

More Democracy or More Restriction: Global Internet Information Flows and Censorship in the Public Sphere on Cyberspace in China

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Abstract

While power in late capitalist expansion lies in a nation's capacity to control the global circulation of information and culture, information corporations are focusing on enclosing and commercializing the intellectual commons for corporate profits. China is actively responding to the rising global information economy and cultural politics based on its own social and political value systems. China, a new power hotbed in Asia in terms of political, economic, and cultural aspects, has strengthened local regulations and policies to exclude politically sensitive discourse from a newly emerging public sphere on cyberspace. Focusing on China's increasing constraints on politically sensitive Web sites to control a new regional public sphere on cyberspace, this research conducts a case study on how global Internet search companies, such as Google, Yahoo and MSN, have interacted and negotiated with the Chinese government to impose stricter censorship to control the flow of Internet information.

Introduction and Research Objectives

The spread of new information technology is expected to enable people around the world to have much expanded chances to access wide-ranging information sources, which are essential for informed public debate and democracy. Information technology, such as the Internet, may further contribute to fostering a virtual space of communication by offering new forms of bonding and solidarity on cyberspace -- new ways of forging cultural communities in local contexts (Morley, 2000). Specifically, people's open access to information from the outside world through Internet information sources, such as global Internet search engines, may create a healthier public sphere on cyberspace, which can work as a cultural and social space that should be open, diverse and accessible (Golding & Murdock, 1991). This emerging public sphere on the Web tends to enable more democratic sharing of information and lead to a new political awareness based on informed civic engagement (Fischer, 2000).ⁱ However, average citizens are not in a good position relative to both global corporate forces and influential government regulatory regimes in terms of making rules and policies to manage the global flow of cyber-communication. Given that technology brings change, both positive and negative, in relation to social interactions and power dynamics, it should be recognized that technology also involves regulation or restriction by the state or other social forces because the information technology, i.e., the Internet, is not separated from the social and political context in which it is created and operated (Marshall, 2003; Fischer, 2000).

While power in late capitalist expansion lies in a nation's capacity to control the global circulation of information, information corporations are focusing on commercializing the intellectual commons for maximum corporate profits. The development of Internet information technology should be situated in the context of the current stage of capitalist development in a certain location, i.e., in China, as well as in terms of the possibilities of being used as an instrument of capital and the state (Kellner, 1999). Under the globalization and commercialization of cyberspace communication, China is actively responding to the rising global information economy and cultural politics based on its restrictive Internet censorship standards (Zittrain & Edelman, 2003); the Chinese government has strengthened regulations to exclude politically sensitive discourse from an emerging Chinese public sphere in line with its political ideologies. Analyzing China's constraints on an Internet-based public sphere, which can lead to a more open cyber-community, this research focuses on how global Internet search companies have collaborated with Chinese censorship to maximize their corporate profits.

Using critical theories, such as the public sphere, cultural politics, symbolic power, democratic communication and hegemony,ⁱⁱ this work is interested in how cyberspace communication is restricted based on a hegemonic consensus among dominant definers, i.e., Internet corporations and the Chinese government.ⁱⁱⁱ Primary institutional cultural definers (Hall et al., 1978), such as mainstream media and

Internet companies, set the limit for all ensuing intellectual discussions on cyberspace by determining what the problem is and how it should be framed. Recognizing the complexities that knowledge production involves the multiple boundaries that exist in terms of power and access between the different cultures of expertise (Tulloch & Lupton, 1997), this research mainly looks at the social and cultural implications of the corporate-Chinese government deals for an emerging public sphere on Chinese cyberspace.

