

Same Tongzhi, Different Destiny

Examining the Gay Website Regulations

in China, Hong Kong, Singapore and

Taiwan

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Abstract

This study investigates the similarities, differences and implications of the Internet regulations in four Chinese societies, with particular regard to gay website regulations. In reality, China, Hong Kong, Singapore and Taiwan have different political systems, ideologies and perspectives toward the role of law in society. These differences are also reflected in their Internet regulations. Compared to the prosperity of gay websites in Hong Kong and Taiwan, gay websites in Singapore and China continue to be fragile, but are steadily marching out of the closet encumbered by outmoded ideas of social control. Although it is very strictly-regulated in Singapore and China, the two governments are pragmatic and succeed in their policies because they impose strictures on gay website users who have to develop their own

self-censorship. The growing commercialization of the gay space in Chinese-speaking cyberspace marks a paradoxical development of the internet where state control, a degree of freedom of expression, and self-censorship coexist. Even gay users in China and Singapore have tried to use the Internet as a mode of alternative expression, with some success and some failure in the face of government hostility.

Keywords: gay website, Chinese society, the Internet regulation, the Internet control.

[收稿]2010/7/29; [初審] 2010/09/28; [接受刊登] 2011/02/23

I . Research Background

"Certain liberties in a developing nation sometimes have to be sacrificed for the sake of economic development and security... I spent a whole life-time building this and as long as I am in charge nobody is going to knock it down (Tremewan, 1996)," the former Singapore Prime Minister Lee Kuan Yew said. The Internet is now perceived as a double-edged sword. While governments need computer networks to assist in economic development, they also fear the uncontrolled exchange of information over the internet in the outside world.

It is important, yet, to note that the Internet is continually re-inventing itself, and its potential to contribute towards democratic change cannot be judged prematurely. Trends arising from the Internet's inherent characteristics of collaboration and information sharing, as well as how wireless technology and the growth of 'blogging' reflect the democratic principles that led to the Internet's creation, are making a case for its significance as an instrument in bringing about democratic change in Asia (Gomez, 2004, p.4).

Clearly, Internet technology has lowered barriers to the distribution of content that was once inaccessible to all people due to national boundaries. In addition, the coming of information technology has generally been regarded as a force for the breakdown of authoritarian political control. Pitroda (1993) describes it as "the greatest democratizer the world has ever seen" (p.66). The relationship between the growth of the Internet and attempts to control the technology can reveal the democratic potential the Internet has to offer in Asia.

Furthermore, the development and use of modern communication technology have been regarded by national governments as being of prime and clear relevance to their interests, and some governments demand and formulate forms of Internet

regulation. This concern shows that Internet technology plays the central role in bringing about the transition from traditional societies to modern nation-states, and also plays a major role in influencing the values and moral standards in society (Slevin, 2000).

China, Hong Kong and Taiwan are all Chinese societies, with differences in cultural norms and political structure. In Singapore, the "cultural and institutional influences are still overwhelmingly Chinese"¹ (Cheng, 1985). The Chinese nations and other special regions are emerging economic powers, and TABLE 1 shows that they are all enhancing their communication and information infrastructures in order to compete effectively in the global arena. In the past few years, the Asia-Pacific region has been at the core of the world economy. The number of Internet users in Asia is expected to surpass 704 million by 2009. Greater China, which includes China, Hong Kong and Taiwan, will eventually comprise nearly half of all users in the Asia-Pacific region (*Internet Usage in Asia*, 2009).

The influence of the Internet is spreading to these Chinese societies. Cyberspace discussion groups are breaking taboos as political and social issues are being freely discussed, and all of this confronts many Asian governments with an old dilemma in a new form. Since the mid-1990s, numerous Asian governments have been addressing the problems associated with material on the Internet that is illegal under their offline laws, and is also considered harmful or otherwise unsuitable for society, although the nature of the material of principal concern has varied substantially. Political speech, incitement of racial hatred, and pornographic material are the targets for control on the

¹ According to the Singapore Department of Statistics (2009), there are three main racial groups: the Chinese (74.2 % of resident population), Malays (13.4 %), and Indians (9.2 %). They have acquired a distinct identity as Singaporeans while retaining their traditional practices, customs and festivals. Singaporean culture is a type of predominantly Chinese continuity; adapting itself to changes brought about by modernity and its projects, especially technology (Phillips, 2009).

government-run Net. Governments also have tabled or passed legislation that will enable them to track and monitor online content, and they are giving electronic snooping powers to themselves and their various agencies to spy on others (Privacy International, 2003).

Cyberspace may create a new place for people to find new ways to form alternative sexual identities. In addition, it may link them to national identities, and may become a place where local, national, and regional discourses come together to reveal new interaction of identity and citizenship. Currently minority groups are also making active use of the Net, mainly because of the commodification of identity. For gay people in the western world, the Internet allows them to state their views and voice their opinions, as well as discuss and learn from others within the virtual community. Recent simple and cheap technology has enabled gay people to establish their own computer-mediated websites as the main alternative media for discussing controversial political and social issues, with the common goal of gay liberation. This phenomenon still prevails amongst published research on net use amongst gay people, and this research shows that gay people are among the net's most enthusiastic users in the West (McLean & Schubert, 1995; Shaw, 1997).

In recent years, in recognition of the bias toward the West, there has been a proliferation of academic works that address the lack of scholarship in the area of GLBT studies in the non-Western context. This paper is set to examine regulatory implications and emerging regulatory models that a global information network has brought to the four Asian Chinese societies, with particular focus on the discussion of the regulation of gay websites'².

In the four Chinese societies, Chinese gay people are exposed to ideas of Chinese

² In this study, "gay" means all gay, lesbian, bisexual, and transgender (GLBT) people, and "gay website" means websites which include GLBT issues or content mainly.

*tongzhi*³ identity as well as Western gay identities. *Tongzhi* embraces cultural references and politics that go beyond the homo-hetero binary. It is accepted by many Chinese gay people for its use as “an indigenous cultural identity for integration of the sexual into the social (Chou, 2000, p.2). Besides discussing current gay website regulations run by different governments, we will discuss Internet control for *Tongzhi* contexts in the four Chinese societies.

II. Theoretical Framework

This paper will discuss attempts at Internet regulation using the following theoretical framework: the role of law, architecture, public interests, economics, and cyber-libertarians⁴ in discussing the degree of gay website regulation in the four Chinese societies.

