

USUAL SUSPECTS

**Our China-obsessed approach
to foreign interference
is self-defeating**

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Consider this: I was born in the People's Republic of China; I was a member of the Chinese Communist Party's Young Pioneers and used to regularly salute the party flag; half my family are members of the CCP; and my grandfather was a senior officer in the People's Liberation Army. How do these facts shape your perceptions of me? Would you think that I am an agent of the PRC? Would you call up the national security hotline and make a report about me when you see me sitting in a cafe outside a government agency in Canberra?

In fact, my background is far from unique. The CCP is an inextricable part of growing up for virtually everyone in the PRC. Many of the most talented, intelligent and ambitious people in that country have joined the Party. And most families would have been touched by war and have a relative who served in the military.

Back in 2020, some Australian senators certainly thought my ethnic background was suspicious. They asked a group of Chinese Australians appearing at a Senate inquiry, including me, to prove our loyalty to Australia by denouncing the CCP – a request not made to any other Australian appearing at the inquiry. The price of admission to the Senate, it seemed, was to thump our chests, declare the CCP were the baddies and draw a line in the sand marking ourselves out as the good-ies. That unfortunate episode came amid heightened concerns about espionage and foreign interference by the PRC.

These concerns have not gone away. In his 2023 threat assessment, Mike Burgess, the head of the Australian Security Intelligence Organisation, said, “Australia is facing an unprecedented challenge from espionage and foreign interference.” This is not new – it has been described as “unprecedented” for more than five years, ever since Burgess’s predecessor, Duncan Lewis, used the term in 2017. Burgess also called on those who believe foreign interference is no big deal and can be safely managed to “reflect on their commitment to Australia’s democracy, sovereignty and values”.

These comments reflect the view of one particular agency within the bureaucracy – and we might note that that agency’s understanding of “democracy” and “values” has in the past led to surveillance of Indigenous activists and anti-war protestors. The public should therefore listen with a sceptical ear, even though it does not have access to ASIO’s classified information.

In this essay, I take up Burgess’s challenge and reflect on how the

public discourse on foreign influence and interference in Australia has affected its democracy, sovereignty and values.

Certainly, there are legitimate concerns about foreign interference. Broadly, Australia faces two types of risk stemming from the PRC's influence and interference activities. The first, which has been the focus of the Australian government, is the national security risk. This centres on policy and electoral influence and interference, such as lobbying and spreading of disinformation.

The second, which tends to be the focus of human rights organisations, is the civil liberty risk. This centres on concerns that PRC activities threaten freedom of speech, including the suppression of dissent and censorship outside its borders. The target of this sort of influence is generally people in the Chinese diaspora, including international students from the PRC.

However, the singular focus on the PRC as the source of interference has been counterproductive, and threatens to damage the very democracy the anti-interference measures are designed to protect. This focus on the PRC has been particularly damaging for Chinese Australians.

Chinese Australians are under tremendous pressure to self-censor. Some are wary of expressing views aligned with the PRC, for fear of being labelled agents of interference and having their reputation

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ruined. Others are wary of publicly criticising the PRC, for fear that it might damage their prospects of obtaining a visa or endanger their relatives in China.

Yet over the last five years, many in the national security community seem to have accepted these burdens placed on Chinese Australians as “collateral damage” – unfortunate and unintended, but necessary to ensure Australia is free from the PRC’s influence.

Instead of targeting a single country, the government should aim to combat the various tools that are used by foreign countries – including the PRC – to conduct interference. Such an approach will reduce collateral damage, will better target interference activities and, simultaneously, will strengthen Australia’s democracy.

Foreign interference and foreign influence

Influence and interference, although often treated as interchangeable, are distinct concepts. Influence is legitimate, whereas interference is not. This distinction was neatly presented by the 2017 Foreign Policy White Paper, which stated:

All states seek to advance their interests by persuading others to their point of view. This is a central and legitimate task of diplomacy. Foreign interference goes further by using clandestine or deceptive means to affect political, governmental or even commercial processes to cause harm to Australian interests.