Research Background: A rising Chinese public sphere on cyberspace

According to Chinese mainstream newspaper articles (*People's Daily*, January 25, February 15, 2006; *ShanghaiDaily*, February 25, 2006), more than 20,000 people jump on the Internet bandwagon everyday in China and this country is expected to have 130 million Web surfers by the end of this year. The China Internet Network Information Center (CNNIC) in July in 2005 demonstrates that China's current Internet population of 103 million as "a milestone figure," which represents a 100-time increase in last seven years; also, 45.6 million computers across China have been linked to the Internet, a 25.6 percent climb over the previous year (*People's Daily*, October 7, 2005). In reaction to the essential possibility of the Internet technology's leading to a more open cyber-community by enhancing public dialogue and engagement on important social and cultural agendas, China's legal regulations over Internet content have extended significantly since 2000. This indicates the Chinese's political authorities' amplified attention to the medium of cyber-communication in relation to its role in fostering an emerging public sphere and cyber-community there (Berkman Center for Internet & Society, 2005).^{iv}

Given that the Internet brings forward "time-space compression" and promotes a virtual public sphere and community (Fitzgerald, 1992), this project analyzes the new cyber-public sphere in China in relation to the potential of the Internet's cultivating meaningful public spheres in various local context (Croteau & Hoynes, 2006). In response, the Chinese government has actively enforced various types of state censorship and even attempted to prevent the dissemination of sensitive material by preventing the spread of Internet technology itself (Waisbord & Morris, 2001).^v Given this, this research relies on a public sphere perspective to explore the way in which U.S. information companies collaborate with the Chinese government by analyzing some recent cases, which affect the construction of public discourse on Chinese cyberspace.

Compared to similar regulations in other countries, China's censorship regime is pervasive and sophisticated comprising multiple levels of legal regulation and technical control (Berkman Center for Internet & Society, 2005), while the Chinese government defends its state censorship policies by arguing that "regulating the Internet according to law is a common practice around the world to remove illegal

and harmful information” (*People’s Daily*, February 15, 2006).^{vi} The Chinese state censorship regime censors Internet content transmitted through Web pages, Web logs, on-line discussion forums, university bulletin board systems, and e-mail messages to prevent citizens’ access to a wide range of sensitive materials, from pornography to religious material to political dissent (Berkman Center for Internet & Society, 2005). Under China’s restrictive Internet environment, in January, 2006, Google launched a new “censored” search engine, Google.cn, based on the agreement with the Chinese government to censor words and phrases considered objectionable to authorities there. Google decided to go further than other information technology companies to impose another form of important censorship measures, “corporate censorship,” not only politically sensitive topics, such as “human rights,” “Tibet” and “Tiananmen Square,” but also socially controversial agendas, such as alcohol, dating, homosexuality and teen pregnancy, in line with the Chinese government’s censorship demands. Yahoo! and other search engines already gave in to China’s restrictive censorship some years before Google’s decision; moreover, Yahoo! has been under criticism for handing over cyber-dissidents’ personal information to the Chinese authorities and helping the government identify and punish them (*Guardian*, February 10, 2006; *Nation*, March, 2006).^{vii}

Recent news stories confirm that the Paris-based grassroots group “Reporters Without Borders” has been tracking the activities of US and European technology companies seeking to do business with oppressive governments and criticized the Google-China deal as “hypocrisy” and called it “a black day for freedom of expression in China” (*Guardian*, February 10, 2006); Google and Yahoo! both censor material on Chinese versions of their products, and even the MSN blog tool in China prevents phrases, such as “human rights,” “Taiwanese independence,” “Falun Gong” and “Dalai Lama,” from being used in the title for an entry. Google’s new Chinese version will not allow users to create personal links with Google e-mail or blog sites. Moreover, China’s sophisticated state censorship maintains strict restrictions on the flow of cyber information. For example, according to Zittrain and Edelman (2003), BBC News was consistently unreachable in Chinese cyberspace, while CNN, Time Magazine, PBS, the Miami Herald, and the Philadelphia Inquirer were also often unavailable; of Google’s top 100 results for news, 42 were blocked and 923 sites were blocked listed in Yahoo’s News and Media directory categories and subcategories, and block sites include sites about democracy and human rights, as well as many American Universities’ websites.

Google’s capitulation to Chinese censorship indicates that the Chinese government sustains tighter control to prevent the spread of politically sensitive material by enforcing global search companies to impose corporate censorship to filter out Internet information in the public sphere on Chinese cyberspace (Zittrain & Edelman, 2003). On the other hand, the US Department of Justice asked Google as well as MSN, Yahoo! and Time Warner (AOL’s parent) to provide data on their search engines from a one-week period and Google has refused to cooperate with the US government (*Nation*, March, 2006). Following a recent BBC report, Google is accused for being hypocritical: refusing to accept the US

Justice Department's requests to hand over data on past usage which could be used to investigate child pornography and yet giving in to Chinese censorship demands (February 25, 2006).

