading Small Groups* (Washington, DC: Center for Strategic and International Studies, October 17, 2017), <https://www.csis.org/analysis/xis-signature-governance-innovation-rise-leading-small-groups>.

<sup>69</sup> 大鹏新区公共事业局关于进一步加强师德师风建设德实施意见 (Implementation Opinions of the Public Utilities Bureau of the Dapeng New District [Shenzhen – added] on Further Strengthening Teachers' Ethics and Professional Conduct) (2017?).

<sup>70</sup> 深圳市教育局关于印发《深圳市中小学教师师德档案管理规定》的通知 (Notice from the Shenzhen Municipal Education Bureau on the Issuance of the “Provisions on the Administration of Teacher Ethics Dossier of Primary and Secondary School Teachers in Shenzhen”) (2014).

<sup>71</sup> See, e.g., Severin Engelmann, Mo Chen, Lorenz Dang, and Jens Grossklags, “Blacklists and Redlists in the Chinese Social Credit System: Diversity, Flexibility, and Comprehensiveness,” in *AIES ’21: Proceedings of the 2021 AAAI/ACM Conference on AI, Ethics, and Society* (New York: Association for Computing Machinery, 2021), 78–88.

<sup>72</sup> 全国失信惩戒措施基础清单（2022 年版）(National Basic List of Disciplinary Measures for Dishonesty (2022 Edition) (2022).

<sup>73</sup> 深圳市互联网租赁自行车行业信用信息管理暂行办法 (Interim Measures for the Credit Information Management in the Internet Bicycle Rental Industry in Shenzhen) (2019), art. 14.

<sup>74</sup> 深圳市互联网租赁自行车行业信用信息管理暂行办法 (Interim Measures for the Credit Information Management in the Internet Bicycle Rental Industry in Shenzhen) (2019).

<sup>75</sup> See 深圳市交通运输委员会 深圳市城市管理局 深圳市公安局交通警察局关于印发《深圳市互联网租赁自行车规范管理整治行动实施方案》的通知 (Notice from the Shenzhen Municipal Transportation Commission, Shenzhen Municipal Urban Management Bureau, Shenzhen Municipal Public Security Bureau, and Shenzhen Municipal Traffic Police Bureau on the Issuance of the "Implementation Plan for the Standardized Management and Rectification of Internet Rental Bicycles in Shenzhen") (2017).

<sup>76</sup> 深圳市互联网租赁自行车行业信用信息管理暂行办法 (Interim Measures for the Credit Information Management in the Internet Bicycle Rental Industry in Shenzhen) (2019), art. 4, 5.

<sup>77</sup> 深圳市互联网租赁自行车行业信用信息管理暂行办法 (Interim Measures for the Credit Information Management in the Internet Bicycle Rental Industry in Shenzhen) (2019), art. 12.

<sup>78</sup> See 深圳市互联网租赁自行车行业信用信息管理暂行办法 (Interim Measures for the Credit Information Management in the Internet Bicycle Rental Industry in Shenzhen) (2019), art. 17.

<sup>79</sup> 深圳市互联网租赁自行车行业信用信息管理暂行办法 (Interim Measures for the Credit Information Management in the Internet Bicycle Rental Industry in Shenzhen) (2019), art. 13.

<sup>80</sup> 深圳市互联网租赁自行车行业信用信息管理暂行办法 (Interim Measures for the Credit Information Management in the Internet Bicycle Rental Industry in Shenzhen) (2019), art. 15, 16.

<sup>81</sup> See 深圳市互联网租赁自行车企业运营服务考核细则 (Shenzhen Internet Bicycle Rental Enterprise Operation Service Assessment Rules) (2022).

<sup>82</sup> 深圳市交通运输委员会 深圳市城市管理局 深圳市公安局交通警察局关于印发《深圳市互联网租赁自行车规范管理整治行动实施方案》的通知 (Notice from the Shenzhen Municipal Transportation Commission, Shenzhen Municipal Urban Management Bureau, Shenzhen Municipal Public Security Bureau, and Shenzhen Municipal Traffic Police Bureau on the Issuance of the "Implementation Plan for the Standardized Management and Rectification of Internet Rental Bicycles in Shenzhen") (2017).

<sup>83</sup> Justice Bureau of Shenzhen Municipality, 深圳市交通运输委员会 深圳市城市管理局 深圳市公安局交通警察局关于印发《深圳市互联网租赁自行车规范管理整治行动实施方案》的通知 [Notice from the Shenzhen Municipal Transportation Commission, Shenzhen Municipal Urban Management Bureau, Shenzhen Municipal Public Security Bureau, and Shenzhen Municipal Traffic Police Bureau on the Issuance of the “Implementation Plan for the Standardized Management and Rectification of Internet Rental Bicycles in Shenzhen”], April 3, 2024, [https://sf.sz.gov.cn/gfxwjcx/szfbmgfxwj/szwm/sjtsj/content/post\\_11973441.html](https://sf.sz.gov.cn/gfxwjcx/szfbmgfxwj/szwm/sjtsj/content/post_11973441.html).

<sup>84</sup> 深圳市交通运输委员会 深圳市城市管理局 深圳市公安局交通警察局关于印发《深圳市互联网租赁自行车规范管理整治行动实施方案》的通知 (Notice from the Shenzhen Municipal Transportation Commission, Shenzhen Municipal Urban Management Bureau, Shenzhen Municipal Public Security Bureau, and Shenzhen Municipal Traffic Police Bureau on the Issuance of the "Implementation Plan for the Standardized Management and Rectification of Internet Rental Bicycles in Shenzhen") (2017).

<sup>85</sup> 深圳市交通运输委员会 深圳市城市管理局 深圳市公安局交通警察局关于印发《深圳市互联网租赁自行车规范管理整治行动实施方案》的通知 (Notice from the Shenzhen Municipal Transportation Commission, Shenzhen Municipal Urban Management Bureau, Shenzhen Municipal Public Security Bureau, and Shenzhen Municipal Traffic Police Bureau on the Issuance of the "Implementation Plan for the Standardized Management and Rectification of Internet Rental Bicycles in Shenzhen") (2017).

## **CHAPTER SIX.**

### **Solving chosen problems instead of building comprehensive surveillance capabilities: Scorings for natural persons**

The previous chapter primarily indicated that, even at the local level, the SCS is not considerably preoccupied with testing trustworthiness-related solutions that may increase authoritarian control or intensify censorship. However, as pictured with the case of the blacklist in the bike rental industry, some local solutions may be cut for monitoring people's behaviors in the private sphere. These solutions, as will also be shown in this chapter, may not necessarily strengthen authoritarian control and censorship, but rather focus on enhancing what is called 'civilized behavior'. Similarly, in the analyzed materials, the ill-famed scores of natural persons that analyze individuals' behaviors in different spheres often focused on raising the level of civility in particular cities or even smaller areas.

Importantly, the central SCS documents do not mention the introduction of point-based evaluations for individuals within the SCS. This makes the local scorings discussed in this chapter different from most solutions discussed in Chapter Five. Unlike central documents, local guidelines or planning documents have mentioned solutions for scoring.<sup>1</sup> These ideas are tested within local pilot SCS projects. As such, they evidently diverge from the central guidelines, as they go further than the law-based qualitative assessments planned in Beijing. They quantify entire sets of activities performed by individuals.

Various types of point-based scorings for natural persons were found among SCS documents and analyzed, mainly to inform the answers to MRQ1 and DRQs 1-3. They include the already-mentioned grading of the level of civility (a theme that reappears in various local ratings), assessments for individuals performing particular professions, or general assessments that focus on people's conduct in relation to law. All scores for natural persons that were found during the study of the three localities are discussed below in separate sections. These cases solely exemplify what types of scores for individuals localities began testing in China.

In the beginning, the scores were to serve as the basis for the imposition of rewards or punishments on individuals.<sup>2</sup> Ultimately, in 2021, the National Development and Reform Commission banned localities from punishing individuals for low credit scores.<sup>3</sup> The NDRC did not ban the idea of scoring itself, which directed the local scoring systems towards the form of rewarding schemes for the most trustworthy citizens.

## 1. Civility Scores

The 2018 Kunshan SCS construction work deployment guideline mentioned eight types of tasks, among them being the cultivation of innovative use of credit. This already suggests that the city planned to propose trustworthiness-related solutions that would be more innovative than regular SCS solutions that enforce previously existing laws and regulations. Kunshan proposed its quantitative assessments of individuals' behavior and named it the 'civility score' (文明信用分).<sup>4</sup> Individuals' 'civilized behavior' was to be strictly connected with personal credit. At the same time, the document mentioned that the Kunshan inhabitants' cards (昆山市民卡) were to be used in SCS construction. Credit information was to be loaded to the cards and, in this manner, always linked to the individual.<sup>5</sup>

The trustworthy inhabitants of Kunshan were to benefit from the so-called 'green channels' and conveniences in obtaining various types of services. Individuals with outstanding credit were to be treated preferentially in the areas of public transport, book rentals, public bicycle rentals, education, obtaining employment, housing, taking care of the elderly, health insurance, and yearly inspection of vehicles.<sup>6</sup> The publicized document offered no details related to the implementation of the incentives. In the cases of public transport or various rental services, it was likely a matter of discounts. It is unclear, however, in what manner exactly an individual's credit situation should affect their employment or access to education.

An analogous document issued in Kunshan in 2019 repeated the same content about scoring. Additionally, it offered information related to the renewal of an expired driver's license. The validity period of a renewed license was to depend on the number of negative points that the driver obtained for improper driving behavior.<sup>7</sup> While the document does not offer an explanation, the negative points are likely given for speeding or running a red traffic light. This suggests that – despite its innovativeness – the SCS Kunshan scoring mechanism incorporated previously-existing point-based evaluations. Importantly, such negative score mechanisms are not unique to China, as they exist in Western countries.<sup>8</sup>

The Kunshan Civility Score is not solely an example of a more innovative approach to trustworthiness. It is also representative of SCS solutions that fall under two different projects at the same time. This likely stems from the agents' willingness to fulfill two tasks at one go.<sup>9</sup> The Kunshan SCS construction planning documents mentioned the idea of linking two projects – the Civilized Cities and the SCS.<sup>10</sup> Delivering two tasks at one go results not solely in establishing the Civility Score (instead of, for instance, Credit/Trustworthiness Score) but also in further actions that make the scope of the Kunshan SCS hazy.

Namely, the SCS documents in Kunshan include plans for the implementation of mechanisms that seem to explicitly belong to the Civilized Cities project, and not the SCS. For instance, there are 12 important measures for the construction of civilized cities throughout the country that are also to serve the management of social public order. The measures are related to, among others, car parking standards, smoking in public places, littering, civilized care of one's dog (e.g., taking out a dog on a leash), jaywalking, respecting the queueing order, and segregation of waste.<sup>11</sup> It is likely that the goal of inflicting civilized behavior on individuals as a part of the Civilized Cities project was to be reached through the operations of the Civility Score mechanism operating under the SCS.

While the exact quantitative indicators taken into consideration in the Civilized Score were not mentioned in the publicized documents,<sup>12</sup> it is likely that these 12 areas of the Civilized City project were mirrored in the Score indicators. Chinese news outlets' coverage confirms that civility-related indexes were used in the Suzhou Civility Code.<sup>13</sup> The Suzhou mechanism was likely based on the Kunshan Civility Code, as Kunshan is under the administration of Suzhou and triggered the Civility Code earlier, possibly as a pilot to be later introduced in the entire Suzhou city.

Apart from simultaneously performing the same tasks within two projects, it has been made clear that the SCS-related work is to be a part of the work related to concepts developed outside of the SCS. These include comprehensive social management (社会综合治理) or social responsibility of enterprises (企业社会责任).<sup>14</sup> These ideas and the SCS are not mutually exclusive. These are concepts that should not cause any conflict of interest, and the Civility Score may be treated as a measure for the realization of their 'spirit'.

Despite the rather ambitious plan to establish the Civilized Score as a part of both the SCS and Civilized Cities projects, and to link the individual credit data with the municipal inhabitant's card, attempts to find mentions about the operations of the Score failed. While the Civilized Score appeared in the 2018 and 2019 SCS construction planning documents, an analogous 2020 document failed to mention it. The Credit Kunshan implementation plan for the years 2021-2023 does not mention the Civilized Score either. The abandonment of the Kunshan Civility Score was likely an execution of the order of the city of Suzhou. Kunshan is under the administration of Suzhou, which launched its Civility Score in early September 2020 and had to withdraw it 3 days later due to an online critique.<sup>15</sup> Suzhou's Office on Building Spiritual Civilization stated that the system would be altered and reimplemented in the future,<sup>16</sup> yet the central guidelines might thwart the plan. The SCS punishments for untrustworthy

conduct must be based on laws, regulations, and policy documents by the State Council or the CCP Central Committee.<sup>17</sup> Therefore, local scoring systems will remain reward-oriented schemes, and the plan to enforce civilized behavior with the threat of sanctioning cannot be realized. Additionally, using information on, e.g., waste segregation in the SCS was limited by the standardizing documents issued in 2021.<sup>18</sup> This can further complicate the plans to reimplement the Civility Score.

The idea of fulfilling two tasks at one go and enhancing civilized behaviour appeared not solely in Kunshan and Suzhou. A similar idea appeared in Shenzhen. The city was even more explicit about the link between the two projects – it named its scoring system the Civility and Trustworthiness Score (文明诚信积分). The scoring system was to be based on collecting personal credit information listed in a relevant catalogue and using a model for data analysis and calculation. The score was to be used in public services and in the administrative examination and approval processes. A high score was to result in support in areas such as education, employment, entrepreneurship, or social services.<sup>19</sup>

Overall, the scoring systems tested by Kunshan, Suzhou, and Shenzhen all proposed innovations in governance. They diverge from the solutions designed centrally and are not limited to following the established logic of particular areas of governance. They aimed to mould individuals' behaviours by combining a variety of quantified indicators and the use of previously existing solutions (such as the point-based system for car drivers). If these solutions had not been halted by Beijing itself, they could have had the potential to serve the core SCS assumption by severely punishing individuals for a combination of undesired behavioural patterns. However, they would have gone even further than Beijing had imagined. The punishments – imposed by various state organs and in numerous areas – would not be a result of *serious* violations of legal provisions, as is the case with the centrally-standardized joint punishments. Likely, the weak link between the punishments for low credit scores and law enforcement for serious violations was among the main reasons for restricting localities from imposing such solutions.

The civility scores were to help control the public order, yet in the scope of car parking standards, littering, and other civility-related aspects. None of the elements of the scores seemed to be particularly focused on censorship or authoritarian control. A more in-depth discussion on the controversies and invasiveness of the scores, however, would require a greater knowledge of their operational details. The publicized documents did mention materials that were to be more minute, yet they have either never been issued or have not been disclosed.

More contentious in terms of authoritarian control is the next scoring system, which was implemented in one of the counties of Lishui.

## **2. Caihe Score for households**

Suichang county, under the jurisdiction of Lishui, created the first ‘credit village’ (信用村) for grassroots social management in the entire Zhejiang province.<sup>20</sup> It is a pilot of a very local and limited reach. The county (县) of Suichang is divided into various townships (乡). One of them is the Caiyuan Township, the population of which, as of 2020, was 3260 people.<sup>21</sup> The Township is divided into four villages, one of which is the Caihe Village (蔡和村). This is where the Caihe Score (蔡和分) is being tested. The pilot is to support the innovation of social governance (社会治理) in China, which, as announced also during the 4<sup>th</sup> Plenum of the 19<sup>th</sup> CCP CC, is an important aspect of national governance.<sup>22</sup> The Caihe Score is Suichang county’s attempt to take the lead in using credit for social governance purposes. According to the document that introduces it, it is also to provide experience and samples for the construction of a national SCS.

This pilot differs from other scoring systems targeted at individuals in that it subordinates the score of a person to the behavior of other members of the household. In other words, the score is given to an entire household on the basis of the conduct performed by its individual members. The score makes household members mutually tied up.<sup>23</sup> The household’s score is mirrored in its final grade. The grade may be a green (best), yellow, or red (worst) code. A point-based score assessment uses a 100-point reduction strategy. The evaluation is based on 24 indicators and on a ‘mass’ credit dossier. If all household members obtain a score of 90 or more points, a green code is assigned. Solely one member scoring between 76 and 89 points is enough to reduce the grade of the entire household to the yellow code. 75 points and below result in a red code. The code is put up on the door of the household in the form of a QR code.

The Caihe Score is focused on giving incentives and preferential treatment to top green households. Moreover, in each quarter of the year, the top ten green households are praised on the Caiyuan Good Deeds List (蔡源好事榜). It is likely a paper list or a QR code-based list available in the village. It was not found online during a Baidu search. Each year, 20 top green households are chosen and given various rewards, including material awards.<sup>24</sup> Possibly because of its reward orientation, it remains operable. As of 2021, the Caihe Score not only

existed but was heavily praised. In 2020, the Caihe Village was named one of the top ten social innovation models in China,<sup>25</sup> and the scoring system likely contributed to this title.

The final Caihe Score is a result of an evaluation carried out quarterly by two committees. The evaluation serves the purpose of a full supervision of behavioral norms of each household and, ultimately, of forming a good social order and deterring bad behavior. Six major aspects are evaluated and further divided into more detailed indicators. These aspects include: talking about politics,<sup>26</sup> maintaining peace, not filing appeals or petitions in higher authorities, and not indiscriminately accusing people of being defaulters, caring for the environment, organizing collective undertakings, as well as turning to ‘peace groups’<sup>27</sup> to resolve disputes. The collection of aspects – or at least some of them – likely mirrors local problems that the Caihe Score is to tackle. It aims to, among other goals, ensure that the natural environment is not damaged by the inhabitants and maintain the correct political direction and attitude of the villagers. The most extensive issue, however, seems to be related to the problem of various disputes. The scoring system is to discourage villagers from filing petitions and turning to administrative organs in the case of any dispute, or falsely accusing others of wrongdoing.

Reportedly, the credit village pilot construction work has already led to achievements in the fields of environmental protection, litigation management, and business environment. For instance, the pilot is said to have raised ecological awareness among villagers. Burning straw or garbage, littering, poisoning fish, killing and eating wild animals, and indiscriminate deforestation are among the behaviors that were eradicated with the credit village project. The increase in the number of legal litigations was reportedly halted. As a result of the interdependence of all family members, individuals commenced to take the initiative to persuade misbehaving kins to eliminate trust-breaking behavior. The credit village is said to have a favorable effect on dispute resolution. Villagers now tend to nip conflicts in the bud, eliminating the wrong behavior and apologizing to neighbors. The credit village construction led to limiting the number of lawsuits. The reported rate of lawsuits (as of December 2020) equaled 6.7 per 10,000 people, far less than the average rate of 20.2 in the entire county. Finally, the Caihe Village is characterized by a trustworthy and honest atmosphere, which may result in economic development, as one major company from Shanghai<sup>28</sup> has already considered the Caihe Village a good vacation spot.<sup>29</sup> The credit village pilot construction work has slowly commenced to be expanded in the entire Suichang county.<sup>30</sup>

The Caihe Score is an example of social engineering in which an evaluation of chosen behaviors, disclosing its outcomes, and introducing an interdependence between family members are aimed to mold the proper conduct. Such mechanisms within the SCS remain

closest to the ‘Orwellian’ vision of the SCS. They are, however, far from a comprehensive and omnipresent form of surveillance that takes into consideration all aspects of individuals’ lives. Instead, local organs likely shape such mechanisms in a manner that allows for addressing the most pressing local issues. In this case, this includes mainly environmental protection and litigation. Apart from the local context, the targeting of excessive litigation might also be related to the Supreme People’s Court’s activities targeting false litigation. As Caixin<sup>31</sup> reported in 2021, the SPC had announced it would blacklist natural and legal persons for false litigations.<sup>32</sup> Importantly, Caixin mentions no links between this blacklist and the SCS. Overall, this very shape of the Caihe Score is possibly tailored to meet governance targets set outside of the SCS. This is in line with the general idea for the SCS, which speaks not of comprehensive surveillance but of creating mechanisms for dealing with the most pressing governance issues.

Importantly, the Caihe Score is the first score found during this study that included an explicit element of authoritarian control. Discussing politics is one of the aspects of the evaluation. As the evaluation is made by village committees, i.e., local inhabitants, it is likely a human-based, rather than a tech-based and automated assessment of people’s political attitudes.<sup>33</sup> This certainly may strengthen the control over individuals and limit their freedoms. However, such a local, human-based control of inhabitants of particular neighborhoods is not novel to the Caihe Score and may be realized via different frameworks, such as the grid management system.<sup>34</sup> Even though the authoritarian control aspect of the Caihe Score is characterized by little innovativeness, it does introduce it to the SCS scope and, therefore, reinforces other activities in this field.

As the score is preoccupied with incentivizing rather than sanctioning, this SCS solution will not lead to heavily punishing individuals or the entire households within the village. However, the final grades of the households are said to be publicly displayed. Additionally, the said area is a small village, which likely considerably limits the anonymity of the people living there. This – and the direct participation of local inhabitants in the assessment – suggests that, apart from the public display of a grade, the reasons for assigning a low grade are common knowledge. This may lead to the imposition of informal sanctions and to the natural ostracization of particular members of the locality. In this manner, the Caihe Score may somewhat realize the core SCS assumption.

Overall, the Caihe Score is an example of how the centrally announced ban on imposing punishments for a low number of points is not critical to the social engineering capabilities of the SCS. The public disclosure of the evaluation outcome has the potential to be an enough sanction for villagers who obtained an unfavorable grade. Rewards for the best-behaved

households may also motivate individuals to behave in a particular manner. Similar credit villages are likely to be piloted around the country as a part of the creation of the rural credit system (农村信用体系). Per the reading of the central planning documents<sup>35</sup> and local materials,<sup>36</sup> the rural credit system is officially a part of the SCS. Its main focus, however, repeatedly seems different than the SCS's primary focus on supporting Chinese law enforcement. For instance, in Kunshan, the goals of the credit village somewhat return to the roots of the Chinese trustworthiness system construction, i.e., supporting the financial system by creating a loaning system based on credit and merits related to trustworthiness.<sup>37</sup> Such a trend is observed and discussed in more detail by other scholars who analyzed different localities.<sup>38</sup>

### **3. Lishui Personal Ecology Score**

In June 2019, Lishui published its draft version of measures for the implementation of the personal ecological score (个人生态信用积分).<sup>39</sup> The pilot started in April 2020, after the issuance of the final version of the document in March that year.<sup>40</sup> The city's ecological credit system was to be basically established by the end of 2020.<sup>41</sup> Its goals included raising the citizens' ecological trustworthiness awareness.<sup>42</sup>

The score reflects the situation of individuals' ecology credit calculated on the basis of personal ecology credit information collected in the Lishui Municipal Public Credit Information Platform (PCIP) and the Zhejiang provincial PCIP.<sup>43</sup> The initial score equals 500 points. Points may be added or reduced based on detailed indicators. The final score is a sum of 50% of the provincial natural person public credit score (described later in the chapter) and 50% of the Lishui City personal ecological credit score.<sup>44</sup> The number of points determines which of six ecology ranks is assigned to an individual (they range from AAA to C). The measures also call for the establishment of a cross-comparison mechanism to ensure that the results of the Zhejiang Province natural person public credit score evaluation do not conflict with the Lishui City score.<sup>45</sup>

There are three main types of collected information, further divided into subtypes. The first type is the individuals' Public Credit Information. It includes, for instance, information on compliance with laws and regulations, economic behavior, and social morality. The second and main type embraces personal ecological credit information, further divided into five subtypes. These include, for instance, information on ecological protection (e.g., forest, water, and biodiversity protection), information on 'green living', such as green travel, consumption,

garbage segregation, or energy use, as well as ecological and cultural information, which includes as baffling information as ecological funerals and giving civilized sacrifices to gods and ancestors. The last of the three types is less specific and includes other information related to personal credit as required by laws, regulations, and rules.<sup>46</sup> The period of retaining negative credit information is five years.<sup>47</sup>

Interestingly, the final document seems to have changed the initial scope of information used for the scoring in the draft version. The draft document explicitly mentioned that volunteer activities related to environmental protection would be a part of the score.<sup>48</sup> While this is not present in the final measures, it could fall under a different label. The draft also included the mileage of bike riding and public transport rides.<sup>49</sup> This indicated that the Lishui PCIP was to accumulate vast amounts of data from various entities, perhaps from the private sector (e.g., bike rental companies) as well. This aspect is absent in the final document.

There are 22 types of incentive measures offered for individuals of AA and AAA grades. These include discounts on public transportation, deposit-free public bike rentals, priority in applying for parking spaces, discounts in approved cinemas, priority in admission to public nursing homes, priority treatment in loans (including increased loan limits and decreased loan interests), as well as priority in awarding relevant commendations or honors and in other processes.<sup>50</sup> The initial idea for the Lishui ecology credit system included, in total, 32 punishments and 35 rewards.<sup>51</sup> Again, the approach to the treatment of individuals with various ranks changed from the initial plan.

The 2019 draft included both the imposition of punishments or rewards, yet in accordance with the rule ‘incentives as the main part, punishments as a complement’ (激励为主、惩戒为辅).<sup>52</sup> Within the initial concept, obtaining the C rank would result in various punishments, such as cancelling the incentives that the person already had, or the inability to take part in excellence award selections. In addition to C-rank punishments, individuals with the D grade would face more serious restrictions, such as a ban on being appointed as a legally-designated representative of local state-owned enterprises or a senior manager in other organizations, and restrictions on even being employed there.<sup>53</sup> In the final version, the D rank was fully dismissed.

