



**Think Piece**

**Women and virtual citizenship?  
Gendered experiences of  
censorship and surveillance**

**Heike Jensen**

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The **Gender and Citizenship in the Information Society (CITIGEN)** research programme, launched in 2010, aims to explore the notion of marginalised women's citizenship as a normative project or an aspiration for equitable social membership contained in the promise of an emerging techno-social order. Six research partners from Sri Lanka, Philippines, China, Thailand/Taiwan, Bangladesh and India are studying various aspects of the terrain. Also eminent scholars of the field from Costa Rica, Pakistan, South Africa, Germany and Thailand, are writing think pieces delving into the research subject from their perspectives to further enrich the research process.

**Think Pieces** are paper contributions by prominent scholars and practitioners studying the intersections between the micro-context of community information ecologies and macro socio-political developments.

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Women and virtual citizenship? Gendered experiences of censorship and surveillance

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## **Executive summary**

Censorship and surveillance are practices that deeply infringe on people's freedom of expression, and they hence severely limit peoples' chances of joining in the public sphere and exercising their citizenship rights. In order to explore if the information society enhances women's citizenship status, it is hence imperative to examine if there are pervasive changes in women's relationships to and experiences of censorship and surveillance. Part I addresses these issues from a historical perspective and beyond digital contexts. It is argued that women have always been vulnerable to multiple forms of censorship and surveillance by a whole range of institutional and private actors. In addition, the public sphere of nations has been structured by an exclusion of women and by an inhibition to critically discuss patriarchy, particularly as it relates to sexuality, and private property. Part II addresses how the new digital media relate to these legacies and setups. It is acknowledged that Web 2.0 in particular has enabled many women and other marginalised people and groups to overcome certain censorship and surveillance contexts, to exercise their freedom of expression and association / networking. However, it is pointed out that structurally, Web 2.0's operation by private business has commoditised all these initiatives in specific ways. Also, patriarchal forces have utilised digital media to the extent that several practices, often including censorship and surveillance with respect to sexuality, are now counted as new forms of violence against women. Meanwhile, the broader public sphere may not be characterised by a greater plurality of voices at all. Therefore, women's freedom of expression and privacy seem more at stake than ever, which makes it imperative for feminists to engage with these issues, both theoretically and in terms of advocacy.

## 1. Introduction

Once upon a time - in 1996 - in a land far, far away - the USA -, two people spoke thus of the newly evolving Internet:

“We are creating a world where anyone, anywhere may express his or her beliefs, no matter how singular, without fear of being coerced into silence or conformity.”

“I think (the Internet) is the last bastion of real ugly sexism because it’s unmoderated and faceless. I’ve received more “wanna fucks” [...] and “shut up bitch” mail than I care to count.”

The first quote is from John Perry Barlow’s famous 'Declaration of the Independence of Cyberspace'. It reflects the point of view of the privileged male citizen-subject addressing the state. Barlow, in a grand universalising gesture, claims that cyberspace has developed as a public space upholding everyone’s freedom of expression, and he implicitly equates censorship with the state interventions he tries to discourage. In sharp contrast, the female college senior quoted by Stephanie Brail in the second snippet (1996: 151) relates attempts of online censorship by misogyny, intimidation and sexual harassment perpetrated against her by her male peers, not by the state. Instead of an open public space, she thus encountered a hostile, quasi-private environment.

These incompatible views attest to distinctly gendered experiences of the Internet and essentially, gendered standpoints on freedom of expression and censorship. By extension, citizenship can be understood as a gendered phenomenon, since the normative concept of citizenship rests on the ideal of personal autonomy including freedom of expression and privacy. I would thus argue that the issue of women’s (potential) citizenship in the information society as posed by the CITIGEN initiative can fruitfully be approached by an investigation of communication rights – and their denial and contestation – from a gender perspective.

Such an investigation is critical at a stage when the Internet and other digital media have achieved a stunning market power in all parts of the world and have in the process altered the nature of public exchanges and public spheres. It is imperative to investigate these new realities in terms of the structural opportunities and constraints they have created: Whose views get now amplified and whose views get silenced, who can act unobserved and who is placed under surveillance? Such an investigation will unearth how citizenship as a gendered phenomenon has been struggled over, reframed and reconsolidated with respect to communication rights during recent times in different countries.

But are the quotes from the USA of 1996 with which I began this paper really relevant at all for a research endeavour focussing on South Asia and South East Asia? In fact, there is ample evidence that women's potential silencing in cyberspace is a feminist concern in many parts of the world. Anita Gurumurthy (2008: 16) sketches the issue and the political dilemma it poses thus:

“Safety of online spaces is an important ‘access’ issue for women. Women’s rights to bodily integrity and autonomy have to be reinterpreted and assured in digital spaces. Discrimination, sexual harassment and outright violence in and through online spaces interfere with women’s right to “access”. While policies need to deal with these issues, they cannot become an excuse for content regulation regimes that stifle the right to free expression and association.”

In this paper, I will hence concern myself with the gender politics that inform the field of censorship and surveillance. Since all societies are presently characterised by a mix of digital and non-digital media, I will lay a particular emphasis on examining the continuities and discontinuities between these media in this field. My approach will be to combine northern feminist studies, the academic approach that I have been trained in, with feminist scholarship and accounts focussing on South Asian and South East Asian countries and with a consideration of cases of digital censorship and surveillance in this region. In this manner, I hope to draw attention to global trends as well as distinctly regional, national and sub-national information society realities.

I will place a particular focus on the issue of sexuality as it relates to the public sphere. Sexuality constitutes a fundamental area of self-determination and self-expression. As we will explore, it simultaneously functions as an instrument of maintaining or challenging social hierarchies, and it may function as an instrument of oppression. Ultimately, even the nation state itself is principally invested in regulating sexuality, because the reproduction of its citizenry in both ideological and material ways converges in issues of (hetero-) sexuality and biological reproduction. Consequently, the relationships between nation state, citizenship and the public sphere, communication and privacy rights, sexuality and morality are potentially highly contested and offer a rich terrain for exploring gender dynamics and newly emerging gender orders in the Information Society.

## **2. Censorship, surveillance, and the public beyond digital contexts**

Is the information society a context that holds greater promises for women to exercise their citizenship rights, or does it rather make their citizenship status even more precarious than in former times? To answer this question, it is imperative to not only look at recent changes

brought by digital media, but to first understand the larger political, economic and social contexts into which they have been introduced and thus to also recognise the historical continuities which they bolster. Hence in the first part of this paper, I will examine how norms and practices of censorship and surveillance have created distinctly gendered public spheres and gendered citizenship positions in nation states, and the role that public talk about sexuality and morality in particular has played.

*A) Censorship and surveillance by the state: The normative dimension*

A common – and as we will see gender- and class-biased – starting point for the study of censorship and surveillance is to look at the state as agent and explore the normative framework in which the state is both allowed and constrained to censor and engage in surveillance. Censorship, as defined by international law such as the International Covenant on Civil and Political Rights (ICCPR), is conceived as a limit on freedom of expression that states either have to or may impose in specific cases: Article 20 of the ICCPR expressly prohibits war propaganda and the promotion of national, racist or religious hatred intended to incite discrimination, hostility or violence<sup>1</sup>. In addition, following Article 19 b), speech is not necessarily protected when it does not respect the rights or reputations of others, when it endangers national security, public order, public health or public morals.

If we systematise these provisions from the point of view of the state along the three value dimensions of a) peace and security, b) order and c) equality and coexistence, we see that these dimensions do not seamlessly relate to each other: Provisions meant to maintain peace and security are directed internally as well as externally. Feminist critiques of these concepts have illustrated that what is generally meant by peace is the maintenance of an - at this point - unused state monopoly on perpetrating physical violence, and what is meant by security often follows a logic of threats of power use exemplified by the Cold War (Enloe, 1993)<sup>2</sup>. Directed at the overall social level within nations are the provisions which are meant to facilitate the maintenance of order. Order within nations, seen through a feminist lens, encompasses the internal social hierarchies built on forms of social stratification such as race, class, creed and / or living location, as each of these intersects with gender. These organising principles of a population are generally intertwined with an economic hierarchy distributing wealth, status and life opportunities unequally. Finally, there are the legal provisions that are directed at

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1 While most nations of the world - 165 to be precise - are parties to the ICCPR, many have registered reservations with respect to aspects concerning freedom of expression. These can be found at the following web address: [http://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg\\_no=IV-4&chapter=4&lang=en](http://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=IV-4&chapter=4&lang=en) (last accessed 21 October 2009).