1. Lessig's theoretical framework

Internet technology raises important questions, including whether the public can be reasonably sure about the transparency of governments, even democratic ones, and about balancing the rights of the individual with the safety of the nation. It also raises ethical questions on sub-contracting important safe functions, like surveillance, to the

³ The term *tongzhi* was first appropriated by a Hong Kong gay activist in 1989 for the inaugural Lesbian and Gay Film Festival in Hong Kong (Chou, 2000) in an attempt to emphasize the “cultural authenticity of same-sex desire in Chinese society (Wong & Zhang, 2005, p.785). *Tongzhi* is a rather a recent invention by activist (Wei, 2007) and literally means “comrade”. *Tongzhi* is in many respects the Eastern version of a Western gay rights discourse and the terms are commensurable in many levels.

⁴ Cyberlibertarians as represented by William Gibson, John Perry Barlow, Mitch Kapor, and Howard Rheingold have a utopian characterization of cyberspace. As Barlow (1996) indicated, promise of new social space, global and anti-sovereign, within which anybody can express to the rest of humanity whatever he or she believes without fear. There is, in these media, a foreshadowing of the intellectual and economic liberty that might undo all authoritarian powers on earth. The Internet is too widespread to be easily dominated by any single government.

hands of private, commercial firms (Gomez, 2004).

In his famous *Code and Other Laws of Cyberspace*, Lessig provides a theoretical framework that conducts a comparative analysis to examine how governments can regulate the Internet. He arrives at the view that the Internet can be regulated. Lessig (1999) argues that the government can control behavior through law, architecture⁵, norms and the market. More importantly, developments in the code of the Internet are spurring changes that make the Internet easier to control. According to Lessig (1999), the law regulates by threat of state sanctions, and norms regulate by threat of community sanctions. Code regulates through the environment, and markets regulate through price.

Lessig (2000) also points out that "architecture, law, norms and markets together regulate behavior. Together, they set the terms on which one is free to act or not; together, they set the constraints that affect what is and is not possible."

2. Public interests and economic objectives toward the Internet regulation

Accompanying Lessig's theory, Wurff (1998) states there are two types of objectives that have been underlying regulations of the media: the public interests objective, which encompasses social-cultural and political concerns for regulations, and the economic objective.

The underlying assumption regarding public interest objectives is that the market forces alone cannot provide for issues of public concern such as universal service and distribution of content (Cuileburg & McQuail, 1998). Regulation is needed to secure that the media serve the common interest, which is not necessarily measured in growth

⁵Generally, this term refers to technology; and it can be replaced with code, the analog for architecture in cyberspace (Lessig, 1999)..

and progress. Consequently, censorship used by each nation's Internet regulatory approach demonstrates, for one, the tension between an individual's rights and the public interests (Lee, 1995). As a result of this tension, each nation's Internet regulatory approach also reflects a nation's perception of the role of law and the role of individuals in its society (Rodriguez, 2000).

Opposing this regulation is the economic objective. In a very ideal sense, the conviction behind this is that the dynamics of the market force result in a state of perfect competition. Baumol and Sidak (1994) indicate that the allocation of consumer-demand and marginal-cost pricing will, in the end, serve the general welfare. The underlying assumption is that the state of perfect competition is the best way to also achieve public interest goals for policy-making (Mansell, 1997). This idealistic scenario indicates that only minimal regulation is needed.

3. The cyber-libertarian approach to the governance of cyberspace

Cyber-libertarians, as represented by Howard Rheingold, have a utopian characterization of cyberspace. It has been widely described as "the conceptual space where words, human relationships, data, wealth and power are manifested by people using computer mediated communication technology (Rheingold, 1994, p.5)". Barlow (1994) claimed that what cyberspace heralds is nothing less than the promise of a new social space, global and anti-sovereign, within which anybody, anywhere can express to the rest of humanity whatever he or she believes without fear. In the new media era, intellectual and economic liberty might undo all authoritarian power on earth.

It is clear from cyber-libertarians' declaration of the independence of cyberspace, that they believe an alternative civilization of the mind is naturally evolving in cyberspace which will eventually replace the politics of the sovereignty, military force and national boundaries. Their approach to governance of cyberspace is totally

contradictory to authoritarian governments' regulation of the Internet.

III. Regulations on Information Networks in Four Chinese

Societies

Confucian ideals permeate all four societies to a different degree. These ideals, originally developed in response to the fractured, belligerent nature of China in 551-479 BC, focus on providing social harmony⁶. In modern time, although some ideas are parallel among the four Chinese societies, there have also been different ideological and political/social influences on them following the colonial period (Hong Kong and Singapore) and the civil war (China and Taiwan), such as political and law systems. As a result, they differ in the extent of liberalism on Internet regulation, including regulation of gay websites.

In this study a top-down approach is used for reasons of practical research. Information on the internet in four Chinese societies is available online, and field research is beneficial in better understanding the internet in these different societies. The results have added tremendous value to the research, especially with regard to the amount of various control, censorship and social norms conducted on the Internet. Additionally, a comparative study of internet regulation will enhance understanding of the Internet in the four Chinese societies.

The issue of pornography is discussed when examining gay website regulation in these societies. Since some governments classify gay websites as “pornographic

⁶ To eliminate conflict, Confucianism stresses the need for people to follow rules of conduct in relationships and the need for people to establish an orderly and hierarchical society. To further achieve social stability, Confucianism espouses discipline and reverence for authority. Confucianism also sacrifices individual rights in order to preserve social harmony (Hon, 1995). As a result, civil and political rights that functioned to protect the individual from the state's interests did not exist in Confucian theory (Peerenboom, 1998).

content”, the owners of gay websites are being told to mark their sites as “harmful sites” and install filtering software to prevent youth access, or risk imprisonment. It consists of a technical problem which puts the responsibility of obscene content censorship to ISPs in the fast growing and changing cyber world (Gomez, 2004).

1. Taiwan

(1) General: less restrictive in regulation

In freedom of the Internet, Taiwan is rated as “free” with regard to *the Press Freedom Survey 2009* (Freedom House, 2009). Since the end of China's civil war in 1949, Taiwan has embarked on its own distinct, divergent path of development. As a society with a democratically elected government, Taiwan has developed its own cultural norms and values (Chun, 2000). The Publications Law, which had allowed Taiwan government to control publications containing seditious or treasonous material, was abolished in 1999. The sense of public policy and the process of democratization are seen in regulation of the Internet.

The Taiwanese government has been very careful about the growth of the Internet since 1995, instead of applying censorship on the Internet. The authorities have insisted that there is no need to further regulate online activities, a position strongly advocated by many experts and specialists who believe a well-developed Internet industry will greatly promote the island's political and economic advancement (*Taiwan ponders regulation as cyber*, 1999).

