



Written by [Bob Adelman](#) on September 23, 2013

Teenager Is China's First Victim of New Internet "Anti-gossip" Law

As China continues to ramp up its censorship of Internet usage by its estimated 600 million users, [the arrest of a 16-year-old boy](#) is just one more statistic in the communist nation's war against freedom of expression.

Early in September China's Supreme Court [issued guidelines and penalties](#) to punish those publishing what the state deems to be "rumors" and "slander." If such a message is forwarded more than 500 times or is read more than 5,000 times, the sender could spend three years in prison.



According to the *Telegraph* (U.K.), the boy's identity has not been revealed, but "The *Beijing Times* quoted a man, named Yang, saying police took away his 16-year-old son on Tuesday on charges of 'picking quarrels and provoking troubles' [over the Internet]."

The teenager had gone to a popular social media site called Weibo, where he posted his unhappiness with how a police investigation of a local businessman resulted in the man's suicide by leaping off a building to his death.

A spokesman for the court said that such a "gossip rule" was necessary. "Society has demanded serious punishment for ... using the internet to spread rumors and defame people. No country would consider libel to be 'freedom of speech.'"

This latest ruling is an extension of a "white paper" published by the People's Republic of China (PRC) in June 2010, part of which proclaimed:

Laws and regulations clearly prohibit the spread of information that contains content subverting state power, undermining national unity [or] infringing upon national honor and interests....

Within Chinese territory the internet is under the jurisdiction of Chinese sovereignty. The internet sovereignty of China should be respected and protected.

As early as February 1994 the PRC recognized the threat of unlimited freedom of expression that would grow outside of normal channels as the budding Internet gained purchase around the world. It gave responsibility of Internet "security protection" to its Ministry of Public Security. The next step toward Chinese Internet censorship was the requirement two years later that all Internet service providers (ISPs) be licensed by the state and that all Internet traffic be routed through one of four government-controlled networks: ChinaNet, GBNet, CERNET, or CSTNET.

The third step was taken in December 1997, when regulations were issued defining "harmful information" and "harmful activities" regarding Internet usage. Three years later the PRC began applying content restrictions for ISPs, requiring them to link only to those overseas news websites that had been approved by the PRC.



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The PRC invested eight years and \$800 million in the technology to enforce these rules and regulations: the Golden Shield Project, now known as the [Great Firewall of China](#). The project now employs more than 30,000 workers using technology purchased from Cisco Systems that allows the PRC to create, according to Greg Walton of the International Centre for Human Rights and Democratic Development,

a massive, ubiquitous architecture of surveillance ... to integrate a gigantic online database with an all-encompassing surveillance network — incorporating speech and face recognition, closed-circuit television, smart cards, credit records, and internet surveillance technologies.

It didn't take long for the ministry, using this imported technology, to find miscreants to make examples of for those considering violating these rules. In 2001, Wang Xiaoning (along with a number of other Internet "activists") was arrested and sent to prison for 10 years for using a Yahoo e-mail account to post anonymous messages to an Internet mailing list.

In 2004, Shi Tao was arrested and charged with "illegally providing state secrets to foreign entities" after he summarized a government order to downplay mention of the 15th anniversary of the Tiananmen Square protests. For that he was sentenced to 10 years in jail.

In 2008, Liu Shaokun was sentenced to one year in a "re-education" and hard labor camp for "inciting a disturbance" over the Internet. His crime: posting photographs of collapsed school buildings and commenting on the plight of parents who had lost children in those disasters.

Back in December China [announced further restrictions](#) on the use of the Internet, requiring all users to reveal their real names when signing up for ISP accounts, and for those ISPs to monitor forbidden and illegal postings and report such activities to the government's agencies.

At the time that Yang's son was arrested, [several other bloggers were arrested as well](#), including some highly popular ones with massive numbers of followers. The arrests of these people — known as "Big Vs" not only because of their popularity but because each of them had been verified not to be writing anonymously (and hence they have a V next to their name) — stem from a "judicial breakthrough" that now allows the PRC surveillance and Internet agencies to treat bloggers as automobile drivers operating in public, who are hence subject to traffic rules with increasingly serious consequences for their violation.

The iron fist of communist rule over the Chinese Internet is not completely effective, at least not yet. The government is faced with two difficult problems: "Workarounds," which are being developed more quickly than new rules can be promulgated, and the dampening of economic impetus as the rules are being enforced, discouraging entrepreneurs from doing business under such draconian edicts.

Chinese Internet censorship diktats are being circumvented by those determined to remain free through the use of proxy servers outside the firewall. VPN (virtual private networks) and SSH (secure shell networks), often in conjunction with encryption software such as [Ultrasurf](#), are making enforcement of these new regulations increasingly difficult. As the editor of the *China Digital Times*, Xiao Qiang, commented [on NPR earlier this month](#):

Despite all the control and monitoring of the government, there's a fundamental desire of the people who simply want to express themselves. And if they cannot speak directly, they will speak in alternative ways....

[The] government doesn't have full control of the online political discussion.... This harsh censorship reflects the government's increasing anxiety that they have lost that control.



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As former Chinese premier Deng Xiaoping said back in the early 1980s at the start of the reform that is transforming China into an economic powerhouse: "If you open the window for fresh air, you have to expect some flies to blow in." The present powers in China are now facing the consequences of Xiaoping's decision to allow the free market to operate while keeping political freedom under tightfisted communist rule. The PRC is learning just how difficult it is to maintain and encourage economic freedom under a communist political dictatorship. The Internet is proving to be both a blessing to the economy and a curse to the dictatorship trying to have its cake and eat it too.

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