Google's double standard in terms of dealing with the US and Chinese governments' regulatory polices involves the two governments' similar needs to control the Internet-based public sphere in both countries as well as Google's consistent economic interest in the prosperous global Internet market. Particularly, this collaboration between the Chinese regulatory power and US high-tech companies leads to more inequalities in terms of access to information within the public sphere on cyberspace (Marshall, 2003). In response to the mounting criticism against Internet companies' voluntary submission to Chinese censorship, even the US Congress has summoned the four US Internet companies, Google, Yahoo!, Microsoft and Cisco, and held a hearing of the house sub-committee on human rights to cope with rising concerns related to the freedom of speech issue on cyberspace; in February, 2006, the Information companies appeared in a Congressional hearing to explain why they assisted Chinese government efforts to censor the Internet, keep an eye on its citizens' Web use and repress dissent online (*Nation*, March, 2006). In this hearing, the Internet companies all acknowledged filtering out and censoring politically sensitive information due to China's restrictive censorship policies.^{viii} Behind the surface tensions between the Chinese regulatory power and Internet corporations, it can be widely acknowledged that the corporate-Chinese government deal provides considerable financial gains to US technology companies by enabling them to attract Chinese consumers in a lucrative Chinese Internet market with appealing, yet non-controversial material.

Historical Background

The rise of information-based industries, i.e., information technology companies and culture conglomerates, began to play an essential role in expanding the globally connected information economy (Netanel & Elkin-Koren, 2002). Within the historical context of capitalism's intensified efforts at capital accumulation, business and state powers from the United States and a few European countries have worked together to enclose and privatize the information commons -- diverse intellectual products and technological fruits which should be used for public benefits and social developments (Bettig, 1996). The global informational hegemony has been built and reinforced to protect privileged elite classes and groups, such as governments and corporations, in both domestic and global contexts (Harvey, 2003). The United States and its global technology companies cooperate with each other to cultivate a global informational hegemony based upon its superior capacity in both knowledge and other commodity production areas. For the purpose of this study, it is argued that U.S. transnational corporate and local political forces, such as Internet companies and the Chinese government, tend to collaborate to enforce strict control on the flow of

intellectual production by placing constraints on the flow of information. This new alliance between the two different power groups is based on both state and corporate censorship measures. While the global dissemination of Internet communication operates under fundamental corporate guidelines, such as the free market principle along with the freedom of expression ideology, global Internet information flow is also mediated by local censorship and surveillance policies and political particulars within a social context.

The production and spread of technology is firmly rooted in social/historical considerations involving diverse contextual interactions and policy decisions; thus, technology is social, historical and political constructions (Fischer, 2000). As Kellner (1999) argues, information technology can be used as an instrument of dominant societal powers, corporate and state powers alike, to strengthen existing social control while it can be also used as a tool of human emancipation or democratization to foster a more diverse public sphere. Put it another way, it should be acknowledged that communication policies and regulations, such as state and corporate censorship, are a product of specific institutional power dynamics and struggles, both globally and nationally, and have social, cultural, and political influences, positive and negative alike (Napoli, 2001). This research defines the recent Google-China deal as an example of corporate-government collaborations in terms of restricting the flow of information for dominant political and economic interests. Unlike the prediction that the coercive powers of local states to control communications may involve confrontations with global corporate powers, whose horizons extend far beyond the state (Waisbord & Morris, 2001), information technology companies tend to voluntarily form an alliance with the Chinese authority to impose corporate censorship to secure a stable financial success. That is, different from the optimism which has been held for the Internet's role in challenging to censorship (Marshall, 2003), the existing state and corporate censorship regime seems to be built on the increasingly powerful corporate-Chinese government alliance to manage the emerging cyber-public sphere. Emphasizing the role of information as an economic and political instrument, Internet search firms tend to put profit motive before public sphere-related functions, such as promoting a more open and democratic flow of information, and set aside the potential of information technology as a tool of democratic communication and politics.