There is no specific set of cyberlaws in Taiwan. Recently, Taiwan cyberlaw has

focused on legal issues⁷ arising from the huge popularity of the Information Superhighway and the Internet (*Cyber law in Taiwan*, 2009). Consequently, there is no Internet censorship of content related to political dissidence, racial or religious issues by the government. Only activities relating to pornography, the selling of illegal pornographic materials, or inducing someone to deal in sexual business will be sentenced by criminal law (*Taiwan ponders regulation as cyber*, 1999). Activities on the Internet that were prohibited also include selling pirated, net-based software. On adult-content oriented web sites, the opening pages always show warning signs as reminders to users.

(2) Gay website: self-regulation and prosperity

The free economic environment fosters loose control of the expression of Internet information in Taiwan. Officials stress that freedoms of speech should not be restricted, and liberal policy can prove this concept, as evidenced by the growing number of gay websites.

There have been several dramatic changes in Taiwan politics since the Internet began. One significant phenomenon in the 1990s was identity politics stemming from GLBT support groups. The lifting of martial law in 1987 brought about some freedom for Taiwan's gays and lesbians. While the dismantling of military rule began in Taiwan in the early 1980s, Taiwan's desire to appear, internationally, as a modern democratic society has produced attempts at liberalization in many areas, including sexual

⁷ Subjects include: structures to support electronic signature and authentication; legal standards for contracts and electronic commerce; electronic payment; Internet copyright; NII related telecommunications law and cable television law; privacy protection on computer networks; freedom of government information; and the policies of other governments toward online commerce .

politics⁸ (Patton, 1998).

Taiwan is considered to have one of Asia's most vibrant gay communities, and its gay rights parade is the largest in the Chinese-speaking world (*Thousands march in Taiwan gay parade*, 2009). Any consideration of the new gay scene in Taiwan must begin by acknowledging the influence of the Internet. More invisibly and much more popular, gays and lesbians are networking in cyberspace for the purposes of life-chatting, arranging friendships and organizing activities (Chen, 1998). With the spirit of self-regulation, the gay cyber-community in Taiwan is bursting out of the closet and crowding into chat rooms, bulletin boards, eGroups, blogs, and specific web pages while keeping a confidential profile if they feel the need.

Criminal Code in Taiwan was made, to bring with it, the need for Internet regulation (Tsai, Lee & Chen 2003), including regulation of gay websites. According to *The Internet and its Legal Ramifications in Taiwan*, and listed below the description of libel, threats and obscenity, obscenity is regarded as the amount of lewd or pornographic material on the Internet (IPECLAW 2003). The standards of the Criminal Law can be used as a basis for gay website regulation. In reality, the circulation, sale, or display of pornographic images or text is punishable under the law by fine or imprisonment; however, the nonphysical nature of electronic data can make criminal prosecution difficult (IPECLAW 2003).

⁸ In Taiwan the first openly gay/lesbian group was established in 1990, and by the mid-1990s there was a steady output of queer novels, films, and magazines, Taiwanese gay activists drew upon a long history of same-sex cultural activities and representations (Wang, 1998).

2. Hong Kong

(1) General: less restrictive in regulation

In freedom of the Internet, Hong Kong is rated as “partly free” with regard to *the Press Freedom Survey 2009* (Freedom House, 2009). Under the “one country, two systems” formula, Hong Kong and China have taken very different approaches to Internet regulation. Before Hong Kong returned to China on July 1 1997, a certain type of censorship had already existed within Hong Kong’s Internet⁹.

Since July 1, 1997, however, the Telecommunications Ordinance has basically been unchanged, and without direct censorship from the Beijing central government. Although China’s government does not restrict freedom of speech, the future of the Internet in Hong Kong could still be influenced by Beijing authorities. Rather than making a form of censorship, the Hong Kong Government encourages the ISPs to come up with a code of practice and enforce themselves (Vito, 2000).

(2) Gay website: self-regulation and more liberal

There are various gay websites in Hong Kong, and the website owners regulate themselves without interference from the central government. The gay rights movement has been visible since the 1980s, and Hong Kong is a place where gay rights activists can speak out for their legal rights. Newly confident gay communities have become even more politically and socially active since Britain handed over

⁹ Under the lack of regulatory policy, ISPs have no obligation to report such offenses to the authorities. Currently, there are some agencies that maintain lists of objectionable websites and make them available to the ISPs. HKISPA (Hong Kong Internet Service Provider Association) has well-elaborated policy on the posting of pornographic materials. Each ISP has various policies on blocking offensive web sites. High profiles prosecutions also exist (Bryre, 1998).

control to China in 1997. Hong Kong's gay community is well educated, adaptable and has recently become ever mindful and courageous in seizing opportunities for vocalizing their agenda. The community is aware of the discrimination it faces and the determination needed to forge ahead (Ammon, 2002).

Hong Kong has no law specifically regulating pornographic material on the Internet (Chiu & Wong, 2005). However, the Obscene and Indecent Articles are applied to control online dissemination of information. In response to the government's request, the Hong Kong Internet Service Providers Association (HKISPA) compiled, in October 1997, a Practice Statement which deals specifically with the regulation of obscene and indecent material on the Internet. The operations and standards of the COIAO were used as a basis for gay website regulation¹⁰ (Information Technology and Broadcasting Bureau, 1998).

However, Hong Kong government creates a more liberal Internet market in order to maintain the most favorable environment for investment (Chiu & Wong, 2005). This leads official policy makers to enact less strict measures on controlling gay related content on the Internet.

3. Singapore

(1) General: moderately restrictive in regulation

In freedom of the Internet, Singapore is rated as “partly free”, which shows progress with regard to *the Press Freedom Survey 2009* (Freedom House, 2009), in which it was “not free” in 2008. Singapore has been struggling to keep control over the

¹⁰ In a COIAO article, it stated the policy objective in regulating obscene and indecent articles is to protect public morals and youth protection from harmful effects of obscene and indecent material while preserving the free flow of information and safeguarding the freedom of expression (Chiu & Wong, 2005).

Net. The government is targeting "the content that inflames political, religious or racial sensitivities," as well as pornography and gambling. It also requires registration of certain web sites which provide political or religious information (Fluendy, 1996a). Government-controlled ISPs have blocked access to some web sites.

In the meantime, each of Singapore's three licensed service providers has been obliged to install a computer device called a proxy server that contains copies of the most popular sites from the Internet. Users will call the sites up from those computers rather than from their original host servers elsewhere on the web. Normally, from the viewers' point of view, this makes no difference, because the proxy servers will refuse to deliver certain sites (Fluendy, 1996b).

Singapore's official position is that the state filters Internet content to promote social values and maintain national unity, with the goal of denying access to objectionable material, especially pornography and content encouraging ethnic or religious strife. The Media Development Authority (MDA) claims to block only a symbolic list of more than 100 web sites (primarily pornography) as a symbol of the state's disapproval of this content. In addition, the MDA encourages, and each of Singapore's primary Internet Service Providers offers, optional, filtered Internet access services that block additional sites for a minimal monthly fee (ONI, 2005a).

