

The Internet and Governance – The Case of China

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DECODE Symposium, 2018

- History
- China and the Cybersphere
- Cyber sovereignty
- Platform immunity

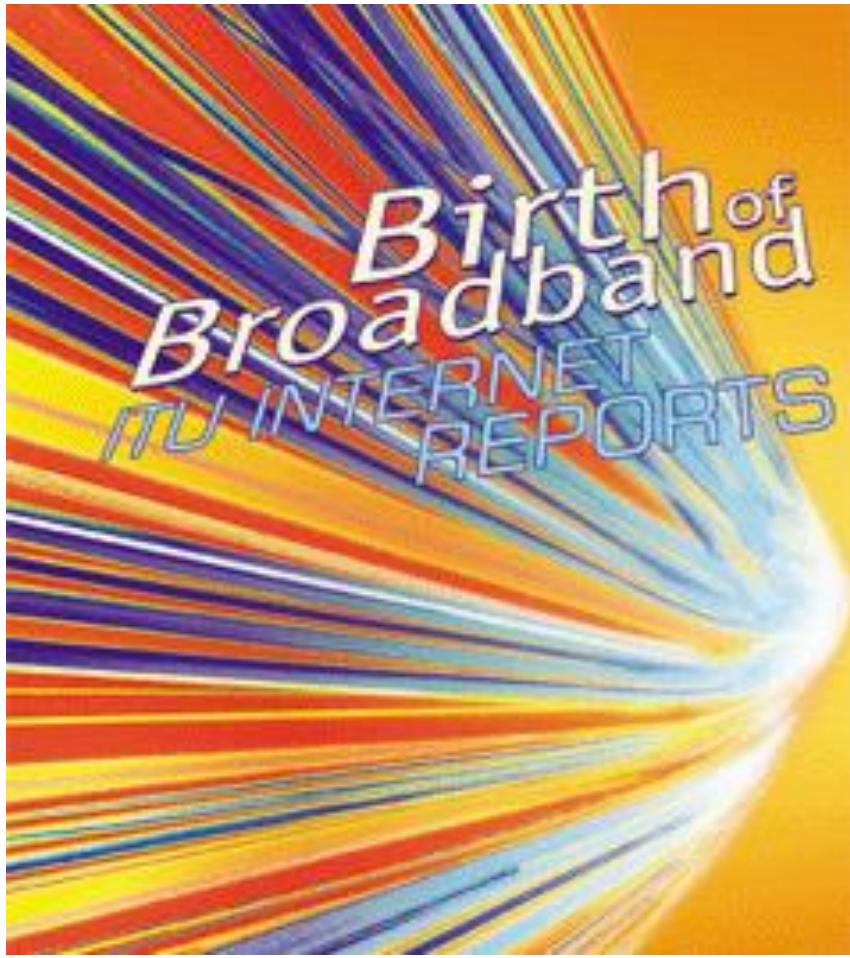
HISTORY

Humble beginning



A Sketch of China's Digital Capitalism

Ownership structure	Commodity Chain	
Liberalized transnational economy	<p>Device/equipment manufacturing</p> <ul style="list-style-type: none">• Transnational production networks• Next-generation ICT industries	
	<p>Cyberspace</p> <ul style="list-style-type: none">• BAT business empires• Internet-based economic space	
<p>Inside the system</p> <ul style="list-style-type: none">• State-dominated• Plugged into global financial networks	<p>Network connectivity</p> <ul style="list-style-type: none">• Urban-oriented and outward-looking• New-generation digital infrastructures <p>Media & Entertainment</p> <ul style="list-style-type: none">• Corporatization in 2000s and after 2008• New “profitmaking” cultural industries	<ul style="list-style-type: none">• Digitization• Globalization• The new digital economy