This exclusion of punishments happened at the time when a ban on punishing individuals for negative scores was discussed (which was ultimately confirmed in 2021).<sup>54</sup> The change for C-rank individuals did not alter the initial logic of the scoring. The punishments cancelled the privileges that would not have been offered to individuals with a low rank anyway.

The dismissal of the D rank, however, considerably limited the potential influence that the scoring system could have on individuals. For instance, the draft measures announced consumption-related sanctions similar to those faced by defaulters. These included, among other restrictions, limiting access to policy support such as subsidies and to consumption that is not necessary for working and living. Such banned consumption-related activities included buying plane tickets, expensive train tickets, a ban on travelling abroad, staying in hotels of four stars and more, or sending children to high-fee private schools.<sup>55</sup>

The ecological score is not concerned with authoritarian control and censorship activities. However, if not altered, the draft provisions would have been an example of a rather invasive scoring in which data collected in one area might considerably influence individuals in various spheres of life. The ecological score would have used previously established joint punishment solutions, which could have triggered discussions on proportionality. The scoring would not have solely raised the cost of behaving in an untrustworthy manner. It could also have punished individuals who had not seriously violated major legal provisions. The behaviors affecting the ecological score are, after all, not limited to evaluating one's actions in relation to laws. The score could, therefore, not solely be in line with the core SCS assumption but also go further.

Interestingly, the initially planned punishments had strong legal bases, and the relevant tables presented in documents transparently revealed the planned operations. Similarly, detailed procedures appeared in different cases, such as the management of health credit information in Zhejiang province. The relevant document specified the rules for data collection and use, for performing credit scorings, as well as forming black and redlists.<sup>56</sup> Contrary to such detailed descriptions, materials introducing the below discussed score for teachers that assesses, among other aspects, their ideological attitude, are more scarce in information. It is, however, more relevant to the discussion on how the SCS could support Beijing's regime.

#### **4. Point-based evaluations of teachers in Lishui**

Apart from scoring systems assessing various aspects of 'civility', collective households' scores, and ratings dedicated to one area (environment), the analysis of SCS materials revealed the existence of point-based assessments of individuals performing particular professions. In 2019, the Bureau of Education in Lishui announced a pilot for point-based evaluations of teachers in kindergartens, primary, and secondary schools.<sup>57</sup> The evaluations were based on the records of the teachers' performance, morality, diligence, and abilities.

The first of the four basic principles underlying this point-based mechanism was focused on persisting in the Party's management and a proper ideological quality. The principle included factors such as persisting in the CCP managing the teaching staff, ensuring the political direction in the construction of teaching staff, raising the teachers' ideological and political character, making the core socialist values permeate the entire process of education, and incentivizing teachers to become the disseminators of ideology and culture, and firm supporters of the Party in power.<sup>58</sup> Overall, teachers' ethics and morality seemed to be the major content of the evaluation process.<sup>59</sup> The process used a basic score of 100 and added or deducted points for positive or negative behaviors. Apart from violating the Party of political discipline, points could be deducted for other types of professional negligence in terms of, for instance, work safety or duties related to exams. These, however, were given a smaller weight compared to the moral and ideological assessment. The details of the evaluation were never made public, as a table explaining how to manage the points was not made available, and no searches succeeded in finding this attachment to the here-discussed document.

Such a point-based assessment could be used within the SCS frames, especially since its rules are not in any way contradicting the general ideas from the 2014 Outline. Its belonging to the project's scope is, however, not entirely evident. The goals of developing the evaluation do not mention the construction or development of the SCS. Such mentions are characteristic of SCS documents issued after 2014. The notion of 'trustworthiness' appears solely once in the document, in the context of an individual trustworthiness report as a general element required for performing the evaluation. Such a report possibly helps to perform the evaluation as it compiles various types of information in one place.

The fact that the evaluation has been reported as a contribution to the SCS construction might have been a result of it being partly related to the SCS. Even in this case, it remains unclear which of the aspects spoken of in the document were to belong to the SCS. At first glance, the entire evaluation process could be included in the SCS framework. However, the goals set out in the document that introduces the evaluation not solely fail to name the SCS but also mention the need to act in accordance with provincial and central documents on reforming the building of the teaching staff in the new era. This lack of trustworthiness-related language suggests that the SCS is not the primary focus of the pilot.

Moreover, results of the evaluation are to be linked with other incentives and evaluations, such as selecting high-quality teachers or performing the evaluation of excellence and giving honors.<sup>60</sup> These are not directly linked with the SCS. According to central SCS guidelines, untrustworthy behavior should result in the inability to obtain such merits. For instance, the ban

on obtaining honors generally appears as an SCS punishment in the Central Punishment List,<sup>61</sup> albeit it refers to subjects other than teachers. This notwithstanding, high levels of trustworthiness generally should result in preferential treatment. Therefore, perhaps the sole act of evaluation and scoring might not be an SCS mechanism. Instead, subordinating the ability to obtain incentives to the result of the evaluation may belong to the SCS scope if a good evaluation is important for considering a teacher as a trustworthiness model.

Finally, these contemplations over the belonging of this evaluation to the SCS scope might as well be idle, as no indication of any link between the SCS and the evaluation was found in materials published after 2019. In 2021, for instance, it was confirmed that the point-based evaluation is being continued and developed, and it was continuously referred to as the point-based management system (“积分制”管理制度).<sup>62</sup> Omitting trustworthiness-related keywords in the latest documents proves that no contribution to constructing trustworthiness is offered even at the superficial, linguistic level.

Unlike very local, city- or village-level scoring pilots discussed above, some of which are non-operable, limited, or directly unrelated to the SCS, provincial-level documents offered an insight into how credit evaluations might work in a more standardized manner and on a broader scale. The next section discusses these insights with the example of the credit evaluation proposed by the Zhejiang province.

## 5. Zhejiang Public Credit Evaluation

Zhejiang province – where the city of Lishui is located – conducts a credit evaluation of five types of subjects. These include natural persons, enterprises, social organizations, governmental, and public institutions. It is a comprehensive evaluation that takes into consideration various indicators based on public credit information from the provincial Public Credit Information Catalogue. Similarly to the central-level PCI Catalogue, the local Catalogue includes information gathered by state organs. Such information mostly covers data on behaviors in relation to the law. Therefore, the Zhejiang mechanism assesses conduct in relation to laws and regulations. As such, it follows the law-embeddedness logic of the SCS as established by central organs.

Detailed guidelines for conducting the evaluation for all five types of subjects were published in 2020.<sup>63</sup> The result of the evaluation is presented within the range from 0 to 1000 points. In four out of the mentioned five groups, the subjects are categorized into one of five grades according to the number of points (with the ‘excellent’ grade for subjects with 850 or

more points and ‘poor’ grade for less than 700 points). Natural persons – who have reached the age of 18 and have full capacity for civil conduct – are the group whose evaluation does not lead to assigning a grade. Their evaluation ends with attributing a particular number of points.<sup>64</sup> They also obtain the so-called ‘public credit portrait’(公共信用画像).

The score value and the weight of the indicators are calculated in accordance with particular rules, and the comprehensive scoring takes place on the basis of a mathematical formula that has been disclosed. The indicators are basically divided into positive and negative ones.<sup>65</sup> The public credit portrait is an individual credit image created on the basis of five basic factors (first-level indicators): basic information, capability of keeping a promise or contract, economic behavior, respecting discipline and law, as well as social and public morality.<sup>66</sup> These factors are further divided into detailed indicators that are categorized into first-, second-, and third-level indicators, from the least to the most detailed ones. The detailed indicators and their weights vary. The detailed information on indicators and their weights is disclosed in tables, along with an explanation and information on the department that provides the particular piece of information.

The first- and second-level indicators mainly serve categorization purposes. The third-level indicators together account for higher-level indicators and are the pieces of information that are, in reality, crucial in the assessment. The third-level indicators include, for instance, ‘serious trust-breaking information’. This includes being on a blacklist, information on not performing an effective court order, on failing to perform a commitment in administrative matters, on administrative punishments, on overdue payments of loans, financial evasion, and tax payment information. Positive indicators include information on participating in volunteer services, on charity donations, on being on a redlist, and other honors and rewards given by the government or departments at the county level and above.<sup>67</sup>

The Zhejiang Public Credit Evaluation for individuals – as every other SCS scoring system run by public authorities in China – cannot impose punishments on individuals with a poor public credit portrait. The rules of the Zhejiang scoring system do not offer a list of rewards either. The evaluation is mainly used in government administrative management and social governance. It is, therefore, used by state organs, and it does not take into consideration indicators that go beyond the normally collected public information. The results may also be potentially disclosed and shared via inquiries.<sup>68</sup> No further details on the use of the evaluation results are offered by the accessed document. Perhaps the scope of use of the ‘public credit

portrait' will evolve over time and depend on locality. For instance, the Lishui Personal Ecological Score includes the Zhejiang evaluation results.

Overall, the Zhejiang concept for SCS point-based assessment is different from various local pilot evaluation schemes, including those presented in this Chapter. It is possibly the established character of the used data and the limited level of innovativeness in terms of gathering new types of data from various sources that make the mechanism quite detailed and refined. The Zhejiang Public Credit Evaluation is, in some ways, similar to the standardized solutions at the central level. This locally designed mechanism seems transparent and organized in a relatively detailed manner. It operates in accordance with rules and regulations, as it works solely with the data gathered in the normal course of the work of state organs. It, therefore, has the potential to remain operational even when new standardization actions undertaken by Beijing will disable more innovative solutions. Less innovative than some other local SCS solutions whose operability or belonging to the SCS is unclear, the Zhejiang Public Credit Evaluation has considerable potential to be a standardized and acceptable enough solution to outlive various more imaginative pilot mechanisms.

Despite sharing a similar character to some centrally standardized SCS solutions, it is challenging to establish in what manner the Zhejiang Public Credit Evaluation supports the core SCS assumption. The public credit portraits of natural persons are not universally disclosed in public, disabling the broad imposition of informal sanctions. It is likely that the evaluation is a diluted legacy of more innovative pilots of point-based assessments that were established in 2020 to fit the need to embed the SCS in laws and regulations and lawfully use the data as stipulated in the PCI Catalogue. At the same time, public credit portraits will likely be used by the public sector for various purposes, and they can be expected to develop over time and at lower levels of administration.

## **6. Concluding remarks**

This chapter covered exclusively local scoring systems targeted at individuals, with the primary focus on verifying their potential to strengthen Beijing's control efforts (MRQ1 and DRQs 1-3). Again, the findings were informative about the process of building the SCS as well (related to MRQ2). They revealed that local scoring systems, like some other mechanisms discussed in Chapters Four and Five, are often designed not solely to serve the SCS but also to reach goals within different projects (like in the case of Civilized Scores). At the same time, Beijing's recent efforts to standardize the use of data within the SCS have the potential to limit the possibility of continuing the implementation of some local scorings in their initial shape.

The logic underpinning local scorings often differs considerably from that of centrally designed solutions. Unlike the latter, which assess behaviors in relation to laws and regulations, local scorings frequently employ indicators that are not strictly related to assessing individuals' conduct in relation to laws. The lack of a strict link between laws and scores naturally disables the possibility of implementing punishments, and, therefore, realizing the core SCS assumption. However, Beijing disabled the implementation of punishments within scoring schemes anyway. Scorings may also be different from other solutions in terms of their approach to individuals. In some pilots, assessments extend beyond individuals to entire households, where the actions of one family member may directly affect the evaluation of others, as illustrated by the Caihe Score.

The Caihe Score provides an example of yet another aspect of SCS construction. Contrary to scorings that initially resorted to sanctions, rewards-oriented scoring systems, such as the Caihe Score, appear largely unaffected by the 2021 ban on imposing punishments for negative scores. Although the Caihe Score operates solely through positive incentives, it nonetheless encompasses highly invasive criteria that may significantly shape individual behavior. The score evaluates aspects of life ranging from political attitudes, through environmental protection, to litigation practices, all of which are assessed through village committees. Despite their intrusiveness, such scores are far from being comprehensive systems covering most or all aspects of citizens' lives. Instead, the used indicators seem to reflect pressing local governance concerns and appear in combinations that may seem arbitrary or loosely connected.

Importantly, despite the lack of official sanctions imposed for a low score, the public display of grades of particular households (or individuals, in other scorings) may lead to informal punishments imposed by community members, thereby supporting the core SCS assumption. Additionally, local scorings introduced in villages may also be used to create loaning systems based on trustworthiness.

Not all scores are as broad in terms of covered governance areas as the Caihe Score. Some are designed around a single governance priority, such as environmental protection. The Lishui Personal Ecological Score exemplifies this approach. Initially designed to include consumption-related sanctions, it was subsequently revised in line with central directives that removed the possibility of imposing punishments. This revision sharply curtailed the score's practical impact on individuals' lives. Other scoring experiments involve assessments of particular professional groups, such as teachers. The belonging of such evaluations to the SCS scope cannot be definitively confirmed. It is likely that the evaluation itself falls outside of the

SCS scope, but data from trustworthiness records feeds the evaluation process. Another possibility is that unfavorable evaluation results disable the possibility of obtaining honors or other incentives under the SCS scope.

At the provincial level, scoring systems may appear more standardized than the localized pilots. The Zhejiang Public Credit Evaluation, for instance, is explicitly tied to behaviors in relation to laws and regulations, mirroring the logic of centrally designed SCS elements. Unlike lower-level scores, however, the provincial scheme does not provide a list of specific incentives for individuals with high evaluations. This might be a result of a lack of grades assigned to natural persons at the end of the evaluation. Instead, the so-called ‘public credit portraits’ generated through these assessments are likely to evolve over time, with their scope and application differing across cities.

## 7. Notes and references

<sup>1</sup> See, e.g., 昆山市社会信用体系建设工作实施方案（2016-2018 年）(Kunshan City Social Credit System Construction Work Implementation Plan (2016-2018)) (2015).

<sup>2</sup> See, e.g., 昆山市社会信用体系建设工作实施方案（2016-2018 年）(Kunshan City Social Credit System Construction Work Implementation Plan (2016-2018)) (2015). This document mentions the advancement of credit grades evaluations in a general manner and calls for the implementation of rewards and punishments as an aftermath of the evaluation.

<sup>3</sup> 国家发展改革委办公厅关于开展失信约束措施清理规范工作的通知 (Notice of the NDRC GO on Sorting out and Standardization of Punitive Measures for Breaking Trust) (2021). This was anticipated in July 2019, when the Deputy Director of the NDRC Lian Weiliang announced it (Tencent Net, “发改委:个人信用分可以结合守信激励但不能用于惩戒” [Development and Reform Commission: Personal Credit Points Can Be Combined with Incentives for Trustworthiness but Cannot Be Used for Punishment], July 18, 2019, <https://new.qq.com/omn/20190718/20190718A0W6MO00.html>). See also: Alexander Trauth-Goik, “Civilized Cities or Social Credit? Overlap and Tension between Emergent Governance Infrastructures in China,” *Global Media and China* 8, no. 3 (2023): 310.

<sup>4</sup> 2018 年昆山市社会信用体系建设工作要点 (Key Points for Kunshan’s Construction of a Social Credit System in 2018) (2018) . Appendix: 2018 年昆山市社会信用体系建设工作任务分解表 (2018 Kunshan Social Credit System Construction Task Breakdown).

<sup>5</sup> 2018 年昆山市社会信用体系建设工作要点 (Key Points for Kunshan’s Construction of a Social Credit System in 2018) (2018) . Appendix: 2018 年昆山市社会信用体系建设工作任务分解表 (2018 Kunshan Social Credit System Construction Task Breakdown).

<sup>6</sup> 2018 年昆山市社会信用体系建设工作要点 (Key Points for Kunshan’s Construction of a Social Credit System in 2018) (2018) . Appendix: 2018 年昆山市社会信用体系建设工作任务分解表 (2018 Kunshan Social Credit System Construction Task Breakdown).

<sup>7</sup> 昆山市守信激励创新试点实施方案 (Kunshan City Implementation Plan for the Pilot Program for Incentives for Trustworthy Behavior) (2019).

<sup>8</sup> For instance, in Poland.

<sup>9</sup> For a detailed analysis of the overlapping between the SCS and the National Civilized Cities Award see Trauth-Goik, “Civilized Cities or Social Credit.”

<sup>10</sup> See, e.g., 2017 年昆山市社会信用体系建设工作要点 (Key Points for Kunshan’s Construction of a Social Credit System in 2017) (2017) . Appendix: 2017 年昆山市社会信用体系建设工作任务分解表 (2017 Kunshan Social Credit System Construction Task Breakdown).

<sup>11</sup> “昆山市民文明十二条”专项行动实施方案 (Implementation Plan for the “Twelve Civilized Rules for Kunshan Citizens” Special Action) (2018).

<sup>12</sup> “The measures for the Kunshan Personal Trustworthiness and Civility Score management” (“昆山市个人诚信文明分管理办法”) were to be promulgated (see 2019 年昆山市社会信用体系建设工作要点 (Key Points for Kunshan’s Construction of a Social Credit System in 2019) (2019). Appendix: 2019 年昆山市社会信用体系建设工作任务分解表 (2019 Kunshan Social Credit System Construction Task Breakdown)), yet this either has not happened or the document has not been made public.

<sup>13</sup> Global Voices, “A Chinese City Withdraws ‘Civility Code’ Following Online Criticism,” September 13, 2020, <https://globalvoices.org/2020/09/13/a-chinese-city-withdraws-civility-code-following-online-criticism/>. See also: Trauth-Goik, “Civilized Cities or Social Credit,” 310.

<sup>14</sup> See, e.g., 2017 年昆山市社会信用体系建设工作要点 (Key Points for Kunshan’s Construction of a Social Credit System in 2017) (2017) . Appendix: 2017 年昆山市社会信用体系建设工作任务分解表 (2017 Kunshan Social Credit System Construction Task Breakdown).

<sup>15</sup> Global Voices, “A Chinese City Withdraws ‘Civility Code.’” See also: Trauth-Goik, “Civilized Cities or Social Credit,” 310.

<sup>16</sup> Global Voices, “A Chinese City Withdraws ‘Civility Code.’”

<sup>17</sup> 国家发展改革委办公厅关于开展失信约束措施清理规范工作的通知 (Notice of the NDRC GO on Sorting out and Standardization of Punitive Measures for Breaking Trust) (2021); 国务院办公厅关于进一步完善失信约束制度构建诚信建设长效机制的指导意见 (Guiding Opinion of the SC GO on Further Improving the System of Punishments for Breaking Trust and Establishing a Long-term Mechanism for Building Trustworthiness) (2020).

<sup>18</sup> Vincent Brussee, *Social Credit: The Warring States of China’s Emerging Data Empire* (Singapore: Palgrave Macmillan, 2023), 141.

<sup>19</sup> 深圳市加强个人诚信体系建设实施方案 (Shenzhen Implementation Plan for Strengthening the Construction of Personal Trustworthiness System) (2019).

<sup>20</sup> 丽水市遂昌县：打造全省首家基层社会治理“信用村” (Suichang County, Lishui City: Building the province’s first grassroots social governance “Credit Village”) (2020).

<sup>21</sup> Information found via a Baidu search, citing: Rural Socio-Economic Survey Department of the National Bureau of Statistics, 中国县域统计年鉴 (乡镇卷、县市卷) – 2021 [China County Statistical Yearbook (Township and County/City Volumes) – 2021], [https://www.stats.gov.cn/zs/tjwh/tjkw/tjzl/202302/t20230215\\_1908004.html](https://www.stats.gov.cn/zs/tjwh/tjkw/tjzl/202302/t20230215_1908004.html).

<sup>22</sup> See CSIS (Interpret: China), “Decision of the Fourth Plenum of the 19th Central Committee of the Chinese Communist Party,” *Interpret: China*, <https://interpret.csis.org/translations/decision-of-the-fourth-plenum-of-the-19th-central-committee-of-the-chinese-communist-party/>.

<sup>23</sup> 丽水市遂昌县：打造全省首家基层社会治理“信用村” (Suichang County, Lishui City: Building the province's first grassroots social governance “Credit Village”) (2020).

<sup>24</sup> 丽水市遂昌县：打造全省首家基层社会治理“信用村” (Suichang County, Lishui City: Building the province's first grassroots social governance “Credit Village”) (2020). A list of incentives was to be compiled: 《蔡和村“蔡和分”激励清单》 (“Caihe Village "Caihe Points" Incentive List”) . However, it was either not issued or is not publicized online.

<sup>25</sup> Credit Zhejiang, “【诚信建设万里行 浙江在行动】浙江遂昌县全力打造信用历史文化乡村” [“Promoting Integrity Construction Nationwide, Zhejiang in Action: Suichang County Fully Builds a Credit-Based Historical and Cultural Village”], August 9, 2021, [https://credit.zj.gov.cn/art/2021/8/9/art\\_1229636089\\_1903.html](https://credit.zj.gov.cn/art/2021/8/9/art_1229636089_1903.html).

<sup>26</sup> ‘讲政治’. This term basically refers to discussing politics in a manner that supports the Party and its leadership in political life.

<sup>27</sup> ‘和团’. This term may either mean ‘peace groups’ or a particular group in the Caihe Village that is to resolve disputes among, e.g., neighbors.

<sup>28</sup> Shanghai Caitong Securities Company (上海财通证券公司).

<sup>29</sup> Chinese Social Sciences Net, “丽水市遂昌县：打造全省首家基层社会治理‘信用村’” [“Suichang County, Lishui City: Building the Province's First Grassroots Social Governance ‘Credit Village’”], November 13, 2023, [https://www.cssn.cn/ztzl/fztd/hpzgfztdjxgj/202311/t20231113\\_5696325.shtml](https://www.cssn.cn/ztzl/fztd/hpzgfztdjxgj/202311/t20231113_5696325.shtml).

<sup>30</sup> Chinese Social Sciences Net, “丽水市遂昌县：打造全省首家基层社会治理‘信用村.’”

<sup>31</sup> A Beijing-based media group specializing in investigative and business journalism.

<sup>32</sup> Cai Xuejiao and Yi Yingzi, “China’s Courts to Blacklist People Who Sue under False Pretenses,” *Caixin Global*, November 10, 2021, <https://www.caixinglobal.com/2021-11-10/chinas-courts-to-blacklist-people-who-sue-under-false-pretenses-101803160.html>.

<sup>33</sup> This is in line with Knight and Creemers’ findings that, in rural areas, the SCS work is performed in a non-digitized manner to a considerable extent (Adam Knight and Rogier Creemers, “Going Viral: The Social Credit System and COVID-19,” *SSRN Electronic Journal*, January 20, 2021, 6).

<sup>34</sup> On the grid management system see, e.g., Jean Christopher Mittelstaedt, “The Grid Management System in Contemporary China: Grass-Roots Governance in Social Surveillance and Service Provision,” *China Information* 36, no. 1 (2022): 3–22.

<sup>35</sup> See, e.g., 国务院关于印发社会信用体系建设规划纲要(2014–2020 年) 的通知 (Notice of the State Council on Issuing Planning Outline for the Construction of a Social Credit System (2014–2020)) (2014).

<sup>36</sup> 关于在全市开展信用村创建试点工作的实施意见 (Implementation Opinions on Carrying out Pilot Work on the Creation of Credit Villages in the City) (2016) (Kunshan City).

<sup>37</sup> See, e.g., the goals of creating credit village under the administration of Kunshan: 关于在全市开展信用村创建试点工作的实施意见 (Implementation Opinions on Carrying out Pilot Work on the Creation of Credit Villages in the City) (2016) (Kunshan City).

<sup>38</sup> See Marianne von Blomberg and Wessel Reijers, “Who Deserves Credit? Banks for the Virtuous in Rural China,” *Journal of Contemporary China* 33, no. 150 (2023): 955–970.

<sup>39</sup> 丽水市个人生态信用积分（绿谷分）管理办法（征求意见稿）(Measures for the Management of the Lishui City Personal Ecological Credit Points (Green Valley Points) (Draft for Comments)) (2019). Note: there is an analogous document for performing evaluations of enterprises.

<sup>40</sup> 丽水市发展和改革委员会关于印发《丽水市绿谷分（个人信用积分）管理办法（试行）》的通知 (Notice of the Lishui Municipal Development and Reform Commission on the Issuance of the “Measures for the Management of the Lishui Green Valley Points (Personal Credit Points) (Trial Implementation)”) (2020).

<sup>41</sup> 关于发展生态信用守信联合激励和失信联合惩戒工作的实施意见（征求意见稿）(Implementation Opinions on Developing Joint Incentives for Keeping Trust and Joint Punishments for Breaking Trust in Ecological Credit (Draft for Comments)) (2019). Note: This document was published along with the previously cited Draft for comments: 丽水市个人生态信用积分（绿谷分）管理办法（征求意见稿）(Measures for the Management of the Lishui City Personal Ecological Credit Points (Green Valley Points) (Draft for Comments)) (2019).

<sup>42</sup> 丽水市发展和改革委员会关于印发《丽水市绿谷分（个人信用积分）管理办法（试行）》的通知 (Notice of the Lishui Municipal Development and Reform Commission on the Issuance of the “Measures for the Management of the Lishui Green Valley Points (Personal Credit Points) (Trial Implementation)”) (2020), art. 1. For a document that includes a specification of the joint rewards and punishments, see 关于发展生态信用守信联合激励和失信联合惩戒工作的实施意见（征求意见稿）(Implementation Opinions on Developing Joint Incentives for Keeping Trust and Joint Punishments for Breaking Trust in Ecological Credit (Draft for Comment)) (2019).