(2) Gay website: legal ban on the act of gay sex, online is the community's only option

Singapore is a nation in which official policy dictates "no promotion" of homosexuality¹¹, especially through mass media (Phillips, 2008). In Singapore, this

¹¹ Prime Minister Lee Hsien Loong said the government did not consider gays to be a minority with minority rights. In a rare speech to parliament, he said Singapore was a conservative society, and he wanted to keep it so (*Singapore retain its gay sex ban*, 2007).

has been the unwritten code guiding how the homosexual community relates -- or should relate -- to the mainstream society over time¹². People are not asked as a matter of course if they are homosexual. Homosexuals do not have to tell and, as long as they do not promote their lifestyle, they can enjoy their pockets of freedom. Underlying this code¹³ is the belief that the less said about homosexuals and their activities, the better the rest can live and let live, and the more homosexuals can go about their lives (Ng, 2000). Since 1997, a series of catalyzing events have served as an ongoing impetus for the more vocal homosexuals to act on their unhappiness. One is the Government's rejection of their application to form a society called People Like Us (PLU) in 1997¹⁴, which even now is still not an officially recognized gay-affiliated organization. Feeling even more alienated, gays have banded more closely together, where once their community was diffused and lacking in direction. The HIV scare has bonded them further (Ng, 2000).

¹² Section 377A was introduced in 1938 to criminalize all other non-penetrative sexual acts between men. 'Gross indecency' is a broad term which, from a review of past cases in Singapore, has been applied to mutual masturbation, genital contact, or even lewd behavior without direct physical contact. As with the former section 377, performing such acts in private does not constitute a defense. There is not, nor has there ever been, any law in Singapore equally specific to non-penetrative lesbian sex. The section 377A has been in the statutes since the 1930s and has been retained even after the Penal Code review of October 2007 (*Section 377A of the Penal Code Singapore*, 2009). It is not illegal to be gay or lesbian in Singapore, but homosexual sex acts are illegal and can land people in jail -- even if they take place in private. Gays and lesbians have no legal protection against employment discrimination on grounds of their sexuality. Self-declared gay men in the military are relegated to administrative or logistics work (Tan, 2001).

¹³ Regarding homosexual act: Section 377 of the Penal Code clearly states the commission of any act of gross indecency between men "shall be punished with imprisonment for a term which may extend to 2 years", regardless if the contact is consensual and in private. But there is no mention in the code of woman-to-woman sexual contact. However, section 377 was repealed in October 2007. A new section 377, which criminalizes sex with dead bodies, was substituted in its place (*Section 377A of the Penal Code Singapore*, 2009).

¹⁴ Its stated mission: to promote awareness and understanding of the issues and problems concerning gay, lesbian and bisexual persons. Even in 2009, its application was rejected without official explanation, despite appeals right up to the Prime Minister. Online organization is the community's only option.

A vibrant virtual gay community was born with the coming of the Internet age¹⁵. On the other side of this, there is “prohibited material” under the cyber law. “Prohibited material” is defined in the Code of Practice and appears to involve material deemed unsuitable for adults by the government. It does not appear to cover information unsuitable for minors, nor does it contain a requirement that web sites attempt to restrict access to such material for adults. In other words, “prohibited material” is that which is deemed “objectionable on the grounds of public interest, public morality, public order, public security, national harmony, or is otherwise prohibited by applicable Singapore laws”. The stated factors to be considered in determining what prohibited material is indicates that this includes material advocating “homosexuality or lesbianism”, and material of pornographic nature (*Electronic Frontiers Australia*, 2002). It is the only Chinese society that states a “ban on homosexual or lesbianism” in cyber law clearly¹⁶. The growth of the Internet has opened the floodgates for underground communication, spawning illegal chat forums, e-mail lists and web personals. Unlike the ideology of self-regulation regarding gay websites in Hong Kong and Taiwan, the Singapore community doesn’t lack spirited gadflies willing to push to the edge of political tolerance against a willful government. The result in Singapore, especially in the past few years of this cat and mouse game, has been to clarify what the real limits are. Although there are still no officially recognized gay-affiliated organizations, there are numerous prospering business

¹⁵ After countless thought-provoking and insightful essays, one of gay movement activists, Alex Au’s Yawning Bread web site is the most respected and incisive place on the Net for uncovering the core of Singapore’s political and cultural verities--gay, straight and in between.

¹⁶ In evaluating moral values, the committee defined as “clearly immoral and demeaning” content that includes “pornography, deviant sexual practices, sexual violence, child pornography, and bestiality (Ministry of Information, Communication, and the Arts, 2003).” It noted, that a range of opinion in Singapore on “violence, nudity and homosexuality,”⁷ recommending in particular that the ban on homosexual content be eased (Ministry of Information, Communication, and the Arts, 2003).

ventures that are out and proudly gay in all but name¹⁷. However, as Russell Heng Hiang Khng¹⁸ (2001, p.93) said, “Activist members of the gay community realize that cyberspace interaction with the occasional party event is not a substitute for the focused association which is critical for a gay political movement.”

4. China¹⁹

(1) General: Most restrictive in regulation

In freedom of the Internet, China is rated as “not free” with regard to *the Press Freedom Survey 2009* (Freedom House, 2009). China has created the most strict Internet regulations, aimed at controlling data traffic, and has urged users to declare and register themselves with the authorities. The government has issued regulations on content of the Internet and has trained special police to monitor use of the Internet in China. The government has adopted the Singapore Act for its own use, and an official was quoted as saying, “China has a lot to learn from Singapore’s experience” (Clarke, 1997).

China has devoted extensive resources to building onto the largest and most

¹⁷ The Singapore community doesn’t lack spirited gadflies willing to push to the edge of political tolerance against a willful government. The result in Singapore, especially in the past 4 years of this cat and mouse game has been to clarify what the real limits are. This strengthening of resolve to play up to but not over those limits has resulted in an energized, commercially active and mostly unharassed gay business and social community (*Gay Singapore*, 2007).

¹⁸ Khng was a Senior Fellow at Singapore’s Institute of Southeast Asian Studies until 2008. Heng is also active in two activist organizations in Singapore: People Like Us (PLU) which is a gay and lesbian support group and Transient Workers Count Too which seeks to promote the welfare of foreign domestic workers in Singapore.