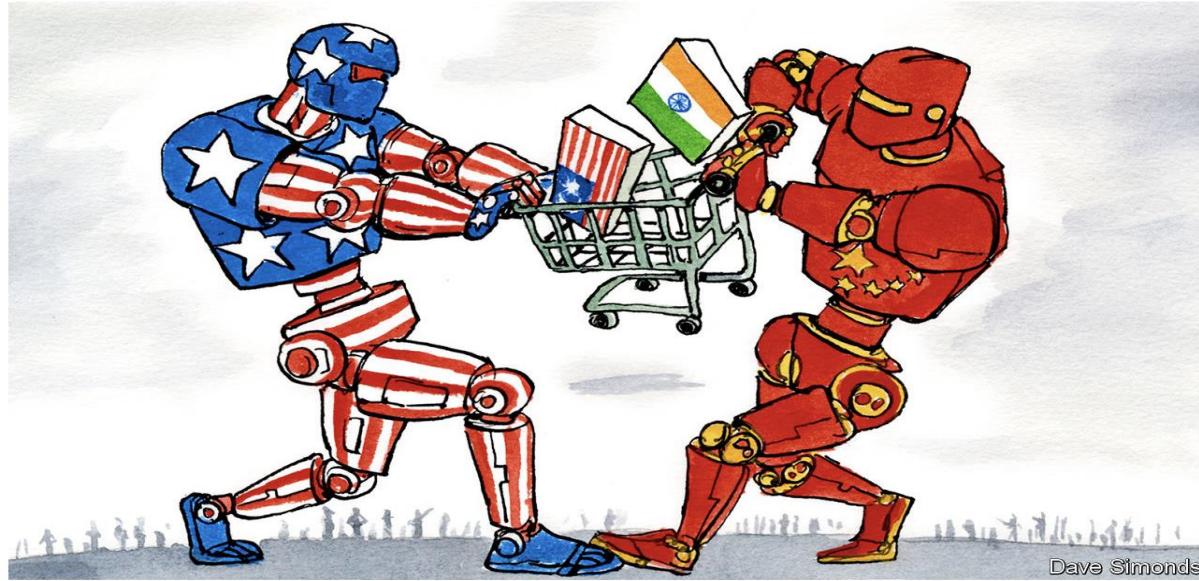
Birth of broadband represented a route to offset the slowdown in the global telecom business, for both telecom operators and equipment suppliers