<sup>43</sup> 丽水市发展和改革委员会关于印发《丽水市绿谷分（个人信用积分）管理办法（试行）》的通知 (Notice of the Lishui Municipal Development and Reform Commission on the Issuance of the “Measures for the Management of the Lishui Green Valley Points (Personal Credit Points) (Trial Implementation)”) (2020), art. 3.

<sup>44</sup> 丽水市发展和改革委员会关于印发《丽水市绿谷分（个人信用积分）管理办法（试行）》的通知 (Notice of the Lishui Municipal Development and Reform Commission on the Issuance of the “Measures for the Management of the Lishui Green Valley Points (Personal Credit Points) (Trial Implementation)”) (2020), art. 9.

<sup>45</sup> 丽水市发展和改革委员会关于印发《丽水市绿谷分（个人信用积分）管理办法（试行）》的通知 (Notice of the Lishui Municipal Development and Reform Commission on the Issuance of the “Measures for the Management of the Lishui Green Valley Points (Personal Credit Points) (Trial Implementation)”) (2020), art. 10.

<sup>46</sup> For a full list see 丽水市发展和改革委员会关于印发《丽水市绿谷分（个人信用积分）管理办法（试行）》的通知 (Notice of the Lishui Municipal Development and Reform Commission on the Issuance of the “Measures for the Management of the Lishui Green Valley Points (Personal Credit Points) (Trial Implementation)”) (2020), art. 6.

<sup>47</sup> 丽水市发展和改革委员会关于印发《丽水市绿谷分（个人信用积分）管理办法（试行）》的通知 (Notice of the Lishui Municipal Development and Reform Commission on the Issuance of the “Measures for the Management of the Lishui Green Valley Points (Personal Credit Points) (Trial Implementation)”) (2020), art. 19.

<sup>48</sup> 丽水市个人生态信用积分（绿谷分）管理办法（征求意见稿）(Measures for the Management of the Lishui City Personal Ecological Credit Points (Green Valley Points) (Draft for Comments)) (2019), art. 6.

<sup>49</sup> 丽水市个人生态信用积分（绿谷分）管理办法（征求意见稿）(Measures for the Management of the Lishui City Personal Ecological Credit Points (Green Valley Points) (Draft for Comments)) (2019), art. 6.

<sup>50</sup> 丽水市发展和改革委员会关于印发《丽水市绿谷分（个人信用积分）管理办法（试行）》的通知 (Notice of the Lishui Municipal Development and Reform Commission on the Issuance of the “Measures for the Management of the Lishui Green Valley Points (Personal Credit Points) (Trial Implementation)”) (2020), art. 18.

<sup>51</sup> 关于发展生态信用守信联合激励和失信联合惩戒工作的实施意见（征求意见稿）(Implementation Opinions on Developing Joint Incentives for Keeping Trust and Joint Punishments for Breaking Trust in Ecological Credit (Draft for Comment)) (2019), chapter 4.

<sup>52</sup> 丽水市个人生态信用积分（绿谷分）管理办法（征求意见稿）(Measures for the Management of the Lishui City Personal Ecological Credit Points (Green Valley Points) (Draft for Comments)) (2019), art. 16.

<sup>53</sup> 丽水市个人生态信用积分（绿谷分）管理办法（征求意见稿）(Measures for the Management of the Lishui City Personal Ecological Credit Points (Green Valley Points) (Draft for Comments)) (2019), art. 18.

<sup>54</sup> Note: The 2021 ban does not disable the imposition of punishments on market entities. For punishments see 关于发展生态信用守信联合激励和失信联合惩戒工作的实施意见（征求意见稿）(Implementation Opinions on Developing Joint Incentives for Keeping Trust and Joint Punishments for Breaking Trust in Ecological Credit (Draft for Comment)) (2019), chapter 2.

<sup>55</sup> 丽水市个人生态信用积分（绿谷分）管理办法（征求意见稿）(Measures for the Management of the Lishui City Personal Ecological Credit Points (Green Valley Points) (Draft for Comments)) (2019), art. 19.

<sup>56</sup> 浙江省卫生健康信用信息管理办法（试行）(Measures for the Health and Medical Credit Information Management in Zhenjiang Province (Trial Implementation)) (2020).

<sup>57</sup> 丽水市教育局关于实行积分制管理促进教师发展的实施意见 (Implementation Opinions of the Education Bureau of the Lishui City on Implementing Point-Based Management to Promote Teacher Development) (2019). Note: Another evaluation of kindergartens in the entire Zhejiang province was found among SCS documents, which results in assigning levels from one to three. The link between the evaluation and the SCS is uncertain as well (浙江省幼儿园等级评定（2020 年修订）(Zhejiang Province Kindergarten Grading System (2020 Revision)) (2020)).

<sup>58</sup> 丽水市教育局关于实行积分制管理促进教师发展的实施意见 (Implementation Opinions of the Education Bureau of the Lishui City on Implementing Point-Based Management to Promote Teacher Development) (2019), chapter 2, points 1-3.

<sup>59</sup> 丽水市教育局关于实行积分制管理促进教师发展的实施意见 (Implementation Opinions of the Education Bureau of the Lishui City on Implementing Point-Based Management to Promote Teacher Development) (2019), chapter 6, point 1. For a more detailed list of factors taken into consideration during evaluation see chapter 4. The document included an attachment: a table used for conducting the evaluation. The attachment, however, was not available.

<sup>60</sup> 丽水市教育局关于实行积分制管理促进教师发展的实施意见 (Implementation Opinions of the Education Bureau of the Lishui City on Implementing Point-Based Management to Promote Teacher Development) (2019), chapter 2, point 4.

<sup>61</sup> 全国失信惩戒措施基础清单 (2024 年版) (National Basic List of Disciplinary Measures for Dishonesty (2024 edition) (2024).

<sup>62</sup> See, e.g., Education Department of Zhejiang Province, “丽水市以高质量教师队伍助推山区教育优质发展” [“Lishui City Promotes High-Quality Development of Education in Mountainous Areas with High-Quality Teachers”], April 9, 2021, [https://jyt.zj.gov.cn/art/2021/4/9/art\\_1543974\\_58916895.html](https://jyt.zj.gov.cn/art/2021/4/9/art_1543974_58916895.html).

<sup>63</sup> See 浙江省五类主体公共信用评价指引 (2020 版) (Zhejiang Province Public Credit Evaluation Guidelines for Five Types of Entities (2020 Edition)) (2020). Already the title of the document suggested that – similarly to the PCI Catalogue or the Central Punishment List – these would be updated regularly, but a more recent version has not appeared during the study. Guidelines for some single types of subjects did have a more recent version.

<sup>64</sup> 浙江省五类主体公共信用评价指引 (2020 版) (Zhejiang Province Public Credit Evaluation Guidelines for Five Types of Entities (2020 Edition)) (2020).

<sup>65</sup> 浙江省五类主体公共信用评价指引 (2020 版) (Zhejiang Province Public Credit Evaluation Guidelines for Five Types of Entities (2020 Edition)) (2020).

<sup>66</sup> 浙江省五类主体公共信用评价指引 (2020 版) (Zhejiang Province Public Credit Evaluation Guidelines for Five Types of Entities (2020 Edition)) (2020).

<sup>67</sup> 浙江省五类主体公共信用评价指引 (2020 版) (Zhejiang Province Public Credit Evaluation Guidelines for Five Types of Entities (2020 Edition)) (2020).

<sup>68</sup> 浙江省五类主体公共信用评价指引 (2020 版) (Zhejiang Province Public Credit Evaluation Guidelines for Five Types of Entities (2020 Edition)) (2020).

## CHAPTER SEVEN.

### The culmination of SCS haziness: The problem of trustworthiness dossiers and credit evaluations

The SCS solutions covered in previous chapters were crucial for discovering the current effects of SCS operations, especially for natural persons. The findings indicate that particular SCS elements, such as punishments or scoring systems, often have a limited effect on peoples' lives. However, a discussion on the SCS may not overlook the issue of various types of credit records. The 2014 Outline called for the establishment of trustworthiness dossiers<sup>1</sup> not solely in the key areas of governance. Apart from ordering the creation of dossiers for different entities and individuals (e.g., Internet users or representatives of particular professions), the Outline announced the plan to achieve a full national coverage of trustworthiness records for natural persons. The dossiers were to include records of citizens' actions in economic and societal spheres.<sup>2</sup> These passages of the first major SCS planning document likely considerably added to the discussions on the nationwide and comprehensive surveillance project based on the vast data collection that the SCS could become.

This potential to strengthen surveillance capabilities of the Chinese state (related to MRQ1) is the most obvious among the reasons for the need to discuss the shape and scope of the trustworthiness dossier. A vast collection and analysis of data on individuals could increase the surveillance capabilities of the regime, enhance authoritarian control over individuals, and, at some point in the future, lead to the broadening of the SCS scope. Another reason for discussing trustworthiness records is the fact that the various types of records appearing in the accessed documents increase the haziness of the SCS scope (considerably informing MRQ2). It is often unknown whether some types of dossier operate as a part of the SCS or were just reported by some organs to basically fulfill their tasks of contributing to the SCS construction.

This chapter will not attempt to unequivocally address this unknown. Whether the various types of records created by different bureaucratic agents are incorporated and used within the SCS depends not solely on central standardizing documents, but also on the overall cooperation between organs and the technical capabilities of particular localities to share, exchange, analyze, and use the collected data for particular purposes. The level of such interconnection certainly varies among localities. The accessed materials suggested that some localities have not even solved basic issues related to standardizing data formats. In light of the haziness of the SCS scope, of the lack of information on the future technical capabilities of SCS

infrastructure, and within the frames of this particular study, discussing what could be done with the records on a large scale would be speculative and lack scientific rigor. This aspect is left for future research or broader studies using more data sources.

Moreover, as it will be shown, the content of numerous types of dossiers discussed below does not have a considerable potential to contribute to the execution of the core SCS assumption, i.e., raising the cost of violating legal provisions. Therefore, contrary to previous empirical chapters, the following discussion does not devote considerable attention to the discussion on the input of the trustworthiness dossier into the core SCS assumption. Instead, the chapter aims to ultimately picture the haziness of the SCS frames and provide a base for the discussion on methodological recommendations for future studies held in the conclusion. To additionally complement the discussion, the final section of the chapter presents various other types of non-SCS-related solutions that have been reported within the SCS frames and found among local SCS documents.

Overall, the sections of this chapter mirror the classification of different types of dossiers that I created during the analysis. These include trustworthiness dossiers created in line with Beijing's orders; dossiers used for internal management purposes; dossiers with no seeming link to the SCS scope; and integrity records for 'credit management'. Additionally, one section discusses the infrastructure for storing and managing the various types of credit records. Next, based on previous sections, I attempt to determine the impact that credit records might have on the lives of individuals. Finally, this chapter discusses various ranks, grades, and evaluations that were reported in SCS materials and may use the collected information, but seem to fall outside of the trustworthiness scope.

## **1. Trustworthiness dossiers as ordered by Beijing – the case of lawyers and beyond**

In some of the accessed documents, dossiers for particular groups of individuals seemed to operate in line with higher-level directives and cause limited confusion related to the SCS scope. For instance, in 2014, Zhejiang province published provisions that announced the establishment of a lawyers' trustworthiness (or integrity) dossier (诚信档案).<sup>3</sup> Despite having a province-wide reach, the provisions apply to the municipal-level bodies of Zhejiang's cities,<sup>4</sup> which include the city of Lishui. The official issuance of the Zhejiang document predated the 2014 Outline by two and a half months. This notwithstanding, the idea to establish a trustworthiness dossier is in line with the central call from the Outline to reach a full national coverage of SCS records and proceed with information collection for particular groups of natural persons,

lawyers included. The official goals of the creation of the dossier are in line with the SCS objectives and include raising the social credibility of the legal industry and lawyers in the province.<sup>5</sup>

The Zhejiang dossiers should constitute ‘specialized’ and ‘objective’ records which, apart from basic information (name, law firm, professional qualifications, party affiliation etc.), include particular pieces of information on aspects such as annual evaluations, rewards, punishments (administrative, criminal, or sectoral imposed by an association of lawyers) and other violations of professional ethics, as well as complaints from individuals or associations or other entities.<sup>6</sup> Fully realized and regularly updated, the dossier may be a comprehensive and diverse source of information on particular individuals. However, it is far from being a comprehensive dossier as it focuses solely on professional activities and entirely fails to include information related to lawyers’ conduct outside of the professional sphere. The types of information collected are basically in line with the Public Credit Information Catalogue.<sup>7</sup> This differentiates these integrity records from the internal management dossier discussed later. This type of trustworthiness dossier fulfills the basic requirements of the general 2014 Planning Outline related to the creation of a trustworthiness dossier, and follows the more detailed standardizing documents.

The creation of the dossier and collection of particular types of information it contains is the responsibility of particular bodies at relevant levels of administration, including judicial administration bodies (e.g., province-level ministerial organs) and lawyers’ associations.<sup>8</sup> Overall, per the reading of the document, the creation of the dossiers requires cooperation of organs at different levels of administration: province, city, and county, requiring cooperation within the *tiao* and *kuai* axes. Organs at different levels seem to have access to different types of information, and solely the cooperation between them allows for the creation of a full dossier.<sup>9</sup> This might be a challenge in the establishment, exchange, and sharing of complete and updated records on lawyers, even within one city. Additionally, lawyers and law firms themselves should provide relevant trustworthiness information to administrative bodies and lawyers’ associations in a timely manner, bearing responsibility for the authenticity and legality of the information.<sup>10</sup>

The dossier may have an impact on a lawyer’s social credit.<sup>11</sup> It should be an important basis for all types of evaluations, law enforcement discipline inspections, annual assessments, promotions, as well as elections and recommendations to Party committees, government, relevant departments, and organizations.<sup>12</sup> There are no signs, however, that the entire records (as opposed to individual pieces of information on seriously trust-breaking behavior that

triggers the SCS sanctioning regime) influence the imposition of joint punishments. As such, while being more potent in this respect than the internal management dossier described later, the integrity dossier has a limited contribution to the core assumption of the SCS.

Apart from influencing potential promotions and other internal management processes, the public disclosure of information on untrustworthiness could potentially lead to the imposition of informal punishments, e.g., in the form of professional ostracization. If a person seeking a lawyer's services comes across (un)trustworthiness-related information on a particular lawyer, their decision on whether to use the services of this lawyer may be changed. The dossier data can also be used by law firms to make an inquiry about a potential candidate for work.<sup>13</sup> Overall, instead of being the starting point in the SCS cause-and-effect sequence and serving the imposition of punishments, the dossier is rather at the end of the sequence and serves an informative role. The dossier, for instance, contains (post-factum) information on various law-based sanctions imposed on lawyers who broke trust, i.e., violated laws or regulations.

Per the provisions, the records were to be open to society.<sup>14</sup> They should be published via the Zhejiang Province Lawyers Comprehensive Management Platform.<sup>15</sup> The Platform seems to be directly unrelated to the other elements of SCS infrastructure and other platforms designed for the purpose of sharing and disclosure of credit information. The Platform requires logging in, and solely law firms and lawyers possessing relevant login information (such as the unified social credit number) may access the data in the Platform. To facilitate the social or public inquiry into the trustworthiness information, other publication channels (unspecified) were allowed by the document.<sup>16</sup>

A search for such publication channels with the use of the Baidu engine resulted in accessing some (albeit limited) amounts of credit information. For instance, the Zhejiang Lawyers' Association (浙江省律师协会) publicly discloses basic information of lawyers from the province, including names, the name of their workplace, and gender. Even their certificate numbers are partly visible, with most of the numbers blurred.<sup>17</sup> This is the case for all cities of the province covered by the portal, including the city of Lishui. The basic information does constitute public credit information (per the PCI Catalog); however, the basic information alone does not allow for determining someone's credit situation or their (un)trustworthy character.

More information was found on the website of the province-level ministry of justice (浙江省司法厅). It allows for accessing hundreds of entries of punishments imposed on individual lawyers. The punishments include administrative punishments imposed by the relevant state

organ, such as the revocation or a several-month suspension of a lawyer's license. They also include sanctions imposed by the lawyer's industry, including the cancellation or temporary suspension of a membership in lawyers' associations, e.g., in the All-China Lawyers' Association. The website offers a brief description of the individual situations, often mentioning the regulatory and legal bases for the sanctioning. The website also displays rewards granted within the legal industry, e.g., an annual award for the outstanding public lawyer. It also offers a search engine that allows for searching for particular lawyers and law firms and making integrity inquiries about them.<sup>18</sup> Apart from the names, however, it does not offer basic information, as can be found on the Zhejiang Lawyers' Association website.

Trustworthiness dossier in the legal sector is not exclusive to Lishui or the Zhejiang province. A similar phenomenon appeared in other localities, including those examined during this study. Similarly to Lishui, Kunshan also runs integrity dossiers for lawyers and legal offices, as well as related staff and entities. The information from the trustworthiness dossiers, which include basic information and information on punishments and rewards, is supposed to be publicly disclosed. The disclosure period for punishments and rewards is at least three years.<sup>19</sup> The trustworthiness information should be publicly disclosed via dedicated SCS-related websites listed in the relevant document. However, the data was not easily available as of mid-2025.

For instance, the local Kunshan Credit China website included information on the Defaulters' but failed to have a similar tab or function for lawyers' credit information. This is contrary to what was ordered by the relevant measures. The website of Kunshan Lawyers' Association (昆山市律师协会) does not operate outside of mainland China (as of mid-2025). It was, therefore, not possible to verify whether the Association shares such information. Unlike the Zhejiang case, however, the accessed document did not encourage such associations to disclose integrity data. At last, the data on the lawyers' integrity was found at the provincial level. The Jiangsu province-level ministry of justice (江苏省司法厅) runs a dedicated credit inquiry search engine. It is more comprehensive than its counterpart, which is run by the Zhejiang organ. It includes pictures and more pieces of basic information (including age, years of professional experience, full certificate number, and completed level of education). Moreover, it reveals information on the outcomes of annual examinations performed by particular institutions, such as internal assessments conducted by law firms. Similarly to Zhejiang, it includes information on awards, administrative punishments, and industry sanctions.<sup>20</sup>

Overall, the above integrity dossiers seem to fit the SCS scope, albeit they do not serve the core SCS assumption as directly as other solutions discussed in previous chapters. The types, amounts, and scope of the published information in the case of the accessed lawyers' integrity dossier were in line with the PCI Catalog, but the scope of their public disclosure varied depending on localities and platforms. The fragmentation and differences between the elements of the data sharing infrastructure, which are not necessarily parts of the SCS data sharing infrastructure, might be a challenge in the potential coordination and exchange between various databases.

The use of integrity dossiers in line with the general documents is not limited to the legal sector. The records appear in other areas, such as the management of social organizations. In Kunshan, their content includes basic information of social organizations, performance information (e.g., results of annual inspections, evaluation ranks,<sup>21</sup> etc.), as well as trust-breaking information (e.g., information on breaking laws and regulations, such as financial frauds or performing activities that go beyond the mission of the social organization, or improper behaviors that create a serious social influence).<sup>22</sup> The data can be obtained by the Municipal Civil Affairs Bureau (昆山市民政局; the local branch of the Ministry of Civil Affairs) via an inter-ministerial data exchange or by obtaining written proof from a social organization, a relevant unit or an individual, leaving room even for individual whistleblowers.<sup>23</sup>

Kunshan's social organizations are to face punishments and obtain incentives in accordance with their credit records. Poor credit records may lead to, among other sanctions, the inclusion of a social organization as an object of key supervision for the period of five years or a ban on participating in honoring and award-selection competitions.<sup>24</sup> These solutions are generally compliant with central-level documents mentioning lists of subjects of key supervision for abnormal activities.<sup>25</sup> The sanction of banning participation in award selections also appears centrally, in the Central Punishment List.<sup>26</sup>

Some credit records established locally foreground collecting data on the cases of violations of regulations. For instance, in 2015, Shenzhen announced the construction of a city-wide system for personal credit of accountants. The credit records seem to resemble a repository for violations of regulations. They include information on various types of violations, all related to the PRC Accounting Law<sup>27</sup> or other legal measures applying to the profession.<sup>28</sup> The prohibited acts that may be noted in the records include concealing or intentionally destroying accounting books and other acts that result in a lifelong ban on working in the profession or

revocation of qualifications. All of the records must be based on effective legal documents, such as court judgments or administrative punishments.<sup>29</sup>

Overall, in accordance with the 2014 Outline, relevant state organs have established trustworthiness dossiers in key areas for natural and legal persons. While most solutions for natural persons cover representatives of particular professions, records at times cover issues related to people's private lives. For instance, among the areas covered by the SCS is the area of social security, which embraces the trustworthiness files of families who use low-income social housing. In Lishui, the files serve as the basis for imposing a lifelong ban on applying for such affordable housing for families that refused to pay the market price for rent despite the amelioration in the economic situation.<sup>30</sup> Similar solutions are possibly in force in multiple other localities, yet some minor local variations might appear. For instance, the Lishui solution shows minor differences with the central document that orders the imposition of a similar ban, yet for both the purchase and rent of affordable housing, and for a set period of time.<sup>31</sup> Interestingly, the Lishui document that names the files precisely 'integrity dossier' (诚信档案) was issued in 2012, as long as two years before the 2014 Outline. The data on the ban on using social housing later became a part of the PCI Catalogue<sup>32</sup> and, therefore, became a standardized type of credit information. The ban was also written into the Central Punishment List.<sup>33</sup>

Similarly to the above cases, other accessed documents covered particular groups of individuals, predominantly representatives of particular professions. They, however, seemed not to be designed in line with the SCS requirements and logic, but rather for internal management purposes. The names or such dossier did not necessarily include references to 'integrity', 'trustworthiness' or 'credit', yet the documents introducing them were reported as SCS-related. The next section discussed this type of dossier.

## **2. Dossiers used for internal management purposes**

As for internal dossiers in enterprises, the city of Lishui ordered travel agencies to establish personal dossiers (个人档案) of full-time and part-time tour guides. This call for the establishment of dossiers appeared in a document introducing the rules for the management of travel agencies without any indication of trustworthiness or credit.<sup>34</sup> Similar records should be created for businesses, not natural persons, within the travel sector and serve as 'the most basic information' on the businesses and as an important part of their operation and management. The dossiers should also be used during supervision and inspections by the relevant competent

departments. Generally, the dossiers for both individuals and businesses are a part of the internal management processes of travel agencies and businesses.<sup>35</sup>

The primary use of such records for internal management purposes – and not SCS purposes – is seen in the dossier content. The records should include archived correspondence with hotels, restaurants or attraction spots, tourist complaints, lists of tourists, and service quality feedback. The sharing of such internal information with the state organs may considerably increase the overall surveillance capabilities of the Chinese regime. This notwithstanding, no trustworthiness-related pieces of information, e.g., on the lawfulness of the subjects' conduct, seem to be a part of them.<sup>36</sup> The usefulness of such records in the realization of the core SCS assumption is, therefore, limited. The accessed document also mentions that the dossier system is not currently ideal; often, it is not complete or even established by the travel agencies and businesses. This implies that such dossier systems are not a new phenomenon, nor are they created for SCS purposes.

Regardless of all these aspects, provided that the dossier is regularly updated and shared with the relevant state organs, some of the records might be potentially useful for the SCS. For instance, the list of tourists could be used to verify whether defaulters who face consumption-related limitations travel despite the ban to do so. In reality, however, the likelihood of an internal dossier being digitized, sent to a proper state organ, and then shared via the SCS data sharing infrastructure and platforms with other organs responsible for enforcing the consumption restrictions in various areas of the country is unlikely at this stage. This would require considerable technical work and unification of data formats.

Overall, the case of dossiers in the travel sector exemplifies how a document may be reported as a contribution to the construction of the SCS even though it discusses internal dossier systems. In this case, the sole mentions of trustworthiness occasionally appear in the attachments to the document, which state that a trustworthy service is the guarantee of quality.<sup>37</sup> Other types of internal dossiers for individuals performing particular professions belonging to the SCS key areas appeared in the accessed materials. For instance, according to a document valid until 2024, in Shenzhen, non-SCS-related digital records of doctors' negative behaviors were to be a base for their bi-annual scoring.<sup>38</sup>

Moreover, the accessed materials published on local SCS websites spoke of the establishment of dossiers not solely within enterprises or entities such as hospitals but also in professional associations consociating professionals from SCS key areas. For instance, guidelines for lawyers' associations in Shenzhen mention the need to create dossiers with various types of information, e.g., on activities or trainings. The files – seemingly not related to

trustworthiness – should be shared with the city of Shenzhen annually.<sup>39</sup> Such records are likely an example of the various kinds of professional associations answering the call to voluntarily participate in SCS construction. It remains unknown, however, to what extent their data-sharing activities may be useful for reaching SCS goals in various areas and at various levels of administration.