2 In contradistinction, the concept of human security has been proposed to articulate what peace and security from the perspective of individuals would entail.

facilitating equality and coexistence among citizens, which, it is obvious, rest uneasily with the upkeep of order in stratified and hierarchised nations.

In contrast to the case of censorship, rationales for surveillance are not provided by the ICCPR. Article 17.1 only states that, “No one shall be subjected to arbitrary or unlawful interference with his privacy, family, or correspondence, nor to unlawful attacks on his honour and reputation”. Somewhat counter intuitively, privacy may be enjoyed in public as well as in private spaces, and it usually refers to limits on monitoring or searching people based on considerations of safeguarding dignity, limiting intrusion, and restricting state power (Lessig, 2006: ch. 11). However, as with censorship, states are only one group of actors among several engaged in surveillance. It is to the different agents of censorship and surveillance that we will now turn.

*B) The actual range of agents of censorship and surveillance*

Research into the history of censorship regarding mass media and the Internet has shown that distinct socio-political entities may be crucial agents. To introduce these, it is helpful to start with a consideration of regulation more broadly. In this context, Lawrence Lessig (2006: 123-124, 234) has developed a widely accepted model, in which he identifies regulation at the interrelated levels of norms, laws, markets and architecture: Laws constrain through the punishment they threaten; norms constrain through the stigma a community imposes; markets constrain through the price that they exact; and architectures, including hardware and programming code, constrain through the physical burdens or obstacles they impose. Lessig makes the point that norms, markets and architectures may generate their own regulatory effects. Also, they may in turn be regulated by laws, with the aim of either tightening or of loosening the constraints they impose.

Jean K. Chalaby’s work on censorship (2000) is compatible with that of Lessig and in fact introduces additional censorship planes. Most notably, she also references media administration as well as outright state violence: Media administration includes obligations to obtain licenses, registrations or authorisations and the requirement to deposit financial guarantees for entities wanting to establish media. Tactics of state violence encompass arbitrary arrests or physical attacks, and we may add that violent forms of censorship may also be exercised by non-state agents. Experiences of censorship may in turn lead to self-censorship, defined as the 'slow internalisation of the mechanisms of suppression' (Bose, 2007: 16).

Implicit in much of the literature addressing censorship is hence a definition that is not restricted to the suppression of content already produced. Censorship also means erecting enough hurdles to systematically keep specific content from reaching a social group or to keep people from producing content in the first place.

Both Lessig and Chalaby make similar points about direct forms of state censorship being the most easy ones to trace and hence also the most talked-about and contested ones. Focussing on the Internet, the OpenNet Initiative (ONI) termed these practices 'first-generation controls' and counted among them the permanent and direct blocking of access to servers, domains, keywords, and IP addresses. While these practices are still pursued, and while there is also evidence for Lessig's prediction that Internet censorship is moving towards an increasing regulation through architecture in the form of programming code, ONI has detected a shift towards 'next-generation information controls' (Deibert, Rohozinski, 2010: 17) Next-generation controls are embedded in a legal and technical context that allows state authorities to erect fleeting blocks to content or services. The blocks may not even be acknowledged by state authorities, and may be outsourced to private or even illegally operating networks including botnets that commit denial of service attacks. But next-generation controls even go beyond blocking content and services and include information campaigns designed to mislead, intimidate, fragment or hinder those perceived as enemies of the state. An example is China's so-called 'Fifty Cent Party'. It is made up of people who for a small fee infiltrate chat rooms and Web forums to spread Communist Party propaganda and thus break up unanimously critical exchanges among participants (Bandurski, 2008).

Surveillance, like censorship, may be carried out by different actors. An intimate relationship between surveillance and censorship exists insofar as people who (think they) are placed under surveillance are likely to alter their behaviour, which may include forms of self-censorship. States generally undertake surveillance for the same rationales they cite for censorship, i.e. to enhance national security and maintain order. Big market players are also important agents of surveillance, and their motive is that of profit maximisation based on the largest possible increase in sales of goods and services. Finally, private individuals engage in surveillance, often in accordance with social norms. In many countries of the world, the latter include a policing of women's and girls' activities by men and also by women, be it to protect the heterosexualised love contract or the family honour that structure many patriarchal societies in the north and south respectively. Women who are complicit with patriarchal arrangements are often in the compromised position of being simultaneously subjects and

objects of censorship and surveillance. The agents, levels and forms of censorship and surveillance just discussed are systematised in the following table:

	<b>State Censorship</b>	<b>Nonstate Censorship</b>	<b>State Surveillance</b>	<b>Nonstate Surveillance</b>
<b>Laws</b>	Direct	n/a	Direct	n/a
<b>Violence</b>	Direct	Direct	n/a	n/a
<b>Administration</b>	Indirect	Direct	Indirect	n/a
<b>Business</b>	Indirect	Direct	Indirect	Direct
<b>Norms/society</b>	Indirect	Direct	Indirect	Direct
<b>Architecture incl. code</b>	Indirect	Direct	Indirect	Direct

*Table 1: Agents, levels, and forms of censorship and surveillance (Jensen et al., 2011: 68).*

### *C) Censorship and surveillance as gendered experiences*

While the censorship and surveillance of women by agents socially close to them are experiences shared by many women, state censorship arguably is not. This is because to finally become a target of state censorship, many previous social and economic censorship blocks need to be overcome, which is harder for most women than for most men. Thus Bose (2007: 17-18) summarises:

“And yet, as continued discussions prove, censorships – not merely of the state, but society, the family, the spouse, but also of the self – remain at the forefront of anxieties and impediments that burden most South Asian women writers in their processes of creative work.”

Put differently, a South Asian woman writer starts out at the very bottom of a veritable censorship pyramid: All the adverse social norms she has to confront and has in part internalised may keep her from writing, let alone ever submitting a piece for publication. If submitting a draft to a publisher, she may be turned away because women’s literature is not regarded to generate enough interest and hence promise enough revenue. Only if she takes that hurdle too and gets her piece accepted by a publisher might she encounter state censorship, which is thus quite a few censors removed from her.

Men’s experiences of censorship are likely to differ from women’s in some respects, but even men require some social capital to surmount social forms of censorship and reach a public

with their views<sup>3</sup>. Since men have been more seamlessly understood as political agents than women, censorship rationales of peace, security, and the social order as it relates to social stratification apart from gender may have more likely been directed at them than at women. Censorship in these cases has become an important tool to create or maintain hierarchies among men. As Masculinities Studies has shown with much evidence from around the world, patriarchal societies are in fact centrally concerned with creating and maintaining hierarchies among men, trajectories which are missed if the whole focus of a gender investigation lies on how men – mistakenly thought of as one homogeneous group - discriminate against women – similarly erroneously conceived as a homogeneous group.

So have men also been censored on the grounds of public order as it relates to the gender order, public moral and the like? Of course they have, but in several specific ways depending on their issues with this order: Profeminist men, for instance, have very likely encountered strong social censorship and gatekeeping blocks in the form of ridicule for their efforts to speak out publicly before ever encountering state censorship. At the other end of the spectrum, strongly misogynist men might have encountered censorship as a block against blatant women hatred and sexual exploitation to keep the social fabric from too much overt strain. Those who have been concerned with the perpetuation or re-negotiation of hierarchised subgroups within the nation may also have encountered censorship with respect to interventions into the gender and sexual order, for instance when they publicly problematised the issue of heteronormativity.

And have women been censored by states with the help of the rationales of protecting peace, security, and the social order as it relates to social stratification apart from gender? Of course they have; the point is just that femininity has only in an indirect or subordinated way been related to these matters, be it in terms of stereotypes, ideology, structure or institutions. This has meant that women have not served as the central imagined targets of these forms of censorship.