Clash of Titans

Clash of the titans

Chinese and US tech giants go at it in emerging markets

Colossi such as Facebook and Tencent have never competed directly. Until now



BEYOND DICHOTOMY: CHINA AND THE CYBERSPHERE

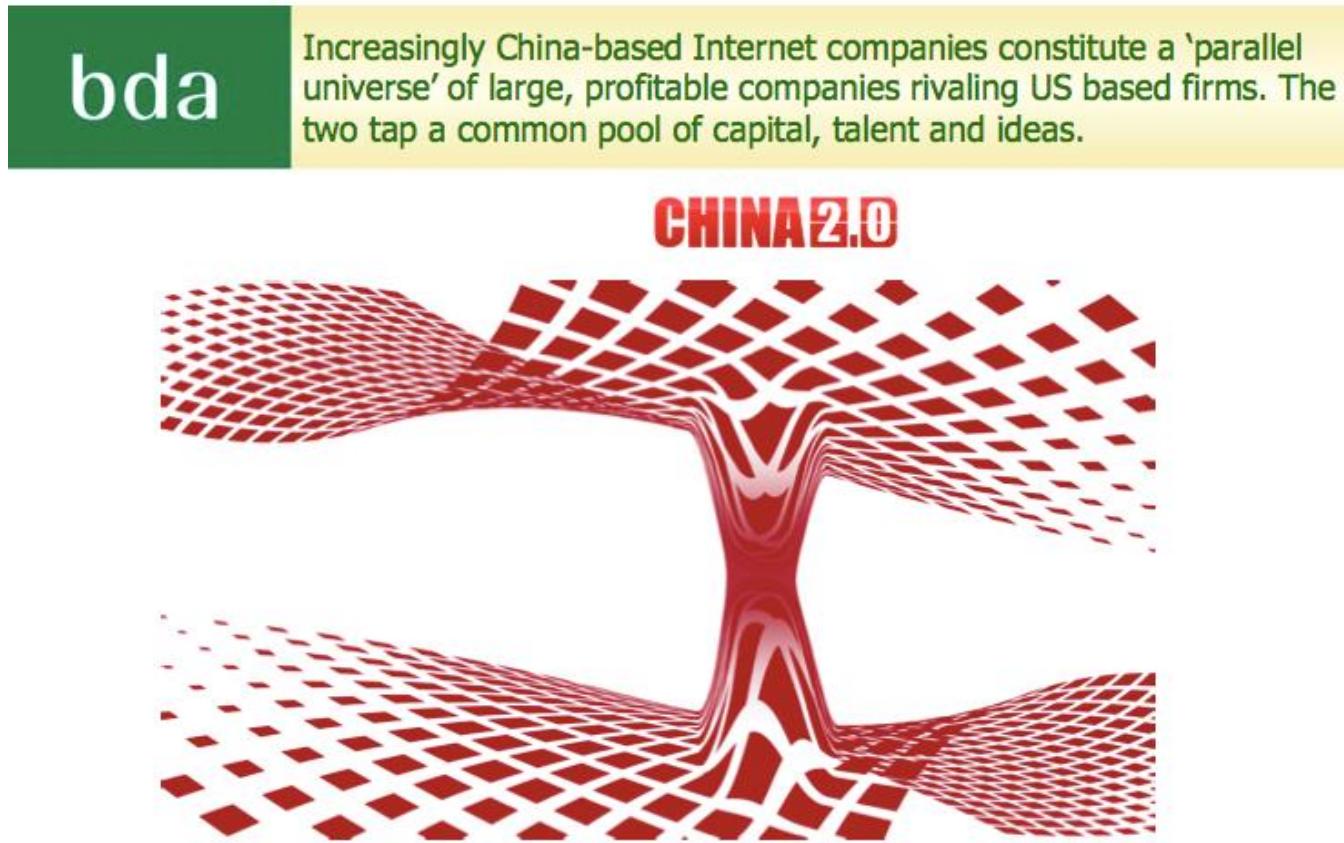
Intranet vs. Internet



From cyberspace to
the cybersphere

A multilayered ensemble of
techno-economic
infrastructures and legal-
political governance, on the
one hand, and socio-cultural
assemblages that enable self
communication and
communicative ties, on the
other.

This technical-commercial infrastructure is intertwined with foreign capital and foreign technology



Source: Stanford University China 2.0 – china2.org

Platformization of cyberspace is structured by bottom-up mechanisms and vitalities, which sustain and detail the top-down governance of platforms



The cybersphere forges a wider range of communicative relations that spearhead and support China's socio-economic transnational entanglements...

...and also fosters disagreement spaces that integrate scales at micro, meso, and macro levels

PROBLEMS OF CYBERSPACE GOVERNANCE

The romantic imagination of cyberspace as a separate realm outside of physical space and the reach of either national government or market forces...

.... the spread of digital networks with issues of cyber sabotage, security and warfare propels disagreement on problems of cyberspace governance

Cyber sovereignty and platform immunity...