When Prime Minister Malcolm Turnbull introduced legislation in 2017 to counter foreign interference, he also distinguished between influence and interference, which involves conduct that is “covert, coercive or corrupt”.

Such a distinct line meant that many of the PRC’s influencing activities are not captured by the legislation. ANU senior fellow Katherine Mansted made the case in 2021 that the divide between influence and interference is unhelpful, as the PRC has adopted strategies that “exploit the grey zone between acceptable foreign influence activities and unlawful foreign interference”.

When it comes to media reporting and public perceptions, however, the distinction between influence and interference is blurred. Media organisations lump together different stories to do with the PRC under the banner of “Chinese influence”. Attempts to influence are often portrayed as illegitimate and malign if there are “links” or “connections” to the PRC. The participation of PRC students in student politics, for example, was characterised by the ABC’s *Four Corners* in 2019 as “a gateway for CCP influence on campus”. Yet the fundamental principle of freedom of speech requires that PRC citizens should be able to advocate for their political views peacefully, regardless of whether those views are pro-PRC or not.

The federal government has not done enough to clarify this confusion between influence and interference, and many experts appear to have wittingly ignored the reality that foreign influence is a legitimate part of a liberal democracy.

Australia allows dissenting voices to be heard. Authoritarian countries such as the PRC do not. As a result, the PRC is subject to significantly less foreign influence. The PRC government is hypersensitive to any “hostile foreign forces” and blames them for many of its domestic troubles. That is the primary reason behind the crackdown on civil rights groups such as LGBTIQ+ groups, which are presented as national security threats. Eliminating foreign influence and blaming foreign forces for dissent would move Australia closer to an authoritarian model and betray our democratic ideals.

Selective enforcement and racial profiling

Since the PRC does not allow “hostile foreign forces”, should Australia reciprocate? Many Australians believe the answer should be yes, and that Australia should restrict foreign influence activities by the PRC. Yet such an approach would make Australia more like the PRC.

Proponents of such reciprocity take issue with the country-agnostic nature of the foreign interference legislation. While introducing the legislation, Turnbull emphasised that “interference is unacceptable from any country whether you might think of it as friend, foe or ally”.

The legislation established the Foreign Influence Transparency Scheme, to provide the public with visibility of foreign influence on Australia’s government and politics. Most of the activities listed on the register were undertaken on behalf of Australia’s friends rather than the PRC, presumably because those organisations are more likely to comply. But the revelation prompted some national security experts

to argue for abandoning the country-agnostic principle. Daniel Ward, former general counsel to Prime Minister Scott Morrison, proposed in 2021 that “Australia’s foreign influence laws should be amended to adopt a ‘tiered model’, under which conduct originating in certain ‘designated countries’ would be subject to greater regulation than activity from other sources”.

In any case, country-agnostic legislation does not guarantee that all countries or individuals are treated the same. The *Immigration Restriction Act 1901*, which was the cornerstone of the White Australia

Attempts to influence are not restricted to authoritarian countries

policy, was country-agnostic. It gave officials the discretion to restrict individuals from entering Australia, but mentioned no race or country in particular. Instead, any migrant could be required to take a dictation test. The effect, of course, was that non-Europeans were excluded.

Government agencies have a choice about which foreign interference investigations to pursue, and which to make public. Intelligence agencies can investigate instances of influence from one country (if it is perceived as malign), while ignoring influence from another (if it is supposedly benign).

Selective enforcement was apparent in the now-defunct “China Initiative” in the United States. An attempt to target the PRC’s theft of trade secrets led to the prosecution of Chinese Canadian scientist Anming Hu in 2011. While investigating him for espionage, a team of FBI agents

tailed his family for two years. They placed him on the no-fly list and got him fired based on false information, and even pressured him to spy for the US government. And despite finding no evidence of espionage, the US government charged him with fraud. Hu was eventually acquitted, but lost two years of his life to this fiasco.

The criteria for investigations under the China Initiative – which the Department of Justice ended in 2022 – was that the activities had “some nexus” to the PRC. It was therefore a strictly state-based rather than race-based criteria. Yet the implementation led to extensive racial profiling, targeting Chinese and Chinese American scholars.

