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How Wikipedia Can Overcome the Great Firewall of China

by Nichole Hines

Beginning in October of 2005, Wikipedia, a free online encyclopedia written by its volunteers, was blocked in mainland China for the third time in three years. Chinese officials originally tolerated Wikipedia "because it seemed to be exactly what the party had in mind when it began promoting Internet use 11 years ago—an educational resource that could help China close its technological gap with the West, encourage innovation and boost economic growth." [Phillip P. Pan, Reference Tool on Web Finds Fans, Censors, WASHINGTON POST, Feb. 20, 2006, A01.](#) However, the one-year blockage is a clear indication that the Chinese government now sees Wikipedia as a site that releases too much information, and therefore, as a site that threatens the Communist Regime. Meanwhile, western internet companies such as MSN, Google, and Yahoo are already conforming to China's censorship demands. Wikipedia refuses to do the same. This presents the question of whether Wikipedia has any legal foundation to overcome what many Americans would view as a First Amendment violation and, if not, is there any way that Wikipedia can circumvent the censorship?

According to Wikipedia, Chinese Wikipedians are concerned about the detrimental effects that a permanent ban would have because:

“ First of all, the block deprives a useful resource from the majority of Chinese speakers in the world. Moreover, since Mainland Chinese form a significant portion of the Chinese Wikipedia community (46% of all users in March 2005), a long-term block could severely stunt the growth of Wikipedia similar to the block in June 2004. Finally, as the presence of contributors from multiple communities and

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viewpoints has helped in ensuring neutrality in some controversial topics (e.g. Taiwanese independence), the sudden removal of one community could exacerbate systemic bias on the Chinese Wikipedia.

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[Blocking of Wikipedia in Mainland China](#). WIKIPEDIA (archived Nov. 1, 2006). While these fears may be valid, they are not fears unique to Wikipedia. In fact, China's decision to block Wikipedia is wholly consistent with the country's censorship policies. According to a study conducted by the Berkman Center for Internet & Society at Harvard Law School, sites that tend to be censored include: sites about democracy/freedom and human rights generally and specifically in China; health in China, such as hunger; and news websites such as BBC News, which was consistently unreachable. Such topics can be found on Wikipedia, making it “another threat to the party's control of information . . . a venue for people with shared interests—or grievances—to meet, exchange ideas and plan activities without the party's knowledge or approval.” [Phillip P. Pan, Reference Tool on Web Finds Fans, Censors](#), WASHINGTON POST, Feb. 20, 2006, A01. Therefore, while Chinese officials encourage the uses of the internet for building technology and for economic competitiveness, the government would also like to restrict its use so as to prevent the free flow of information that could threaten the Communist Party's power. [See Bruce Einhorn, The Great Firewall of China](#), BUSINESSWEEK, Sept. 23, 2002.

To prevent the widespread flow of information, China installed what is commonly known as the Great Firewall of China. It is a government-controlled, giant filter that restricts what Chinese citizens can access on the internet. Additionally, more than 30,000 people are employed to search websites, blogs, and chat rooms for offensive content, whereas in the U.S. the CIA employs an estimated 16,000 people. [Jonathan Zittrain & Benjamin Edelman, Empirical Analysis of Internet Filtering in China](#), BERKMAN CENTER FOR INTERNET & SOCIETY, Mar. 20, 2003. As a result, China is able to actively update which sites to block and which sites to unblock. Another factor that contributes to the success of the censorship is that China gets companies like Yahoo and Google to voluntarily restrict their own websites. [See Paul Fiesta, Software Rams Great Firewall of China](#), CNET NEWS.COM, Apr. 16, 2003. However, Wikipedia refuses to join the list of websites that self-censor. Instead, the president of Wikipedia has stated, “Our position is that the block is in error, even given China's normal policies. Wikipedia is not propaganda, it is basic information.” [Sumner Lemon, Wikipedia Founder Expects Block to be Lifted in China](#), INFOWORLD, Feb. 22, 2006. While his point may be valid, it may also be irrelevant.

As unfair as the block may seem to Wikipedia, the fact remains that the Chinese government has adopted regulations which gives the Chinese government authority to censor the Chinese internet. [See Jack Linchuan Qiu, Virtual Censorship in China: Keeping the Gate between the Cyberspaces](#), 4 INT'L J. COMM. L. & POL'Y 1, 10 (2000) (discussing China's regulations related to internet censorship). Therefore, without a legal mechanism of overcoming Chinese law, Wikipedia may prefer to just join the host of groups creating software that circumvents the firewall (although, software circumventing a government censorship is likely illegal). The other option is to

Berkeley Intellectual
Property Weblog

Phosita

Patently O

Patry Copyright Blog

Eric Goldman's Technology
& Law Blog

Netlawblog

Tech Law Advisor

TTA Blog

Promote the Progress

Tech Dirt

Lawrence Lessig's Blog

The Trademark Blog

Berkman Center for
Internet and Society
Blog

Wilson Sonsini's Silicon
Media Law Blog

IP News Blog

Slashdot


influence the political process and motivate Chinese citizens to criticize their government's censorship policies and demand changes. There is already evidence that such a strategy works.

After nearly a year of censorship and nearly a year of consistent complaints to the Chinese government, there are reports from China that Wikipedia in English is unblocked and that spots of Wikipedia in Chinese are also accessible. [China Eases Restrictions on Wikipedia, YAHOO! NEWS, Oct. 19, 2006.](#) It is believed that the unblocking of the English-language site was an effort to appease the critics. In response, Reporters Without Borders has stated, "We congratulate those in charge of Wikipedia, especially (founder) Jimmy Wales, who could have chosen to censor their own site to get official blessing Instead they stuck to their principles and spurned self-censorship. Their determination has paid off inasmuch as Beijing has partially reversed its decision. It is an example that other Internet giants could follow." [Government Unblocks Access to Wikipedia's English-language Version, Reporters Without Borders, Oct. 12, 2006.](#) The event is certainly an indication that if Wikipedia is really going to penetrate the Chinese internet, then the website's best hope is not based on any legal foundation or from the ability to physically circumvent the censorship, but rather from motivating the people in China to continue utilizing the political process.

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Professays :: 11/06/06 at 4:33 am

I suppose the Chinese authorities overated the threat posed by western informational resources to the Communist Regime. They realised that a total censorship only damages their image and make them to look weak in the eyes of foreigners. So it is not Wikipedia Overcomes the Great Firewall of China, it is the Chinese authorities that overcome their weaknesses.

Ryan McLeod :: 11/18/06 at 8:55 pm

It seems that this saga [continues](#).

PB :: 12/16/06 at 3:03 am

I'm able to get past the firewall, I just can't get good speeds!

What's the deal with this filtering it's totally frustrating. I've tried everything, adding two providers even. They have come out and checked my equipment twice and inform me it's my router. That's not it, it works fine at 100Mb. I called my VPN service: <http://strongvpn.com> and with or without their connection it's slow. At least connected I've bypassed the firewall. I'm curious to know what speeds others are getting? I'm in Shenzhen on China Telecom.

Olga :: 3/15/07 at 4:58 am

good blog