¹⁹ In March of 1998 the Southern Daily newspaper, printed an article entitled "If Society Were Tolerant", discussing a survey of gay men in all 30 of China's provinces. The survey was conducted by Dr. Zhang Beichuan . The preliminary conclusions were that loving relationships between people of the same sex is not rare in modern China and that lesbigay subculture exists all over the country.

sophisticated filtering systems in the world. The Internet has been targeted for monitoring since before it was even commercially available, and the government seems intent on keeping regulatory pace with its growth and development (ONI, 2009). Since 1995, China has started to bar what the State Council Electronic Information Leading Group calls "spiritual pollution" on the computer screens. China's biggest service provider has been blocking hundreds of sites, ranging from political content sites to *Playboy* sites (Fluendy, 1996a). While both China and Singapore consider pornography a primary concern, they worry more about the Internet being used as a forum for political dissent. Moreover, since much of the information on the Internet originates in the West, the two governments also worry about the "corrupting" influence this may have. (Campbell, 1996).

The government has long made efforts to control the Internet and limit access to most international news websites such as CNN.com, BBC.com and VOA.com. However, this time the government went even further, blocking access to websites of general search engines²⁰. As a result, accompanying this news, the issues surrounding Internet censorship in China has again attracted much international attention. However, it means that information technology might be incompatible with China government's authoritarian rule (Kedzie, 2005).

China is also promoting public Internet access while blocking web sites, monitoring e-mail, arresting Internet dissidents and encouraging self-censorship. Some studies have even found that not only can the Internet be controlled in China, but also the Internet itself has been successfully transformed into a means for control by the government (Kluver & Chen, 2005; Tsui, 2001).

²⁰ Google.com collects information with web engines through pure technology, not human editors, and is regarded as a technical service and tool, devoid of political involvement.

(2) Gay websites: you can create websites but state de-political

A current survey conducted by the state-owned Xinhua's biweekly *Globe* in 2005 has shown that China's homosexual population could be as large as 30 million (Goldkorn, 2005). Homosexual behavior is not illegal by national law in China, but police do have the power to arrest gays at will under a broad public disturbance statute. In other words, homosexuality is not strictly illegal under Chinese law, but neither are gay rights protected in China, which leaves gay people open to police harassment and arrests for a variety of other offences.

There are more than 100 influential gay-affiliated online forums, and the actual number of gay-affiliated online communities is considerable (Gay China 2007, 2007). Despite attempts by authorities to block web sites, China's users find a way around them. The Net has quickly become a major channel for gay contact. Along with its virtual access to international sites, China's gay population is accessing one another in unprecedented numbers (*Gay China 2007, 2007*). In 2001 homosexuality was decriminalized in China, and the Internet has been a powerful force in revolutionizing gay life by providing a safe and anonymous forum for meeting people. In a country where many assignations still take place in parks rather than bars or cafes, sites such as chinarainbow.org and gaychina.simplenet.com are changing the landscape (*Internet opens closet door for urban Chinese, 2001*).

Some believe that China's acceptance of these gay websites is tacit acceptance of the community, although it may also be that they exist below the government's censorship. According to an Internet content rating system introduced to Hong Kong in 2001, for example, gay and lesbian websites are classified as 'harmful media', with the owner of the first and biggest gay website here being told to mark his site as a 'harmful site' and install filtering software to prevent youth access, or risk imprisonment. The regulation has come under heavy criticism by rights groups

including Amnesty International (Amnesty International, 2002). The fact is that authorities still try to block most references to homosexuality in both news media and literature. That's why the anonymous author of the nation's most popular gay novel posted it online, finding a ravenous audience of users who print it out and pass it along to offline friends (Friess, 2001).

After the gay websites appear, surfing the Internet is a good way of meeting people, because gay people can come out without coming out, and they can find out where to go and what is happening around the nation. Compared to rural regions, urban gays (especially in Beijing and Shanghai) are more prosperous and homosexuality is coming out with the help of media stories and the Internet. However, this vast group of gay users has always been unknown to each other, and lives their lives in the closet."At gay websites in China we don't create controversy. We'll never succeed in gay right movement if we go head on with the political authorities. We can't afford to forget that, so instead we move ahead with our business or agendas and remove any activity or words that might generate political or social controversy. No one ever said you can't have fun, just don't be controversial and offended"²¹. 'Being' gay here is not a big problem in China, and gay people have almost never been chased down the streets or rounded up. After viewing gay websites in China through the search engine²², we find sites corresponding to both Chinese and English language. "Homosexuality" related search terms for this issue were minimally inaccessible, and only slightly different than for general sex sites²³. The result can be supported by other

²¹ Interviewed with Interviewed with David Hu, 7 September, 2008, Hong Kong. Hu is a mainland Chinese net user.

²² We added "China" to the English search term when conducting the query to focus the search results in Shanghai (March 12, 2009).

²³ 1996 saw the Chinese authorities legislate against pornography on the Internet (State Council Order No.195, 1 February 1996). Online pornography is also prohibited under Article 5 of the Computer Information Network

researchers²⁴. This low level of inaccessibility is generally consistent with the inadvertent “overblocking” of sites that is a common side effect of large-scale filtering efforts (ONI, 2005b).

However, some gay websites may be blocked for unknown reasons in China²⁵. In May 2005, China government blocked a popular website devoted to providing information and support to the nation’s large but closeted homosexual population, even as the nation fights an exploding AIDS epidemic²⁶. In addition to the types of illegal content routinely proscribed in Internet regulations, China government issued a notice on March 2009, detailing twenty-one unusually specific and wide-ranging additional content categories that online video providers should edit or delete²⁷,

and Internet Security, Protection and Management Regulations (December 1997), Article 57 of the Telecommunications Regulations Of The People's Republic Of China (25 September 2000) and the Measures For Managing The Internet Information Services (25 September 2000). ASEAN representatives discussed a possible common framework and regional body to respond to pornography on the Internet (Menon, 1999). Anti-pornography measures are often complicated by varying definitions of ‘pornography’ and what content the censorship regulations cover (Gomez, 2004).

²⁴ The finding is same as the OpenNet Initiative conducted. The ONI is a partnership between the Citizen Lab at the Munk Centre for International Studies, University of Toronto, the Berkman Center for Internet & Society at Harvard Law School, and the Advanced Network Research Group at the Cambridge Security Programme at Cambridge University. The ONI mission is to investigate and challenge state filtration and surveillance practices.

²⁵ In China, along with the long tradition concept of state monopolization, the government utilizes absolute control in banning on obscene and pornographic related online content. In addition, sometimes China government noticed about the adverse impact on gay related content that may attack the tradition culture and moral of the people.

²⁶ Abai (<http://www.gaychinese.net>), founded by two gay Chinese men in 1999, the site offers news of interest to gays, lesbians, bisexuals and transgender people and information, such as how to avoid contracting HIV/AIDS and other sexually transmitted diseases. Specially, a question and answer forum provides advice on how to develop relationships and interact with family members to gay living in remote parts of China, hiding their homosexuality. The Ministry of Public Security, which has a unit in charge of censoring Internet content, refused to comment (China blocks popular gay website, 2005).