This is not to say that foreign interference investigations are racist. Far from it – there are many legitimate interference concerns. However, if investigations only focus on interference from the PRC, then people with links to the PRC will be unduly targeted. And most of these people will be of Chinese heritage.

Targets are not always agents

While the CCP would prefer that all its influencing attempts are successful and all its targets become its agents, this is certainly not the case.

The party attempts to influence individuals and organisations in the Chinese diaspora in Australia and other countries through its United Front Work Department, which aims to strengthen the party’s legitimacy by co-opting those outside the party. However, an individual or organisation is not necessarily an agent purely because they have been targeted by the PRC. Similarly, sharing the same view as the PRC

on certain issues is not evidence that a person is an agent of the PRC. Extraordinary accusations, such as that of foreign interference, require proof, not just circumstantial innuendo.

Perhaps it is worth pausing to consider why a certain segment of the Australian public is so easily persuaded that targets of PRC influence activities are agents, especially when they are ethnic Chinese. According to the 2023 UTS:ACRI/BIDA poll, which explores “Australian views on the Australia–China relationship”, 43 per cent of Australians believe that “Australians of Chinese origin can be mobilised by the Chinese government to undermine Australia’s interests and social cohesion”.

There is an undercurrent of belief that people of Chinese ethnicity will naturally be loyal to the PRC, and thus are susceptible to becoming its agents. This is why we saw the Australian Senate asking Chinese Australians to demonstrate their loyalty to Australia by condemning the Chinese Communist Party.

This belief stems partly from a racist impression that ethnic Chinese people have been brainwashed and are incapable of independent thought. In fact, most PRC international students and migrants are not supportive of every PRC policy. Even inside the PRC there exists a push for more rights, despite harsh censorship and crackdowns. Yet the same people who are pushing for these changes might back the Chinese government on other issues, such as the territorial dispute over the South China Sea. Just like people everywhere, PRC citizens and Chinese Australians pursue their own beliefs and interests, rather than blindly following their governments’ directives.

Politics for sale

In 2017, political donations by property developer Chau Chak Wing came under the spotlight. Media reports and Liberal Party MP Andrew Hastie – at the time the chair of the Parliamentary Joint Committee on Intelligence and Security, and the current Shadow Minister for Defence – suggested that Chau had used political donations to influence Australian government policy on behalf of the PRC. There is no doubt that he used donations to try to influence policy: this is what all political donors do. The critical question is whether he did so on behalf of the PRC, which remains without a conclusive answer.

The buying of influence through lobbying and political donations in a democracy has always been controversial but accepted, as long as it is openly declared. As the US political scientist Yuen Yuen Ang has pointed out, lobbying and donations are a form of access money – “high-stakes rewards offered by elite capitalists to powerful officials in exchange for exclusive, lucrative privileges”. Although legal, they are a form of corruption. It is no wonder that wealthy companies and individuals take advantage of this to influence government policy.

Since foreign governments cannot easily donate to politicians, they attempt to influence policy through donations to think tanks. In the United States, for example, the Brookings Institution, a major think tank, allegedly lobbied the US government in 2017 on behalf of Qatar. This controversy led to the resignation of the president of Brookings, retired general John Allen. Such attempts to influence are

not restricted to authoritarian countries. Norway and Japan are also in the influence game, donating millions to US think tanks with specific policy requests or research directions.

In Australia, foreign donations to political parties were banned in 2018 after the controversies with two donors associated with PRC influence, Chau Chak Wing and Huang Xiangmo. Yet neither was a foreign donor: one was an Australian citizen and one an Australian resident, so their donations would have been legal even under the new law.

With the sharp focus on how the PRC is taking advantage of Australia's democratic system, an opportunity is missed to have a national conversation on how to reduce the corrupting influence of money in politics more generally. For example, a cap on donations would reduce influence over policy by wealthy individuals or corporations, including foreign governments. Focusing on broader electoral reform in this way, rather than just on the PRC's influence activities, would strengthen Australia's democracy.

**An overreaction to
foreign interference
risks eroding ...
freedom of speech**

WeChat and TikTok

Democracies are increasingly scrutinising another area of political influence: social media. Again, the most effective approach would be to focus on the tools of influence rather than on a single culprit.