#### *D) The public sphere and its distinctly gendered ideology*

Since censorship concerns freedom of expression and the public sphere, it is vital to understand how the public sphere has developed as a gendered concept / space in different countries and world regions. Jürgen Habermas, who submitted in 1962 the seminal German work on 'The Structural transformation of the public sphere' in Western patriarchies, explains

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<sup>3</sup> Consequently, it is likely that contestations of state censorship and censorship law will have been launched from comparatively advantaged social positions, because less advantaged people have so many indirect ways of censorship to contend with that censorship law may not be their primary concern.

that the male political public was constituted through its opposition to the private sphere and its gender arrangements. Habermas stresses that therefore, the public was in fact structured by the exclusion of women from it, in distinction to the exclusion of underprivileged men, which he sees as non-defining for the structure of the public<sup>4</sup>. Alvin Gouldner (1976), who Habermas draws on, furthermore argues that the demarcation of the private sphere basically served to cloak gender arrangements and property arrangements from public scrutiny (see also Pateman, 1988). Lauren Berland and Michael Warner (1998: 547) stress that official national culture “depends on a notion of privacy to cloak its sexualisation of national membership”. The public sphere thus constitutes a nodal point in several respects.

i. *The creation of a gendered public sphere by mass media / news media*

Nation states, though defined by a concrete physical territory, are too big to allow all of their citizens to get together in public and debate. Hence the public sphere is a mediated one, and by extension, the nation itself, in Benedict Anderson’s influential terminology, constitutes an ‘imagined community’ (1983). Nation states, depending on their political ideologies, have historically established different media landscapes, from state-owned and operated ones to publicly owned and operated ones to privately owned and operated ones, and have in many cases entertained hybrid forms of these three prototypes.

For a long time, the media have taken the form of mass media, characterised by one-way communication flows from few to many. This kind of communication flow has presented the issue of gatekeeping as a form of censorship. Censorship and gatekeeping have converged in nations where the mass media have been directly state-owned. But gatekeeping has of course also been identified with respect to private ownership of news media, for instance expressed in the old quip that you could of course freely express yourself, as long as you owned a newspaper. Furthermore, gatekeeping has been identified at different levels beyond that of ownership. It has for instance been found to operate at the level of the mass medium as a social organisation and its work routines, and it has been analysed down the job hierarchy, from publisher to producer to editor or director to reporter or talk show host and so on. Gender-segregation and discrimination against women have simultaneously characterised the employment structures and opportunities in the media, state ministries and other state and non-state regulatory bodies concerned with the media.

A central defining feature of the gendered public indebted to the male dominance of the

4 It is interesting to note that Habermas initially missed the gendered dimensions of the public when he wrote his book. He elaborates on this issue in his Foreword to the 1990 German Suhrkamp edition, which he uses to update his theory and to briefly review the pertinent scholarship of the last 30 years.

decision-making levels within the media and within the ministries and regulating bodies is the 'male definition of news value' (Tuchman, 1978: 138). It has meant that the public sphere of politics as well as other spheres of 'hard news' such as the economy, finance and science have been constructed as masculine. To be more precise, they have been depicted as hegemonically masculine, i.e. masculine as defined by the race / class and other standards of the leading social fractions.

Male representatives of these fractions have been presented as the 'natural' actors of the political / public sphere and have been featured constantly, while women have marginally been featured and have mostly been cast as unusual or alien to this sphere. The global pervasiveness and longevity of this gender imbalance in offline and online news, as well as national variations of it, have been traced by the Global Media Monitoring Project (GMMP), conducted every five years since 1995 in all parts of the globe<sup>5</sup>.

An alternate route to understanding the pervasive effect of censorship in this abstract, normative form is through a consideration of language, discourse and political representation. If hegemony is created, as Antonio Gramsci theorised (see Hall, 1977), in that the dominant social fractions successfully establish the parameters within which some aspects of life can become a public issue, and if they simultaneously delimit the ways in which these aspects can be tackled, then it is obvious that the least privileged people within a nation hardly have the chance to voice their concerns in public, let alone in a way that still makes sense to themselves. Gayatri Spivak addressed this issue in her famous essay 'Can the Subaltern Speak?' (1988), in which she ultimately negated this question with respect to the underprivileged Indian woman she employed as a point of departure for her thoughts.

In sum, censorship through lack of recognised concepts and legitimated ways of looking at aspects of life works in close conjunction with censorship related to job structures and markets, administrations and architectures. Yet it needs to be pointed out that many democratic nations, in recognition of the importance of the news / mass media for the public sphere, have sought to protect minority concerns and 'diversity' with the help of laws targeting media ownership, markets, and architecture. And crucially, they have tried to do so by imposing content obligations including public service requirements. These obligations, however, generally have not affected the overall content mainstream but have followed the logic of marginal 'special interests'.

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5 See <http://www.whomakesthenews.org/gmmp-background.html> (last accessed 15 October 2009).

And most noteworthy for our purposes, news media / mass media have effectively evaded obligations of that kind by citing their freedom of expression. The tension between an abolition of discriminatory media content and freedom of expression of the mass media was already prominently visible in international documents such as the Beijing Platform for Action, which came out of the Fourth World Conference on Women held by the United Nations in Beijing in 1995: Almost all paragraphs of Section J, 'Women and the media', contain the qualification that the suggested interventions need to be “consistent with freedom of expression”. As Isis International Manila (1999: 25) stated in the wake of that conference, “There is a need to clarify who defines ‘freedom of expression’ as this is being increasingly used to justify negative portrayal and representation of women.”

Thus interestingly, we here encounter a clash between differently motivated claims to freedom of expression. One is forwarded by the private sector, and its oppositional term is not censorship but public service obligations. In other words, the private sector claims that being forced to work for the general good interferes with their communication right to say whatever they want. The other is held by feminists, and its oppositional concept is media in the service of a patriarchal mainstream and its hegemonic market forces (see Jensen, 2006). This means that feminists argue that patriarchy and business negate their communication rights<sup>6</sup>. It is impossible not to note that feminists have thus rediscovered the two blind spots at the heart of the Western male hegemonic public identified by Pateman, Gouldner and Habermas as discussed above: patriarchy and private property. Due to the split between public and private spheres, 'private' property / business is not supposed to be accountable to citizens, but is shielded from their scrutiny precisely by remaining private, and the same goes for patriarchal relations.

ii. *'Women's media'*

If the male hegemonic political public of nations such as Germany was indeed constituted by the two blind spots of private property and patriarchy, it is interesting to note that the complementary female audience seems to have been created through affirmative ways of dealing with private property and patriarchy through 'women's media' within Western nations,

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6 At the international level of media politics, this clash over freedom of expression in the media was predated by the fight around the New World Information and Communication Order (NWICO), which principally raged within UNESCO from the mid-1970s for more than a decade. It sprang up around a comparable argument of silencing and distorting through market power: At issue was whether developing nations would have any way to nurture their own media markets and infrastructure in order to generate their own media content, or whether northern media in general and U.S. American media in particular would continue to flood them with their foreign content, which was perceived as derogatory and imperialist by many developing countries. (See, for instance Pickard, 2007).

from glossy magazines to talk shows directed at women. These have fused a focus on private concerns, most notably heterosexual love relationships and familial relations as well as looks and aging, and a specific focus on women as consumers.

Consumption, the creation and stimulation of markets, has played an ever increasing role within Western nations. The world of advertisement devised to stimulate consumption has been consistently characterised by the features of sexism and the heterosexualisation of the public sphere: Images of women –or their body parts – have been featured prominently to titillate male consumers and to represent beauty standards for women to aspire to in order to appear attractive to men. The latter has created a unique situation of self-surveillance for women in Western capitalist patriarchies. As explained by art historian John Berger (1977: 46-47).

“A woman must continually watch herself. She is almost continually accompanied by her own image of herself. [...] And so she comes to consider the *surveyor* and the *surveyed* within her as the two constituent yet always distinct elements of her identity as a woman. She has to survey everything she is and everything she does because how she appears to others, and ultimately how she appears to men, is of crucial importance for what is normally thought of as the success of her life. [...] Men look at women. Women watch themselves being looked at.” (italics in the original)

The feminist challenges directed at these political, social and media setups as well as psychological indoctrination have been most eloquent. For instance, within the U.S.A., the slogan 'the personal is political', popularised by feminists in the late 1960s, needs to be understood with respect to the general conditions outlined above, i.e. the ideological reduction of women to the private sphere of love and family, heterosexuality and physical attractiveness, and the incompatibility of the feminine – hegemonic or not - with the public sphere of politics. The slogan drew attention to these ideological reductions and challenged their depoliticised, matter-of-fact standing, thus exposing their role within gender politics and patriarchal setups. The personal – or the private sphere – thus became the starting point for the development of feminist knowledge and feminist movements, and consciousness raising became the social technique of arriving at this knowledge through tracing common patterns in individual life histories.