...Have become crucial sites of conceptual and institutional development upon which hinges on the wellbeing and growth of global communications

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国家网信办：加快推动《网络安全法》《电子商务法》及早出台

中国网信网

2015-12-14 21:14 来源：澎湃新闻

字号

12月9日，国新办就第二届世界互联网大会有关情况举行发布会。国家互联网信息办公室主任鲁炜在会上指出，“我们正在探索一条中国特色的治网之道。中国的治网之道其最根本的就是坚持依法治网”。鲁炜主任这一论述，引起了互联网从业人员和网民群体的极大关注。“什么是依法治网？怎样依法治网？依法治网的成效如何？……”

1. Findings: Cyber sovereignty

Phase I: Against US control: Countering global Internet hegemony

- Tenant; threat perception; territoriality of the Internet; neutral global authority

Phase II: Sovereignty as globalist development and global connectivity

- Big network nation; common prosperity and non-transferrable rights to development, governance, and participation; flexible frontier; shared governance
- Transcend central vs. peripheral; market vs. states; domestic vs. global

It demarcates boundaries through authority, territory, and population in the by-default transnational structures of cyber intermediaries, supply chains, and data flows, leaving loopholes, decentralization, and diffusion as normality

- Demarcating border 2.0
 - Platforms, accounts, and content
 - Editor-in-chief
 - Transnational supply chain
 - Security inspection; WTO rules for business users
 - Cross-border flows
 - Local storage; data ownership; thresholds

2. Findings: Platform immunity

Phase I: subjected web portals and bulletin boards to strict liability for their users' action and imposed enforcement responsibility on online enterprises, initially for both speech and commercial considerations

Phase II: the state *fragmented* its blanket platform liability system by carving out conditions for platform immunity from IPR and public interests infringement

The shift of the state's approach towards platforms, from enabling to leveling and then to constraining...

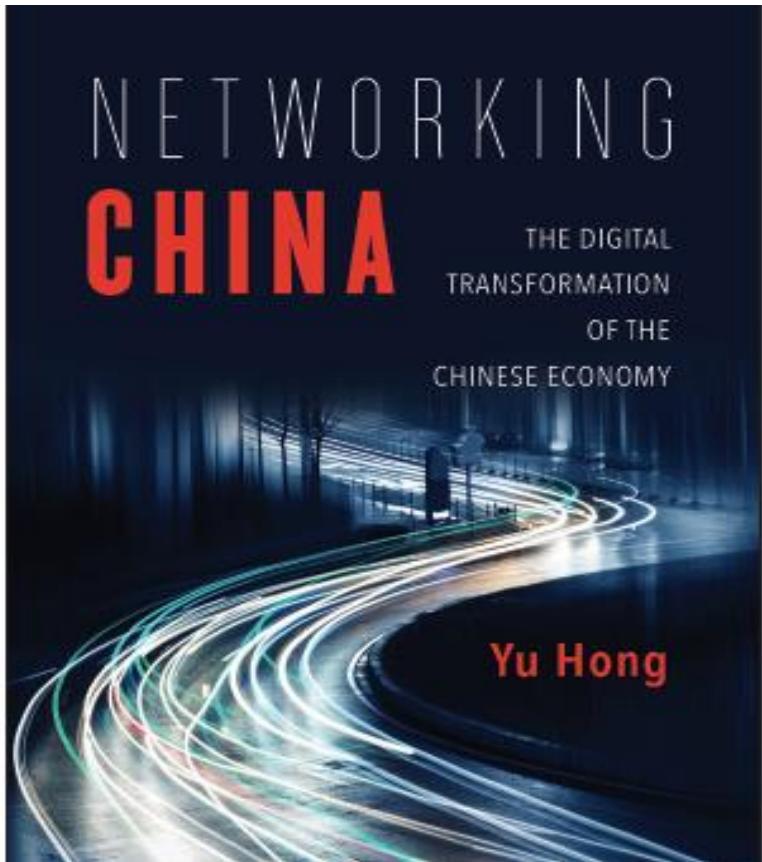
...is motivated by the US-China trade disputes

...And by a fundamental contradiction between the preference of transnational corporate platforms on the one hand and grassroots preferences and practices that animate the online bazaar economy on the other



Following the traditional praxis of critiquing specious views, practices, and structures developed during an era of prevailing communication flows from center to periphery, this discussion is ultimately a step towards laying the grounds for open public debates over a global digital cyber-sphere order and for considering anew the Internet and governance.

Thank you!



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