A study in 2019 found that YouTube’s recommendation algorithm has funnelled viewers to alt-right videos. A study in 2021 found that Facebook is driving political polarisation and spreading misinformation in the United States. However, there is no evidence that YouTube or Facebook are following state directives in implementing their algorithms. Despite the clear concerns about how they operate, the Australian government has not made them subject to its foreign interference investigations.

On the other hand, two social media apps owned by PRC companies have been accused of potential interference: WeChat and TikTok. Senator James Paterson, the Shadow Minister for Home Affairs and a member of the Parliamentary Joint Committee on Intelligence and Security, has repeatedly called for a boycott or ban of the two apps in Australia.

WeChat is owned by Tencent and, in Australia, is used predominantly by migrants from the PRC. The app is subject to censorship and political surveillance. However, a study by Deakin University academic Fan Yang found that there was no evidence of PRC influence over WeChat Official Accounts (WOAs) during the 2019 Australian federal election.

Instead, she found that “the political opinions espoused in the widely read and locally influential accounts we studied tended to directly counter those published by CCP affiliated WOAs during the election campaign”. A 2023 study by university academics Wanning Sun and Haiqing Yu found that WeChat is used for both democratising and anti-democratising purposes, just like other social media platforms.

TikTok is owned by ByteDance. It is a popular app among Australians aged under thirty-five and has a much broader reach than WeChat. A government review in 2020 found that it did not pose serious national security concerns.

The fear around the two PRC apps is mainly around what *could* happen if the PRC were to pressure their owners to spread disinformation and manipulate elections. Such fear stems from a general distrust of the PRC, and of any business or individual who might be influenced by the PRC. But this ignores the fact that foreign governments can directly pressure any social media company, regardless of the nationality of its ownership.

For example, the Indian government has successfully pressured Twitter to censor a BBC documentary and block the account of a Canadian politician. Ironically, because the PRC has blocked the use of US-based social media apps such as Twitter and Facebook in China, it has actually lost the ability to influence those companies. As a result, Meta (the owner of Facebook) is actively lobbying for a ban on TikTok in the United States and Australia, since it would benefit from a ban and stands to lose nothing in the PRC. Corporate competition has become intimately linked to national security.

The focus on the “Chineseness” of TikTok and WeChat means that the public discourse has shifted away from how to regulate disinformation on all social media apps. For example, Twitter and Facebook have both amplified pro-Russia disinformation, despite the fact they are US companies and under no pressure from the Russian government.

Their US ownership did not eliminate the risk that they might be the conduit of foreign interference.

Australians can choose to engage with legitimate social media platforms or not. Pre-emptively banning these apps because they could be used to shape public opinion on behalf of the PRC goes against Australia's liberal-democratic principles – and would mirror what is done in places like the PRC. The fear that foreign influence could infiltrate the Chinese population was the justification used by the PRC to erect the “Great Firewall”, which blocks access to services such as Google, Facebook and Twitter. We should be cautious about taking the same authoritarian approach.

Freedom of speech

The Great Firewall was created to prevent people inside the PRC from being exposed to criticisms of the Chinese government and the CCP. This reflects the insecurity of the government – it worries that “foreign hostile forces” might foment anti-government unrest.

The Chinese government also attempts to suppress criticisms of it outside its borders in other ways. Scholars researching issues deemed “sensitive” by the PRC – such as human rights – and dissidents who have emigrated from the PRC are the primary targets of this form of interference.

One well-documented method is the threatening of dissidents' family members who reside in the PRC. The government persuades or coerces the family to put pressure on these dissidents. The dissidents

therefore face a difficult choice if they wish to continue their activism: either they ignore the plight of their family members, who may face detention or harassment, or they cut off all contact with their family in order to protect them and remove the source of PRC leverage.

Another common method, if the targets are not PRC citizens, is visa denial. This applies in particular to scholars who need to conduct fieldwork to advance their research. The PRC prevents them from travelling to China as a punishment, encouraging self-censorship in the future.