While U.S. feminists generally did not encounter state censorship when trying to address these matters in public, they encountered strong resistance from mass media gatekeepers. This resistance for instance took the shape of ridicule, as in the infamous depiction of feminists as bra-burners, and it also took the shape of 'black outs' (Morris, 1973; Krause, 1977).

Consequently, feminists from the late 1960s onwards often produced their own printed materials and founded 'autonomous' magazines and publishing houses (on *Ms. Magazine*, see Farrell, 1998). Thus it appears that the economic, administrative and architectural constraints in the sphere of print proved to be the easiest to overcome, as for instance compared to those in the spheres of radio and television broadcasting or film. At the same time, it needs to be remarked that feminist analyses the world over have continued to be marginalised in the hegemonic publics and thus in societies at large. In Mojab's words (2001-2002):

“Although we may find much gender-based subtlety in the techniques of limiting women's access to information, I believe that the subtlest censorship is denying feminist knowledge a visible role in the exercise of power. The state, Western and non-Western, rules through privileging androcentric knowledge as the basis for governance. [...] While the concept 'gender-based censorship' is useful, it should be broadened to include 'censorship of feminist knowledge'.”

### iii. *Sexuality and the public sphere*

Arguably, one of the clearest points of convergence of gender-based censorship and the censorship of feminist knowledge has happened with regard to the private realm of interpersonal relationships, which has formed a prime area of contestation of the gender order and, by extension, the national order. Yet it can be noted that in different nations, there are different trajectories attesting to the challenges that women have directed at the social, political, economic and media systems, with different responses from social actors, the state, the market and the media.

For instance, in several Asian countries, there is evidence that women have increasingly spoken out about the gender politics they have experienced in their families and relationships. Focussing on China in the 1990s, McDougall (2005) thus traces how women have increasingly divulged private and sexual matters in radio talk shows and in books, either journalistically or in fiction. Her article illustrates how these interventions may be framed to either challenge the established order or to become recuperated within it. To the extent that women have utilised mainstream media and gained a mass audience, their testimonies may have functioned as powerful political interventions, for instance by drawing attention to rape and domestic violence as pervasive social problems and by hence creating feminist knowledge. Conversely, their stories may have been framed to only titillate by talking about transgressive male behaviour.

Similarly, the status of narrations of personal sexuality may be ambivalent: On the one hand, accounts like these could be consumed voyeuristically, and their female authors may be

dismissed as amoral or greedy for attention or revenue. On the other hand, accounts like these may retain the political dimension of women insisting to speak about matters over which they have traditionally been silenced by social norms or state censorship. In the process, these women may gain personal relief through self-expression, and they may successfully challenge received notions of what women's sexuality and women's speech are about.

In a nutshell, creating publics for the discussion of women's sexuality and women's intimate relationships potentially draws attention to the core of the social order of nations and throws up fault lines of public morality, marketing strategies, and personal self-realisation. Bose (2007: 22) argues that a class-based analysis is imperative to understand the precise conditions faced by South Asian women writers in this context:

“What does bind them [South Asian women writers] and set them apart from the rest of the world are perhaps characteristics of the contemporary civil society that they inhabit in South Asia, particularly in the ways it is gendered. Notions of ‘civility’ are intricately bound up with notions of ‘gentility’ in South Asia, being historically determined by class. The educated middle and upper classes – to which women writers belong – proscribe codes of conduct for women that adhere to specific ideas about ‘genteel’ behaviour. An area of special severity is (female) sexuality; a ‘genteel’ woman in South Asian civil society is ideally desexualised in the public perception. All women writers, therefore, whether consciously self-censoring or defiantly ‘provocative’ (read ‘sexy,’ in thought, word, or deed), live constantly under this mammoth shadow of civil society. What sets them apart from each other is how each is coded into this society, how each is policed, and by whom, what then distinguishes one from the other is how each responds, resists, or retaliates against the imposition of a set of normative codes.”

Women critically engaging with their private experiences in public have not only succeeded in drawing attention to the political nature of the construction of women's private lives. The reactions to their interventions have also thrown into stark relief the symbolic link between women and nation. This link has often been activated by social and state censors claiming that the women, in speaking up in such a critical way, betray the nation. It is to this nexus of women and nation that we therefore need to turn next.

#### *E) Women and nation*

From a feminist and postcolonial studies perspective, there is nothing 'natural' or self-evident about nation states<sup>7</sup>. Since a nation has traditionally been defined by a sovereign government ruling over the permanent population living within its demarcated territory, it follows that the main function of a nation is to organise people and boundaries.

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<sup>7</sup> The academic discipline of Postcolonial Studies has most consistently and fruitfully contributed to this research field (see, as one of its founders, Bhaba, 1994).

Thus a nation is not only invested in creating and maintaining its physical borders but also has a high stake in moulding or policing procreative (hetero-) sexuality and women's reproductive choices, which are to be exercised within their borders in specific ways<sup>8</sup>. Most crucially, nations have been characterised by internal social hierarchies built on forms of social stratification such as race, class, caste, tribe, creed and / or living location, and insofar as these hierarchies have constituted stable organising principles of a nation, (potentially) procreative sexuality has needed to be policed along these tenuous internal borders. For this to work, gender and sexuality have needed to be imagined as differentiated by these markers, so that in-group identification and desire could be fostered among racially/class/creed-marked men and women.

In-group identification goes hand in hand with stereotypes circulating about others' forms of femininity, masculinity and sexuality in each group, for instance those held between different classes. These mechanisms of group formation by uniting and othering not only work with respect to people who broadly conform to the gender and sexuality expectations directed at them. Even people who do not conform to normative gender and sexual identities do not necessarily find common ground if they are placed differently on the socio-economic scale. For instance, the low socio-economic status of many Nepalese Metis (biological males who see themselves as feminine and third genders) sets them apart from more well-to-do gays or bisexuals (Pant, 2008: 5). Or, as Oishik Sircar (2008: 13-14) explains with respect to India:

“The so-called ‘indigenous’ Indian sexualities of *Kothis*, *Panthis* and *Hijras*, among others, face an existential disadvantage in comparison to the contemporarily articulated identities of Lesbian, Gay, Bisexual, Transgender (LGBT). [...] Further, the disadvantage faced by *Hijras* seems more connected to their class status than sexuality, or rather because of the coming together of both.”

While gender and sexuality-related stereotypes and identities generally serve to keep the fractions apart, they inevitably breed transgressive and hence illicit desires. Nations have different ways of dealing with these desires. In Western patriarchal nations, for instance, there has existed a tendency to organise the sexual exploitation of women, and, to a lesser extent, also of men, from inferiorised fractions by men from superiorised fractions, e.g. in some contexts of prostitution and pornography, in the history of colonialism and in sex tourism. Mail-order brides and other forms of marriage migration in this setup can be considered an

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8 Particularly since the 19th century, states have concerned themselves with population planning, contraceptives, abortions, sterilisations, hygiene, different forms of procreative and non-procreative sexuality and family models. These preoccupations originated in western nations and have been spread by them around the globe on trajectories of colonisation and, later, development cooperation (on occurrences in the west, see Foucault, 1990: esp. 117-120).

exception insofar as the brides, in contrast to other groups of sexually exploited people from inferiorised social positions, actually come to partake of the social status of their spouses and contribute to a transgression of social and racist lines within a nation<sup>9</sup>. Also, as Tesa de Vela (2007) points out, in contexts that allow same-sex marriages, these may additionally undermine heteronormative assumptions.

