

Internet Censorship in China

Introduction: Opportunities and Challenges

At its inception, the Internet posed a considerable threat to China's authoritarian system of government. The CCP worried that an unrestricted forum for public opinion would undermine its dominance and free information would jeopardize the stability of the Chinese state. However, since the implementation of counter-measures designed to control what information the public can and cannot access, the CCP has come to embrace the Internet as an exceptionally effective propaganda tool. The danger of the Internet, that it spreads information, is also its main advantage.¹ The Internet provides opportunities for social control just as much as it presents a challenge to the CCP's authority.

Whether the Chinese have been successful in controlling the flow of information remains to be seen. In many respects, they have successful in doing so. Creating laws, establishing norms on Internet use, and utilizing high tech counter-measures such as the Great Firewall have made the Internet an effective means of controlling and even influencing public opinion. But challenges still remain. The use of the Internet to organize by dissident groups such as Falun Gong, proxy servers such as "Tor" that can bypass the Great Firewall and "Cao Ni Ma," the viral video sensation with lewd undertones that took a direct stab at Internet censors, all

¹ Mulvenon

represent the danger that the CCP fears so greatly - that the Internet has the potential to bring about a democratic transformation in China.²

Counter-Measures: Limiting Free Information

The three most effective counter-measures to the threat of the Internet have been the creation of the Great Firewall, enacting laws that regulate content and establishing norms. Through establishing unofficial norms on Internet use, the CCP pressures the population into self-censorship and delegates much of the actual censorship to companies who provide Internet access. Though the counter-measures have been successful, they tend to over-censor information.

1. The Golden Shield Project aka The Great Firewall

The backbone of Internet censorship, the Great Firewall of China is a nickname used outside of China to refer to the Golden Shield Project. Proposed by Zhu Rongji in 1993, the Golden Shield Project is a high tech censorship and surveillance project that targets the movement of information between the global Internet and the Chinese Internet. The Golden Shield Project aims at filtering the population's access to information and is estimated to cost the CCP upwards of US \$800 million.³

The Great Firewall blocks websites by preventing IP addresses from passing through the server. Banned sites include pornography, Falun Gong, human rights organizations and politically sensitive material. The Chinese government would

² Brady

³ <http://www.epochtimes.com/gb/3/10/22/n397830p.htm>

rather over-censor than under-censor and, at times, they overzealously block websites whose content is not necessarily objectionable. The access to an estimated 500,000 sites is restricted.⁴

Along with politically sensitive material, the CCP occasionally limits access to international media outlets, such as the New York Times and the BBC. Nytimes.com was inaccessible from the Mainland starting in December 2008. When pressed for details, the Ministry of Foreign Affairs refused to provide a real explanation for the restriction: “Concerning your particular question, we’re not really familiar with the details,” said a spokesperson.⁵ The filter was removed as of May 2009 but access to BBC News is still blocked.⁶

The Great Firewall also blocks social networking and entertainment sites. Access to sites such as MySpace, Facebook, Youtube, Live journal, Wikipedia, Photobucket, Amazon and Flickr are all restricted. But restriction is spotty – sometimes the websites are accessible and other times access is restricted for no apparent reason. When Amazon.com was typed into a Chinese web browser 105 times, the Great Firewall only blocked the search 92 times.⁷ There are still many holes in Great Firewall’s ability to censor on a consistent basis.

A variety of government bodies preside over the Golden Shield Project. The Ministry of Public Security owns the Great Firewall. The Ministry of Information

⁴ Race to the Bottom

⁵http://www.nytimes.com/2008/12/20/world/asia/20china.html?_r=1&ref=today-spaper

⁶ <http://news.bbc.co.uk/2/hi/asia-pacific/7785248.stm>

⁷ <http://www.greatfirewallofchina.org/test/index.php?id=63>

Industry (MI) oversees Internet censorship. The CCP's Propaganda department and the State Council Information Office direct policy about which sites and which content gets censored.⁸