Social media presents an added layer of risk. Anyone might upload photos of anti-PRC protestors, who can then be identified by the Chinese government. Those who have uploaded the photos might have done it at the direction of the government or of their own volition. They might even be praising and supporting the protestors.

Only the first of these methods is what might be called foreign interference, yet all three can lead to trouble for the individuals involved.

It is often hard to determine whether someone is acting at the direction of a foreign government. For example, a PRC student in Australia might participate voluntarily in pro-PRC protests because they support the PRC government's stance on a particular issue, or they might tear down flyers because they disagree with the views expressed. Such activity is not foreign interference unless it is being done at the direction of the PRC, but it may interfere with the rights of others to express their views. Similarly, those who troll or harass others online are not necessarily agents of foreign interference, although this does not make their actions less concerning.

There is a dangerous tendency to label any activities perceived as pro-PRC as potential interference, and anyone who participates in those activities as a potential agent. In the absence of evidence, such accusations lead to self-censorship. An overreaction to foreign interference risks eroding the very right – to freedom of speech – that the foreign interference is seeking to undermine.

Freedom of association

It is a fact of life that when you engage with the PRC, you inevitably have to engage with the Chinese Communist Party. Approximately one in every fifteen people in the PRC – more than 96 million people – are Party members, and the figure is much higher among men with academic degrees. The doctor who blew the whistle on the spread of COVID-19 in Wuhan, Li Wenliang, was a member of the party. When an Australian prime minister meets with their PRC counterpart, they are meeting with the head of the CCP. And if you meet a person from the PRC – someone like me – the chances are good that someone from their extended family is a member of the Party.

The CCP is not a terrorist organisation under Australian law. It is not illegal to be a member of the Party, or to receive training, funding or other support from the Party. It is certainly not nefarious to shake hands or have your photo taken with a member of the Party. Indeed, if you are trying to get something done in or with the PRC and you are not talking to the Party, you are doing something seriously wrong.

Yet the CCP and its members have been portrayed in the Australian media as sinister, creating an impression that Australians should refrain from engaging with any CCP organisation or individual. For example, when accusing Chau Chak Wing of foreign interference, Andrew Hastie used Chau's "extensive contacts in the Chinese Communist Party" as a reason. Perhaps it will surprise Hastie to know that the Australian embassy in Beijing and most Australian businesspeople in the PRC also have "extensive contacts in the Chinese Communist Party".

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In Australia, this fear of engagement with the CCP has led to scrutiny of some community organisations, particularly of United Front-affiliated community organisations in Australia. As discussed above, these organisations are usually the *targets* of the CCP's influencing attempts and are not necessarily its agents. Andrew Chubb has pointed out that "the co-optation strategy behind the CCP's United Front work is premised on an assumption that the 'patriotic' groups targeted are not inherently loyal to the CCP ... [but] pursue their own interests".

Freedom of association is a basic right in a liberal democracy. In Australia, groups can choose to associate with foreign governments or embassies and receive funding from them. Many community groups in Canberra receive sponsorships from foreign embassies for events they hold. These embassy-sponsored events make Canberra a more

vibrant place to live. The Canberra Diplomatic Club, for example, hosts networking events for diplomats and public servants, thus actively fostering foreign influence. All its monthly events are sponsored by embassies.

As it is difficult to prove “non-association”, a guilty-until-proven-innocent mindset has emerged. For example, in 2021, the University of Sydney began to require its students, who have no access to classified information, to complete security clearance–like questionnaires. An overblown fear of being seen with United Front–affiliated groups and individuals has, in the past, led to several political candidates avoiding Chinese Australian community groups altogether.

Having links or associations with the CCP is in itself neither nefarious nor evidence of foreign interference. Yet in the last five years, it has often been used to smear others.

Media hysteria

Remember Wang Liqiang, the “Chinese spy” from *60 Minutes* in 2019? For a while, his face was plastered everywhere on television and on Nine’s news websites. Wang alleged that he had worked for the PRC government on foreign interference operations. Andrew Hastie praised his courage, calling him a “friend of democracy”. To many, that’s where the story ended, and his claims were accepted as truth.