Nations of course have not only had to safeguard a system of internal social stratification, but they have obviously also needed to foster an overarching, national collective identity, or, in Anderson's (1983) influential terminology, an 'imagined community'. Historically, this imagined community often took shape in relation to a nation imagined as female, evoking the hegemonic ideals of femininity favoured by the ruling classes. In Western democracies, the bourgeoisie or middle classes have historically been most invested in establishing their preferred forms of femininity and masculinity as hegemonic, just as they, in Hunt's words, "came more and more to equate themselves with 'the nation'" (1999: 427). A compatible account of the creation of nationalism is given by Inderpal Grewal and Caren Kaplan (2000: para. 6):

"As feminist scholars, we see nationalism as a process in which new patriarchal elites gain the power to produce the generic 'we' of the nation. The homogenising project of nationalism draws upon female bodies as the symbol of the nation to generate discourses of rape, motherhood, sexual purity, and heteronormativity."

Postcolonial nation states, for our purposes, potentially differ from Northern nation states in several important respects: To begin with, the realities of colonisation that they had to overcome altered the kinds of social fractions that exist and also the way traditional fractions relate to each other hierarchically. Most centrally, this of course revolved around the introduction of the social fraction of the colonisers themselves, but may in addition have involved imported groups from other countries. By extension, the colonisers altered the makeup of the colonised country by forming allegiances with specific elites and by downgrading other social fractions for various purposes. All of these developments are likely to have created huge tensions in the social fabric (see McClintock, 1995), so that postcolonial states may experience particular problems in creating new social orders and maintaining them. In addition, Farida Shaheed (2011: 4) draws attention to the fact that in many postcolonial nations, "the State never fully replaced self-governance structures pre-dating independence". Thus it needs to be kept in mind that 'nation' and 'state' do not necessarily coincide in these

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<sup>9</sup> No comparable organisation of sexual exploitation directed upwards in the social hierarchy exists, of course, which makes it clear that sexual exploitations require that the targets be made systematically and structurally vulnerable. On different facets of marriage migration in Asia, see *Women in Action 3* (2007).

cases.

Further, it needs to be considered that the ideological relationship between postcolonial nation states and their citizens may be quite intense owing to the fact that in many cases, people had to actively fight against colonisation and for national independence in the recent past. While Northern citizens meanwhile just 'inherited' their nation states from previous generations, many Eastern and Southern citizens were thus actively involved in creating their nation states. From a gender perspective, it needs to be stressed that women have traditionally been very active in liberation struggles (see, e.g. Antrobus, 2004: 23), and that the subsequent (re-)marginalisation that many have suffered by their newly won nation states has been brought about by active and thus often highly visible acts of discrimination and social gender reengineering.

If nations are thus steeped in gender symbolism and moreover have a central stake, or even their *raison d'être*, in orchestrating forms of masculinity, femininity, sexuality, procreation and violence to create their borders and perpetuate or reorder their internal hierarchies, censorship can fruitfully be understood as one tool in the arsenal of nation states serving these ends. If nations are 'run' by their dominant class fractions, the question then becomes who exactly shapes or contests the gender-relevant censorship regimes, at what times and to what purpose. Investigations into 'morality' wars have elucidated such matters.

*F) Censorship citing morality as a tool for negotiating hierarchies*

Attempts at policing the hierarchised and heterosexualised gender order of masculinities and femininities through censorship have been more or less important at different points in time, in different nations, and to different social fractions. The analytical task then is to investigate the whole sociopolitical apparatus of censorship at a sufficient level of detail to understand each specific trajectory.

For instance, in Hunt's U.S.-based comparison of the anti-obscenity movement of the 1870s and the 'purity wars' over pornography in the 1980s, it is instructive to see that he is not satisfied with authors whose explanations only take note of the middle class as a unified agent. Rather, Hunt argues that within the class argument, attention needs to be paid to specific fractions, for instance the petty bourgeoisie of self-employed people, the professionals and the bureaucrats, as these may differ in terms of their stance towards regulation and their preferred targets of regulation. Furthermore, he argues that the precise "alliances between different categories of agents" (1999: 422) need to be traced, of course in

conjunction to the specific target around which they form and which they moralise.

Last but by no means least, Hunt submits that “the central character of moral politics” lies in the blend of class and gender positions, according to which women and men voice concerns about femininities, feminine sexualities, masculinities and masculine sexualities that are distinctly structured by their places in the class and gender hierarchies. The moralising of certain targets at specific points in time and attempts to regulate them then need to be understood as responses to shifts within these class and gender hierarchies that bring about specific stakes for moralising and regulation. It also needs to be noted that censorship, just as any prohibition, creates curiosity about what gets prohibited and inevitably creates desires to transgress, which similarly need to be taken into account.

Bringing such a finely-grained analytical approach back to the level of the state then requires an investigation into when, where and why such developments gain political salience and results with specific decision makers. In Cynthia Enloe’s words (2004: 171):

“Always ask the question: under what conditions do state officials invest state resources in order to manipulate masculinity and femininity?’ The necessary corollary question then to be asked is: ‘When do state officials try to manipulate women as people?’”<sup>10</sup>

Having explored the gendered and sexualised as well as moralised order of nations and their mass-mediated public spheres, and also the whole range of agents of censorship and surveillance, we will now turn to the Information Society to investigate the shifts and continuities brought by the new information and communication technologies (ICTs) for the potential of women’s virtual citizenship.

### **3. The information society**

Social justice advocates have invested a lot of hope in the new digital media, particularly the Internet, to increase people’s information and communication opportunities and hence their possibilities of exercising citizenship rights more broadly. And in fact, there is a lot of anecdotal evidence that formerly disenfranchised groups were able to harness new ICTs to make their legitimate citizenship concerns known worldwide, and that they consequently received broad political support for their causes. However, by now, it is clearly evident that the Internet and other digital media have not systematically created more social justice around the globe. Therefore, it is important to take a closer look at how, even though ICTs may

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<sup>10</sup> While Enloe frames these questions with respect to the field of militarisation, they are equally central to other state policies such as censorship.

enable new kinds of self-expression and networking, their embeddedness in economic, national and social structures may create a counterweight to any potentially progressive use. Keeping the focus I developed so far, I will explore what kind of public sphere ICTs help create, how it potentially still excludes or marginalises the issues of patriarchy and private property, and how the struggle over self-expression and privacy takes on a new significance and urgency for women with respect to sexuality and ICTs.

*A) The Internet, digital divides and areas of censorship*

To begin with, it is imperative to understand the reach of the Internet and other digital media. While they have grown and spread in a way that has no precedent with other media, their reach – and usefulness – is still far from ubiquitous. The digital divides that have been diagnosed so far attest to the fact that social fault lines have often been augmented rather than ameliorated by ICTs, particularly the chasms created by wealth, education and language skills, and by physical location in the geopolitical order as well as within nations. Furthermore, other social divides have taken on a new saliency, for instance regarding age and technical-mindedness. All of these divides contain gender dimensions and tend to underprivilege women of each social fraction in comparison with the men in their group, for instance poor women, illiterate women and women without much formal education, rural women in developing countries and older women. Hence at this point in time, the Internet and other digital media are still noticeably biased towards privileged fractions, which does not set them apart from traditional mass media.

The access barriers have primarily been created by markets and businesses and their drives for profit maximisation, which have shaped infrastructure developments, and increasingly the hardware and software as well as content, services and business models that can be encountered in the digital world. Digital media have become a crucial tool for big business, including transnational corporations, banking establishments, and the stock exchanges, helping them to create a new worldwide economic order and division of labour. This new economic order has tended to reinforce established differences between rich and poor countries, even though a few countries have been able to significantly improve their status, for instance China, India, and Estonia.

Racial and gender discrimination in the job market in terms of occupational segregation and differentials in pay and career trajectories have continued to characterise the organisation of labour, albeit now increasingly integrated into worldwide systems of production, distribution and services. This development and its gender dimensions have become most visible with

respect to export processing zones.

While many Northern nations have promoted these developments within self-adopted neoliberal frameworks stressing deregulation and market competition, many Southern nations had these frameworks and developments pressed on them in the context of so-called poverty reduction strategies as well as development cooperation and public-private-partnerships promoted in bilateral or multilateral treaties. In the terms of the systematisation developed above, business as a non-state actor has thus been instrumental in shaping digital markets and Internet architectures, which until now have had the effect of including – in fact catering to – privileged fractions and excluding discriminated fractions. By adhering to the neoliberal doctrine, nation states have indirectly contributed to the social inequalities furthered by ICTs<sup>11</sup>.