²⁷ SARFT Notice for Strengthening the Administration of Internet Audio and Video Programming Content, issue March 30, 2009.

including “sexually suggestive or provocative content that leads to sexual thoughts²⁸”. Bloggers who are considered to have written too many troublesome posts can have their accounts cancelled at will (ONI, 2009).

From July 2009, all new computers sold in China will have the software already installed from July 1st, but people will not be forced to install it on existing machines. Green Dam Youth Escort²⁹ has been widely criticized by anti-censorship organizations as the latest attempt by the Chinese government to restrict online freedom. While the government claims that the software is aimed only at blocking violence and pornography, it has emerged that it also blocks discussion of homosexuality and other non-pornographic gay content. It had even been found to block pictures of pigs, mistaking the image for naked human skin (Frizzell, 2009).

As a whole, China’s government regularly shuts down sites or blocks sites which carry content deemed politically sensitive or inappropriate without notice, including gay websites. Despite the apparent government reversal, China still has the world's most extensive web censorship system, aimed at removing 'subversive' content from websites, blogs, forums and message boards (Frizzell, 2009).

IV. Comprehensive Discussion

What information may be regarded as illegal offered by the Net during this study?

²⁸ Section 2(1-21), SARFT Notice for Strengthening the Administration of Internet Audio and Video Programming Content, issue March 30, 2009.

²⁹ The Ministry of Industry and Information Technology notice from May 2009 stated: “In order to build a green, healthy, and harmonious online environment, and to avoid the effects on and the poisoning of our youth's minds by harmful information on the internet, the Ministry of Industry and Information Technology have purchases one-year exclusive rights to use “Green Dam Youth Escort” Green Online Filtering Software.... the software has been shown to effectively filter harmful content in text and graphics on the internet and has already satisfied the conditions for pre-installation by computer manufacturers.”

Pornography, hate propaganda, and terrorism-related information are all commonly forbidden. But in the concept of “harmful media” judged by government policy, the authorities of China and Singapore have a standard distinct from Hong Kong and Taiwan.

From the above comparison of obscene and pornographic issues in gay websites, we noticed China and Singapore have imposed far more rigorous punishment on offenders as compared to Hong Kong and Taiwan. Heavy punishment was imposed to Internet users to prevent obscene criminals by the China and Singapore government³⁰. On the other side, China and Singapore have become more aggressive in its efforts to regulate Internet access and information. Whereas in Hong Kong and Taiwan, lighter penalty and the sense of self-censorship may lead to difficulty in deterring offenders from committing crime (Chiu & Wong, 2005).

1. Gay website: More political in Hong Kong and Taiwan, de-political in China and Singapore

In Hong Kong and Taiwan, we find that GLBT communities use computer-mediated communication to construct their identities and communities on and even off the net. Obviously, gay virtual communities also can function well as the role of alternative media.

The evidence we observe here is that Computer-mediated Communication (CMC) may offer the best opportunity for shared interactive communication among GLBT people. Amongst this wide range of high levels of GLBT activity in virtual communities, much of the activity in Hong Kong and Taiwan is focused on sites where

³⁰ For instance, for cases concern online dissemination of pornographic material, offenders in China and Singapore sentenced to years in jail while Hong Kong and Taiwan trial for 14 months and 5 months in jail respectively. In China, even in a suspect case, offenders sentenced to jail for a year with suspended sentence term for 1.5 years (Chiu & Wong, 2005).

high levels of interaction are possible. This creates sizable and substantial social formations within Hong Kong's and Taiwan's emergent queer cultures that scholars call 'online discursive communities' (Berry & Martin, 2000). Online discursive communities have proved important tools for gay rights activists. They use message boards to distribute information about activities and stimulate debate for equal rights³¹.

Besides gay rights movements on the Net, four societies have to face pornography offered by gay websites. Compared to Hong Kong and Taiwan, strict regulation of the online pornography has been the consistent feature in China and Singapore, and patterns of containment of freedom of expression include the use of legislation to restrict access, proscribing content, exercising influence through ownership and inducing self-censorship. For the youth, the Internet content rating system was introduced to Hong Kong and Taiwan, with the owners of the gay websites being told to install filtering software to prevent youth access, or risk imprisonment (Gomez, 2004).

In China, there have been no busts regarding gay websites in recent years, mostly because of this self-censorship atmosphere around gay users. Gay users practice the same self-censorship in Singapore. "This government is pragmatic above all and it succeeds in its policies because it imposes strictures on people who then develop their own self-censorship. Gay people are no exception to this, except that educated gay users know the difference between excessive self-censorship and good business. If you

³¹ This gay movement will likely come about with far less violence in Chinese Societies than the gay community has faced in the West. The difference is religion. Buddhism and Confucianism have emerged out of passive and fearful ignorance rather than aggressive legal/religious intolerance in the West (Ammon, 2000). Another mediating factor is the absence of strong religious influence in Chinese societies. Even in China, communism is a secular social system that demands outward conformity of behavior and imposes less moral evaluation on personal character than religion does. Lacking the virtue/sin debate and the emotional fervor that accompanies rigid beliefs, it's rare to find violent gay bashing in Chinese societies (Ammon, 1998).

know the rules here you don't break them, but it doesn't mean you can't play right up to that limit, to be on the cutting edge"³². In a word, just don't have sex in inappropriate places or show it online in Singapore.

In theory, the system is responsive to public opinion. If opinion has evolved to such an extent that no one considers something objectionable and no complaint is made, then there is no cause to ban it. It's clear to see that the faces behind the masks are becoming more visible and therefore more familiar in Chinese societies. Compared to prosperity of gay websites in Hong Kong and Taiwan, the gay websites in Singapore and China continue the fragile but steady march out of the closet encumbered by outmoded ideas of social control. After examining gay websites regulations of four Chinese societies, we can see that it is a crucial difference for the Chinese model of the *Tongzhi* movement—more Confucian, more moderate, and less rebellious. Even though it is very strictly-regulated in Singapore and China, the two governments are pragmatic and succeed in their policies because they impose strictures on gay users who then develop their own self-censorship.

2. Differences in role of law, architecture, public interests, economic and cyber-libertarian

After reviewing Internet regulations in four Chinese societies with content-based, access-based, and censorship authority, TABLE 3 shows that the four societies develop different kinds of Internet regulations, although Confucian ideals exist there. With

³² Interviewed with Dr. Stuart Koe (Ammon, 2002). Koe's attractive and popular web site *Fridae.com* is pure Singapore class and style. It's an interactive sight with news, a calendar of events, bulleting board, photos, chat rooms, dating services as well as thoughtful features about gay life in Asia. It sponsors and advertises dances, parties, special events and merchandise. Nearly as important as the content is the fact that it recently celebrated its second anniversary of being out and proud—while cleverly avoiding controversial labels such as 'rainbow community', 'pride power', or 'gay and lesbian'.

regard to history, much of the law and methods of government control of the media in the region were enacted by the colonial authorities and later refined by postcolonial regimes. For instance, it is interesting to see the sodomy laws enacted by Hong Kong³³ and Singapore governments, especially with regards to gay related activity.