Professional associations are encouraged to participate in trustworthiness-related work (also by imposing informal punishments on untrustworthy subjects), yet they are not officially obliged to act in accordance with the standardizing or other central guidelines. This does not apply to public institutions, such as kindergartens. Yet they were found to report within SCS-related materials the existence of an internal dossier fully contradicting central guidelines. For instance, kindergartens in the Zhejiang province have to establish a dossier for each child to collect their work, report their development, and use the records as the base for imposing changes in the internal curriculum.<sup>40</sup> This would fulfill the general call for establishing dossiers for natural persons. It could also show devotion to constructing a trustworthiness system in the area of education. The 2024 Outline ordered to ‘explore the establishment of credit rating systems for educational establishments and their employees, teachers and students, [...]’,<sup>41</sup> which would justify the need to create dossiers for students. However, it was later announced that the SCS and the scope of credit information should solely cover adults who have full civil capacities,<sup>42</sup> which excludes any files for minors from the SCS scope.

For the abovementioned reason, and considering the issuance date of the cited document, the dossiers themselves seem not to be solely against the central guidelines but also entirely unrelated to the SCS. The existence of the dossiers is an element of the evaluation standards for kindergartens. It is likely that not the dossier, but the evaluation was reported as a part of SCS construction efforts. The document, however, makes no mention of the System, nor of any related keywords. There are no suggestions within the document that the evaluation is any different from the regular internal evaluation that would take place outside of the SCS scope. This case reveals another problem related to constructing SCS (and studying it) – the available documents reported as SCS-related often fail to include any mentions of the SCS or relevant keywords, such as ‘trustworthiness’. It is often not known which parts of the documents introduce elements that might or should be considered as part of the SCS. Moreover, if the mentioned evaluation is reported as an SCS-related solution, it might imply that the SCS brings no novelty, as some solutions are formally re-labelled as SCS.

A question arises as to why various documents introducing or mentioning internal management dossiers were reported as a contribution to SCS construction. At times, the

motivation might have been to report the existence of dossiers that could potentially become credit records, as urged by the 2014 Outline. In other cases, the files seemed to be an element of internal evaluations that were reported as SCS-related but revealed no blatant connection with the SCS either. It is likely that the documents have been reported as SCS-related solely to manifest the existence of some sort of dossier or evaluations in enterprises, public entities, such as hospitals, or in professional associations. Many of these materials that are supposed to contribute to SCS construction do not have much – if anything – in common with the SCS and SCS-related keywords. The reporting of such materials is perhaps an attempt by relevant state organs to minimize the effort made to fulfill the task of contributing to SCS construction.

Moreover, the inclusion of some of these documents on the SCS website might have also been an effect of the general messiness around SCS construction and the haziness of the guidelines. This might have led to the online publication of ‘random’ documents at the SCS website that do not truly constitute and have never constituted a part of the SCS, but do speak of a sort of dossier or evaluations within the SCS key areas. It is also possible that particular local agents reporting these documents were motivated by various area-specific or individual interests. A detailed analysis of the various interests could be conducted in the future to better understand, to the greatest possible extent, the logic and plethora of reasons behind the haziness of the SCS scope.

### **3. Other integrity dossiers with (no?) connection to the SCS infrastructure**

Similarly to dossiers that were used within particular institutions and included information on, e.g., relevant employees, the accessed documents included information about integrity dossiers used for particular processes. These records do not seem to serve as internal management dossiers in entities, but their connection to the broader SCS infrastructure is similarly confusing. The city of Lishui has tested the use of trustworthiness records (诚信记录) in the field of research, in the management of publicly-funded soft science projects.<sup>43</sup> In order to obtain the local grant, the main applicant may not have an unfavorable credit record in the field of scientific research.

One of the seven items that need to be included in the application is the researcher’s trustworthiness level (诚信度). The other six are strictly related to the research project, such as the research plan, budget, feasibility, applicability of the results, etc.<sup>44</sup> It remains unclear what precisely influences the trustworthiness level. For instance, it is not known whether information on (un)trustworthy conduct in the field of research possessed by organs at various levels of

administration that do not participate in the Lishui grant application evaluation process affects it. What is certain is that, in the case of a failure to execute a funded project for no particular reason, the funds are returned, and an unfavorable record is put into the researcher's dossier.<sup>45</sup> This unfavorable record likely leads to disqualifying the untrustworthy individual from serving as the main researcher in such a project for a particular (albeit unspecified by the document) period of time.

Such a use of trustworthiness records may be limited to one type of local grant competition or to different grant competitions within one city, not affecting one's capabilities to apply for grants elsewhere. The materials accessed during the study have revealed no interconnection between different elements of data infrastructure that would allow for a nationwide sharing of such research-related local credit records. The PCI Catalogue does not list such information as credit information. This further suggests that such data on the failure to execute a locally funded research grant project is not incorporated into the credit information scope shared within the SCS infrastructure. No mentions of the public disclosure of these integrity records appeared, which further differentiates them from the integrity dossiers for, e.g., lawyers. Therefore, the sole fact of labelling records or dossiers with the concept of 'integrity' or 'trustworthiness' does not prove that such information belongs to the PCI scope or to a broader network of SCS-related information. Perhaps, again, the trustworthiness-related label was added to make a cosmetic contribution to the SCS construction.

#### **4. Integrity records for 'credit management'**

At times, trustworthiness records are not solely consulted at a particular point in time (e.g., in the assessment of a grant applicant) but are used for a continuous process of the so-called 'credit management' (信用管理). In the case of a research grant competition run by Lishui, other than the one for soft science projects mentioned in the previous section, integrity records are used not solely to assess or determine the level of trustworthiness in the process of grant application evaluation, but also during and after the project implementation. Moreover, credit records are introduced not solely for the grant applicants, but also for those who serve as referees in the assessment of scientific and technological project applications.

If, in the process of accepting any scientific or technological projects for funding by the Municipal Science and Technology Bureau, a member of the assessment group commits fraud or favoritism, their qualifications for serving this role are cancelled, and the trust-breaking behavior is recorded.<sup>46</sup> Startingly, while the applicants for soft science projects were obliged to

prove their lack of negative credit records, the other document, which covered other scientific and technological projects in the city of Lishui, did not put forward a similar requirement for the grant applicants at first.

This omission was supplemented by measures published in 2021.<sup>47</sup> They obliged the Municipal Science and Technology Bureau (丽水市科学技术局; municipal-level ministry branch) to verify the level of trustworthiness of individuals responsible for projects in terms of performing obligations and commitments. Among the aims of such a requirement is the standardization of credit management of municipal scientific projects, nipping academic corruption in the bud, and raising the credit awareness of the subject responsible for them (applicants, executors, or managers).<sup>48</sup> Generally, the assessment takes into consideration how the funds are spent, how good the project performance is, and whether all responsibilities and obligations are fulfilled. As mentioned, the document highlights the continuous character of the process of credit evaluation, or rather, ‘credit management’. In the ‘management’ process, the credit evaluation takes place during the assessment of the applicant and the application, during the project implementation, and during project evaluation.<sup>49</sup>

The credit management may trigger various consequences of negative behaviors in the area of science and technology in Lishui. They depend on the seriousness of the circumstances. They range from a notice, through suspending projects or terminating them with the obligation to return the funds, to disabling untrustworthy individuals from applying for other projects, also at provincial and national levels, for a particular period of time.<sup>50</sup> This entire process of recording and evaluating information, as well as employing relevant measures for untrustworthy behaviors, seems not to include blacklisting. However, in order to create a joint punishment mechanism – as sought by the document that discusses the integrity records and credit management – a blacklist would be needed as a means for the implementation of the sanctions. The cited document briefly mentions a list of scientific research credit records (科研信用行为记录名单), but its name does not suggest that solely untrustworthy researchers would be included in it. This notwithstanding, according to the document, relevant subjects should be removed from the list upon the expiration of the punishment period, which suggests that perhaps solely untrustworthy subjects should be included there.<sup>51</sup> The name of the list and the lack of details about it introduce further confusion. The doubts related to blacklists within the SCS, however, have already been discussed, and this solely adds to the overall haziness of the System.

Overall, ‘science and technology projects credit information’ includes basic information (from one’s identity to project number and implementation period); records of negative

behaviors (misconduct in scientific research, such as plagiarism, or resorting to bribery or fraud to get qualified for project undertaking, leaking relevant secrets, or violations of financial discipline, and other relevant data on violating laws and regulations held by a relevant science and technology administrative organ); and records on good behavior (e.g., obtaining awards).<sup>52</sup> These types of information are generally considered ‘credit information’ by the PCI Catalogue. Per the reading of the document, the credit situation of scientists willing to obtain funding for research or executing research grants is assessed solely on the basis of research-related information.

For instance, unless otherwise stated in interdepartmental documents, such as Memoranda of Understanding, solely research ethics and work performance are taken into consideration when determining whether someone is trustworthy enough to obtain a research grant or obtain a positive assessment of grant execution. This implies that being considered untrustworthy beyond the area of science and technology does not directly disable the possibility of obtaining a research grant. This case shows that even if the trustworthiness records are compiled in line with the centrally designed standards, they do not necessarily intertwine with credit information from other areas. This likely works both ways, and the research-related credit data is not necessarily used outside of the area of scientific research. In this manner, the interconnected, shared use of credit information and credit dossiers has not yet been finally established within the SCS. The topic of data interconnection is related to the already-mentioned infrastructure. The next section discusses this issue briefly by highlighting the plethora of platforms and databases.

## **5. The plethora of databases for storing and managing credit information**

Specifically for the purpose of storing research-related credit information discussed in the previous section, a scientific research credit database (科研信用数据库) must be created, along with a credit information management system. The relevant credit information is to be sent to the Lishui Municipal Public Credit Information Platform.<sup>53</sup> The records within the SCS framework are generally stored and managed within a fragmented system of databases and platforms run by various bureaucratic agents at different levels of administration and in different areas of governance. While the local branches of the National Public Credit Information Platform at different levels of administration generally share the same name, there is a plethora of platforms that hold different names, including ‘databases’, ‘platforms’, or even ‘systems’, and more or less refer to keywords such as ‘credit’ or ‘integrity’. Their scope varies

as well, with some elements of infrastructure being devoted fully to natural persons, legal persons, or both.

Apart from the abovementioned sectoral credit database at the municipal level, there are platforms dedicated to credit information of particular groups of professionals at the provincial level. For instance, there is a comprehensive management platform for the legal sector in the Zhejiang Province (浙江省律师综合管理平台). It is a unified publishing platform for trustworthiness dossiers of law firms and lawyers in the entire province. Judicial administration bodies and lawyers' associations at all levels may send their data there.<sup>54</sup> Similar province-level infrastructure elements appear in different areas of SCS construction. In Jiangsu province, there is a credit information disclosure system for provincial social organizations. It is used, for instance, for the credit information management of social organizations in the city of Kunshan.

As for the data flows, lower-level organs may feed higher-level data infrastructure with relevant credit information, and they also obtain information from there. For instance, Kunshan's Municipal Civil Affairs Bureau obtains information on the performance of social organizations and their trust-breaking behaviors from the mentioned Jiangsu province credit information disclosure system. Additionally, the Kunshan Municipal Civil Affairs Bureau obtains information via an interministerial data exchange, with the use of other elements of data infrastructure.<sup>55</sup> As already mentioned in this chapter, they may acquire data from other subjects as well. Similar social organizations, credit information disclosure systems, or platforms (precise names vary between localities) appear in other cities, e.g., in Shenzhen.<sup>56</sup>

Analogous examples may be found in different sectors at the municipal level. For instance, Shenzhen's municipal-level branch of the Ministry of Finance established a personal credit records information system for the city's accounting personnel. The system is used for registering and keeping the personal credit records of accounting personnel, and the credit information is later sent to the city's more general credit reporting system (全市征信系统).<sup>57</sup>

The fragmentation of infrastructure appears even at the sub-municipal level. For instance, the Longgang district of Shenzhen city announced measures for the evaluation and supervision of the work of particular organizations. These organizations include social organizations performing services as commissioned by the local government in accordance with a contract. The cooperation between the government bodies and a particular social organization must be preceded by a check of its credit records, and new credit records must be created during the cooperation for the purpose of annual inspections or other supervision activities. District-level bureaucratic agents in Longgang were ordered to establish a dedicated information

platform (社会组织承接政府购买服务信息平台) for the collection of data on these organizations. Additionally, the credit records must be regularly sent to the District Credit Information Platform (区信用信息平台).<sup>58</sup> From there, the data could be sent further to the corresponding platforms at the municipal, provincial, and central levels.

Overall, the data may be transmitted to the higher-level platform operating within the same sector and to the same-level general platform for credit information. There are, for instance, the mentioned local-level social organizations credit information platforms, local-level general platforms for trustworthiness information, and the central-level, nationwide social organizations credit information management platform (全国社会组织管理信息系统),<sup>59</sup> and the general National Credit Information Sharing Platform. The data flows should take place, therefore, within the *tiao* and *kuai* axes of SCS construction.

The coordination of data sharing within the fragmented and multi-level infrastructure is a long-term task. Some indications of this may be found in publicly available local materials. For instance, in Shenzhen, the municipal government issued a notice in 2018, announcing a *pilot* work in *pilot* sectors of joining the joint punishments and rewards system. This referred not to the entire municipal system of joint punishments, but solely to the joint solutions developed by the Municipal Market and Quality Supervision Commission (市市场和质量监管委).<sup>60</sup> This very local pilot work that failed to embrace the interconnection of joint punishment systems introduced by municipal bureaucratic agents in all SCS key areas was to be carried out by the end of 2018, several years after the 2014 Planning Outline announced the development of the joint punishment and reward schemes. In light of such information, reaching a national, or at least provincial, interconnection covering all SCS key areas of governance appears to be a challenging task for the PRC administration.

The above is not a structured review of the SCS infrastructure. It is complex enough to constitute a topic of a separate study. The abovementioned elements of SCS data storing and sharing infrastructure are solely examples picturing the fragmentation and logic of the SCS infrastructure. This infrastructure is used to store the various types of credit records mentioned in the previous sections of this chapter. It is likely, however, that the internal management dossiers are not a part of the SCS infrastructure. Moreover, the level of digitization of such internal management documents (or even credit records) remains unknown. The level of digitization itself may challenge effective data sharing, both horizontally and vertically.

Moreover, as already noted by Brussee, solely standardization allows for efficient integration and data sharing via SCS platforms.<sup>61</sup> The PCI Catalogue introduced such a

standardization. The standardizing moves require the introduction of adjustments locally, yet some divergencies from the central documents may still be expected, especially since they are allowed by the PCI Catalogue. For instance, Lishui included data on blood donations in its PCI scope,<sup>62</sup> which the central Catalogue did not do. The entire Zhejiang province called for the recording of data on blood donations as a part of its efforts to promote the construction of a social credit system and the management of health credit information.<sup>63</sup> It remains to be seen how considerable the discrepancies between the central PCI Catalogue and its local counterparts will grow over the years. The level of adjustment of local scopes of data collection and use to the central directives is a topic for a separate study. In terms of data sharing infrastructure, it may be expected that – despite the standardizing moves and growing levels of data sharing – some types of data gathered exclusively in particular localities will never be shared with higher-level elements of infrastructure. This naturally disables the full interconnection between the various elements of the SCS data infrastructure.

Amid the abundance of credit records and the plethora of infrastructural elements for data collection, storing, and sharing, a question arises about what impact the various credit records may have on the lives of individuals. The next section attempts to address this question.

## **6. The impact of credit records on the lives of individuals**

There is no universal cause-and-effect sequence inherent in the existence of trustworthiness dossiers. In general, dossiers repeatedly constitute records of already imposed punishments (and other types of information mentioned throughout this chapter). These records may influence further official and reputational sanctions, yet they do not trigger universal SCS sanctioning or rewarding schemes. As such, they serve an informative role (with data being uploaded post-factum) and not, for instance, as a legal base for SCS sanctions. They may also be used for various types of ranks, grades, or evaluations, which are discussed in the next section. The variety of integrity dossiers appearing in different forms, fields, and levels of administration makes it challenging to precisely determine their universal impact on the lives of individuals.

This notwithstanding, multiple documents mention that in order to be qualified for or have access to something (funds, position, market, awards), natural persons or entities may not have a negative credit record. This is the case with the already mentioned research project grants in Lishui,<sup>64</sup> or people willing to establish or work for off-campus tutoring institutions in Lishui.<sup>65</sup> Often, the lack of a negative credit record appears among other requirements, such as having a PRC citizenship, full capacity for civil conduct, or lack of a criminal record.<sup>66</sup> Such requirements need to be fulfilled to become a civil servant. For instance, the joint punishments

– which may leave a trace in one’s dossier – for individuals blacklisted due to serious violations of laws and regulations in the area of culture (within a mechanism discussed in Chapter Four) result in a ban on being a civil servant. While credit records are to be consulted in various processes – from employment of new workers, through giving rewards, to granting funds for research projects – the complex SCS data infrastructure may potentially hinder the effectiveness of such check-ups. The efficiency of inquiries into different credit records is a topic for a separate study, albeit the lack of insiders’ information on technicalities might challenge such a study in the first place.

As for the longevity of credit records and the period of time during which they may influence an individual’s situation, these are not always specified in the local documents. This notwithstanding, some documents are rather specific about the period of time during which no negative credit is required for particular purposes. For instance, one of the factors determining eligibility to apply for a low-rent public apartment rental in Lishui is the lack of negative credit records for five years.<sup>67</sup> Importantly, the scope of people eligible for this type of rental is not solely low-income families but also migrant workers. At the same time, the source of credit information is the Lishui Municipal Public Credit Platform.<sup>68</sup> Therefore, even if (at least some) negative records are sent by various local bureaus to the Municipal Public Credit Platform, the Platform will likely have no automatic access to trust-breaking data from other parts of the country, which could be relevant in the case of proceeding with trustworthiness check-ups of migrant workers.

It is also challenging to determine the universal effects of disclosing information from the credit records, as the scope of the publicly disclosed information differs between governance areas and localities. For instance, basic and performance information on social organizations in Kunshan should be publicly disclosed via a particular website, but access to trust-breaking information may be available to citizens and legal persons upon inquiry.<sup>69</sup> In such a situation, the wide ostracization effect may not apply, as the information is not made widely public and is not disclosed in various places. It is, however, possible to inquire about information on a particular social organization and take decisions about, for instance, the potential cooperation, accordingly. The different scopes of data disclosure were discussed in more detail earlier in the chapter.

The major SCS solutions that are compliant with the core SCS assumption (e.g., joint punishments) use data gathered during the normal course of work of state organs and present in the Public Credit Information Catalogue. On the other hand, the content of some dossiers, as discussed above, may go beyond the PCI. Various types of trustworthiness or other records may

be used for the scoring schemes discussed in Chapter Six. For instance, the Zhejiang Public Credit Evaluation solely used the PCI. However, civility and other scores targeted at achieving some local goals referred to data absent from PCI, especially when piloting scoring systems at a very local level. For instance, data on garbage sorting cannot be a part of the PCI,<sup>70</sup> and yet it was among the data used within the Lishui Personal Ecological Score.

Overall, as was the case with other SCS elements discussed throughout this dissertation, the trustworthiness dossiers may naturally support the logic of particular areas of governance. This is the case for all areas covered by the SCS, from education to scientific research. This implies that, if the regular scope of operations of particular areas of governance includes censorship- or control-related elements, the records might include data on breaches of relevant regulations and add to the censorship or control-related efforts in the PRC. The dossiers themselves, however, are focused on information and behaviors relevant to their respective area of governance. Finally, while this dissertation focuses on the moral aspect of credit (诚信), credit records are used within the financial dimension (征信) as well. There are certain types of dossiers that are designed for financial purposes. Credit dossiers of rural households (农户信用档案) are focused on finances, and their establishment – at least in Kunshan – is coordinated by the People’s Bank of China.<sup>71</sup> Therefore, as a part of ‘rural credit’, dossiers may be used as an important or crucial reference for villagers obtaining loans, which would otherwise be challenging due to the lack of credit history and the manners of assessing financial creditworthiness.<sup>72</sup>

Similarly to some solutions discussed in previous chapters, it is at times challenging to determine what links with the SCS, if any, the dossiers mentioned in particular documents have. Trustworthiness dossiers are another aspect of SCS that makes the system look hazy in scope. A similar trend is observed in the case of other solutions appearing in the accessed materials, including various types of evaluations that lead to assigning grades or ranks to chosen subjects. These evaluations are often related to the dossier issue. On the one hand, they may use records as a basis for assessment. On the other hand, the evaluation outcomes may be recorded as credit information. For instance, among the credit information on social organizations in Kunshan are their evaluation ranks, yet these ranks themselves seem not to be a result of a credit assessment.<sup>73</sup> It is repeatedly challenging to determine whether evaluations appearing in the accessed materials are ‘credit assessments’ or use ‘credit dossier’ or have yet another, or none, link to the SCS. This problem is discussed in the next section.

## 7. (Non-)SCS ranks, grades, and evaluations reported as contributions to SCS construction

In March 2025, the General Offices of the CCP Central Committee and of the State Council issued their opinions on improving the Social Credit System. They referred to the issue of performing evaluations of natural persons and other entities. They reassured that localities and departments that have the necessary conditions may perform credit evaluations of natural persons, but these are to serve as a reference for providing incentive policies for trustworthy individuals,<sup>74</sup> not for imposing sanctions. The credit evaluations (信用评价) mentioned in the document, however, likely refer not to comprehensive point-based scores discussed in Chapter Six, but to evaluations covering particular types of subjects in chosen areas of governance (e.g., lawyers, doctors) that are discussed in this section. Despite central documents mentioning evaluations as an inherent part of the SCS scope, not all of the evaluations found among local documents seem to fall under the scope of the SCS.

The materials analyzed during the study, which were published in tabs with SCS policy and legal documents at central and local Credit China websites, introduced various types of evaluations and assigning ranks and grades to different subjects. Some of them seem related to the notion of ‘trustworthiness’, while others do not. The ranks, grades, and evaluations apply to both natural persons and other subjects, such as business entities or social organizations. While this dissertation focuses mainly on natural persons, it is worth mentioning the mechanisms that apply to other subjects as well. Not only will it allow for a better characterization of the entire SCS, but also for understanding its complexity and the manner in which it may add to the increased control over not solely natural but also legal persons.

Despite the seeming lack of connection between some of the solutions discussed below and the SCS, there are two reasons for assuming that the documents introducing them were reported as contributions to SCS construction by no mistake. As such, they should not be overlooked. First, the considerable amount of such documents makes it unlikely that they have all mistakenly appeared on the Credit China websites. Again, it is more likely that particular bureaucratic agents wished to show a devotion to the SCS construction while avoiding additional workload and the introduction of new mechanisms within their governance areas. Second, the Central Punishment List includes numerous non-SCS-related legal bases as parts of the system. These bases are documents that sometimes predate the year 2014 and make no mention of the SCS. At first glance, they share no links with trustworthiness, yet they ultimately became an important part of the law-based SCS mechanisms, e.g., joint punishment schemes.

A similar trend might appear in the case of the grading and evaluations discussed below. The difference lies in the fact that the solutions discussed below often fail not only to mention trustworthiness but also to assess a subject's conduct in relation to the law. They also fail to serve the core SCS assumption, having little to do with joint or reputational sanctions.

This notwithstanding, not solely the mentioned 2025 opinions, but also the 2014 Planning Outline repeatedly mentions credit evaluation (信用评价) while discussing different areas of governance. The concept appeared in different contexts and linguistic combinations, such as 'credit evaluation systems' (信用评价体系), 'credit evaluation mechanisms' (信用评价机制), 'credit evaluation indicators and evaluation standard system' (信用评价指标和评价标准体系).

### ***7.1 Evaluations for natural persons***

Most of the evaluations and grades for natural persons reported on local Credit China websites do not seem to belong directly to the SCS scope. All of them, however, operate within the key SCS areas. For instance, in 2016, Shenzhen introduced a scoring system for doctors' harmful professional behavior.<sup>75</sup> Even though published after 2014, the documents that introduce it fail to mention SCS-related keywords. Several additional arguments speak against the direct belongingness of the solution to the SCS. First, the system of assigning points is rather atypical. Contrary to the general trend, a particular number of points (between one and twelve) is given for *harmful* behaviors. No points seem to be reduced for positive professional behavior. The scoring cycle lasts for three years; after this period, the score is cleared to zero.<sup>76</sup>

Second, the evaluation itself may not be a direct part of the SCS but rather provide data that feeds some other SCS elements. Namely, the evaluation outcomes should be included in electronic dossiers. Relevant medical institutions must use the scores of doctors' bad professional behaviors as an important factor in processes such as annual assessments or appointment to positions. In this case, the scoring seems to be more of an internal management scoring, which feeds doctors' dossiers. These, in accordance with general central orders, are to be consulted during processes such as promotions or assessments, which is the case here. Third, no rewards are offered for a low number of points, although the lack of negative records is likely considered an advantage. This lack of rewarding and focus on the negative impact of the scoring on doctors' professional opportunities somewhat contradicts the mentioned central guidelines that disabled the punishment of individuals as a result of an unfavorable credit evaluation.

As for ranks focused on positive evaluations that appeared among the accessed documents, in Lishui, there is a ranking of ‘talents’. Five types of ‘talents’ are given grades from A to E, depending on their significance. Type A includes top talents at home and abroad, such as Nobel Prize winners or laureates in the most important science awards. Type B includes national talents and winners of national awards. The typology ends with E-type talents who are, for instance, provincial technical experts.<sup>77</sup> While the document covers one of the SCS key areas, it fundamentally diverges from any SCS characteristics. The A to E typology fails to take into consideration the individuals’ conduct in relation to the law. It remains unknown whether the ranks were reported as a contribution to the SCS construction or whether the document was published among relevant SCS materials for a different reason. For instance, the A to E grades are used to praise and honor chosen individuals. An untrustworthy subject with bad credit records, however, may not receive various honors. The A to E grading may not be a part of the SCS per se. Instead, it may indirectly be influenced by the scope of an SCS punishment that bans the untrustworthy from obtaining similar honors.