The neoliberal approach that has dominated economic thinking in the global north during the years of the Internet's most dramatic growth has encouraged – or coerced - nation states worldwide to allow business to act without much state interference or to encourage states to smooth business's ways through laws, including censorship laws. Since the Internet plays a central role in business and for business, it is not surprising that a substantial amount of Internet censorship law revolves around business issues such as protecting consumers and fighting fraud. Similarly, intellectual property rights (IPRs) have received new definitions and laws, a new saliency and a substantial enforcement apparatus. This apparatus has included censorship of individual cases of infringement and censorship of peer-to-peer networks and platforms understood to thrive on infringements, e.g. those dedicated to exchanging music files.

Given that these developments have tended to augment existing privilege rather than distributing benefits more equally, they can most fruitfully be explored with reference to the creation of hierarchies of masculinities, which can be traced both within nations and internationally. The economic interests of transnational corporations and northern multimedia entertainment conglomerates, their managers and principal stock holders have best been served in this context, consolidating what R.W. Connell and Julian Wood (2005) have termed 'hegemonic business masculinity'.

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11 However, resistance to aspects of the neoliberal doctrine does not equal a more egalitarian approach to the Internet's development. Thus for instance, some nation states may insist on protecting their telephone monopolies by outlawing and censoring Voice-Over Internet Protocol (VOIP) services, instead of privatising their telephone services as would be dictated by neoliberalism.

Security, including censorship and surveillance, of course also constitutes a business field and provides career paths, including in ministries, the military, the police, the secret services, consultancy firms, hardware and software manufacturing, and others. It appears that security and surveillance have largely remained fields of male careers and male prestige, even though men have also very likely been the main targets. Again, this invites an exploration of how hegemonic masculinities perpetuate their status and create subordinate forms of masculinities, and also of how the corresponding female support structures required to negotiate these masculine hierarchies are constructed in each nation. Of course, concurrent with the growing importance of the Internet for many aspects of life in privileged social fractions, nation states have also begun to develop social policies for the Internet, including universal access and educational provisions. Yet, as Fitzpatrick (2000: 398-399) rightly points out, “cyberpolicies are only as good as the socio-economic policies that they accompany”.

Apart from the business-related censorship just touched upon, the issue of national security, particularly as tied to terrorism, has been used as a principal rationale for inaugurating Internet censorship and surveillance in the global north and concurrently to assert governmental sovereignty over parts of the Internet<sup>12</sup>. It needs to be remembered that preceding the terrorist attacks in the U.S.A. of September 11, 2001, terrorism as a rationale for U.S. security strategies was already voiced with reference to the bombings in Oklahoma in 1995 and at the 1996 Atlanta Olympics (Cozac, Tortell, 1998). However, it took the 9/11 incidents to trigger a new post-Cold War 'security' ordering of the globe, which has now been well under-way. As with respect to business considerations, censorship within the realm of security goes beyond the suppression of content. In addition, it has for instance concerned encryption tools for data and voice transmission. From a gender perspective, as with the business realm, political censorship can be understood as principally impacting hierarchies of masculinity.

### *B) Sexuality and censorship in the virtual realm*

Turning now to sexuality, including pornography, as another crucial area of censorship, we need to begin by reflecting on some characteristics of today's Internet in order to understand the gendered stakes better. For the past few years, the view has gained salience that the Internet has developed into a new stage, from Web 1.0 to Web 2.0. This take was for instance popularised by a *Time Magazine* cover story by Lev Grossman in 2006.

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12 As Youngs (2007) argues, people have used the Internet both to reassert national boundaries and to transcend them. Politically, many feminists have noted with much concern that nationalisms and related forms of fundamentalist and patriarchal thought seem to be on the rise in different parts of the world.

Web 1.0 in this view is largely associated with the features of a classic mass medium which the few use to disseminate their information to the many. It is also associated with static websites created by professionals. Web 2.0, in contrast, is viewed as a communications medium and platform where all users can collaborate to create and disseminate content, and where web sites can communicate and share data updates as well. Web 2.0 is strongly identified with several collective practices and well-known platforms. These include, at this point in time, the compilation of an encyclopedia in Wikipedia, media sharing via YouTube, social networking via Xing, MySpace and Facebook, the exchange of information via Twitter and blogs such as those found on Blogspot.

While the view of these two stages of the web is rightfully contested, it is nevertheless important to take note of the enthusiasm with which many private individuals around the world have started to collaborate and share via the Internet and the general interest this has generated. But it is also important to note that comparatively less interest has been invested into an examination of the various business models established by these Web 2.0 platforms, which generally operate free of charge for their social users. With traditional media from print to broadcasting, their main business model has been the delivery of their audience's attention and consumer power to advertisers. With the Internet, it is likely not only the users' attention and broad demographics, but also in-depth analyses of their digital behaviour, digital networks and data trails that are commodified, which raises important privacy concerns (Fuchs, 2011).

From the point of view of nation states and their main tasks of policing external borders and maintaining internal hierarchies with the help of circumscribed masculinities, femininities and sexualities, their citizens' sharing and collaborating across borders is potentially disruptive of the status quo because it invites comparisons and hence enables critiques. With the growth and spread of the Internet, nation states have thus increasingly attempted to reassert their sovereignty through censorship<sup>13</sup>. The areas of security and pornography have lent themselves particularly well to this reassertion because distinctly national discourses and problems exist, which still at times allow room for international collaboration, as exemplified by the international War on Terrorism and the Cybercrime Convention of the Council of Europe. In comparison, the area of business may appear more compromised because the strong coercion from the global north throws the sovereignty of southern nations into question.

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13 According to the findings of the OpenNet Initiative (ONI) and Freedom House, there is evidence that a growing number of nations have been developing Internet censorship regimes. For ONI, see Deibert et al., 2011. For Freedom House, see their collaborative study *Freedom on the Net* (2011).

Pornography, by now, has emerged as a particularly controversial and widely censored field. Comparatively early on in the U.S.A., from 1995-1996, a 'moral panic'<sup>14</sup> concerning cyberporn could be witnessed<sup>15</sup>. It culminated in the Communication Decency Act of 1996, which the Supreme Court subsequently struck down as unconstitutional with reference to freedom of speech (Panepinto, 1998). Pornography, in its traditional form as merchandise, has always been contested and at times censored, irrespective of the media that have conveyed it, from books to magazines to films. With the Internet, however, pornography as merchandise for sale is only one of the forms it takes. And even in this form, the traditional male dominance over the kinds of themes and viewpoints that are offered has been challenged by female providers of pornography, which could potentially challenge some rationales for censoring it (Butkus, 2004).

In addition to its production for sale, digital pornography has been produced by people as a means of self-expression and self-exploration. Individuals, particularly those whose sexualities have been subordinated or stigmatised – including women, non-heterosexual people, and people favouring stigmatised sexual acts - have claimed it as one way of generating self-defined images and hence counter-discourses of sorts. This complicates a dilemma that has always attended the censorship of pornography: how to define it in a way that makes its identification easy and unambiguous.

As MacRae (2003) explains, blurry definitions of pornography have often been indebted to its discussion within a moral framework, as for instance opposed to a framework of discrimination based on verifiable facts. Even with respect to such comparatively self-evident issues as the undesirability of child pornography and despite the broad discussion of this issue, people still hold widely different views on the definitions of 'child' and 'pornography' and the reasons for and potential consequences of outlawing it (Timofeeva, 2006: esp. 132-138). But if sexual displays now increasingly take interactive and collaborative forms, and if, as argued by Attwood (2007: 441) they function “as a form of recreation, self-presentation and community building” beyond an immediate cash nexus, this would likely increase the difficulties of definition and detection in several frameworks.

Observers who do not feel the need to compartmentalise pornographic from non-pornographic

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14 Recalling Hunt's argument, the term moral panic is misleading: While it may convey the emotional charge connected to a discussion, it incorrectly also suggests irrationality and hence obscures the different and very real stakes that actors in these processes have.