Although it remains far from impenetrable and issues surrounding what content should be blocked have yet to be solved, the Great Firewall has become increasingly technologically advanced and effective in censoring information the CCP prefers the public not see.⁹

2. Laws:

Chinese authorities have issued a series of broad regulations that prohibit online activities seen as detrimental to the state's interests.¹⁰ China began banning websites in September 1996. The first content restriction laws for Internet Content Providers (ICPs) were passed in September 2000.¹¹ Since then, more than sixty different laws have been issued on the Internet, which is more than any other sector of the propaganda system.¹²

The multitude of legal restrictions stem from the CCP's legal right to ensure the well-being of the State. Article 19 of the *International Covenant on Civil and Political Rights*, which details that everyone has the right to freedom of expression except when it threatens the safety of the state, provides the basis for censorship

laws:

⁸ Race to the Bottom

⁹ Mulvenon

¹⁰ Mulvenon

¹¹ <http://www.cecc.gov/pages/virtualAcad/exp/explaws.php>

¹² Brady

1. Everyone shall have the right to hold opinions without interference.
2. Everyone shall have the right to **freedom of expression**.
3. The exercise of the rights provided for in paragraph 2 of this article carries with it special duties and responsibilities. It may therefore be **subject to certain restrictions**, but these shall only be such as are provided by law and are necessary:
 - (a) For respect of the rights or reputations of others;
 - (b) For the protection of national security or of public order, or of public health or morals.**¹³

Though Part One and Two of Article 19 seem to establish an American-like idea of democratic free speech, the CCP uses Part Three to justify its use of Internet censorship, especially “b.” Citing the protection of national security, public order, or morals, the CCP can forbid the freedom of expression and often does so.

More specifically, a variety of measures aimed at preventing the Internet from harming the nation’s honor and interests have been signed into law. Article 17 of the *Interim Provisions on the Administration of Internet Publication*, passed by the MII in 2002, states that Internet publications may not “harm the honor or the interests of the nation.”¹⁴ Article 6 of the *Provisions on the Administration of Electronic Publications*, passed in 1997, states that no electronic publications can “jeopardize the nation’s honor or interests.”¹⁵ Article 9 of the *Provisions on the Administration of Internet Electronic Bulletin Services* (2000), Article 26 of the *Regulation on the Administration of Publishing* (2001) and Article 5 of the *Measures on the Administration of Safeguarding the Safety of Internationally Networked Computer Information Networks* (1997) are all directed at protecting the honor and

¹³ <http://www.cecc.gov/pages/virtualAcad/exp/explaws.php>

¹⁴ <http://www.cecc.gov/pages/virtualAcad/exp/explaws.php>

¹⁵ <http://www.cecc.gov/pages/virtualAcad/exp/explaws.php>

interests of the nation. In total, there are nine such provisions that more or less have the same wording.¹⁶

Clearly, topics that damage the state's reputation are banned, but it isn't so apparent to Internet users what topics might be considered injurious.¹⁷ More often than not, what constitutes damage to the state's reputation is subject to official whim. An apropos example is the case of Huang Qi, a computer engineer from Chengdu. Huang, along with his wife Zeng Li, ran a website designed to find missing persons, www.6-4tianwang.com. The state accused him of violating Articles 103 and 105 of the Criminal Law, "organizing, plotting, or carrying out activities aimed at subverting the state's political power" and detained him.¹⁸ He was imprisoned from June 2000 to June 2005. Whether or not Huang's intention was to subvert the government is contentious, and it brings into question the credibility of the arrest. Huang Qi's five years in jail demonstrates that even though Internet laws may be effective in policing the Internet, there is an element of arbitrariness and lack of consistency in their enforcement that often leads to over-censoring.