The Public Sphere versus the Corporate-Government Alliance

The Internet can be regarded as a democratizing force, which can provide diverse and essential information beyond geographical and time constraints. This optimistic view predicts that totalitarian states could not survive the coming of the Internet as information would be freely available and

ensorship would not be viable (Marshall, 2003). Nevertheless, according to Marshall, information is only “good” when it is as accurate and diverse as it can be; only in this context, the Internet contributes to promoting a participation-based public sphere and democracy. Unlike the optimistic view that praises the benefits of new information technologies, i.e., the Internet’s time and space compression and interactivity (Morley, 2000), many local governments still attempt to manipulate news and other forms of information on cyberspace to remove dissident views from public discussion (Waisbord & Morris, 2001).

The growing role of information technology during the Information Age enables citizens to participate in democratic politics based on more open communication (Calabrese & Burgelman, 1999b). The interpretation of a seemingly objective legal principle “the freedom of speech” is also socially and culturally dependent (Vick, 2001). From a public sphere view, the construction of a democratic public sphere on cyberspace is essential to citizen engagement and the regulation of the information distribution process in the emerging cyber-public space can be criticized as a result of the ongoing penetration of elite interests into the realm of cultural and intellectual life (Fischer, 2000). Although the Internet has been effective in organizing social movements, including the Seattle anti-WTO protest in 1999 and the anti-war movement nowadays, one can see the lack of democratizing influence of the Internet because of existing inequalities in power relations. Particularly, state powers have been influential in enforcing different types of censorship to restrict the open and democratic flow of information in local public spheres on cyberspace. The following two tables map out the official positions from both corporations and the Chinese government in terms of defending the corporate-Chinese government collaboration in comparison with major criticisms against their stances. These tables were developed from a content analysis of newspaper articles from China, the United States, and the U.K., including *People’s Daily*, *ShanghaiDaily*, *New York Times*, *Nation* and *Guardian*.

Table 1: Information Corporations’ Positions and Criticisms.

Corporations’ official positions	Major criticisms
<p>* <i>We (corporations) balance our commitments to satisfy the interest of users, expand access to information and respond to local conditions; access to the outside world is preventing more censorship; providing no information is more inconsistent with our mission (The New York Times, January 25/27, 2006).</i></p> <p>* Corporations’ submission to the Chinese government’s censorship is unavoidable.</p> <p>* Internet search service contributes to fostering healthier political</p>	<p>* Limit free speech on cyberspace by forming an alliance with the Chinese government, not the public; becoming “collaborators” with the Chinese government.</p> <p>* Morally reprehensible by putting making profit before nurturing China’s democratic public sphere on the Web.</p> <p>* Maintain a double standard in China and the United States toward censorship.</p>

engagement in China simply by existing.	
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Table 2: The Chinese government's Positions and Criticisms.

The Chinese government's official positions	Major criticisms
<p>* <i>Companies, including Internet firms, that provide services in China must observe Chinese statutes; regulating the Internet according to law is international practice; China removes illegal and harmful information</i> (From <i>People's Daily</i>, February, 15).</p> <p>* Internet regulation is lawful to protect Chinese audience from harmful content .</p> <p>* Protect national information sovereignty.</p>	<p>* Reinforce the state dominance of information distribution.</p> <p>* Stifle citizens' access to information deemed illegitimate by authorities.</p> <p>* Increase state and corporate censorship and surveillance, and undermine the emerging public sphere on Chinese cyberspace.</p>

Local states can enforce regulatory national communication policies to make certain types of information insignificant or even invisible to maintain their political and symbolic control; it is a state-imposed restraint that controls and shapes the formation and flow of information and knowledge (Mosco, 1999). In this line, the Chinese authorities tend to establish and impose a set of Internet regulations and policies that can undermine the real freedom of express on the Web, called “the public’s right to know,” and can lead to weakening the newly emerging public sphere (see table 2). That is, Internet search in China is strictly filtered and censored because of the major Information corporations’ decisions to censor Internet material to get profits from the Chinese market in combination with existing forms of sophisticated state censorship measures (Zittrain & Edelman, 2003). This corporate-Chinese government deal is seen as a different form of elite consensus or alliance between global corporate powers and the Chinese authority to share the financial and political benefits from the new technology, the Internet. As far as corporate strategy of maximum profit-making is concerned, this deal provides both a stable financial success for global corporations and a tighter control of information by the political regime in China. As a result, global information search companies become collaborators with the Chinese authorities in curbing objectionable Internet content and thus contribute to restricting the emerging public sphere in Chinese cyberspace (see table 1).