Yet another type of evaluation includes both negative and positive data. In the case of annual assessments of lawyers in Lishui, the evaluation is based on indicators such as the lawyer’s continuation of training and evaluation, their professional ethics and discipline, as well as obtained punishments and rewards (which may include but are not limited to SCS punishments and rewards). The final grades range from ‘competent’ to ‘incompetent’.<sup>78</sup> The relevant guidelines do not mention the SCS. The link with SCS is most likely made through punishments and rewards that may belong to the SCS scope and are a part of the evaluation, as well as through the credit dossier, where the relevant data is stored. Moreover, the lawyers need to make a written commitment for the certification materials that certify the fulfillment of the obligations of a member of the lawyer’s association.<sup>79</sup> The SCS-related documents often mention various types of commitments, the breaking of which is considered a trust-breaking conduct.

Yet another evaluation reported among SCS documents proposes an annual assessment using a low number of points (ten) and operating on a deduction basis, i.e., a particular amount of points is deducted for particular behaviors. This solution was proposed in Lishui for annual scorings and rewarding of tour guides (along with travel agencies and hotels).<sup>80</sup> The evaluation does not finish with a final grade that takes the form of, for instance, a letter. All ten points may be reduced for various reasons, among them: performing actions or speaking in a manner that harms the national interest or the dignity of the nation, and recurring verified complaints from tourists.<sup>81</sup> As the evaluation takes place in an annual cycle,<sup>82</sup> it does not instantaneously reduce

points for, e.g., harming national interest. The reduction of points takes place on the basis of various inspections and daily management data.<sup>83</sup> In the meantime, tour guides violating laws and regulations are sanctioned in accordance with legal provisions.<sup>84</sup>

This score evaluation, therefore, does not interfere with regular law enforcement actions. It may result in offering awards to the best tour guides on the basis of the number of points and other factors, such as years of experience and the number of guided groups.<sup>85</sup> The awards are financial and equal 3,000 or 1,000 RMB, depending on the category.<sup>86</sup> If a tour guide has 10 points deducted during the yearly cycle, they are included in a ‘key supervision blacklist’.<sup>87</sup> For this reason, even though the regulations fail to mention the construction of the SCS or refer to any SCS-related materials, their connection to the SCS is evident. Additionally, among the objectives of the document is strengthening the ‘trustworthy service awareness’,<sup>88</sup> which is another direct link to the SCS. This case is an example of how an assessment that does not use letters or grades may have more connection to the SCS than the solutions that seem to be closer to assigning a particular grade to subjects. Additionally, it was among the very few credit-related ranks that revealed any connections with censorship or control, as it punishes tour guides who harm national interest, which possibly includes actions such as diverging from the official national historical narrative.

Overall, none of the materials accessed during the study offered a universal framework for designing various ranks or evaluations, even within one city or province. The standardization of such local solutions seems to remain a distant idea, if ever to be considered by Beijing. The proceedings of grade evaluations are various – they operate with various scopes of points or ranks. Some of them operate with the point deduction rule, while others use the point adding rule. The outcomes of the evaluations differ as well. The rank is sometimes articulated in the form of letters, at times in the form of words, or even in the familiar form of stars – as used worldwide in the case of hotels. This will be discussed in more detail in the case of grades for legal persons, as they are subject to many more evaluations of this type.

At times, mentions of credit evaluations even appear in the context of ‘comprehensive evaluations’ in particular areas of governance. In the case of the healthcare industry in Lishui, credit evaluations of medical personnel, relevant enterprises, and medical facilities, as well as their credit records and a scoring system, are among the five elements of a comprehensive supervision. Other elements include, for instance, the grid management mechanism.<sup>89</sup> This reveals how credit evaluations are not solely far from being comprehensive on their own, but they may even be smaller parts of bigger assessments not falling under the SCS scope.

This concept of making ‘credit’ solely one element of comprehensive evaluations appears in various localities, introduced even at a sub-municipal level. In the Longgang district in Shenzhen, a comprehensive supervision system for social organizations is to include, among other measures, the establishment of a credit evaluation system for social organizations, which entails the establishment of a database for credit information, and efforts to strengthen the trustworthiness of social organizations.<sup>90</sup> Another document from the same district reiterates that credit records should be included and taken into consideration in annual inspections, audits, spot checks, and other supervision systems.<sup>91</sup>

This all adds to the discussion on the credit records from this chapter and further reveals that SCS-related measures are solely parts of broader management systems in various areas of governance. This notwithstanding, it must be noted that not all SCS-related documents may have been made public, and some types of dossiers or evaluations might have been hidden from the public eye. Similar trends were observed in the case of solutions for legal persons, which are briefly discussed in the next section. Contrary to preceding chapters, this final section of the last empirical chapter of the dissertation introduces a discussion on legal persons in order to show that the findings of the study possibly apply – or partly apply – to the entire SCS.

## ***7.2. Evaluations for legal persons***

There is a great variety of grades for legal persons introduced by documents published on the Credit China websites. They all belong to the key SCS areas, but – again – considerably differ from one another. Moreover, the issuance of the documents at times dates back to before 2014, and the materials often show no direct belonging to the SCS scope.

For instance, a province-level document issued in Zhejiang in January 2008 introduced the evaluation of places engaged in rural tourism. The evaluation results in assigning stars to chosen venues.<sup>92</sup> Not solely the date of issuance, but also the type of grades make the solution seem unrelated to the SCS. The grades have the form of stars instead of, for instance, the letter grades that are more characteristic of the SCS (in different sequences, e.g., from A to D; the letters were also used for local pilots introducing comprehensive evaluations of individuals, e.g., in the Suining county mentioned in Chapter Two). The measures introducing the assessment could have been reported to prove the existence of a sort of evaluation in the area of tourism as one of the SCS’s key areas. Star-based grades appeared in evaluation procedures issued years later, and after 2014, and were also reported among SCS materials. For instance, a Lishui document issued in 2020 discusses a star-based grade evaluation of institutions taking care of the elderly. Depending on a number of points, the total of which equals 1,000, these entities are

given a grade that can range from one to five stars.<sup>93</sup> Such evaluations resemble the star-based grades for hotels known around the world more than SCS-related solutions.

The mentioned letter-based grades appear in different contexts as well, some of them being more explicitly related to the SCS than others. For instance, in the case of social organizations in Zhejiang, the relevant document mentions the establishment of a credit system for social organizations in accordance with the relevant SCS documents, such as the 2014 Outline.<sup>94</sup> It introduces five ranks, from 5A (AAAAA) to 1A (A).<sup>95</sup> Apart from measures introducing letter-based grades and setting the rules for such evaluations, a list of A-class restaurants (post-evaluation) in Lishui was found among the accessed materials.<sup>96</sup> Perhaps this reveals that the letter-based grades may be used for, at the very least, rewarding the A-class entities. Signs of such logic appear even in central documents. The PCI Catalogue includes, for instance, information on Class A taxpayers.<sup>97</sup>

Next to letters and stars, words in different configurations are also used in grades. For instance, a trial document for annual inspections of private museums in Lishui proposed a scale from ‘excellent’ to ‘not up to standards’.<sup>98</sup> The relevant document not only fails to mention any SCS-related keywords, but it also seems to have no direct relation to the manner in which the SCS works and prioritizing law enforcement. The results of the annual inspections, which involve a point-based evaluation, are used as an important reference for realizing the annual subsidy policy. The mechanism diverges from the SCS idea in at least two manners. First, it does not assess the subjects (museums) on the basis of their conduct in relation to the law. Among the evaluated factors are the opening hours and the floor area of the museum, as well as the size of the collection.<sup>99</sup> Second, while the SCS rewards do include different types of preferential treatment, and SCS punishments do include limitations in obtaining government funding, the central guidelines do not explicitly subordinate the subsidized amount to an SCS rank. In the lack of such information, there is no sufficient proof that the point-based evaluations of private museums may directly lead to SCS rewards. The document seems to be devoted to setting rules for realizing the annual subsidy policy. This may indicate that the bureaucratic agent wishes to superficially report any evaluation (even if not related to credit), which is generally in line with the vague guidelines, even the most recent 2025 opinions. The evaluation, however, does not seem to have the potential to raise the level of trustworthiness of museums; instead, it focuses on designing an evaluation pattern for a different purpose (subsidy division).

A similar phenomenon is observed in the case of private schools in Lishui that apply for the city’s support policy funds. Among the seven requirements that a school needs to meet to be able to apply for the funds is obtaining a ‘qualified’ grade in an annual assessment, and not

having an abominable incident that triggered a relatively big social influence.<sup>100</sup> The latter requirement seems to be related to the SCS. The SCS-related documents often mention that performing a behavior that has an abominable social influence leads to SCS sanctions. The grade itself is most likely not an outcome of an SCS evaluation. This notwithstanding, the link with the SCS is made by the fact that only the subjects who do not act in an untrustworthy manner and have an abominable social influence are eligible to apply for policy funds.

A word-based grading system, using different words and operating with a different logic, was also used in the assessment of lawyers in Lishui that was mentioned in the previous section. The grades may also take the form of levels, e.g., from first to third level. Additionally, not passing the evaluation may result in assigning a separate, ‘not up to standard’ status. For instance, in the case of kindergartens in Zhejiang, the first-level kindergartens have to meet requirements set out by a list of standards, such as no reported and verified incidents of bad moral character or illegal behavior for the period of three years. Such conduct includes corporal punishment, intimidation, or requests for gifts from parents. These factors, taken into consideration during the assessment, are generally in line with the logic characteristic of the area of education. Similar aspects appeared in other solutions from the area of education discussed throughout this dissertation. The teachers also need to enrich the language skills of the children, as well as establish a ‘growth dossier’ (mentioned earlier in the chapter) for each child, collect their works, and conduct an assessment of their development, as well as use the dossier as an important base for the adjustments in the curriculum and education improvement. The evaluation includes other factors, such as safety inspections and maintenance of the buildings, or the parents’ access to curricula and opening classes to parents.<sup>101</sup>

While many documents introducing various types of ranks and evaluations with an unknown connection with the SCS were published after 2014, some materials issued before 2014 introduced credit ranks and credit assessment, explicitly using the word ‘credit’ (信用) as in the Social Credit System (社会信用体系). This was, for instance, the case in the area of medicine. Lishui proposed ‘credit’ measures, including evaluations of business entities dealing with medical equipment,<sup>102</sup> and of medical institutions.<sup>103</sup> The cited documents were issued in 2012 and seem to have introduced, for the first time in Lishui, the concept of ‘credit management’, or ‘credit rank’ (信用等级) instead of solely ‘rank’ (等级). Shenzhen also introduced credit ranks for medical institutions already in 2012.<sup>104</sup> Other reported documents, pre- and post-2014, mention similar rank evaluations in museum management,<sup>105</sup> ranks for

social organizations registered at the province level in Zhejiang,<sup>106</sup> for e-commerce enterprises,<sup>107</sup> or for scenic spots.<sup>108</sup>

Overall, the variety of assessments for both natural and legal persons and their roles in the SCS cause-and-effect sequence make it challenging to sketch a universal credit evaluation scheme. In this manner, the SCS remains underdeveloped, and this aspect of the SCS is not as standardized as the joint punishment scheme or the scope of public credit information. Within these unclear boundaries, it is likely that numerous bureaucratic agents reported previously operational mechanisms to show devotion to SCS construction tasks without any additional workload and without introducing any alterations to the procedures.

At the same time, it is rather safe to assume that the more the various types of grades, ranks, and assessments are focused on evaluating subjects' behaviors in relation to laws and regulations, the more likely it is that the solutions are directly related to the SCS. As Jeremy Daum – a major observer of SCS development – noted, 'various industries and regions currently have different ways of summarizing enterprises' compliance histories, including grading systems.'<sup>109</sup> These compliance histories may affect the intensity of further inspections, as well as the 'levels of government scrutiny for inspections and government approvals'.<sup>110</sup> If Beijing decides to proceed with standardizing moves in the area of credit assessment, ranks, grades, and – relatedly – dossiers and records, it is likely that the credit assessments focused on legal compliance will become the baseline.

These assessments, however, are likely to remain a local and sectoral phenomenon. The already mentioned opinions issued by the CCP CC and the SC in March 2025 suggest that the credit evaluations – at least for natural persons – are not to be universal. The opinions vaguely mention that they are to be conducted in localities and by departments that have the conditions to do so. A nationwide standardization of this aspect of the SCS should, therefore, not be expected soon. Additionally, these credit evaluations for individuals are to share the fate with the comprehensive credit scores of natural persons, as they are to be used solely for offering rewards.<sup>111</sup> Importantly, the opinions also ultimately quell the potential to use credit evaluations to improve the comprehensive surveillance capabilities of, for instance, local governments. Namely, the document strictly prohibits the inclusion of private personal information in credit evaluations.<sup>112</sup>

## 8. Concluding remarks

Chapter Seven discussed various types of credit dossiers that could potentially raise the surveillance capabilities of the Chinese party-state (which informs the answer to MRQ1). At the same time, analyzing the variety of trustworthiness records adds to the understanding of the process of SCS construction (related to MRQ2). To ultimately complement the discussion on SCS development, shape, and elements, the chapter also discussed other solutions that have been reported within the SCS frames but seem to have a limited relation to the project. Overall, this chapter ultimately portrays the haziness of the SCS scope and its construction.

This haziness starts at the linguistic level. The concepts of ‘integrity records’ or ‘trustworthiness records’ (诚信记录), ‘credit records’ (信用记录), ‘integrity dossiers’ or ‘trustworthiness dossiers’ (诚信档案), and ‘credit dossiers’ (信用档案) seem to refer broadly to the same idea. This notwithstanding, the dossiers or records may be used for different purposes and in different manners, depending on locality and bureaucratic agent. In terms of content, in certain cases, the records on representatives of specific professions (e.g., dossiers for lawyers) align closely with central directives and standardizing documents, such as the Public Credit Information Catalogue. Such records are thus far from constituting comprehensive accounts of individuals’ professional or private behavior.

The public availability of credit information from trustworthiness dossiers differs significantly across localities and platforms. It depends on a website, its requirements to log in, and local variations. The scope of the published information varies even within the same state organs (e.g., different province-level departments of justice and their information about lawyers). Interestingly, the organs seem to employ different privacy-related solutions, with professional certificates’ numbers being fully or partly disclosed. The data disclosure infrastructure is fragmented, and the dedicated platforms often seem to remain outside of the official frames of the SCS data infrastructure. The connection of different platforms should technically be possible, yet it adds to the complexities of the SCS design.

As for the functions of credit records, there appears to be no universal cause-and-effect sequence inherent in trustworthiness dossiers. Even though the integrity dossier should officially influence the credit situation of a given professional, it often serves primarily an informative role. The dossier is not at the beginning of the SCS cause-and-effect sequence, i.e., the credit records often do not serve as a base for the imposition of punishments. Instead, the dossier may be at the end of the sequence and serve an informative role. In this manner, it might trigger ostracization and lead to informal punishments. It may also influence a professional

career, e.g., by influencing professional promotions. In other cases, however, information from integrity dossiers may be used as a base for the imposition of rewards and punishments (as in the case of social organizations in Kunshan).

There are numerous unknowns related to the dossiers. The first is their links to the SCS scope. The mere use of the ‘integrity’ (诚信) label does not prove the connection between particular records and the SCS. Some integrity records might comprise types of information that are not listed in the PCI Catalogue and are not credit information. Their labelling as such might reflect local organs’ efforts to demonstrate their contribution to the SCS construction without increasing their workload.

Moreover, it is often unclear which measures (dossiers or other elements) introduced by specific documents are intended to fall within the scope of the SCS, as in the case of Zhejiang’s evaluation standards for kindergartens. It is also unclear whether the organs that report these measures as SCS-related actually possess a clear sense of which elements are supposed to support the System’s core assumption. Perhaps it is a vague idea of constructing trustworthiness via different activities that motivates the decisions to report documents seemingly not related to the SCS.

Not all dossiers or credit information are intended for public disclosure. In some cases, such as in the field of scientific research, they are designed instead to serve internal purposes like a continuous ‘credit management’. In such and other cases, even when collected in line with central standardizing documents, credit information may remain siloed within the relevant bureaucratic agent, being used solely in that sector of governance and not integrated with records from other domains. This limited shared and multi-area use of trustworthiness information is likely exacerbated by the fact that the SCS infrastructure for collecting, storing, and sharing data is fragmented. It comprises sectoral databases used for different areas of governance that are established at various levels of administration, as well as more general databases and platforms for data coming from different governance areas. Some of the infrastructure elements are evidently related to the SCS or created for its purposes, while others are seemingly not directly connected with the System.

As for the various evaluations of natural persons found in the accessed materials, they also operate in accordance with diversified logic. Some of them operate with a system of points added for negative behaviors, and some operate on a point reduction basis. Others seem not to use points in assessment and solely assign a grade from A to E. Point-based assessments do not necessarily lead to assigning a final grade. If a final grade is assigned, it may take a variety of

forms, from letters to descriptive terms. The evaluations are often cyclical and do not perform real-time assessments of individuals' behaviors. Importantly, these evaluations encompass a wide variety of factors, with compliance with laws and regulations often playing only a marginal role. Credit evaluations, similarly to credit records – even those most closely aligned with SCS objectives – remain far from comprehensive. At times, they even constitute small parts of broader comprehensive evaluation systems in particular areas of governance that take place beyond the SCS scope.

Overall, some solutions appearing in the accessed materials lack any novel character that could raise the overall level of trustworthiness or any features that would enable the contribution to the core SCS assumption. If they are accepted by local SCS coordinators as trustworthiness-related (which is likely because the documents were later made publicly available as SCS-related documents), this might suggest that numerous single-reported solutions are, in fact, re-labelled as SCS-related and introduce no novelty to China's governance, or do not effectively add to the efforts to strengthen trustworthiness. The abundance of all of the mentioned, seemingly random, documents adds to the haziness of the SCS scope and disables the understanding of the detailed trustworthiness-related solutions introduced locally.

## 9. Notes and references

<sup>1</sup> Containing of records. The two terms: dossier (档案) and records (记录) are, in reality, often used interchangeably in SCS discussions, and so are the words 'credit' and 'trustworthiness'.

<sup>2</sup> 国务院关于印发社会信用体系建设规划纲要(2014—2020年) 的通知 (Notice of the State Council on Issuing Planning Outline for the Construction of a Social Credit System (2014—2020)) (2014).

<sup>3</sup> 浙江省律师诚信档案建设若干规定 (Several Provisions on the Construction of Lawyers' Integrity Dossiers in Zhejiang Province) (2014).

<sup>4</sup> 浙江省律师诚信档案建设若干规定 (Several Provisions on the Construction of Lawyers' Integrity Dossiers in Zhejiang Province) (2014), art. 5.

<sup>5</sup> 浙江省律师诚信档案建设若干规定 (Several Provisions on the Construction of Lawyers' Integrity Dossiers in Zhejiang Province) (2014), art. 1.

<sup>6</sup> 浙江省律师诚信档案建设若干规定 (Several Provisions on the Construction of Lawyers' Integrity Dossiers in Zhejiang Province) (2014), art. 2, 6. For details on the collected information see art. 7-12.

<sup>7</sup> 全国公共信用信息基础目录(2024 年版) (National Basic Catalogue of Public Credit Information (2024 Edition)) (2024).

<sup>8</sup> See 浙江省律师诚信档案建设若干规定 (Several Provisions on the Construction of Lawyers' Integrity Dossiers in Zhejiang Province) (2014), art. 5.

<sup>9</sup> 浙江省律师诚信档案建设若干规定 (Several Provisions on the Construction of Lawyers' Integrity Dossiers in Zhejiang Province) (2014), art. 14-17.

<sup>10</sup> 浙江省律师诚信档案建设若干规定 (Several Provisions on the Construction of Lawyers' Integrity Dossiers in Zhejiang Province) (2014), art. 18.

<sup>11</sup> 浙江省律师诚信档案建设若干规定 (Several Provisions on the Construction of Lawyers' Integrity Dossiers in Zhejiang Province) (2014), art. 2.

<sup>12</sup> 浙江省律师诚信档案建设若干规定 (Several Provisions on the Construction of Lawyers' Integrity Dossiers in Zhejiang Province) (2014), art. 19.

<sup>13</sup> 浙江省律师诚信档案建设若干规定 (Several Provisions on the Construction of Lawyers' Integrity Dossiers in Zhejiang Province) (2014), art. 19.

<sup>14</sup> 浙江省律师诚信档案建设若干规定 (Several Provisions on the Construction of Lawyers' Integrity Dossiers in Zhejiang Province) (2014). In line with relevant laws and regulations not all types of personal information are publicly disclosed. See art. 13.

<sup>15</sup> See <https://mc.zjbar.com/login.jsp>.

<sup>16</sup> 浙江省律师诚信档案建设若干规定 (Several Provisions on the Construction of Lawyers' Integrity Dossiers in Zhejiang Province) (2014), art. 20.

<sup>17</sup> See <https://www.zjbar.com/searchLawyer?association=fe9e942a81454b2d95f447538149bfe9&gender=&practiceScope=43ea076234e049579dd12b9715c6783f&page=123>.

<sup>18</sup> See <https://ls.sft.zj.gov.cn/integrityPublicity>.

<sup>19</sup> See 建立昆山市法律服务行业信用信息档案及通报公示制度实施方案 (Implementation Plan for the Establishment of Credit Information Dossier and Disclosure System for the Legal Services Industry in Kunshan City) (2017).

<sup>20</sup> See <http://180.101.234.37:10010/lawyerIntegrity/#/homepage/enter> and <http://180.101.234.37:10010/lawyerIntegrity/#/lawyer/lawyerList>.

<sup>21</sup> 评估等级. Note: these are not trustworthiness grades.

<sup>22</sup> 昆山市社会组织信用信息管理办法 (试行) (Measures for the Management of Social Organizations Credit Information in Kunshan City (Trial Implementation)) (2016), art. 7-9. Trust breaking information is divided into serious and general trust breaking. For detailed lists of such behaviors see 昆山市社会组织信用信息管理办法 (试行) (Measures for the Management of Social Organizations Credit Information in Kunshan City (Trial Implementation)) (2016), art. 14.

<sup>23</sup> Note: They may also provide the Civil Affairs Bureau with positive and favorable information about a social organization (昆山市社会组织信用信息管理办法 (试行) (Measures for the Management of Social Organizations Credit Information in Kunshan City (Trial Implementation)) (2016), art. 10, 11).

<sup>24</sup> 昆山市社会组织信用信息管理办法（试行）(Measures for the Management of Social Organizations Credit Information in Kunshan City (Trial Implementation)) (2016), art. 15.

<sup>25</sup> See 中共中央办公厅 国务院办公厅印发《关于改革社会组织管理制度促进社会组织健康有序发展的意见》(The General Office of the CCP CC and the General Office of the SC issued the “Opinions on Reforming the System of Management of Social Organizations to Promote the Healthy and Orderly Development of Social Organizations”) (2016).

<sup>26</sup> 全国失信惩戒措施基础清单（2024 年版）(National Basic List of Disciplinary Measures for Dishonesty (2024 edition) (2024).

<sup>27</sup> See, e.g., 中华人民共和国会计法 (Accounting Law of the People's Republic of China) (1985 (last revision: 2024)), art. 24, 42, 43, 44.

<sup>28</sup> 深圳市会计人员个人信息记录管理办法 (Measures for the Management of Personal Information Records of Accounting Personnel in Shenzhen) (2015), art. 4. Note: The document had a validity period of five years.

<sup>29</sup> 深圳市会计人员个人信息记录管理办法 (Measures for the Management of Personal Information Records of Accounting Personnel in Shenzhen) (2015), art. 7.

<sup>30</sup> 丽水市人民政府关于进一步加强保障性安居工程建设和管理的实施意见 (Implementation Opinions of the Lishui Municipal People's Government on Further Strengthening the Construction and Management of Affordable Housing Projects) (2012).

<sup>31</sup> 国务院办公厅关于保障性安居工程建设和管理的指导意见 (Guiding Opinions of the State Council General Office on the Construction and Management of Affordable Housing Projects) (2011).

<sup>32</sup> 全国公共信用信息基础目录(2024 年版) (National Basic Catalogue of Public Credit Information (2024 Edition) (2024).

<sup>33</sup> 全国失信惩戒措施基础清单（2024 年版）(National Basic List of Disciplinary Measures for Dishonesty (2024 edition) (2024).

<sup>34</sup> 丽水市文化和广电旅游体育局关于进一步加强全市旅行社规范管理工作的通知 (Notice of the Lishui Municipal Bureau of Culture, Radio, Television, Tourism and Sports on Further Strengthening the Standardized Management of Travel Agencies in the City) (2020), chapter 5.

<sup>35</sup> 丽水市文化和广电旅游体育局关于进一步加强全市旅行社规范管理工作的通知 (Notice of the Lishui Municipal Bureau of Culture, Radio, Television, Tourism and Sports on Further Strengthening the Standardized Management of Travel Agencies in the City) (2020), chapter 5, 6.