3. Norms: Self-Censorship

Setting norms and encouraging people to self-censor is a crucial element in controlling the Internet.¹⁹ By establishing norms, the CCP deters individuals from undertaking high-risk activities and delegates much of the responsibility for

¹⁶ <http://www.cecc.gov/pages/virtualAcad/exp/explaws.php>

¹⁷ <http://www.hrw.org/legacy/background/asia/china-bck-0701.htm>

¹⁸ <http://www.hrw.org/legacy/background/asia/china-bck-0701.htm>

¹⁹ Brady

copyright to companies who provide access to the Internet. Multinational companies, or Internet Content Providers (ICPs), play a significant part in preventing Chinese users from accessing information that the Chinese government prefers they not see.²⁰

The feeling that Internet user's actions are constantly being monitored, combined with the fear of punishment, makes self-censorship the norm on an individual level. In 2006, the Ministry of Information Industry introduced two cartoon police characters online named Jingjing and Chacha (from the Chinese word *jingcha*, police). The cartoon police automatically appear on the screens of users when they are about to engage in high-risk activity, serving as a reminder that the CCP is watching and to behave accordingly.²¹

The CCP reinforces the norm of self-censorship by making an example of dissidents. China has imprisoned 61 people for putting inappropriate content on the Internet²² and 25 Chinese Internet users have been arrested for "subversive use of the Internet."²³ James Fallow of the Atlantic put it best:

The idea is that if you're never quite sure when, and why and how hard the boom might be lowered on you, you start controlling yourself, rather than being limited strictly by what the government is able to control directly.²⁴

²⁰ Race to the Bottom

²¹ Brady

²² Brady

²³ Mulvenon

²⁴ James

The desired result is the creation of a climate in which the vast majority of Internet users are deterred from undertaking high-risk online activities.²⁵

Though the norm of self-censorship affects how individual web users use the Internet, it affects the operations of Internet companies to a greater magnitude.

Internet Content Providers (ICPs) are held liable for the content displayed on their sites.²⁶ All ICPs are required by law to register for a license to operate. In exchange for receiving the license, the CCP expects ICPs to police the appearance of politically objectionable content. Companies unofficially take on a “voluntary pledge” to self-censor.

In 2002, the voluntary pledge became official. Over one hundred commercial Internet providers signed the *Public Pledge for Self-discipline for the Chinese Internet Industry*. Initiated by the Internet Society of China (ISOC), a non-governmental organization overseen by the Ministry of Information Industry (MII), signatories vow to refrain from “producing, posting, or disseminating pernicious information that may jeopardize state security and disrupt social stability.”²⁷ To date, Yahoo! is the only Western company to have signed the pledge.²⁸

By voluntarily restricting access to information, Chinese companies are doing much of the government’s censorship work. Display of politically objectionable content can result in reprimands or, more severely, a revocation of the company’s

²⁵ Mulvenon

²⁶ Race to the Bottom

²⁷ <http://www.isc.org.cn/20020417/ca102762.htm>

²⁸ Race to the Bottom

Internet license.²⁹ In order to minimize punishment, companies generate “blocklists” of words or phrases that cannot be posted. Similarly, search engines maintain a list of words that cannot be searched for or will yield an “access denied” response to the search.

The decision to create and maintain “blocklists” is a deliberate choice made by the operator of the search engine.³⁰ The government, though it may indirectly encourage the practice, does not tell companies what material to block. Instead, companies run diagnostic tests to see which words, phrases and web addresses are blocked by government censors and, from that, create their own list. Companies err on the side of caution and over-censor to protect themselves from reprimands.

Through these measures, the user is prevented from knowing that the forbidden content exists at all.³¹

The question remains why companies like Yahoo! contribute to the CCP’s censorship when it violates many of their internal policies on free access to information or in Google’s case, disregards its motto to “Do no evil.”³² What incentive do companies have to voluntarily restrict the flow of information?