15 Note that this development coincided with the preoccupation with terrorism and security in the U.S.A., a connection which would also benefit from further exploration. For a discussion of developments in Europe in this regard, see MacRae, 2003.

aspects of dealing with sexuality may argue that categories per se, including categories employed for censorship, have the basic purpose of normalising male hegemonic rule (Mueller, 2009). Further, with respect to women's sexualities, Wood (2008) for instance advocates the creation of a 'feminist sex commons'. She understands this feminist sex commons as a way for women to "acquire greater control over sexual knowledge, definitions, resources and vocabulary" (2008: 486), an undertaking that was also already partially underway in different parts of the world in other media during the 1990s, as for instance discussed above with reference to female Chinese authors. Building community around the exploration of desire and the reduction of shame, for Wood, requires a fight against business control of the Internet, against the medicalisation of sexuality and against censorship.

Similar concerns have been voiced by non-heterosexual people of all genders and by gender-non-conforming people in different parts of the world. Many of them have found the Internet to offer useful platforms of self-exploration, community building, political representation and organising of various kinds. These for instance include queers in India (Mitra, Gaijala, 2008), AIDS and reproductive health activists in China, gay as well as LGBT online platforms in China and Hong Kong; and sex worker organisations in India<sup>16</sup>.

### *C) Virtual political acts and publics*

But can these interventions really be considered political, and does the Internet by extension fulfil democratic functions? Arguably, challenging the privatisation of sexuality on which the hegemonic construction of the public hinges, and thus destabilising the public/private border, constitutes a political endeavour and one in which the Internet's propensity of blurring the boundaries between the public and the private can be utilised to good advantage. But how about the second 'blind spot' of the public: private property? Here, it needs to be stressed that generally, the commercial setup that allows Web 2.0 users to generate content 'free of charge' is seldom considered, let alone critiqued or challenged. In fact, the more content, including sexualised content, is shared uncritically via these platforms, the more their commercial success is furthered.

The central question then becomes whether such sexualised online content can be understood as an alternative public sphere or just the ideologically marginalised product of some

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16 See, for instance, the following resources, which several CITIGEN members were kind enough to bring to my attention: the entries on Wan Yanhai and Chen Guangcheng in Wikipedia; the online platform for gays in Guangzhou (<http://www.gztz.org/>); the online gay radio in Hong Kong (<http://gayradio.hk/newnc/index.php>) and the LGBT online TV in Hong Kong (<http://leslovestudy.com/tv/>); the websites of the Indian organisations of sex workers Sampada Gramin Mahila Sanstha (<http://www.sangram.org/>) and Durbar Mahila Samanwaya Committee (<http://www.durbar.org/>).

individuals who unwittingly bolster private businesses with it. Beyond the digital divides discussed above, which need to be remembered in this context, there is evidence that the Internet content that really influences public debates gets more and more concentrated on few news sites (Flichy, 2008). This is due to mechanisms intrinsically applied in cyberspace and to mechanisms extrinsic to cyberspace: Intrinsically, the algorithms of search engines and their dependence on hyperlinks were found to create a 'Googlearchy', in which a comparatively small number of websites become more and more visible (Hindman, Tsióutsioulíkis, Johnson, 2003). Extrinsically, attention has been drawn to the fact that the traditional mass media still play a vital role in setting the public agenda, and that they now do so by treating a select number of blogs and other online information as important news providers and by amplifying these through their respective channels (Flichy, 2008).

Besides the issue of the nature and amplification of online information, there is the question to consider of whether online behaviour constitutes a particular kind of political behaviour. It has for instance been argued that instead of debating and exchanging, people use their mobility, their instant ability to either stay or move to another website, as a means to exert their sovereignty in a manner that models citizen sovereignty on consumer sovereignty (Flichy, 2008). This would mean that consumer modes that are digitally enabled have an impact on the definition and execution of political acts.

However, many authors have forcefully argued for a more contextualised approach, pointing to the importance of looking at offline contexts to understand the nature and significance of online political behaviour. Thus Etling, Faris and Palfrey (2010) argue that the stance on freedom of association taken by different political regimes plays an important role in the kinds of online political behaviour that are pursued by citizens. Where freedom of association is denied, citizens are not only severely hampered in building durable organisational structures but also in creating comprehensive analyses and long-term goals. In these contexts, ICTs are most likely used to facilitate spontaneous mobs and episodic popular protests. This form of usage may be successful, but the people who depend on it are quite vulnerable to manipulation through misinformation.

Where social movements can build because freedom of association is not entirely denied, these tend to act symbolically, cumulatively and indirectly based on the ideologies and goals that they develop over time. Correspondingly, social movements use ICTs in a wide variety of ways to facilitate their tasks (Etling, Faris, Palfrey, 2010). There is some evidence that the less traditional organising there is, the more network-like the ICT use may be, which is seen as the

Attac model of decentralised exchange (Flichy, 2008). Yet social movements are generally not lasting, but either transform into permanent structures such as civil society organisations and political parties or perish. For the more long-lasting and established forms of political organising, ICTs may be used like traditional mass media or in innovative ways. Thus, it is important to understand that the Internet as medium does not create one specific political use value or behaviour.

This is true in all fields, including the one of sexuality. Nevertheless, Web 2.0 can be seen to represent a unique stage in people's efforts to make sense of and promote their sexualities in collaborative terms, which leads to the production and merging of such disparate content as pornography, information about gay and lesbian issues, and information about sex education. From the point of view of nation states concerned with supervising and shaping their citizens' sexualities, all of these discourses on sexuality, potentially developed beyond clear social and geopolitical boundaries, are potentially subversive in that they may call into question the definition of distinct social fractions based on forms of masculinity, femininity and sexuality, which has served as the principal mechanism of maintaining these fractions and ordering them hierarchically, as laid out above. Internationally, interventions may even challenge the equation of women with their nation or go still further, as in the case of the web site SiamWEB.org (Enteen, 2005), and challenge the governmentally sanctioned exploitation of the sexuality of large groups of women by foreigners in Thailand.

Interventions like these, focussing squarely on gender and sexuality, clash with many people's deeply held beliefs and convictions. Consequently, these and other forms of sexual content have been contested, albeit in different ways, with different rationales and stakes attached, by men and women from distinct fractions within specific nations. Research here needs to elucidate these variables further. Contestations have taken different forms, from calls to state censorship and private censorship initiatives, for instance by Internet services providers (ISPs), to sexual harassment as a gendered form of violence directed at female and/or non-gender-conforming content producers. Since these forms of sexual harassment increasingly seem to take the form of digitally mediated invasions of privacy, it is instructive to look at privacy – and surveillance – in a little more detail.

#### *D) Privacy and surveillance*

Privacy can be loosely defined as a boundary between an individual and others. A right to privacy then means that the person may control this boundary, most notably through the regulation of social interaction and through information management. The person may thus

seek to manage the distance between self and others, either in terms of her/his physical accessibility or in terms of the disclosure of information about herself/himself (Tang, Dong, 2006). Privacy concerns may further be conceptualised to vary with respect to different dimensions. For instance, Alan F. Westin (1970) differentiates solitude, intimacy, anonymity and reserve thus: Solitude means that an individual may be alone and unobserved; intimacy means that the individual may establish close relations with selected others, anonymity means that the individual may remain unidentified in public, and reserve means that the individual may safeguard personal information and psychological barriers (see also Tang, Dong, 2006).

Given this multi-faceted nature of privacy, invasions of privacy may take different forms, from the physical violation of an individual's personal space or even their body to the unauthorised spreading of private information. It also needs to be remembered that surveillance is not necessarily practiced with harmful intentions. For instance, consider the difference between state surveillance of feminists, the surveillance of children by an adult family member, and the predictive surveillance of potential customers practiced by private companies<sup>17</sup>. These examples invoke some of the agents of surveillance schematised above, but they are not intended to suggest that micro surveillance practiced at the family level is necessarily more benign than macro surveillance as for instance practiced at the level of the state.

Of course, nations vary with respect to the patterns and forms of privacy that have historically been established - and contested - within them. Yet there is ample evidence that all nations have always recognised some forms of privacy, setting to rest the old argument that Asian countries would not relate to such concepts based on individual as opposed to collective status and entitlements. Patterns in the granting of privacy rights, in being formally or informally entitled to them and enabled to enforce them, most centrally arise in relation to age, gender and socio-economic status. We already discussed women's comparative lack of entitlement in this respect, tied as it is to any patriarchal nation's investment in monitoring women's (procreative heterosexual) sexualities. In addition, people at the top of the socio-economic pyramid have often been more able to enforce their own privacy through various means, even though it is also true that people in the public eye have had their privacy rights challenged a lot.

