

## CASE 12

Shi Tao, 37, was a journalist and the head of the news division at the Dangdai Shangbao (Contemporary Business News) in Changsha, Hunan Province, prior to his arrest. Shi had also written essays for overseas Internet forums. In an essay posted in April 2004, entitled "The Most Disgusting Day," Shi criticized the government of the People's Republic of China (PRC) for the detention the previous month of Ding Zilin, an activist for the Tiananmen Mothers, whose 17-year-old son was killed during the June 1989 crackdown of the democracy movement.

On 20 April 2004, Shi attended a staff meeting at the Contemporary Business News where the contents of a Chinese Communist Party Central Propaganda Bureau document about security concerns and preparation for the upcoming 15th anniversary of the crackdown were discussed. That evening, from his office, Shi used his personal Yahoo! email account to send his notes about this meeting to the New York-based website Democracy Forum.

Shi was detained that November, and tried under Article 111 of the PRC Criminal Law for "illegally providing state secrets overseas" the previous April. He was sentenced to 10 years imprisonment; his appeal was denied a few weeks later.

Reporters Without Borders, an international media watchdog group, said Yahoo!'s Hong Kong office helped China link Shi Tao's e-mail account and computer to a message containing the information. Reporters Without Borders accused Yahoo! of becoming a police informant to further its business ambitions.

Yahoo! is hardly alone among Western technology firms hit with bad publicity for their complicity in aiding China's curtailment of individual liberties and human rights. Google recently revealed that it was entering the Chinese market with a censored search product, tweaked according to government specifications. Microsoft announced new policies that would enable it to honor the Chinese government's demand to shut down a citizen's blog within China while still keeping the blog visible outside of China.

As reported in the February 6, 2006 New York Times, Bill Gates took another tack at a Microsoft-sponsored conference in Lisbon, claiming, "the ability to really withhold information no longer exists." In other words, Microsoft may agree to censor or filter some content, but, in the end, censorship is no match for human ingenuity and the endless ways for the Internet to provide workarounds. "You may be able to take a very visible Web site and say that something shouldn't be there," Mr. Gates said, "but if there is a desire by the population to know something, it is going to get out."

At an upcoming hearing by the House subcommittee on Global Human Rights, observers expect executives from Cisco, Yahoo!, Google and Microsoft to claim that they must abide by the laws of the countries in which they operate, maintain that practical considerations preclude them from imposing American values regarding censorship on

business relationships in China, and assert that if American Internet companies don't do business in China, change will never come there. What cost change?