In order to gain access to the lucrative China market, companies must first comply with the CCP’s rules and regulations. They cannot do business in China

²⁹ Race to the Bottom

³⁰ Race to the Bottom

³¹ Race to the Bottom

³² <http://www.google.com/corporate/tenthings.html>

except on terms dictated by the Chinese authorities.³³ Even so, there are well-documented instances where multinational companies have censored beyond what the government required. Yahoo!'s compliance with Chinese law has assisted in the conviction of at least four Chinese government critics.³⁴ Microsoft shut down Zhao Jing's popular blog after it received an "explicit government notification."³⁵ Google allowed Chinese authorities to tamper with its site so that searching Falun Gong results in 626,000 websites about an "evil cult" that makes its believers go insane and commit suicide.³⁶ Companies have concluded that the advantages in cooperating with the Party-State are far more profitable than trying to oppose it and promote political freedom.³⁷

Challenges: Threatening the Harmonious Society

Despite China's triumphs in controlling the flow of information, there are still considerable challenges. Three of the most prominent challenges are Falun Gong, who established itself on the Internet after a government crackdown forced them underground, Proxy Servers who can bypass the Great Firewall, and Cao Ni Ma, a subversive video that went viral.

³³ Morais

³⁴ Race to the Bottom

³⁵ Morais

³⁶ Morais

³⁷ Mulvenon

1. Falun Gong: Dissidents Using the Internet to Organize

In 1999, the CCP cracked down on Falun Gong, a religious sect that practices a form of the meditative exercise Qi Gong.³⁸ The CCP decided that its 20 million followers had become a threat to its rule and the police began a campaign to imprison and torture the sect's practitioners. Under attack, Falun Gong turned to the Internet. Falun Gong's Internet savvy was a crucial factor in its ability to organize unauthorized demonstrations under the noses of Chinese intelligence.³⁹

Exiled from their homeland, Falun Gong survived through the Internet. The Internet linked the disparate members of Falun Gong together and provided a forum for them to exchange information, mobilize members and challenge the CCP. Religious texts, doctrines and teaching materials could be distributed freely and easily from their website.⁴⁰

Falun Gong used modern technology to its advantage. The Internet became a tool for teaching, communicating, and counter-acting the CCP's smearing propaganda.⁴¹ Falun Gong launched a multimedia campaign to distribute *Nine Commentaries on the Communist Parties*, a scathing expose about the internal corruption and general ineffectiveness of the CCP. Falun Gong successfully bypassed

³⁸ O'Leary

³⁹ O'Leary

⁴⁰ O'Leary

⁴¹ O'Leary

the Golden Shield and sent two million encoded copies to the Mainland. Their efforts inspired seven million disenchanted members to renounce the Party⁴²

The fact that Falun Gong still exists is a victory for the religious sect. In the fight for digital freedom in China, Falun Gong's ability to subvert the Great Firewall and use the Internet to organize remains a prominent challenge to the CCP.

Proxy Servers: Bypassing the Firewall

Increasingly, Chinese Netizens are using proxy servers to navigate around Internet censors. Proxy servers act as a third party between individual users and the Great Firewall and allows users to tunnel around the restrictions imposed by the Great Firewall. Roger Dingledine, creator of one of the most popular proxy servers, Tor, reports that "some tens of thousands" of people appear to be using Tor from China on a weekly basis⁴³ 10 percent of Internet users admitted to regularly using proxy servers, and 25 percent admit to occasional doing so.⁴⁴

Two proxy servers have had the greatest success in breaching the Great Firewall: Dynaweb and UltraReach. Both proxy servers were, in their initial stages, projects funded by the US government. Ultrareach reported 2 million visits and 460 million hits a month in 2005.⁴⁵ Falun Gong uses Dynaweb or Dynamic Internet Technology (DIT) to bypass the firewall.

⁴² Morais

⁴³ Race to the Bottom

⁴⁴ Race to the Bottom

⁴⁵ Morais

The government is going to extreme measures to deter the use of proxy servers. On Yahoo! Answers, an online forum for users to pose questions and provide answers, one user named Claire asked, "What's the best proxy server to get around China's firewall?"⁴⁶ The third person to supply an answer was Jingjing, the Chinese government's virtual police cartoon. Jingjing replied that the use of proxy servers to tunnel through the Firewall will land you in trouble: "As a foreigner visiting China, you are expected to follow the local custom and laws. If you are found in violation, punitive measures can be initiated against you and you might be deported."⁴⁷ The Chinese government is undertaking painstaking effort to contain the usage of proxy server, even answering individual questions posted on forums.