<sup>36</sup> 丽水市文化和广电旅游体育局关于进一步加强全市旅行社规范管理工作的通知 (Notice of the Lishui Municipal Bureau of Culture, Radio, Television, Tourism and Sports on Further Strengthening the Standardized Management of Travel Agencies in the City) (2020), attachment 1.

<sup>37</sup> 丽水市文化和广电旅游体育局关于进一步加强全市旅行社规范管理工作的通知 (Notice of the Lishui Municipal Bureau of Culture, Radio, Television, Tourism and Sports on Further Strengthening the Standardized Management of Travel Agencies in the City) (2020), attachments 14, 15.

<sup>38</sup> 深圳市医师不良执业行为记分管理办法 (Measures for the Point-Based Management of Doctors' Unfavorable Professional Conduct in Shenzhen) (2019). Note: The document had a validity period of five years.

<sup>39</sup> 深圳市律师协会区律师工作委员会工作规则 (Working Guidelines for the District Lawyers Working Committee of the Shenzhen Lawyers Association) (2017), art. 14.

<sup>40</sup> 浙江省幼儿园等级评定 (2020 年修订) (Zhejiang Province Kindergarten Grading System (2020 Revision)) (2020).

<sup>41</sup> 国务院关于印发社会信用体系建设规划纲要(2014—2020 年) 的通知 (Notice of the State Council on Issuing Planning Outline for the Construction of a Social Credit System (2014—2020)) (2014). This quote is a translation by China Law Translate (China Law Translate, “Establishment of the Social Credit System,” April 27, 2015, <https://www.chinalawtranslate.com/en/socialcreditsystem/>).

<sup>42</sup> See 全国公共信用信息基础目录(2024 年版) (National Basic Catalogue of Public Credit Information (2024 Edition)) (2024).

<sup>43</sup> The projects are aimed to inform, support and advice policy-makers. The term ‘soft science’ means studies combining qualitative and quantitative analysis to carry out multidisciplinary research activities on decision-making, organization and management in social and economic development, which may be used for consultation by leading organs at different levels of administration (丽水市软科学研究计划和项目管理办法 (试行) (Measures for the Management of Soft Science Research Plan and Projects in Lishui) (Trial Implementation) (2020), art. 2).

<sup>44</sup> 丽水市软科学研究计划和项目管理办法 (试行) (Measures for the Management of Soft Science Research Plan and Projects in Lishui) (Trial Implementation) (2020), art. 13.

<sup>45</sup> 丽水市软科学研究计划和项目管理办法 (试行) (Measures for the Management of Soft Science Research Plan and Projects in Lishui) (Trial Implementation) (2020), art. 19.

<sup>46</sup> 丽水市科技计划项目验收管理办法 (修订) (Measures for the Management of Lishui City Science and Technology Project Acceptance (Revised)) (2020), art. 24.

<sup>47</sup> 丽水市科技计划信用管理办法 (修订) (Measures for the Lishui City Science and Technology Plan Credit Management (Revised)) (2021). Note: the measures are an amendment of a 2018 document.

<sup>48</sup> 丽水市科技计划信用管理办法 (修订) (Measures for the Lishui City Science and Technology Plan Credit Management (Revised)) (2021), art. 2-4. Note: this document also reiterates credit evaluations of those who assess the projects and decide which of them should be financed. It also includes credit evaluations of relevant institutions participating or relevant or the funded project.

<sup>49</sup> See 丽水市科技计划信用管理办法 (修订) (Measures for the Lishui City Science and Technology Plan Credit Management (Revised)) (2021), art. 9.

<sup>50</sup> 丽水市科技计划信用管理办法 (修订) (Measures for the Lishui City Science and Technology Plan Credit Management (Revised)) (2021), art. 13.

<sup>51</sup> 丽水市科技计划信用管理办法 (修订) (Measures for the Lishui City Science and Technology Plan Credit Management (Revised)) (2021), art. 17.

<sup>52</sup> 丽水市科技计划信用管理办法 (修订) (Measures for the Lishui City Science and Technology Plan Credit Management (Revised)) (2021), art. 11, 12.

<sup>53</sup> 丽水市科技计划信用管理办法 (修订) (Measures for the Lishui City Science and Technology Plan Credit Management (Revised)) (2021), art. 10.

<sup>54</sup> 浙江省律师诚信档案建设若干规定 (Several Provisions on the Construction of Lawyers' Integrity Dossiers in Zhejiang Province) (2014), art. 20

<sup>55</sup> 昆山市社会组织信用信息管理办法 (试行) (Measures for the Management of Social Organizations Credit Information in Kunshan City) (2016), art. 10.

<sup>56</sup> 深圳市社会组织年度工作报告管理办法 (Measures for the Management of Social Organization Annual Work Report in Shenzhen) (2016?), art. 5.

<sup>57</sup> 深圳市会计人员个人信息记录管理办法 (Measures for the Management of Personal Information Records of Accounting Personnel in Shenzhen) (2015), art. 5.

<sup>58</sup> 深圳市龙岗区人民政府办公室关于印发《社会组织承接政府购买服务评价监督办法》的通知 (Notice of the Office of the People's Government of Shenzhen's Longgang District on the Issuance of the Measures for the Evaluation and Supervision of Social Organizations Undertaking Government-Purchased Services) (2019), art. 26, 28. Note: The document had a validity period of five years.

<sup>59</sup> See 中共中央办公厅 国务院办公厅印发 《关于改革社会组织管理制度促进社会组织健康有序发展的意见》 (The General Office of the CCP CC and the General Office of the SC issued the “Opinions on Reforming the System of Management of Social Organizations to Promote the Healthy and Orderly Development of Social Organizations”) (2016).

<sup>60</sup> See, e.g., 深圳市人民政府办公厅关于在试点单位推进全市信用联合奖惩系统对接和应用工作的通知 (Notice of the General Office of the Shenzhen Municipal People's Government on Promoting the Integration and Application of the Municipal Credit Joint Reward and Punishment System in Pilot Units) (2018?).

<sup>61</sup> Vincent Brussee, *Social Credit: The Warring States of China's Emerging Data Empire* (Singapore: Palgrave Macmillan, 2023), 143.

<sup>62</sup> 丽水市公共信用信息目录 (2019 版) (Lishui City Public Credit Information Catalogue (2019 Edition)) (2019).

<sup>63</sup> 浙江省卫生健康信用信息管理办法 (试行) (Measures for the Health and Medical Credit Information Management in Zhejiang Province (Trial Implementation)) (2020).

<sup>64</sup> 丽水市软科学研究计划和项目管理办法 (试行) (Measures for the Management of Soft Science Research Plan and Projects in Lishui) (Trial Implementation) (2020).

<sup>65</sup> 丽水市校外培训机构管理办法 (试行) (Lishui City Measures for the Management of Off-Campus Tutoring Institutions (Trial Implementation)) (2020), art. 6.

<sup>66</sup> 丽水市校外培训机构管理办法 (试行) (Lishui City Measures for the Management of Off-Campus Tutoring Institutions (Trial Implementation)) (2020), art. 6.

<sup>67</sup> 丽水市区 2020 年公共租赁住房保障标准 (Lishui City Public Rental Housing Security Standards in 2020) (2020), chapter 5.

<sup>68</sup> 丽水市区 2020 年公共租赁住房保障标准 (Lishui City Public Rental Housing Security Standards in 2020) (2020), chapter 5.

<sup>69</sup> 昆山市社会组织信用信息管理办法 (试行) (Measures for the Management of Social Organizations Credit Information in Kunshan City) (2016), art. 12.

<sup>70</sup> For a discussion on what is and is not allowed according to the PCI Catalogue see Brussee, *Social Credit*, 140–141.

<sup>71</sup> 关于在全市开展信用村创建试点工作的实施意见 (Implementation Opinions on Carrying out Pilot Work on the Creation of Credit Villages in the City) (2016) (Kunshan City).

<sup>72</sup> For a study on the topic of rural credit see Marianne von Blomberg and Wessel Reijers, “Who Deserves Credit? Banks for the Virtuous in Rural China,” *Journal of Contemporary China* 33, no. 150 (2023): 955–70.

<sup>73</sup> 昆山市社会组织信用信息管理办法 (试行) (Measures for the Management of Social Organizations Credit Information in Kunshan City) (2016), art. 8.

<sup>74</sup> 中共中央办公厅 国务院办公厅关于健全社会信用体系的意见 (Opinions of the General Offices of the Communist Party of China and of the State Council on Improving the Social Credit System) (2025).

<sup>75</sup> 深圳市医师不良执业行为记分管理办法 (试行) (Measures for the Point-Based Management of Doctors’ Unfavorable Professional Conduct in Shenzhen (Trial Implementation)) (2016). The trial document was valid for three years and was replaced by an analogous document in 2019: 深圳市医师不良执业行为记分管理办法 (Measures for the Point-Based Management of Doctors’ Unfavorable Professional Conduct in Shenzhen) (2019).

<sup>76</sup> Hence, this mechanism resembles the system of assigning negative points to drivers, also known in Western countries.

<sup>77</sup> 丽水市高层人才分类目录 (Lishui City High-level Talent Classification Catalog) (2020?).

<sup>78</sup> 丽水市律师事务所年度检查考核操作规程 (Lishui City Law Firm Annual Inspection and Assessment Operating Procedures) (2020).

<sup>79</sup> 丽水市律师事务所年度检查考核操作规程 (Lishui City Law Firm Annual Inspection and Assessment Operating Procedures) (2020).

<sup>80</sup> Note: Tour guides who possess the status of a civil servant, work in a public institution or are employed in state-owned enterprises are not included in the scope of this mechanism (see 丽水市市本级旅行社、星级旅游饭店及全市导游员计分考核奖励暂行办法 (Interim Measures for the Scoring, Assessment and Rewarding of Lishui Municipal Travel Agencies, Star-rated Tourist Hotels and Tour Guides) (2018), art. 2.). For details on the mechanism see 丽水市市本级旅行社、星级旅游饭店及全市导游员计分考核奖励暂行办法 (Interim Measures for the Scoring, Assessment and Rewarding of Lishui Municipal Travel Agencies, Star-rated Tourist Hotels and Tour Guides) (2018), chapter 4.

<sup>81</sup> 丽水市市本级旅行社、星级旅游饭店及全市导游员计分考核奖励暂行办法 (Interim Measures for the Scoring, Assessment and Rewarding of Lishui Municipal Travel Agencies, Star-rated Tourist Hotels and Tour Guides) (2018), art. 13.

<sup>82</sup> 丽水市市本级旅行社、星级旅游饭店及全市导游员计分考核奖励暂行办法 (Interim Measures for the Scoring, Assessment and Rewarding of Lishui Municipal Travel Agencies, Star-rated Tourist Hotels and Tour Guides) (2018), art. 19.

<sup>83</sup> For details see 《丽水市市本级旅行社、星级旅游饭店及全市导游员计分考核奖励暂行办法》实施细则 (Implementation Details for “Interim Measures for the Scoring, Assessment and Rewarding of Lishui Municipal Travel Agencies, Star-rated Tourist Hotels and Tour Guides”) (2018), art. 5.

<sup>84</sup> 丽水市市本级旅行社、星级旅游饭店及全市导游员计分考核奖励暂行办法 (Interim Measures for the Scoring, Assessment and Rewarding of Lishui Municipal Travel Agencies, Star-rated Tourist Hotels and Tour Guides) (2018), art. 19.

<sup>85</sup> See 丽水市市本级旅行社、星级旅游饭店及全市导游员计分考核奖励暂行办法 (Interim Measures for the Scoring, Assessment and Rewarding of Lishui Municipal Travel Agencies, Star-rated Tourist Hotels and Tour Guides) (2018), art. 23; 《丽水市市本级旅行社、星级旅游饭店及全市导游员计分考核奖励暂行办法》实施细则 (Implementation Details for “Interim Measures for the Scoring, Assessment and Rewarding of Lishui Municipal Travel Agencies, Star-rated Tourist Hotels and Tour Guides”) (2018), art. 5.

<sup>86</sup> 《丽水市市本级旅行社、星级旅游饭店及全市导游员计分考核奖励暂行办法》实施细则 (Implementation Details for “Interim Measures for the Scoring, Assessment and Rewarding of Lishui Municipal Travel Agencies, Star-rated Tourist Hotels and Tour Guides”) (2018), art. 8.

<sup>87</sup> 丽水市市本级旅行社、星级旅游饭店及全市导游员计分考核奖励暂行办法 (Interim Measures for the Scoring, Assessment and Rewarding of Lishui Municipal Travel Agencies, Star-rated Tourist Hotels and Tour Guides) (2018), art. 24.

<sup>88</sup> 丽水市市本级旅行社、星级旅游饭店及全市导游员计分考核奖励暂行办法 (Interim Measures for the Scoring, Assessment and Rewarding of Lishui Municipal Travel Agencies, Star-rated Tourist Hotels and Tour Guides) (2018), art. 1.

<sup>89</sup> 丽水市改革完善医疗卫生行业综合监管制度实施方案 (Implementation Plan for Reforming and Improving the Comprehensive Supervision System for the Medical and Health Industry in Lishui City) (2020).

<sup>90</sup> 龙岗区民政局关于构建社会组织综合监管体制的实施方案 (Implementation Plan of the Longgang District (Shenzhen – added) Civil Affairs Bureau on Establishing a Comprehensive Supervision System for Social Organizations) (2016?).

<sup>91</sup> 深圳市龙岗区人民政府办公室关于印发《社会组织承接政府购买服务评价监督办法》的通知 (Notice of the Office of the People’s Government of Shenzhen’s Longgang District on the Issuance of the Measures for the Evaluation and Supervision of Social Organizations Undertaking Government-Purchased Services) (2019), art. 28.

<sup>92</sup> 浙江省农家乐经营户（点）旅游服务质量星级评定办法 (Measures for Farmhouse Tourism Service Quality Star Rating in Zhejiang Province) (2008).

<sup>93</sup> 关于开展全市养老机构等级评定工作的通知 (Notice on the Implementation of the City’s Elderly Care Institution Rating Work) (2020) (Lishui City).

<sup>94</sup> 浙江省社会组织评估工作规程 (Zhejiang Province Social Organization Assessment Procedures) (2014), art. 1. Note: This evaluation system is based on a central document issued by the Ministry of Civil Affairs in 2010 (社会组织评估管理办法 (Measures for the Management of Social Organization Assessment) (2010)). It, therefore, predates the SCS as outlined in 2014 and was later incorporated within the SCS scope.

<sup>95</sup> 浙江省社会组织评估工作规程 (Zhejiang Province Social Organization Assessment Procedures) (2014), art. 26.

<sup>96</sup> 关于公布丽水市 2018 年度餐饮服务食品安全 A 级单位的通知 (Notice on the Announcement of Lishui City's 2018 Catering Service A-Level Food Safety Units) (2019).

<sup>97</sup> 全国公共信用信息基础目录(2024 年版) (National Basic Catalogue of Public Credit Information (2024 Edition) (2024).

<sup>98</sup> See, e.g., 丽水市区民办博物馆年检评估办法 (试行) (Lishui City Private Museum Annual Inspection and Evaluation Measures (Trial Implementation)) (2018).

<sup>99</sup> 丽水市区民办博物馆年检评估办法 (试行) (Lishui City Private Museum Annual Inspection and Evaluation Measures (Trial Implementation)) (2018).

<sup>100</sup> 丽水市本级财政扶持民办教育发展的实施办法 (Implementation Measures for Lishui Municipal Government's Fiscal Support for the Development of Private Education) (2020).

<sup>101</sup> 浙江省幼儿园等级评定 (2020 年修订) (Zhejiang Province Kindergarten Grading System (2020 Revision)) (2020). For a full list of requirements for different levels of grades see the entire document.

<sup>102</sup> 丽水市医疗器械经营企业信用分类管理实施办法 (Implementation Measures for the Management of Medical Device Business Enterprise Credit Classification in Lishui) (2012).

<sup>103</sup> 丽水市基本医疗保险定点单位分级管理办法 (试行) (Measures for the Management of Grading of Basic Medical Insurance Designated Units in Lishui (Trial Implementation)) (2012).

<sup>104</sup> 深圳市社会医疗保险定点医疗机构信用等级评定管理办法 (Measures for the Management of Credit Rating Assessment of Designated Medical Institutions for Social Medical Insurance in Shenzhen) (2012). The document was replaced by a similar one: 深圳市社会保险定点医疗机构信用等级评定管理办法 (Measures for the Management of Credit Rating Assessment of Designated Social Insurance Medical Institutions in Shenzhen) (unspecified year of issuance; post-2012).

<sup>105</sup> 丽水市民办博物馆管理办法 (Measures for the Management of Municipal Private Museums in Lishui) (2012); 丽水市区民办博物馆年检评估办法 (试行) (Lishui City Private Museum Annual Inspection and Evaluation Measures (Trial Implementation)) (2018).

<sup>106</sup> 浙江省社会组织评估工作规程 (Zhejiang Province Social Organization Assessment Procedures) (2014).

<sup>107</sup> 浙江省电子商务企业等级评定实施办法 (试行) (Implementation Measures for the Rating of E-commerce Enterprises in Zhejiang Province (Trial Implementation)) (2015).

<sup>108</sup> 浙江省景区镇 (乡、街道) 建设指南实施细则及评定办法 (修版) (Implementation Rules and Assessment Methods for the Construction Guidelines for Scenic Area Towns (Villages, Sub-districts) in Zhejiang Province (Revised Version)) (unspecified year of issuance).

<sup>109</sup> Jeremy Daum, “Social Credit Action in 2025,” *China Law Translate*, June 11, 2024, <https://www.chinalawtranslate.com/en/social-credit-action-in-2025/#>. See also: Jeremy Daum, “Keeping Track of Social Credit,” *China Law Translate*, September 24, 2019, <https://www.chinalawtranslate.com/en/keeping-track-of-social-credit/>.

<sup>110</sup> Daum, “Social Credit Action in 2025.”

<sup>111</sup> 中共中央办公厅 国务院办公厅关于健全社会信用体系的意见 (Opinions of the General Offices of the Communist Party of China and of the State Council on Improving the Social Credit System) (2025).

<sup>112</sup> 中共中央办公厅 国务院办公厅关于健全社会信用体系的意见 (Opinions of the General Offices of the Communist Party of China and of the State Council on Improving the Social Credit System) (2025).

## CONCLUSIONS.

### Discussion, directions of future research, and post-study reflection

This study focused on two major problems of the Social Credit System. The first was how the SCS may strengthen Beijing's authoritarian control and censorship efforts targeted at individuals, and thus support the authoritarian nature of the Chinese regime. The second was focused on what the process of the Social Credit System construction reveals about the ability of the Chinese state to develop complex projects that involve numerous bureaucratic agents at different levels of administration. Drawing from the analysis of Chinese documents linked to the SCS construction and other materials, as well as from the discussion in the empirical chapters, the results of the study are compiled here in the form of detailed answers to the research questions. The findings of this research are followed by a discussion of the directions for the potential future of SCS operations, a reflexive section on the limitations of the study, and recommendations for future research.

#### 1. Addressing the research questions

The study results discussed in all empirical chapters allow for delivering comprehensive answers to the research questions that were presented in the Introduction and summarized in Table 1 at the beginning of the dissertation. In this section, detailed research questions are first addressed, supporting the answers to the main research questions and discussion that follow.

**DRQ1:** What are the Social Credit System mechanisms that may affect the lives of individuals most, especially in terms of control and censorship?

The solutions found in the analyzed materials that could considerably strengthen Beijing's control and censorship efforts and thus further limit the freedoms of Chinese citizens remain scarce and underdeveloped. The few SCS solutions designed centrally include the Internet Credit Blacklist (blacklisting those who, for instance, spread rumors online) or the Blacklist of Off-Campus Tutoring Institutions Employees (covering teachers who, for instance, taught content defying the Party line). The former is non-operable, and the latter's belonging to the SCS scope remains unclear. As such, they should not be considered SCS mechanisms that considerably affect the lives of individuals.

Apart from the areas of Internet and education, solutions developed both centrally and locally that are somewhat related to censorship include those implemented in the area of culture. The SCS solutions affecting this sector are, however, not targeted at consumers of culture but at the producers. For instance, a publishing company that seriously violates censorship-related provisions may have its license revoked, be included in a blacklist, and suffer from joint punishments. The effects of such SCS mechanisms on individuals, however, are limited to blacklisting the legally-designated representatives of such companies or the major responsible persons.

As for locally-designed SCS solutions that may affect the lives of individuals, especially in terms of control and censorship, chosen local pilot scoring systems may include the assessment of individuals' political attitudes (see the Caihe Score). Most of the scorings, however, assess specific aspects of individuals' behavior within chosen governance areas, such as environmental protection, or supporting the achievement of chosen goals, such as raising the level of the so-called 'civilized behavior'. The compilation of indicators used for the assessment of local scores likely mirrors the combination of local governance problems that should be tackled. As such, the local scorings do not foreground aspects of authoritarian control or censorship.

The SCS solution affecting the lives of individuals most, in terms of the number of affected individuals and of influencing their private lives, is the Defaulters' List. It includes individuals who failed to comply with a court order to settle liabilities despite having the ability to do so. Per the accessed reports, the numbers of individuals that have been blacklisted within this solution are counted in millions. These numbers are in striking contrast to several dozen teachers blacklisted nationwide for violating the Party line. The joint punishments against defaulters are also severe, including multiple limitations in the private sphere, mostly consumption-related. The impact of the Defaulters' List on people's private lives is what also makes this solution rather distinctive from other SCS elements. The majority of the SCS solutions targeted at individuals is preoccupied with the professional sphere and covers solely chosen types of professions that belong to the key areas of governance covered by the System. Similarly, most of the punishments imposed on representatives of these professions constitute professional limitations. The Defaulters' List is implemented in a top-down manner, at various levels of administration.

The results of this study suggest that similar solutions were likely planned within the SCS but never materialized. For instance, general planning documents state that joint punishments should be imposed on those who disrupt social order by gathering crowds. No

detailed documents developing this idea were found during the study. Documents standardizing the scope of punishments under the SCS also fail to mention sanctions targeted at such untrustworthy subjects. The precise reasons for the lack of development of such contentious aspects of SCS remain unknown. It is likely, however, that standardizing the scope of punishments for protest organizers or protesters under the SCS could be against the logic of flexible implementation of control in the PRC, and not profitable for the strengthening of the regime.

Moreover, the outcomes of the analysis suggest there are no comprehensive trustworthiness dossiers that could serve the purpose of profiling individuals. The various credit records mentioned throughout the analyzed materials operate with different logic and include limited content. The content is usually limited to information relevant to and produced while performing a particular profession. Overall, the dossiers do not considerably raise the surveillance capacities of the regime. Most of the data would be collected even without the existence of the SCS. However, once well-organized, the interdepartmental and multi-level sharing of the data might considerably broaden the scope of use of the data. For now, the SCS infrastructure remains fragmented, disabling such actions.

Lastly, while this dissertation focused on the solutions that exist either in the Central Punishment List or appeared on the Credit China website, it is important to point out what is absent from the SCS. Despite the existence of the governmental branch of the System, the CCP officials and civil servants are omitted in the CPL. Per general documents, disciplinary punishments are supposed to be included in the civil servants' credit records and result in some minor limitations,<sup>1</sup> yet this is not mirrored in the standardizing documents. The CPL punishments do include a ban on being employed as a civil servant on different types of subjects, for instance, those on the SPC blacklist,<sup>2</sup> those who were subjects to joint punishments for trust-breaking,<sup>3</sup> and who have been subject to criminal punishment or expelled from the CCP or from a public office.<sup>4</sup> The SCS, however, has not co-opted punishments for the untrustworthy deeds of acting civil servants, even for acts such as bribery. From the legal or technical point of view, this might be due to the fact that, if following a trust-breaking behavior, an official redeems the damage on their own initiative, eliminates the unfavorable effect of their behavior, or limits the harmful result, they can be treated with leniency or avoid the implementation of any punitive measures.<sup>5</sup> The SCS thus employs a lenient approach towards this group of individuals.

**DRQ2:** What novelty do the SCS mechanisms bring in terms of identifying and dealing with potential dissidents or other subjects considered untrustworthy?

In light of the answer to the first detailed research question, the simple answer to the second detailed question may be that the novelty that the SCS mechanisms bring in terms of identifying and dealing with potential dissidents or other subjects considered untrustworthy is limited. The detailed answer to this question could be divided into several layers, as explained below.

First, in terms of identifying the untrustworthy individuals, the SCS lacks innovation. It mostly operates with data collected or produced during the normal course of work of state organs. Additionally, the local pilots that could potentially broaden the scope of data used within scorings may be constrained by central documents standardizing the scope of credit information. There remain some areas where the local organs develop cooperation with the private sector and use its data. These, however, have little to do with potential dissidents. The example discussed in the dissertation covered the area of bike rentals in Shenzhen, where the local agents cooperate with local bike rental companies to deal with those who, for instance, damage public bikes. Such solutions are far from developing new ways of identifying individuals who could be considered threatening to the regime. Some local SCS planning documents did mention the need to increase the cooperation with big data companies,<sup>6</sup> yet this seems to have never materialized (at least within the public eye's reach).