In reaction to increasing commercial forces in the global distribution of Internet information,

local states like China, tend to assert more repressive regulations (Waisbord & Morris, 2001) in the name of information sovereignty. Global information search companies tend to impose tighter censorship following the government's censorship demands in return for access to a thriving Internet market in China. As a result, both the technology of Internet search and the restrictive censorship policy work as an instrument of capital as well as of the state to enhance elite social and symbolic control by regulating the circulation of ideas, knowledge and agendas. Despite their corporate slogans to advance the freedom of speech, commercial Information search companies willingly comply with local censorship to secure maximum profits; in a similar way, the Chinese government can control information on the Web to maintain the political regime despite the official argument that censoring Internet content is to protect Chinese people from harmful information.

It is acknowledged that Google and other Internet companies have assisted to legitimize corporate censorship as an accepted business practice to keep up a viable business in China (*Nation*, March, 2006). It can be generally recognized that global Internet corporate powers tend to collaborate with local political regimes to guarantee a dominance of profit-centered information dissemination in the emerging regional public sphere. This paper further contends that the failure of US Internet companies to embrace the democratic needs of Chinese public seems to place massive responsibility on high-technology corporations because they made a decision to maintain stable corporate profits, rather than promoting a more open public sphere on Chinese cyberspace.

More Democracy or More Hegemonic Restriction

Following a public sphere perspective, Internet information flow can be defined as an indispensable part of the public sphere and a key component of the structures of knowledge production by providing essential information to the public and nurturing a democratic civic culture. Internet search also became a multi-billion dollar business in the global Internet market as well as a field of symbolic struggle and cultural politics by generating both economic profits and symbolic control. Thus, cultural politics works in terms of defining socially acceptable boundaries of information and knowledge on cyberspace. Internet search engines' hegemonic role tends to represent particular issues and images as significant while excluding other topics and concerns, such as democratic struggles, social activism, human emancipation and citizen participation, as harmful or unlawful, based on state and corporate censorship standards. Hegemony is the "cultural dominance and leadership of the ruling classes" (Downing, 2001, p. 14), rather than explicit forms of coercion, in terms of organizing a social and symbolic order through agencies of information and culture, such as Internet search corporations and media conglomerate. In this context, the increasing cooperation between high-tech information corporations and local states can be regarded as an example of "hegemonic (elite) alliances" to reinforce an existing, dominant symbolic order; this prevailing alliance may consolidate What Fischer calls "corporate-bureaucratic domination" (p. 82, 2000) in the production of information and knowledge in the

Information Age.

Analyzing the politics of representation of controversial public issues on cyberspace in relation to more informed participation and democracy, this research situates Internet information flow as an essential part of knowledge and symbolic production. Specifically, despite the fact that making information free or uncensored is by no means an automatic guarantee of more open communication and democratic cultural politics, the more open and interactive construction and dissemination of Internet information may lead to counteracting the current hegemonic political and symbolic orders that make cyberspace communication an accurate reflection of the inequities of the Internet-based public sphere. Reflecting the mounting symbolic and social hierarchy of power in the cultural field of Internet information production, the current corporate and local government alliance may lead to much more coordinated and strengthened forms of state and corporate censorship on cyberspace, and more sophisticated forms of symbolic domination, which eventually restrict the Internet-based local public sphere. This form of hegemonic control of cyberspace may lead to a mis-representation of the world by removing important public discussions, which are defined as “harmful or unlawful” by dominant bureaucratic and corporate censorship standards.