Due to their ability to override the Great Firewall, proxy servers pose a serious challenge to the CCP's ability to control the Internet.

Cao Ni Ma: Protesting Censorship

One of the sharpest stabs to date at China's Internet censorship came from the viral video sensation, Cao Ni Ma. The song, which features cute children voices singing about a magical land of alpacas, demonstrates a method of getting around Internet censors. Cao Ni Ma, or Mud Grass Horse, is a lewd homophone. With a different intonation, Cao Ni Ma sounds like the insult, "fuck your mother."

⁴⁶ <http://answers.yahoo.com/question/index?qid=20090910224024AA2JkQ6>

⁴⁷ <http://answers.yahoo.com/question/index?qid=20090910224024AA2JkQ6>

The real intention of the Cao Ni Ma video was to protest the CCP's efforts to ban subversive material.⁴⁸ The video was made in reaction to the government campaign launched on January 5th, which aimed at eliminating all pornographic and vulgar content on the web.⁴⁹ The video caught the attention of the international media and the CCP scrambled to remove the Cao Ni Ma. An Internet administrator commented that even though the international community had over-stated the importance of the issue, the distribution should still be ceased: "Any content related with Grass-Mud Horse should not be promoted and hyped. [The] issue has been elevated to a political level....The overseas media has exaggerated the incident as a confrontation between Netizens and the government."⁵⁰

Though still cited as the most prominent and public challenge to Internet censorship to date, the video has been completely wiped off all Chinese websites.⁵¹ The CCP worked in overdrive to contain the video. Even though it no longer can be accessed, Cao Ni Ma represents the potential individual users have to work around and challenge CCP filters.

⁴⁸ James

⁴⁹ <http://observers.france24.com/en/content/20090313-grass-mud-horse-china-internet-censorship-netizens-song>

⁵⁰ Wines

⁵¹ <http://observers.france24.com/en/content/20090313-grass-mud-horse-china-internet-censorship-netizens-song>

Conclusion: China, the Internet and the Global Order

Many Western scholars and analysts believe that the Internet has the potential to bring about a democratic transformation in China.⁵² The Internet could dramatically shift power to the Chinese people and allow them to organize uncensored information. The CCP's unilateral control could wane and its tight grip on society could gradually loosen. Free information could undermine the CCP.

But it hasn't. Despite the expectations that the Internet would liberalize China, the Chinese government has managed to stifle most attempts to use the Internet to promote political change.⁵³ The challenges that remain have the potential to undermine the CCP, but the threat they pose is contained – at least for the moment.

The measures the CCP has gone to in order to contain the threat bring into question China's dedication to international rules. The broad content restrictions found in Chinese Internet law are impossible to reconcile with the free speech protections found in international law.⁵⁴ Though technically, China has "free speech," calling it "free" when it is so heavily monitored and censored seems like a misnomer. In having "unfree" free speech and restricted access to information, China is undermining some of the core, trusted protocols of the global Internet.⁵⁵

⁵² Brady

⁵³ Mulvenon

⁵⁴ Race to the Bottom

⁵⁵ Mulvenon

Under international law, governments are allowed to restrict the free flow of information to protect narrowly determined interests, like national security and public morals. Article 19 of the International Covenant on Civil and Political Right seems in line with this law but, at the present, China seems to engage in no scrutiny and censors immense amounts of material that poses no threat to security whatsoever.⁵⁶

The Internet is an effective tool for social change and, as the CCP has discovered, social control. China has used the latter to try to prevent the former, but the nature of the Internet makes it difficult to censor completely. How China manages the Internet in the future will shape the evolution of Chinese society, how the world views China and how a rising China fits into an increasingly digitally dependent global order.

⁵⁶ Race to the Bottom

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