Second, the decision of whether an individual is an untrustworthy one is basically taken on the basis of an evaluation of one's conduct in relation to laws or regulations. The SCS, therefore, does not sanction new types of behavior. Some exceptions to this may appear in local pilot scorings. In accordance with Beijing's decision, a low score, however, may not be used as a basis for punishing individuals, which disarms the SCS when it comes to dealing with untrustworthy subjects with a negative score.

Third, in terms of dealing with the untrustworthy individuals, the SCS mostly uses previously existing sanctions that were developed outside of the SCS scope. In this manner, it also brings limited novelty. However, the SCS uses the preexisting sanctions in a revised manner and thus raises the cost of violating legal provisions. The joint punishment scheme intensifies sanctions for trust-breakers and is used to impose preexisting sanctions for deeds that would not trigger this particular punishment before the SCS. Additionally, the data disclosure procedure that publicly reveals data labelled as 'untrustworthy' may trigger ostracism by society members and various entities. This applies to individuals (and legal

persons) in general. During the study, attempts were made to find operable SCS solutions targeted against potential dissidents that would be fully in line with this core SCS assumption to raise the cost of violating legal provisions. These attempts led to no results.

**DRQ3:** What novelty do the SCS mechanisms bring to the governance logic in particular areas of governance?

The SCS solutions discussed in the dissertation reveal that the System fails to introduce novelty to the governance logic in particular areas of governance. Regardless of the area in question, the SCS solutions would follow, not alter, the preexisting logic. It was pictured with, for instance, solutions related to the area of education discussed throughout the dissertation (e.g., the OTI Employees Blacklist and the evaluation of kindergartens in Zhejiang). The mechanisms targeted at teachers covered aspects that are repeatedly tackled in various documents important for the area of education and published at various levels of administration. Therefore, the presence of ideology-related issues in the accessed SCS documents does not introduce novelty to the attitude to education in China; it reiterates the existing logic. At the same time, the various SCS materials do not foreground ideological matters, as they cover other things, such as bans on accepting bribes or using corporal punishment against students, all of which appear in materials relevant to the area of education outside of the SCS scope.

Not only does the SCS fail to alter the governance logic, but the bureaucratic agents seem to prioritize this logic over the construction of a coherent SCS. For instance, the Internet Credit Blacklist exists in the standardizing documents, and there should be no major formal obstacles to its operations. However, it is unlikely to be enforced because its operations would limit the flexibility of decision on when and how to punish untrustworthy netizens and whether to reveal relevant information to the public. This would be against the logic of online control and censorship in China. This could ultimately also be against the PRC Internet watchdog.

**MRQ1:** In what ways may the Social Credit System strengthen Beijing's authoritarian control and censorship efforts targeted at individuals, and thus support the authoritarian nature of the Chinese regime?

The answers to the detailed research questions naturally lead to the answer to the first main research question. The short answer to this question is that the Social Credit System does not include any major mechanisms that could strengthen Beijing's authoritarian control and

censorship efforts. The solutions with the potential to, for instance, punish more often and severely those who publish forbidden content online are not enforced. Other solutions simply reiterate previously existing efforts. However, the SCS is embedded in previously existing laws, and as such, it naturally amplifies control and censorship efforts in the Chinese legal system. This is best mirrored in the mentioned area of culture, where a blacklist and joint punishment scheme operate for untrustworthy subjects.

Importantly, even though the solutions that fall under the ‘extraordinary’ scope, i.e., cause proportionality and privacy-related concerns, are not preoccupied with the issues of censorship or control, they may all strengthen the regime by reducing the cases of unlawful behaviors that undermine the legitimacy of the Party. For instance, the SCS covers the area of food safety, which might potentially limit relevant scandals that might have a negative impact on the image of the government and the Party, such as the contaminated milk and oil tanker scandals that took place in 2008 and 2024, respectively.<sup>7</sup> This dissertation, however, focused on those SCS elements that could directly affect censorship and control efforts, and not all those that could secure the CCP rule by legitimizing it and increasing citizens’ trust towards the government as a whole.

Overall, the SCS case and the initial concerns over it increasing the control over individuals picture how Beijing’s focus on technology development, combined with foregrounding political security under Xi, may direct observers to overly focus on how technology and the broad use of data may support the Chinese party-state in surveilling its citizens. Minxin Pei’s study revealed that, in fact, surveillance and control in China still remain human-driven.<sup>8</sup> This notwithstanding, studies on policies and projects that may further strengthen the regime’s surveillance capabilities are very needed. National security and – more precisely – political security, remain Beijing’s priority. This is mirrored in various media publications on different topics.

For instance, *Qiushi* – the major CCP journal introducing and discussing theoretical concepts – published an interview with the Secretary-General of the Central Political and Legal Affairs Commission in 2024. The content of the interview is one of the many examples of publications that reaffirm the status of political security as top priority and the absolute leadership of the CCP over political and legal fields.<sup>9</sup> Xi himself continuously stresses the priority status of political security. For instance, he did so in late February 2025 during a study session of the Political Bureau of the CPC Central Committee.<sup>10</sup> Apart from top Party members making regular statements, members of society are also to be educated in this respect. In 2024, CCTV – PRC public television – announced the issuance of a new textbook *National Security*

*Education Reader for College Students* (《国家安全教育大学生读本》).<sup>11</sup> It is to educate students on the Comprehensive National Security Concept introduced by Xi in 2014 and mentioned in Chapter One. Additionally, as Bernot and Trevaskes note, because of social stability being the precondition for achieving the National Rejuvenation, ‘[s]ustaining social stability locks the Party into ever-expanding social governance 社会治理 initiatives to monitor and control the movement and behaviour of citizens.’<sup>12</sup>

In studies on further projects and policies, however, one should not expect that Beijing’s ideas and assumptions will all be smoothly realized. The Chinese bureaucratic system might not always be capable of efficiently implementing general directives. This aspect is covered in the answer to the second main research question.

The Social Credit System basically relies on centrally designed, standardized solutions that should be implemented at lower levels of administration and on local solutions designed in various provinces, cities, or even smaller administrative units with regard to local circumstances. As discussed throughout the empirical chapters, however, the exact scope of the SCS often remains hazy, which considerably challenges the development of a coherent SCS. The process of SCS construction is a valuable case for discussing the ability of the Chinese state to develop complex projects that involve numerous bureaucratic agents. This issue is addressed below. Before answering the second main research question, two detailed research questions supporting it are addressed first.

**DRQ4:** What factors related to the nature of Chinese bureaucracy may affect the SCS construction?

As indicated by Lieberthal and Lampton, ‘authority below the very peak of the Chinese political system is fragmented and disjointed’.<sup>13</sup> This fragmentation, evident at the local level, somewhat already appeared at the central level of SCS construction. This is caused by several factors. First, in the discussed cases, the process of SCS construction often lacks clear authority chains. For instance, the NDRC and the PBoC, who were among the principals ordering the implementation of the Internet Credit Blacklist, have no clear authority over the Cyberspace Administration of China that should enforce the ICB. The CAC, therefore, has the possibility of not executing the order and retaining its flexibility in enforcing online control. For several years, the coordinators of SCS construction did not lead to the enforcement of this blacklisting mechanism.

Relatedly, central bureaucratic agents are obliged to fulfill their overall functions and, simultaneously, perform the SCS-related tasks assigned to them. As a consequence, the preferable outcome of a particular bureaucratic agent may be different from the preferable result of the SCS coordinators. The bureaucratic agents' primary objective may, therefore, be not necessarily to contribute to the development of a coherent SCS, but rather to prioritize their overall roles.

Next, the local agents must operate within the *tiao* and *kuai* dimensions. On the one hand, they perform tasks ordered by the local government and, on the other hand, tasks ordered by their higher-level counterparts. This possibly impacts even the introduction of centrally-designed top-down solutions, which – as discussed in Chapter Five – may slightly differ between the central and local levels.

The overall difficulty in determining who the principal in SCS construction is, as discussed in Chapter One, possibly adds to the overall haziness of the SCS scope. The existence of additional principals at various levels of administration may further hamper the development of a coherent SCS. Many of the solutions and documents reported as a contribution to SCS have an unknown relation to the System. This was especially evident in the analysis conducted in Chapter Seven.

Notwithstanding, it must be noted that, despite all the challenges in SCS implementation, localities may respect and act in accordance with very direct and specific orders from Beijing (as opposed to more general guidelines). For instance, they withdrew from the punishment schemes for individuals with a bad credit score. Such a fulfillment of the central order was pictured in this dissertation, for instance, in the case of the Lishui Ecological Score. This reveals that, at least when it comes to major and specific solutions, the localities have less discretion.

The localities, however, use their discretion in developing some other aspects of the SCS, which could make it challenging to standardize the System further. For instance, the methodologies used in different evaluations vary from well-established quantitative evaluations based on mathematical formulas and indicators (e.g., the Zhejiang public credit evaluation)<sup>14</sup> to a combination of qualitative and quantitative methods in evaluations that employ inspections, assessment of archival materials, documents, questionnaires, etc. (e.g., evaluation of kindergartens in Zhejiang).<sup>15</sup> Finally, local agents not solely adjust the mechanisms to the 'local circumstances', as ordered by central directives. They use their discretion to implement solutions that seem to fully diverge from the coherent SCS idea.

**DRQ5:** What may be the self-interests of chosen bureaucratic agents that affect the development of chosen SCS mechanisms?

The dissertation also reveals examples of the specific factors (interests of bureaucratic agents) that may induce different phenomena, influencing the SCS shape. These interests are discussed below, together with the phenomena they induce. They should not be treated as a full directory but, rather, as a starting point for further studies on how various interests may affect the implementation of other SCS elements or different projects.

First, as pictured with the Internet Credit Blacklist case, the responsible agents may intentionally fail to implement a mechanism despite the instruction to do so. This phenomenon appears likely as a result of the agent's willingness to retain the flexibility in operations that take place even without the SCS, as well as its reluctance to share the authority over an existing mechanism with other agents. This phenomenon may take place where the SCS coordinators do not have the power to motivate the agent to implement the SCS mechanism. In the ICB case, there is no direct line of authority between the SCS coordinators and the Cyberspace Administration of China.

Second, the agents may introduce one solution under two separate labels. This leads to their overlapping, as pictured here with the OTI Employees Blacklist, which seemingly operates under the SCS and the Double Reduction Policy. This likely stems from the agents' desire to deliver two tasks at one go and, perhaps, to obtain double funding or, at least, limit their expenses. The two labels are not mutually exclusive, but this phenomenon leads to difficulties in determining the primary objective of the blacklist and who should assess its operations and order alterations if needed. Perhaps an additional effect of such a fragmentation is the lack of the mechanism's factual contribution to the SCS, as it fails to serve the core SCS assumption. A similar phenomenon of overlapping is seen locally. An example of this might be the various Civility Scores designed under the SCS to help in obtaining the Civilized Cities awards.

The last phenomenon is most commonly observed in the case of centrally standardized solutions. In delivering the task of constructing particular SCS mechanisms, central agents often make the most secure and the least work-consuming choice to rewrite the previously existing solutions into the SCS framework. This is not against the general guidelines. Counterintuitively, in comparison to the novel solutions, such mechanisms are more potent in developing SCS-characteristic actions. They were included in the SCS scope in an unaltered manner, which, at first glance, seems purposeless. These solutions, however, are long-established and their inclusion in the SCS does not induce conflicting interests. The bureaucratic agents are able to

deliver their SCS-related task without considerable additional workload, and the SCS coordinators obtain non-contentious operational mechanisms that may serve as a strong base for SCS standardization efforts. SCS elements in the form of reputational or joint sanctions are efficient in terms of raising the cost of violating legal provisions and, therefore, serving the core SCS assumption.

**MRQ2:** What does the process of Social Credit System construction reveal about the ability of the Chinese state to develop complex projects that involve numerous bureaucratic agents?

The discussed cases reveal that the ability of the Chinese party-state to develop an innovative, complex, and coherent project can be compromised already at the central level by the interplay of bureaucratic self-interests. This happens despite the dominating trend of the Xi Jinping administration to centralize governance and increase control over institutions, limiting their policymaking and discretionary powers. Moreover, due to the combination of various factors, in the implementation of particular SCS solutions, relevant bureaucratic agents may use their discretion to shape their solutions to support the previously existing logic in their respective areas of governance. As such, they prioritize serving their overall goals over contributing to the construction of a coherent SCS.

The limited capacity of the Chinese party-state to develop a complex and coherent project is possibly one of the reasons behind the limited innovativeness of the SCS solutions that serve the core SCS assumption. The mechanisms that seem more innovative in terms of governance, such as the use of blacklists, in fact fail to contribute to the SCS. The OTI Employees Blacklist, most likely created to deliver *any* product under the SCS, fails to serve the core SCS assumption. In accordance with the CAC proposal, if operational, the Internet Credit Blacklist could fail to trigger the joint sanctions regime as well. Similarly, the variety of local solutions also offers limited contribution to the core assumption.

The less innovative, previously existing, law-embedded solutions (as discussed in Chapter Four) are more potent to become ‘extraordinary’ when used within the SCS framework. Employing the preexisting mechanisms in a new manner, however, is not free of flaws. Such a tactic for developing a coherent and standardized SCS may hardly raise the society’s awareness of the core socialist value of trustworthiness. The untrustworthy subjects punished under old solutions that have been transferred into the SCS scope may even have limited awareness of being punished under the SCS regime. Raising the sense of mutual trust in society as intended could happen, yet as a result of strengthening the law enforcement through the SCS operations,

but not as a result of people's awareness of the SCS itself and the official discourse around the crisis of trust.

Overall, the SCS mechanisms, regardless of their type, have a common denominator: they strengthen the underlying logic of particular areas of governance, instead of forming new governance patterns. For instance, even though the solutions discussed in the area of education explicitly ban acting against the Party's line, they do not foreground behavior and content control. It lists censorship provisions among other norms that repeatedly appear in education-related regulations. The administrative punishments, now used under the SCS scope, do not in any manner remold censorship-related provisions. In the most serious cases, however, they do expand the scope of sanctions imposed on trust-breakers. Operating with the data that would still be collected without the existence of the SCS, the System is a natural element in an authoritarian system or, in other words, a cog in an authoritarian regime. It does not, however, introduce solutions that are better able to identify potential dissidents or other types of trust-breakers. The planning outlines encouraged localities to test bolder solutions. These, however, ultimately became weaker, disarmed, or withdrawn. The discussed limited capacities of the Chinese state to develop the complex projects was likely among the major reasons behind this.

In terms of Chinese bureaucracy, the centralization of power in Xi's hands might have, paradoxically, impaired the ability to implement policies and projects. As Guoguang Wu noted, Xi's political power may be vast, yet it is 'limited in terms of governance administration and policy implementation.'<sup>16</sup> The more power Xi concentrates, 'the fewer incentives his ruling elites have to perform their governing duties.'<sup>17</sup> My study outcomes are also in line with the recent literature on Chinese digital authoritarianism, which also argues against the perception of the PRC governance and institutions as a monolith.<sup>18</sup> Finally, the SCS case pictures what Hanyu Zhao argued in his PhD dissertation. He stated that '[b]ureaucratic overload provides opportunities for observers to see through the façade of a strong state and scrutinize the roots of authoritarian rule. It shows that what matters is not just the absolute level of state capacity, but the gap between state capacity and the state's ambitions.'<sup>19</sup>

Finally, a question arises of whether the messiness of the SCS is a symptom of the weakness of the Chinese party-state or, perhaps, an attempt to weaponize uncertainty.<sup>20</sup> The unclear boundaries and operations of the System might leave people (and SCS observers) dumbfounded. As a result, they could impose more self-control. While this question is certainly legitimate, the limited knowledge of the SCS among the Chinese society (as mentioned also later in this chapter), rather limits the possibility of Beijing's masterplan to weaponize

uncertainty with the SCS. The standardization efforts and highlighting the requirement of legal embeddedness further limit the likelihood of this scenario.

The final part of the section that addresses the research questions is related to the securitization framework. On the basis of the official discourse around the crisis of trust and relevant literature, the framework was chosen to design the study. The SCS development, with its solutions falling under the label of ‘extraordinary measures’, was to serve as a case study of how longitudinal securitization processes may evolve in non-democratic contexts. However, while very useful for determining the focus of the examination, the securitization theory turned out limited when confronted with the bureaucracy-related intricacies that made the SCS scope blurry. This notwithstanding, below, I attempt to address the two research questions that I posed during the study design and offer several post-study comments related to the securitization theory overall. The first question was:

**DRQ6:** ‘What are the obstacles that may hamper the securitization process of SCS construction and operations?’;

and the second:

**DRQ7:** ‘Which elements of the securitization theory need to be reconsidered while studying non-democratic regimes?’

First of all, the sole fact that the SCS turned out to be less ‘spectacular’ than initially imagined does not disqualify it from being analyzed within the securitization framework. In his study of the EU border policies, Neal stated that ‘[m]uch of what is being done in the name of security is quiet, technical and unspectacular, [...] and just as much [...] does not declare itself to be in the name of security at all.’<sup>21</sup> The incorporation of the not obvious security practices into the securitization framework by placing them on the security continuum mentioned in Chapter One, instead of focusing on the notion of *existentialism* of threats, could apply to the case of the crisis of trust and the construction of the SCS.<sup>22</sup> This ‘continuum’ approach may convince those who could argue that the current study should not employ the securitization framework at all, as it is not feasible to reliably prove that the threat is existential or urgent enough to justify the need of imposing extraordinary measures. Additionally, if determined by the authoritarian elites, security serves the elites themselves and their narrative of security is always instrumental rather than proving any existentiality.

Neal's study of the EU border policies discussed a set of professional practices that are being normalized rather than becoming an emergency measure.<sup>23</sup> Referring to EU border policies, he stated that the measures 'quickly become "normal"' and that '[i]t is the norm that is changing [...]'<sup>24</sup> He used this case to argue that these practices do not necessarily fall within the realm of securitization. In the non-democratic context, however, whatever measures the decision-makers decide to employ becomes a new normal in the lack of a democratic-like form of deliberation that may help to constitute 'normal' or 'special' realms. The problem with the SCS case and the securitization of trust does not, therefore, lie in the concepts of 'normal', 'special', or 'existential'. Rather, the problem lies in the fact that the SCS is not standardized or coherent enough to create any normalized set of operations. With their inoperability or unknown belonging to the SCS scope, the discussed measures are not near being normalized. Only with the established frames of SCS operation could the ultimate discussion of the SCS within the securitization framework be held.

In relation to the above, the answer to the first question could be that the greatest obstacle to the securitization process of SCS construction and operations is related to the regime's lack of capacity to realize its ambitions. The use of trust-centered discourse did somewhat succeed in putting the SCS construction on the political agenda. After all, the bureaucratic agents involved in the process delivered some mechanisms (regardless of whether they were in line with the overall idea for the SCS) or – at the very least – superficially manifested their engagement in the SCS construction by reporting some documents. The delivered outcomes, however, are not good enough to implement a coherent system of extraordinary measures.

Next, as Vuori highlighted in his securitization research in the non-democratic context, 'audiences are dependent on the socio-historical situation: who has to be convinced of the necessity of security action changes with the cultural and political systems in which the securitization is taking place.'<sup>25</sup> In China, it is the bureaucrats who implement securitization mechanisms; thus, it is them who primarily need to be convinced of the necessity to resort to rather unconventional measures.<sup>26</sup> The SCS coordinators clearly failed to convince the bureaucratic agents to build the relevant measures for dealing with the crisis of trust. Instead, the agents either limited their workload and commitment to SCS construction or instrumentally used the discourse and the frames it developed to reach other goals, unrelated to the trust issue. This was manifested in building local SCS elements that serve goals other than raising the level of trust. Thus, in relation to the second question, the approach to bureaucratic agents as audience and executors of the extraordinary measures could be further tackled in discussions of

securitization processes outside of the democratic context. This discussion should not overlook the bureaucratic logic of authoritarian states and reject the approach to the countries as monoliths.

Moreover, in Chapter One, I gravitated towards Balzacq's approach to the audience as an inessential element of the securitization process. I argued that it may not be simply assumed that, in Chinese circumstances, the audience in the form of, for instance, regular society members can possess sufficient leverage to determine the fate of the securitization process. I claimed that the initiative rather lies with particular organs that weigh which measures to implement and which not to. The analysis in the empirical chapters, however, revealed how important flexible control over citizens in China may be in the case of the SCS construction and how it may influence the bureaucratic decision of how to proceed. This flexible control is reliant on the sentiments of the masses, which, therefore, have a considerable influence on the decision of the bureaucratic agents on what is an acceptable measure in given circumstances and what is not. This indirect role of the broader society in the process, and its agency, should not be fully overlooked. As Salter argued, the longitudinal securitization processes may take place without particular communities' attention. However, society members as indirect and unspoken audience affecting the securitization process, even unconsciously, should be analyzed at further stages of SCS construction (provided that the SCS shape stabilizes at some point) or in other case studies in non-democratic contexts.

## **2. A note on the future of SCS operations**

As for the future, the success of SCS operations – as imagined by Beijing – remains uncertain. If the SCS is to raise the level of trust in society and deal with pressing governance and law enforcement problems, wider society should feel its impact in the first place. Currently, joint punishments apply mostly to senior managers or legally-designated representatives of trust-breaking enterprises. The mechanism is also extensively used for defaulters. Negative sentiments towards the more contentious SCS solutions have already led to the withdrawal of some local mechanisms, as discussed in Chapters Two and Six. The current shape of the central mechanisms that do not diverge from the overall SCS idea, extraordinary measures included, seems to mirror Beijing's awareness of the fact that going too far in intruding on individuals' lives could be unacceptable for society, which, in turn, could lead to widespread unrest and jeopardize the Party legitimacy.

Currently, the SCS is most often consociated solely with the Defaulters' Blacklist<sup>27</sup>, which, according to research, is widely accepted.<sup>28</sup> A study by Xu et al. revealed that once the

people in China are informed about the potential repressive use of the SCS, they tend to be less supportive of it.<sup>29</sup> As long as the mechanisms targeted at individuals are not extensive, however, people are not considerably knowledgeable about the SCS. Previous studies revealed that the Chinese have low knowledge of SCS.<sup>30</sup> Even with society being more knowledgeable about the SCS, it remains uncertain whether the System would be more effective in terms of shaping the desired social, economic, or political behavior. Research by Chen and Grossklags shows that even the extensive sanctioning of defaulters (of which the Chinese people are aware) fails to widely shape behaviors.<sup>31</sup>

The limitations related to the impact of and knowledge about the SCS stem from the shape of the standardized mechanisms. In their standardization efforts, the NDRC and the PBoC seem to have taken up the least risky and, at the same time, least innovative governance solutions to address the major problems in the key areas of governance. The standardization continues, while the bolder local trials fail to be implemented nationwide or are even contained. The trend, therefore, is to make the SCS law-embedded, and to withdraw from riskiest solutions. The NDRC and PBoC seem to deliver a product that may safely serve the core SCS assumption but fail to truly make a change in terms of raising the sense of trust in society.

The discourse around the crisis of trust, therefore, might have been successful in terms of agenda setting but inefficient in terms of the production of real governance effects and in terms of addressing the perceived threat.<sup>32</sup> The potential success of the SCS is further hampered by bureaucratic interests that make the SCS's scope hazy, generate coordination problems, and partly dilute the SCS idea already at the central level.

Another aspect relevant for the shape of the SCS is the future of standardization activities. Even though Beijing did standardize some parts of the SCS, it might not continue to do so with other elements. As Minxin Pei claimed already in 2020, even after the inclusion of most of China's cities and provinces in the System, the establishment of a unified nationwide system would be much challenging due to different characteristics of particular regions, which are at a different stage of economic and technological development, and are governed in different manners by the officials.<sup>33</sup> However, such an idea of unifying the fragmented SCSs, even though not explicitly mentioned in the 2014 Planning Outline,<sup>34</sup> appeared in a document published in July 2019 by the General Office of the State Council, which made the NDRC officially responsible for the SCS and for *unifying all regional pilot programs*.<sup>35</sup> In light of the findings of this dissertation, however, it is likely that the standardization will be considered by many agents as not very beneficial. Local versions of the SCS are relatively easy to steer and swiftly adapt to local circumstances.