Conclusion

As McChesney (1999) argues, the global communication system operates as it does because powerful interest groups, such as corporate and state powers, have constructed it so that ordinary citizens will not be involved in the essential decisions that have structured it. Given that the politics of Internet information flow involves the intersection of wide-ranging powerful discourses, such as politics, economics, culture, morality, communication, and law, this research particularly explores how U.S. high-tech information companies, such as Google and Yahoo, have keenly cooperated with Chinese government’s restrictive censorship in relation to the public sphere on cyberspace there. Following the US free speech group, Electronic Frontier Foundation’s “Code of Conduct for Internet Companies in Authoritarian Regimes,” American Internet companies should not be actively and knowingly providing services that facilitate censorship or repression (*Code of Conduct for Internet Companies in Authoritarian Regimes*, February 15, 2006). Given this code as well as the fact that Google is resisting requests from the US Department of Justice for personal data on its own citizens (*Nation*, February, 2006), global Internet companies should also protect and nurture emerging cyber-public spheres in foreign countries in opposition to state censorship and surveillance regulations.

New forms of Internet communication, i.e., the growing use of global search engines for intellectual growth and public discussion, are potentially influential tools to enhance a more informed public sphere at the local level (Croteau & Hoynes, 2006). Given that the circulation and sharing of

Internet information among citizens is very essential to the way a democracy works in the Information Age (Drahoš & Braithwaite, 2002), this project examines local communication policy and regulation making, particularly the process of imposing stricter censorship to regulate Internet content in China, as a particular social and political construction. Censorship of Internet sites by oppressive restrictions based on the alliance between technology corporations and political regimes becomes a serious threat to free expression and democracy by undermining the foundation of the public sphere on cyberspace. Given that market is not value free or neutral (McChesney, 1999), it is essential to criticize that US high tech-companies, such as Google, focus more on tapping the growing Chinese market of about 103 million Internet users or more to generate the maximum returns for corporations, rather than promoting the high level of public dialogues for citizens in the public sphere there. Moreover, this type of corporate collaborations with local bureaucracies by giving in to restrictive censorship policies helps political authorities strengthen their social control and leads to undermining local public spheres by limiting ordinary citizens' participation in fostering a more lively political discourse on cyberspace.

Focusing on Internet search engines' potential to enforce what Bourdieu defines "the legitimate categories of perception" (Bourdieu, 1986) by classifying certain keywords and categories as important and removing other important issues from people's discussions based on censorship, we can locate the dispute over Internet information flow as part of symbolic struggle or competition among various types of power on cyberspace, corporations, states, knowledge expert groups, social movement groups and citizens. Defining symbolic power as a power of creating things with words and images (Bourdieu, 1990) and enforcing a certain social recognition and legitimacy, it should be argued that Internet search companies produce the double-edged function of symbolic power on cyberspace in terms of generating economic profits as well as ideological constraints.

Notes

ⁱ. The public sphere refers to a communicative space, where public agendas are openly discussed and which is essential to public participation in community life; this public space of communication serves efficiently for democracy when it is independent of the state and society's economic forces (Herman & McChesney, 1997).

ⁱⁱ. Cultural politics refers to the way in which information flows and functions in relation to various types of social power dynamic (Fischer, 2000).

ⁱⁱⁱ. Following Stuart Hall and his associates' definition (1978), hegemony or hegemonic control means that various media and Internet search companies work eventually together to create an underlying consensus of ideology, which serves for the interests of dominant groups, such as governments and corporations; they collectively define what significant events/issues are and how they should be represented.

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- iv. Chinese censorship has an overlapping system of regulations and informal methods that attempts to control the distribution of Internet material; at the technological level, the state employs a sophisticated infrastructure that filters content and that tolerates over- blocking as the price of preventing access to prohibited sites (Berkman Center for Internet & Society, 2005).
- v. The Chinese state censorship has blocked the satellite TV broadcasts of BBC news (Zittrain & Edelman, 2003).
- vi. According to a recent news report, Liu Zhengrong, deputy chief of the Internet Affairs Bureau of the State Council Information Office, argues, “it is unfair and smacks of double standards when (they) criticize China for deleting illegal and harmful messages while it is legal for US websites for doing so (*People’s Daily*, February, 15).
- vii. Yahoo! has complied with Chinese law enforcement’s requests to hand over information related to dissidents; such compliance over the past several years has led to the jailing of at least three dissidents (*Nation*, March, 2006).
- viii. Websites related to Taiwanese and Tibetan independence, Falun Gong, the Tiananmen Square incident, or various anti-Communist movements are frequently blocked (Berkman Center for Internet & Society, 2005).

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