In fact, his story was later thoroughly discredited. In 2021 authorities in Taiwan found no evidence to support his claims, and in 2022 Australian authorities found that “based on a totality of inconsistencies,

implausibility, admissions of forgery/procuring false documents and a history of lying, [Wang's] credibility is for the most part, unreliable". His bid for asylum in Australia was rejected. Yet these follow-ups received minimal media coverage. In the minds of most people, he was still the Chinese spy exposing the PRC's interference operations.

Media organisations in Australia have taken the credit for shining a spotlight on "Chinese influence". As a result, the Australian population has become more aware of activities linked to "foreign interference", such as political lobbying and the suppression of dissidents. However, at the same time, an overreaction has created an environment in which anyone connected to the PRC doing anything political is suspected of foreign interference.

Media stories have presented photos of politicians or political advisers meeting United Front Work Department officials as evidence of possible interference. In doing so, they deliberately mischaracterise attempts to influence as successful interference.

At the more extreme end, media outlets have engaged in overt race-baiting. A *Daily Mail Australia* news article from March 2023 accused three Chinese men of spying at the Avalon Airshow, an event open to the public. Their evidence? They looked Chinese and they had large cameras. The article quoted a "national security expert" who was "preparing a report for the Defence Department". *Daily Mail Australia* later withdrew the story without explanation.

As the Wang Liqiang episode shows, accountability is often missing in the Australian media's coverage of foreign interference. Despite

the oft-repeated claims that the media is “shining light on hidden influences”, reporters often rely on exclusive access to anonymous national security officials. The problem with this is that the media risks disseminating propaganda rather than holding the government to account.

Faith in democracy

I’m no longer a card-carrying member of the CCP’s Young Pioneers. If the regrettable price of having a voice in the China debate is full disclosure of one’s family and history, I have now paid my dues. I didn’t flee the PRC as a political dissident. A far less dramatic thing happened: I became an Australian. Like many Australians, I now participate in the tradition of critiquing my government, in the hope that my voice will lift the quality of our public debate.

The public discourse on foreign influence and interference in Australia has had a significant impact on its democracy and values. The portrayal of Chinese Australians as easily manipulated by the PRC government to interfere in Australia betrays a fundamental lack of confidence in Australia’s liberal democracy.

Chinese Australians, who comprise more than 5 per cent of Australia’s population, have come under increasing scrutiny and suspicion due to their ethnic background. Many have started to self-censor and avoid expressing their views publicly for fear of being labelled a foreign agent. The racism this issue has inflamed has affected Asian Australians more broadly, with even Korean Australians accused of being “Chinese spies”.

Yet these experiences are not usually considered when national security experts – most of whom are not from a diverse cultural background – discuss foreign interference. Implicitly, this shows that, to many of them, the racism Chinese Australians experience as a result is acceptable collateral damage.

What this means is that Chinese Australian voices are usually missing – both in public and within the government – in our policy debate about the PRC, including on foreign interference. This lack of diversity leads to a higher likelihood of groupthink. It is especially problematic as Chinese Australians are more likely to possess valuable China knowledge – an understanding of PRC politics, government, history and culture.

Fear of spurious interference accusations has led many to be wary of engaging in dialogues, exchanges or private diplomatic initiatives with the PRC. This serves to entrench the status quo. If Australians' participation in the Young Leadership Dialogue with the United States is celebrated and supported, while participation in similar dialogue with the PRC is seen as suspicious and detrimental to one's career, then the future relationship between Australia and the PRC will inevitably be affected.

When combating foreign interference, social cohesion is an asset – it should not be seen as a distraction. People in the Chinese Australian community (and others) want to be protected both from foreign interference as well as from spurious accusations and suspicions.

The Australian government must do more to distinguish between legitimate influence and unacceptable interference, and educate the

public better by outlining concrete examples of both. It should reassure and support members of the Chinese Australian community about their legitimate engagement activities with the PRC government and people in the PRC.

The CCP frequently accuses those who hold different views and those who interact regularly with foreigners of espionage and interference. Should we choose to become like that, or should we instead put confidence in our liberal democratic values? It is hardly a choice. When dealing with risks or threats from the PRC, Australia must avoid emulating it. ■