Moreover, despite the abovementioned unification plans, the COVID-19 pandemic was a trial to the fragmented SCS, and several conclusions can be drawn from it. One of them is that local variations of the System adapt effectively to local circumstances and needs, being a more effective tool for governance, also during the times of crises.<sup>36</sup> Not less than 15 provinces and 19 municipalities introduced changes to their SCS due to the outbreak of the pandemic. The System has proven to be a useful tool for economic, legal, and behavioral interests.<sup>37</sup> In terms of the economy, during the pandemic, some functions of the SCS were disabled not to put business entities in an even more challenging situation by, for instance, blacklisting them for not paying taxes or loans. Moreover, the SCS requirements for obtaining a loan were lowered, so that companies could obtain an easy loan, enabling them to rebuild their business.<sup>38</sup>

Finally, as discussed in Chapter Seven and similarly claimed by other SCS observers, integrating all the data and actors that collect or aggregate credit information is challenging due to the vast scope and complexity of the mechanisms.<sup>39</sup> The unification of different sectors, joint mechanisms, local characteristics, and data sources would be much challenging to attain. The different levels of technological development possibly further challenge the introduction of big data-based solutions nationwide. Skepticism thus arises considering the effectiveness and the future full success of the System.<sup>40</sup> Another problem in the complex system identified by researchers is the inefficiency of operations, bringing about delays in data update, resulting in, for instance, the borrowers' lack of adequate and up to date credit information in the case of financial rating.<sup>41</sup> Also, even though the COVID-19 pandemic has proven SCS to be flexible, is also revealed technical problems with data quality and quantity, and, once again, the insufficient cooperation between agencies.<sup>42</sup> The complexity of the SCS raised concerns of PRC's domestic researchers as well. Some policymakers are alarmed by the vast expansion of SCS's scope, which could potentially limit the effectiveness of SCS, which was supposed to focus on economic and judicial issues.<sup>43</sup>

### **3. Limitations of the study and (methodological) recommendations for future research**

The study of the Social Credit System, an underresearched and complex phenomenon, was a challenging and an illuminating one for several reasons. First, its reality turned out entirely different from the initial imagination. Therefore, I fully agree with, Chuncheng Liu's words that '[w]e need more studies on *what* surveillance is, *how* it operates, and *how* it is perceived before debating what it *should* (not) be'.<sup>44</sup> Second, the SCS is still in the process of development and was prone to change even during the study. Such phenomena that are in flux are challenging objects of study.<sup>45</sup> Additionally, the study took place during and after the COVID-19 pandemic,

which changed some of my initial plans. While I did my best to adjust to the circumstances, there are several limitation of the study that should be addressed. I also offer recommendations for future research. Additionally, in some cases, I decided to limit the scope of the study for reasons unrelated to the abovementioned issues, and I believe that offering explanations for these decisions might be useful.

First, the dissertation discussed the outcomes of an analysis of written sources, primarily of various documents that introduce the SCS. Ideally, the study would have involved interviews with local officials responsible for or working on the construction of the SCS in the chosen localities. However, the pandemic reorganized the circumstances for many China scholars, not solely by limiting travel for some time, but also – along with the growing political tensions between China and the widely understood ‘West’ – by bringing about doubts related to the ethical and security implications of conducting field research in the PRC. In light of the political sensitivity of the examined issues, such a research trip could turn out ethically dubious, as it could cause inconveniences and hardships for my interlocutors. This risk was weighted against the possibility of obtaining useful and exclusive (otherwise unavailable) information in the process of conducting interviews. After considering arguments for and against the fieldwork, this part of the research was abandoned, and more focus was placed on analyzing documents.<sup>46</sup> In the case of the Social Credit System, I ultimately decided that this would be a sufficient information source, for reasons I explained thoroughly in Chapter Three. This notwithstanding, the possibility of traveling to the places and observing first-hand some of the piloted solutions or verifying on-site whether some SCS elements are operable would have certainly been advantageous to this study. Hopefully, future research will complement the findings of this dissertation in this manner.

Second, the SCS complexities discussed in the dissertation likely fail to cover a full spectrum of intricacies. Therefore, this dissertation should not be treated as a complete list of problems that the Chinese party-state comes across while developing such a complex project. This is a result of both consciously taken decisions and of potential omissions. As for the latter, while the standardized SCS solutions are relatively easy to cover, the numerous solutions that serve as examples of elements diverging from the core SCS assumption or central guidelines were found among thousands of documents. For instance, solutions like the OTI Employees Blacklist discussed in Chapter Four may exist in greater numbers.

Apart from the risk of omitting some solutions among the thousands of documents, some relevant materials might not have been published by localities. The collection of documents found on local Credit China websites at times felt random. The feeling of randomness was

exacerbated not solely by the fact that some of the documents failed to mention the SCS-related keywords entirely, but also by the fact that the formats of the documents differed. They varied from pdf files, through texts constituting the content of a website, to Word documents (including even one with ‘track changes’ mode on). The messiness of the published documents had its advantage. When analyzing official documents, the researcher must be wary of not falling into the trap of perceiving the studied phenomenon as desired by the relevant government. Basing an entire study on the officially published documents means using solely the official narrative on a phenomenon. In the SCS case, the messiness of the documents decreases the risk of it being presented in a manner planned and designed by Beijing – or even local governments.

Some localities also published more documents than others. For instance, among the studied localities, Lishui published the greatest number of documents mentioning various evaluations with an unknown link to the SCS, but this does not necessarily indicate that the city performs the greatest amount of credit evaluations. The local decisions of which materials to publish (which certainly influenced the study) might have stemmed from various reasons. With the abundance of published documents, the localities might have had the intention to demonstrate that their Credit China website is well developed, which influenced the assessments of ‘model cities’ for SCS construction. Because of all this, I decided not to offer separate summaries of the SCS shape in the three chosen localities. The overall lack of a unified strategy in publishing documents led me to a conviction that these materials are sufficient for observing the overall trends in SCS construction, but do not offer enough proof for making conclusions about the ultimate shape of the System in particular localities. This notwithstanding, the descriptions of model cities used for the choice of localities for analysis tend to be in line with what I found in the documents. For instance, Lishui was praised for running the Ecological Score, and its thorough description was found in documents discussed in Chapter Six.

As for the conscious omissions, while focusing on addressing the main research problems and the detailed research questions, in the dissertation, I intentionally left out several issues related to the SCS. The discussed solutions fell primarily under the societal branch of the SCS, or rather chosen governance areas embraced by it, with a major focus on natural persons. It can be expected that other problems with creating a coherent SCS would mount if the most extensive, i.e., business, sector of the SCS were added to the equation. This limitation of the scope of the study helped to ensure the feasibility of the study and reachability of the research goals.

Relatedly, the various solutions discussed in the dissertation should be treated merely as representative of the identified problems or types of SCS elements. It must be stressed that the solutions covered here are just a representation of various SCS elements that I came across throughout the study. To maximize the clarity of the discussion, not even all of the mechanisms analyzed in the research process were included in the dissertation, if it was decided that the provided examples are a sufficient representation of a given aspect of SCS implementation. Naturally, apart from being based on the factors described in Chapter Three, the choice of what to ultimately include in the dissertation and what to exclude from its scope for the sake of readability had to be partly intuitive. The perception of readability, clarity, and comprehensibility is, after all, a subjective indicator to some extent. This decision not to include some of the solutions in the dissertation does not apply to the solutions directly related to the major focus of the study. Namely, all solutions directly related to censorship, as well as all point-based scorings of individuals that I came across in the analysis, are included in the dissertation.

Moreover, apart from the unknowns discussed throughout the chapters, there remain other questions related to the SCS that are challenging to address in the lack of existing and publicly available information, at least among the materials accessed throughout the study. For instance, there exists the question of how the consumption-related punishments are imposed by the private sector. Local documents, at times, offered clues on how the private entities might obtain the Defaulters' List. A notice on defaulters must be circulated not solely through the media or local bulletin boards. The List should also reach various bodies – from government departments to industry associations.<sup>47</sup> It is likely that relevant industry associations are to further circulate the information among their members, possibly business entities. Whether this is efficient remains unknown. What is near certain is that the coordination between the public and private sector is challenging. For instance, a good Ecological Score in Lishui may lead to discounts being offered to individuals in *approved* cinemas.<sup>48</sup> This suggests that, even at a municipal level, solely chosen privately-run businesses participate in the execution of SCS-induced incentives (and, likely, punishments).

Next, the bureaucratic self-interests of particular agents who develop single SCS mechanisms were covered in more detail in Chapter Four, which discussed the centrally designed solutions. In other empirical chapters that discussed the locally-developed solutions, the interests were listed collectively or not as deeply discussed. The choice to do so stems from the fact that the central mechanisms are nationwide, and the interests affect the SCS solutions in all localities that introduce them. These centrally designed solutions are, after all, of primary

importance for the construction of a coherent and nationally standardized SCS. Moreover, tracking the local interests would also be more challenging without conducting field research. The local solutions, their shape or (in)operability, as well as belonging to the SCS scope, are likely determined by local contradictions between bureaucratic agents and even by various personal interests, to an extent greater than could be found at the central level. This might be considered a weakness of this study. However, in general, the Chinese bureaucracy is not very transparent, with difficult access to officials of higher ranks.<sup>49</sup> In such circumstances, even going to China might not be sufficiently informative about the reasons behind particular deeds of particular bureaucratic agents. For this reason, I approach the discussion to bureaucratic self-interests with due distance and skepticism. A similar choice was made to be more precise in the discussion of the effect the centrally designed solutions may have on particular areas of governance. This aspect was covered in a more general manner at the local level.

Yet another problem inherent in this study is that it (or its elements) might naturally become obsolete soon. For instance, during the study, I assumed the core assumption of the SCS, which may be altered in the future, especially since the 2024-2025 Action Plan discusses commitments more extensively and seems less focused on joint punishments. Additionally, the particular solutions discussed in the dissertation were changing during the study process. An example of how considerably particular solutions may be altered is the Lishui Personal Ecological Score, as discussed in Chapter Six. During the process of writing the dissertation, I checked updates relevant to scoring systems and solutions directly related to censorship and control efforts. Due to feasibility reasons, when adding multiple examples to a particular aspect of SCS development, I could not do the same for all cited documents. However, if, towards the end of the writing process, I found that some of the cited documents had expired, I marked this in an endnote. Studying a developing project requires careful weighing between feasibility and finding real-time updates of all documents.

Finally, in light of the many misconceptions about the SCS, as well as due to the nature of the Chinese regime, a note on a Western bias is needed. To maximize the objectivity of the research, I based the empirical part of the dissertation almost exclusively on primary sources,<sup>50</sup> which were chosen in the process described in Chapter Three. I chose to discuss the SCS solutions that are important in terms of control and censorship in a broader regulatory context. This helped in picturing how even the most controversial solutions for controlling individuals are of a limited innovativeness in terms of introducing entirely new punitive patterns for new categories of behaviors. Such an approach allowed to distance myself<sup>51</sup> from the most

distressing SCS mechanisms and drove me away from the claim that they make the SCS a project that could considerably raise the level of repression in China.

Overall, the backbone of maximizing objectivity is not to claim that there are no threats to freedom inherent in Beijing's governance. On the contrary, I believe that before protecting ourselves from potential threats, there is a need to understand what threats we are dealing with. Focusing on imagined threats may lead to overlooking other projects that may be more potent in limiting personal freedoms. I recommend that future studies on how the Chinese regime may strengthen its surveillance and control capabilities or export some of its domestically developed solutions abroad focus on case studies other than the Social Credit System. In this respect, out of many projects and actions performed by Beijing, the Social Credit System is not the most dreadful one.

Basing on the outcomes of this study, and apart from what was already mentioned throughout this section, I believe that several aspects require more attention in future research on the Social Credit System. First, scholars who examine particular areas of governance might want to verify what effects SCS solutions – both central and local – have on the functioning of the country. For instance, the issue of how the more severe style of law enforcement affects some branches of industry and limits cases of major law violations and security breaches, or increases the quality of products, food included,<sup>52</sup> might be examined. Next, the interconnectivity between the SCS and other projects could be traced. While a recent study by Alexander Trauth-Goik compared the Civilized Cities project and the SCS,<sup>53</sup> and my study also revealed similar phenomena, the SCS might be linked with various other programs. Disentangling SCS from other governance tools and pointing out explicit links between SCS solutions and other projects is crucial not solely for understanding the ramifications of the SCS. It is also important because coverage and mentions of the SCS lead to the mixing of various projects and separate categories that may accumulate to create an unrealistic picture of Chinese activities.<sup>54</sup>

It is important to avoid further misinformation and confusion while talking about the SCS to ensure the best quality of the discussions on China's technological expansion worldwide, its attempts to export its governance model, and related threats. What would be useful in such discussions – apart from fact-based, well-informed analyses of particular projects – is developing an understanding of how the misunderstandings and myths (such as the one of the SCS as an Orwellian surveillance superproject) develop and spread, especially among Western audiences. This is especially important, as the misunderstanding may even pave the way to decision-making circles and influence major legal provisions outside of China. This was

reportedly the case with the EU AI Act, which bans governments from using AI for the purpose of social scoring. While not necessarily flawed *per se*, the inclusion of this ban in the Act is said by some<sup>55</sup> to have been directly influenced by the myth around the SCS.<sup>56</sup>

#### 4. Notes and references

<sup>1</sup> 国务院关于加强政务诚信建设的指导意见 (Guiding Opinion of the State Council on Strengthening the Establishment of Trustworthiness in Government Affairs) (2016).

<sup>2</sup> 中共中央办公厅 国务院办公厅印发《关于加快推进失信被执行人信用监督、警示和惩戒机制建设的意见》(Opinions of the General Offices of the Central Committee of the Communist Party of China and of the State Council on Accelerating the Construction of Credit Supervision, Warning and Punishment Mechanisms for Persons Subject to Enforcement for Trust-Breaking) (2016).

<sup>3</sup> 中华人民共和国监察官法 (Supervision Officials Law of the People's Republic of China) (2021), art. 13.

<sup>4</sup> 中华人民共和国监察官法 (Supervision Officials Law of the People's Republic of China) (2021), art. 13.

<sup>5</sup> 国务院关于加强政务诚信建设的指导意见 (Guiding Opinion of the State Council on Strengthening the Establishment of Trustworthiness in Government Affairs) (2016).

<sup>6</sup> 2019 年昆山市社会信用体系建设工作要点 (Key Points for Kunshan's Construction of a Social Credit System in 2019) (2019) . Appendix: 2019 年昆山市社会信用体系建设工作任务分解表 (2019 Kunshan Social Credit System Construction Task Breakdown).

<sup>7</sup> The 2024 scandal was focused on the edible oils and fuel oils being transported in the same trucks. See, e.g., Lu Yutong, Feng Yiming, Sun Yanran, Bao Yunhong, and Ding Yi, “China Launches Probe Into Cooking Oil Transportation After Report of Contaminated Tankers,” *Caixin Global*, July 10, 2024, <https://www.caixinglobal.com/2024-07-10/china-launches-probe-into-cooking-oil-transportation-after-report-of-contaminated-tankers-102214792.html>.

<sup>8</sup> Minxin Pei, *The Sentinel State: Surveillance and the Survival of Dictatorship in China* (Cambridge, MA: Harvard University Press, 2024).

<sup>9</sup> Qi Yukun, “完善中国特色社会主义法治体系 推进国家安全体系和能力现代化 ——访中央政法委秘书长閻柏 [Improving the Socialist Legal System with Chinese Characteristics and Modernizing National Security Systems and Capabilities: Interview with Ting Bai, Secretary-General of the Central Political and Legal Affairs Commission],” *Qiushi*, August 26, 2024, [https://www.qstheory.cn/qshyjx/2024-08/26/c\\_1130195381.htm](https://www.qstheory.cn/qshyjx/2024-08/26/c_1130195381.htm).

<sup>10</sup> Xinhua, “Xi Stresses Advancing Peaceful China Initiative to Higher Level,” March 1, 2025, <https://english.news.cn/20250301/ab5da7b967ab404caf12ae0fe628dbdf/c.html>.

<sup>11</sup> CCTV, “[视频]《国家安全教育大学生读本》出版发行 [[Video] ‘National Security Education Reader for College Students’ Published],” August 29, 2024,

[https://tv.cctv.com/2024/08/29/VIDEavnSiP4UTFSP4cdSxf06240829.shtml?spm=C31267.PXDaChrDGdt.EbD5Beq0unIQ.11&utm\\_source=substack&utm\\_medium=email](https://tv.cctv.com/2024/08/29/VIDEavnSiP4UTFSP4cdSxf06240829.shtml?spm=C31267.PXDaChrDGdt.EbD5Beq0unIQ.11&utm_source=substack&utm_medium=email).

<sup>12</sup> Ausma Bernot and Susan Trevaskes, “Smart Governance, Smarter Surveillance,” in *China Story Yearbook*, ed. Linda Jaivin, Elisa S. Klein, and Sharon Strange (Canberra: ANU Press, 2022), 22.

<sup>13</sup> Kenneth G. Lieberthal and David M. Lampton (eds), *Bureaucracy, Politics, and Decision Making in Post-Mao China*, Berkeley: University of California Press, 1992: 8.

<sup>14</sup> 浙江省五类主体公共信用评价指引（2020 版）(Zhejiang Province Public Credit Evaluation Guidelines for Five Types of Entities (2020 Edition)) (2020).

<sup>15</sup> 浙江省幼儿园等级评定（2020 年修订）(Zhejiang Province Kindergarten Grading System (2020 Revision)) (2020).

<sup>16</sup> Guoguang Wu, “Has Xi Jinping Reached His Peak? Power Concentration versus Governance Capability,” *China Leadership Monitor*, no. 81 (September 1, 2024).

<sup>17</sup> Wu, “Has Xi Jinping Reached His Peak?”

<sup>18</sup> See Monique Taylor, *China's Digital Authoritarianism: A Governance Perspective* (Palgrave Macmillan, 2022).

<sup>19</sup> Hanyu Zhao, *Oversretched Leviathan: Bureaucratic Overload and Grassroots Governance in China* (PhD diss., Harvard University Graduate School of Arts and Sciences, 2023).

<sup>20</sup> I would like to thank Professor David Lyon for bringing my attention to this question in one of our discussions. Similar suggestions later appeared in discussions with several China scholars.

<sup>21</sup> Andrew W. Neal, “Securitization and Risk at the EU Border: The Origins of FRONTEX,” *JCMS: Journal of Common Market Studies* 47, no. 2 (2009): 352.

<sup>22</sup> See Sarah Léonard and Christian Kaunert, “The Securitisation of Migration in the European Union: Frontex and Its Evolving Security Practices,” *Journal of Ethnic and Migration Studies* 48, no. 6 (2022).

<sup>23</sup> Neal, “Securitization and Risk at the EU Border.”

<sup>24</sup> Neal, “Securitization and Risk at the EU Border,” 346.

<sup>25</sup> Juha A. Vuori, “Illocutionary Logic and Strands of Securitization: Applying the Theory of Securitization to the Study of Non-Democratic Political Orders,” *European Journal of International Relations* 14, no. 1 (2008): 72. Which concurs with Salter’s idea that that the general public is not necessarily involved (Mark Salter, “Securitization and Desecuritization: A Dramaturgical Analysis of the Canadian Air Transport Security Authority,” *Journal of International Relations and Development* 11 (2008): 327–328).

<sup>26</sup> This somewhat complies with Vuori’s control strand of securitization, in which the audience ‘are those under the authority of the securitizing actor, e.g., members of a party [...]’ Vuori, “Illocutionary Logic and Strands of Securitization,” 88.

<sup>27</sup> Haili Li and Genia Kostka, “Accepting but Not Engaging with It: Digital Participation in Local Government-Run Social Credit Systems in China,” *Policy & Internet* 14, no. 4 (2022): 851.

<sup>28</sup> Alexander Trauth-Goik and Chuncheng Liu, “Black or Fifty Shades of Grey? The Power and Limits of the Social Credit Blacklist System in China,” *Journal of Contemporary China* 32, no. 144 (2022): 1031.

<sup>29</sup> Xu Xu, Genia Kostka, and Xun Cao, “Information Control and Public Support for Social Credit Systems in China,” *The Journal of Politics* 84, no. 4 (2022): 2230–2245.

<sup>30</sup> Li and Kostka, “Accepting but Not Engaging,” 851–852.

<sup>31</sup> Mo Chen and Jens Grossklags, “Social Control in the Digital Transformation of Society: A Case Study of the Chinese Social Credit System,” *Social Sciences* 11, no. 6 (2022): 16. Note: This study somewhat contradicts previous research by Kostka and Antoine. They conducted a study in which the respondents were asked to determine whether the SCS has ever led to a change of their behavior. 94% replied that they have done so at least one time, for instance as a result of being motivated to donate money to charity, to change the content posted online, to volunteer, or to reduce the time spent on playing games online. The fact that numerous citizens are not aware of being a part of a state SCS may indicate that their responses were random. However, among those aware of the SCS, 99% have experienced a change in their behavior (Genia Kostka and Lucas Antoine, “Fostering Model Citizenship: Behavioral Responses to China’s Emerging Social Credit Systems,” *Policy & Internet* 12, no. 3 (2020): 256–289. For more results and the details on the type of behaviors that were subject to change, please see the full article).

<sup>32</sup> Note: Despite the limited impact in terms of individuals, the SCS mechanisms and the joint punishments may be more potent in its business branch. By constructing one crisis – the crisis of trust – the SCS designs a framework for collectively introducing solutions targeted at the most pressing problems in business, instead of targeting them one by one.

<sup>33</sup> Minxin Pei, “China’s Social Credit System: Genesis, Framework, and Key Provisions,” *China Leadership Monitor*, no. 63 (March 1, 2020).

<sup>34</sup> Possibly a mistranslation of the 2014 Planning Outline led to the belief that the document called for the establishment of a nationwide SCS by 2020.

<sup>35</sup> Pei, “China’s Social Credit System.”

<sup>36</sup> Adam Knight and Rogier Creemers, “Going Viral: The Social Credit System and COVID-19,” *SSRN Electronic Journal*, January 20, 2021, [https://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=3770208:16](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3770208:16).

<sup>37</sup> Knight and Creemers, “Going Viral,” 9.

<sup>38</sup> Knight and Creemers, “Going Viral,” 2, 9–10.

<sup>39</sup> Fan Liang, Vishnupriya Das, Nadiya Kostyuk, and Muzammil M. Hussain, “Constructing a Data-Driven Society: China’s SCS as a State Surveillance Infrastructure,” *Policy & Internet* 10, no. 4 (2018): 434.

<sup>40</sup> Mirjam Meissner, Rogier Creemers, Pamela K. Crossley, Peter Mattis, and Samantha Hoffman, “Is Big Data Increasing Beijing’s Capacity for Control? A ChinaFile Conversation,” August 10, 2016, <https://www.chinafile.com/conversation/Is-Big-Data-Increasing-Beijing-Capacity-Control%3F>.

<sup>41</sup> Zhuo Huang, Yang Lei, and Shihan Shen, “China’s Personal Credit Reporting System in the Internet Finance Era: Challenges and Opportunities,” *China Economic Journal* 9, no. 3 (2016): 297.

<sup>42</sup> Knight and Creemers, “Going Viral,” 3.

<sup>43</sup> Knight and Creemers, “Going Viral,” 18–19.

<sup>44</sup> Chuncheng Liu, “Who Supports Expanding Surveillance? Exploring Public Opinion of Chinese Social Credit Systems,” *International Sociology* 37, no. 3 (2022): 392.

<sup>45</sup> See Ariane Ollier-Malaterre et al., “Navigating Through the Fog: Reflexive Accounts on Researching China’s Digital Surveillance, Censorship, and Other Sensitive Topics,” *Journal of Contemporary China*, March 2025, 12–14.

<sup>46</sup> Instead of going to China, upon an invitation from Rogier Creemers, one of the first scholars to ever analyze the SCS, I was a visiting scholar at Leiden University in June and July 2023. This research stay and consultations with Dr. Creemers had a considerable impact on the final shape of the dissertation, for which I am grateful.

<sup>47</sup> 深圳市中级人民法院执行局关于纳入失信执行措施若干问题的纪要 (Minutes of the Enforcement Bureau of the Shenzhen Intermediate People’s Court on Several Issues Concerning the Measures for the Inclusion in Enforcement for Breaking Trust) (2016).

<sup>48</sup> 丽水市发展和改革委员会关于印发《丽水市绿谷分（个人信用积分）管理办法（试行）》的通知 (Notice of the Lishui Municipal Development and Reform Commission on the Issuance of the “Measures for the Management of the Lishui Green Valley Points (Personal Credit Points) (Trial Implementation)”) (2020), art. 18

<sup>49</sup> Kenneth G. Lieberthal and David M. Lampton (eds), *Bureaucracy, Politics, and Decision Making in Post-Mao China*, Berkeley: University of California Press, 1992: 4.

<sup>50</sup> With a few exceptions when I cited precious analytical job made based on an extensive analysis of primary sources, for instance, Jeremy Daum’s breakdown of MoUs or Vincent Brussee’s superb book on the Social Credit System.

<sup>51</sup> Note: The problem of positionality of researchers and its impact on China studies have lately commened to be discussed among China scholars. For instance, in early 2025, a reflexive article on studying sensitive topics in the PRC co-authored by six China scholars (myself included) was published in the *Journal of Contemporary China*, and discusses positionality as one of the challenges researchers face, especially amidst the mounting geopolitical tensions (see Ollier-Malaterre et al., “Navigating Through the Fog.”).

<sup>52</sup> E.g., whether the SCS may help in preventing major food safety incidents, such as the 2008 contaminated baby milk scandal.

<sup>53</sup> Alexander Trauth-Goik, “Civilized Cities or Social Credit? Overlap and Tension between Emergent Governance Infrastructures in China,” *Global Media and China* 8, no. 3 (2023).

<sup>54</sup> See the article in *The Diplomat* mentioned already in the Introduction to this dissertation: Yau Tsu Yan, “Smart Cities or Surveillance? Huawei in Central Asia,” *The Diplomat*, August 7, 2019, <https://thediplomat.com/2019/08/smart-cities-or-surveillance-huawei-in-central-asia/>.

<sup>55</sup> I want to thank my colleagues who had a chance to discuss it with more knowledgeable individuals with the EU insight for this comment.

<sup>56</sup> Yet another interesting research topic could be how may such misperceptions influence EU-China relations. This is among the understudied aspects these relations, next to others, such as sub-state actors’ and regions impact on them (on the latter see, e.g., Joanna Ciesielska-Klikowska and Tomasz Kamiński, “Paradiplomacy and Its Impact on EU Foreign Policy,” *Journal of Contemporary European Research* 18, no. 1 (2022): 48–66.).

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