In Lessig's view, architecture is the foremost regulator on the Internet. In his own words: "Cyberspace is an architecture first. It is a platform that gets designed. It is constituted by a set of code – by software and hardware that make cyberspace as it is. This code imbeds certain values; it enables certain practices; it sets the terms on which life in cyberspace is lived, as crucially as the laws of nature set the terms on which life in real space are lived (Lessig, 2000)." But from Li's (2002) experience in China and Singapore, it would appear that for the Internet, the Law is the most crucial regulator, and it directly influences the other regulators, including the Architecture.

Governments do try to control the Internet; pornography and hate speech are targets of web-based censorship and remain ongoing themes of concern in regulating gay websites. After reviewing the various Internet regulations, the differences among them also demonstrate that China and Singapore have taken a more instrumentalist approach to the role of law than Hong Kong and Taiwan (Rodriguez, 2000). As Lessig (1999) indicates, some governments, regardless of cost, are willing to adopt technologies to block contexts (such as China and Singapore). Some others would not go to such great

³³In August 24, 2005, a 20-year-old gay man in Hong Kong won a legal challenge of laws against homosexuality including one that calls for a life sentence for sodomy when one or both men are younger than 21. Previously, sexual intimacy between two men below the age of 21 was a criminal offence even though sexual intimacy between heterosexuals and lesbians is allowed after the age of 16. Group sex between gay men, even though in private and conducted by consenting adults, was also criminal, while such activities between heterosexuals and lesbians above 16 was allowed. An act of sodomy, submitted as the natural sexual expression of gay men, below the age of 21 was a criminal offence with possible life imprisonment if it was conducted between two men (Wong, 2005).

lengths to control access. If the costs were too high, they would simply leave the regulations aside and move on to other, more important economic activities (such as Hong Kong and Taiwan).

These differences also show that China and Singapore use law more to protect and serve government interests than to protect individual interests. In Singapore and China, the "rule by law" approach is deeply rooted in classical Chinese philosophy (Schwartz, 1957). In addition to a strong ideological basis, the lack of effective constitutional protections further contributes to creating an environment conducive to law being used in an instrumentalist fashion (Thorpe, 1994). Accordingly, a long history of the government's use of various laws as a means of social control, such as subduing the political opposition and employing social engineering, exists in Singapore and China (Sikorski, 1996). Moreover, a long history of social control via censorship of all types of media exists. Therefore, the existence of a broad administrative law framework to censor the Internet is but another example of China and Singapore taking an "instrumentalist" approach to the role of law.

According to Lessig (1999), law, as a means of control, depends on the threat of sanctions by the state. Subsequently, the stringent stipulations by China and Singapore governments could constitute proactive intimidation for the public. As Tsui (2001) points out, intimidation is a very strong weapon in the battle for Internet control, which the two governments use. In contrast, individualism and liberalism have heavily influenced Hong Kong and Taiwan, explaining the distinctive role of law in these two Chinese societies, they prefer the protection of individual interests.

Why has the Internet has been controlled with efficiency? From the above discussion, we can notice that the essential cause involves the distinctive character of Chinese societies. Dworkin (2002) pointed out that Asia focused its attention on meeting the economic and social needs of its citizens, while western countries devoted

considerably more attention to meeting its citizens' rights to freedom, including the right to free speech, freedom of association, and other related rights³⁴. Dworkin also stated that it was widely believed in the West that Chinese traditions and popular opinion endorsed a more collectivist, less individualistic view of citizens' rights and responsibilities than the post-Enlightenment view that was more popular in the West, and that the so-called "Asian" values the Chinese embraced were less supportive of individual human rights than the so-called "Western" values³⁵. The point has been accepted that freedom of speech can be secondary to substance wealth. Consequently, China and Singapore take for granted the concept that free speech is less important than economic development.

This study has also shown the ongoing process in which China and Singapore are having its own way to the Information age through governmental planning and control. It is difficult for western liberal critics to neutrally review this approach for it against the common belief in the liberal media system. But if we take the political, cultural, and social context into account, this approach is another application of authoritarian media.

Many countries are working on the utilization of the Internet to advance their competitiveness in the global economy. By facilitating the information infrastructure to get connected and involved with the international community, the motivation is "outward." However, this motivation can not be observed in China and Singapore. Internet development in China and Singapore is different not only because of its different ideology and social systems which prevent them from being "too connected" to the world, but also because of their identical cultures and social issues which will not allow

³⁴ Dworkin's speech given at Fudan University, Shanghai, on May 24, 2002, available at <http://www.cc.org.cn/zhoukan/xueshuxunxi/0204/02062211014.htm>

³⁵ See Taking rights seriously in Beijing, Dworkin's speech given at http://www.nybooks.com/articles/article-preview?article_id=15692

them to be inferior to others. Based on those policies and applications, the drive for Internet development is rather an “inward” one, which focuses on improvement of its inner communication ability.

V. Conclusion

This study examines different gay website regulations in four Chinese societies. Singapore and China use the law more to protect and serve government needs or protect the public interests than to provide services for individual interests. Hong Kong and Taiwan take an opposite approach. Moreover, Hong Kong and Taiwan allow commercial service providers to flourish, letting market forces decide the level and quality of Internet services, instead of implementing censorship on the Internet. Conversely, China and Singapore have made no secret of trying to control the Internet and filter what their citizens can see.

It is interesting for us to see that the four Chinese societies may well be considered a litmus test of traditional Confucian values, confronting a new age of individualistic self-expression. The under-thirty generation of men and women—whether in Singapore, Hong Kong, Taipei, Beijing, or Shanghai—are for the first time questioning the absoluteness of traditions that subtract from personal will and personal identity. It is probably the first time in Chinese history that anyone has been willing to challenge this long-standing “cultural imperialism”³⁶. With the coming of the information technology age, certain forces from new generations, nonexistent in previous generations, have started to infuse these old traditions. There is now a

³⁶ For countless generations, at least four powerful forces have unquestionably controlled the lives of Chinese people. (1) Heterosexual monogamous marriage; (2) bearing of descendants, (3) personal subjection to family cohesion, social habits and religious rituals; and (4) closed role-assignments within the multigenerational family system (child, worker, elder). Personal choice and individual self-determination have been diminished without serious challenge for as long as history has been written here (Ammon, 2001).

groundswell of significant change in this imbalance between unquestioned conformity and individual assertion.

With the increase of the Chinese speaking population on the Internet³⁷, intentions are very practical. During this process of adjustment in Internet regulation, it eventually becomes a necessary step to execute its more ambitious intentions. It won't be completed if examining the gay website regulations without looking at the implications of this Chinese *Tongzhi* way to the information age. Hopefully, the approach of this paper will be a valuable finding for non-western Internet policy.

We also found that the growing commercialization of the gay space in Chinese-speaking cyberspace marks a paradoxical development of the internet, where state control, a degree of freedom of expression, and self-censorship coexist. Even China and Singapore are traditionally conservative countries when facing gay issues, and are known for their stringent laws. But they are also among the top economical and technological countries of twenty-first century. The clash of these two forces, old and new, is slowly but surely bringing better change for gay people here. Even under the control of the Internet, the gay users of China and Singapore have tried to use the Internet as a mode of alternative expression with some success and some failure in the face of government hostility. Significantly, the four societies also generate social capital and facilitate cultural shifts toward materialist values among virtual community members. From this point of view, this study may provide a different aspect of Internet technology applications and the future development of gay websites, which needs to be noticed.

³⁷ Chinese is the second place in the top language used in the web (the second largest number of users of the Internet by the language, see TABLE 2).

TABLE 1

Internet Users in Asia-Pacific Nations and Regions

ASIA INTERNET USAGE AND POPULATION						
ASIA	Population (2009 Est.)	Internet Users, (Year 2000)	Internet Users, Latest Data	Penetration (% Population)	User Growth (2000-2009)	Users (%) in Asia
China *	1,338,612,968	22,500,000	338,000,000	25.3 %	1,402.2 %	48.2 %
Hong Kong *	7,055,071	2,283,000	4,878,713	69.2 %	113.7 %	0.7 %
India	1,156,897,766	5,000,000	81,000,000	7.0 %	1,520.0 %	11.6 %
Indonesia	240,271,522	2,000,000	25,000,000	10.4 %	1,150.0 %	3.6 %
Japan	127,078,679	47,080,000	94,000,000	74.0 %	99.7 %	13.4 %
Korea, South	48,508,972	19,040,000	37,475,800	77.3 %	96.8 %	5.3 %
Malaysia	25,715,819	3,700,000	16,902,600	65.7 %	356.8 %	2.4 %
Philippines	97,976,603	2,000,000	24,000,000	21.1 %	932.5 %	2.9 %
Singapore	4,657,542	1,200,000	3,104,900	66.7 %	158.7 %	0.4 %
Taiwan	22,974,347	6,260,000	15,143,000	65.9 %	141.9 %	2.2 %
Thailand	65,998,436	2,300,000	13,416,000	20.3 %	483.3 %	1.9 %

Source: Internet Usage in Asia (Retrieved from <http://www.internetworldstats.com/stats3.htm#asia>)

TABLE 2
The Top Ten Languages Used in the Web

Top Ten Languages Used in the Web (Number of Internet Users by Language)					
TOP TEN LANGUAGES IN THE INTERNET	Internet Users by Language	Internet Penetration by Language	Growth in Internet (2000 - 2009)	Internet Users % of Total	World Population for this Language (2009 Estimate)
English	478,717,443	37.9 %	237.2 %	28.7 %	1,263,830,976
Chinese	361,364,613	26.3 %	1,018.7 %	21.7 %	1,373,859,774
Spanish	132,963,898	32.3 %	631.3 %	8.0 %	411,631,985
Japanese	94,000,000	74.0 %	99.7 %	5.6 %	127,078,679
French	76,915,917	18.1 %	530.5 %	4.6 %	425,622,855
Portuguese	73,027,400	29.5 %	863.9 %	4.4 %	247,223,493
German	65,243,673	67.7 %	135.5 %	3.9 %	96,389,702
Arabic	49,372,400	17.0 %	1,862.2 %	3.0 %	289,742,641
Russian	38,000,000	27.1 %	1,125.8 %	2.3 %	140,041,247
Korean	37,475,800	52.7 %	96.8 %	2.2 %	71,174,317
TOP 10 LANGUAGES	1,407,081,144	31.6 %	351.5 %	84.3 %	4,446,595,669
Rest of the Languages	261,789,264	11.3 %	430.7 %	15.7 %	2,321,209,539
WORLD TOTAL	1,668,870,408	24.7 %	362.3 %	100.0 %	6,767,805,208

Source: Internet Usage in Asia (Retrieved from <http://www.internetworldstats.com/stats7.htm>)

TABLE 3

Comparison of Content-based, Access-based and Censorship-Authority
Regulations of Four Chinese Societies

Regulation Nation /Region	Content – based			Access-based	Censorship authority
	Pornography	Political content	Media web site		
China (Not free)	Block content by central government	Block any political dissent content	Control and censor news about China through the web sites of foreign media	Central government controls ISPs and block access to web sites	Censorship by central government
Hong Kong (Partly Free)	Self-regulation	Self-regulation	Self-regulation	Self-regulation	Self-censorship by ISPs
Singapore (Partly Free)	Block content by central government	Block content that inflames political, religious or racial sensitivities.	Require registration of certain news web sites providing political or religious information	Central government controls ISPs and block access to web sites	Censorship by central government
Taiwan (Free)	Self-regulation	Self-regulation	Self-regulation	Self-regulation	Self-censorship by ISPs

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異中求同，也同中求異：

四個中國人社會之同志網路管制研究

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摘 要

本研究以台灣、中國、香港及新加坡等四個以中國人為主組成的社會為主，檢驗在這些國家及地區的網路管制有何異同及意涵，特別是以同志網站為研究重點，試圖從這些在政經體制、法律規範，以及社會發展型態都有其特殊形式的四個中國人社會，討論歸納出對這些具特殊性取向為主的網站的管理異同之處。結果發現，台灣及香港如同政府尊重的媒體言論自由一樣，在既定的法律規範下，同志網站相對以自我自律及管理為主，也因此造就了兩地蓬勃發展的多元同志文化。但在中國及新加坡方面，社會上雖沒有公開明顯的同志文化現形，但卻發現兩地政府雖然在政治、種族、色情等網站實行全世界知名的嚴格管制措施，但是在同志網站管制上卻有其開放的空間，在不觸及相關敏感議題及遵守法律的自我管制原則下，也讓此兩地的同志網站能穩定的成長經營，甚至是產生網站消費經濟的現象。從研究中可以看到同志網站的運作讓這些同志族群在社會中皆有一個另類發聲的管道，但在面對政府隨時可能來到的敵意及威脅，不論是那一個中國人社會，都有其特殊的自我管制方式及因應方式，讓網站得以繼續生存。

關鍵字：同志網站、中國人社會、網路管制、網路控制。