The new digital ICTs and their capabilities and applications to generate, store, retrieve and

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<sup>17</sup> On this theme, see the special issue of *Surveillance & Society* 8 (3) 2011, especially Pridmore and Zwick's editorial.

cross-match data related to individuals has turned surveillance and privacy into crucial political issues and academic concerns in many parts of the world. It has for instance also led to the foundation of the scholarly publication *Surveillance & Society* in 2002.

In academia, many theorists take as their starting point Michel Foucault's thoughts on the panopticon. The panopticon is a concept for a prison developed by the philosopher Jeremy Bentham in 1785. Its distinguishing feature is that the prisoners, on account of the architecture of the prison, would not be able to tell whether they were being monitored at any particular point in time. Bentham presumed that on account of this architecture, the prisoners would behave as if they were being watched at all times. Foucault took this idea up in his seminal work *Discipline and Punish* (1975) and developed it into his concept of modern 'disciplinary' societies, in which all manner of institutions, from hospitals to churches, make productive the mechanism at the heart of Bentham's model. Discipline's major function thus becomes to lead individuals to internalise their observation as a way to 'normalise' them and make them conform to what they think is expected of them. In this way, power does not repress but works productively, as Foucault stresses throughout his work.

Theorists of ICT-related surveillance have been drawn to the model of the panopticon and have tried to capture the distinct qualities introduced by ICTs with the help of neologisms. Among those most widely received has been Mark Poster's concept of the superpanopticon, which he associates with databases (1990, 1996). Other authors have contributed terms such as post-panopticon, synopticon and non-opticon as well as lateral-surveillance, counter-surveillance, sousveillance, equivalence, dataveillance and netaveillance (Zimmer, 2008). Since these terms often refer to different kinds of data left by an individual, and to different forms of use of these data by others, it makes sense to start out by distinguishing these kinds and forms: At the peer level, data traces can be monitored by others in a network without a specific purpose (social surveillance). Or data traces can be monitored by others in a network so they can modify their own behaviour. On the individual level, this could be a kind of social navigation, while on the collective level, it could lead to collaborative action such as swarming. Some commentators stress that this form of surveillance is mutual or reciprocal and thus talk about 'lateral surveillance', 'peer-to-peer monitoring' or 'participatory surveillance' (Andrejevic, 2005).

Beyond the peer level, data traces can be logged, cross-matched or aggregated, either to increase the information on the user who left the data traces or to find system patterns among users (semantic navigation). This form of surveillance is generally associated with economic

entities such as the providers of Web 2.0 platforms and governmental agencies concerned with national security issues. Generally, it is at this level that concern about surveillance is voiced, and it is at this level that the ability of ICTs to log and compute seems to introduce new data protection issues, which states often deal with in a piecemeal fashion. But more pervasively, the overall setup that allows private entities to create and run public platforms or public spheres is mostly left unchallenged. Compared to the publics created by commercial mass media in Western nations, public service notions are conspicuously absent with respect to Web 2.0. In addition, there is the crucial qualitative difference that Web 2.0 even monetises human relationships and webs, in addition to the aggregated demographic variables that have also been sold by mass media to advertisers.

*i. Surveillance and privacy invasions as forms of violence against women*

Women and men are differently positioned from the outset with respect to surveillance, and potentially experience it differently. Comparable to the area of censorship, as argued above, many women have likely experienced social surveillance throughout their lives and may have additionally somewhat internalised their being-looked-at-ness. The social control that has been exerted over them in the offline world also finds expressions in the virtual world. Most centrally for the present context, there is a lot of evidence for cyber-stalking and for the fact that men secretly or openly digitally record women's sexual activities in the real world. One motive may be that these men use the recordings as blackmail, to force the women to act in a certain way if they want to prevent the record's publication. Another motive may be that these men seek to distribute the recordings digitally, be it via Multimedia Messaging Service or Internet platforms, in order to shame the women or damage their reputation and thereby punish them socially. This has been happening to famous and non-famous women and girls alike.

Considered in conjunction with practices such as online sexual harassment and cyberstalking directed at women, such practices clearly show that ICTs have by now created a new area or sphere in which Violence Against Women (VAW) is being perpetrated. To investigate this phenomenon and encourage girls and women to fight back and to (re-)claim technology, the Take Back the Tech! campaign was started by the Women's Networking Support Programme of the Association for Progressive Communications (APC WNSP) in 2006. In 2011, an online platform was launched (<https://www.apc.org/ushahidi/>) to enable a mapping of these cases of digital technology-related VAW to understand its pervasiveness. Five types of violence are distinguished: technology contributing to a culture of violence against women, online

harassment and cyberstalking, intimate partner violence involving technology use, rape and sexual assault involving technology use, and online violence targeting communities because of their gender or sexual identity and political views.

As for the concrete acts of violence involving digital technology, the following can be reported on the web site:

- Accessing private data without consent, e.g. by hacking into a woman's account, stealing her password or using her computer to access her accounts while it is logged in;
- Taking a woman's photo/video without her consent;
- Monitoring and tracking her online or offline activities and movement;
- Deleting, changing or faking her personal data, photos or videos;
- Harassing a woman, e.g. through messages, contact, or publishing information;
- Sending threatening messages or blackmailing a woman with threats of publishing personal photographs online etc.;
- Stealing her identity, money or property, e.g. by creating a fake account or using a woman's passwords;
- Sharing private information such as videos, photos and emails, without the woman's knowledge or consent.

Protection and redress for female victims in cases of digitally perpetrated violence against women is often not adequately provided. Countries without useful privacy laws may pose particular problems in these respects. The following example from Malaysia can illustrate the gender politics engaged in by a state in such a context quite well, and it shows that the appearance of the state aiding female victims may be deceiving when looked at in a broader context of women's rights and communication rights. In 2009, private photographs of a popular female public official from the opposition party were posted online as a tactic to shame or discredit her (Peng *et al.*, 2009). At that point, women's organisations and others had been lobbying for a sexual harassment bill and a data protection act for years. The government, however, used the incident to promote very contentious provisions of the Malaysia Multimedia and Communications Act (MCMA section 233). These provisions outlawed obscenity and harassment in a very weakly defined manner and had allegedly

previously been used by the government to intimidate and punish citizens critical of the monarchy. The government thus employed a paternalistic framework of sexuality – protecting women from privacy invasions – to legitimise Internet regulation and censorship that went much beyond the issue in hand (case elaborated in Jensen *et al.*, 2011).

Such a trend is visible in many countries of the world and is often also couched in a rhetoric of child protection against (child) pornography. To explore if there are hidden agendas that have given rise to this trend, it needs to be checked if there are additional programmes and legislation that systematically seek to strengthen the groups supposedly to be protected, and if the root causes that have led to their vulnerability have been seriously pursued and tackled or not.

#### **4. Concluding thoughts**

The concept of citizenship is normatively tied to that of personal autonomy, including the freedom to express oneself freely and anonymously in public debate. Public debates require a public sphere, and it is in this respect that the new ICTs fundamentally impact citizenship as a gendered construct.

In contrast to ideals about the communication rights of citizens, many people have always experienced comprehensive forms of censorship and surveillance, exerted not only by state agents but also by a whole range of other actors and with varying intentions. Such experiences of censorship and surveillance need to be understood as distinctly gendered experiences, and women in particular have been made structurally vulnerable to them. This has counteracted many women's citizenship rights to freedom of expression and privacy at all levels, from the micro level of the home to the meso level of communities and institutions to the macro level of national and international political institutions.

The introduction and spread of ICTs has altered and augmented the kinds of public exchanges and political organising that citizens may engage in. So far, ICTs have erased some censorship blocks for some groups of people, but they have simultaneously erected other censorship blocks. More pervasively, they have spread neo-liberal business logics and models of revenue generation that erode privacy and potentially redefine political debate in terms of commercial models of online behaviour. This is a context that feminists need to unravel further and engage with politically.

At the level of the nation state, meanwhile, there is evidence that a growing number of states

are becoming more and more involved in building ICT-based censorship and surveillance architectures and in attempting to control cyberspace. Ideologies of gender, sexuality and morality are oftentimes employed in these contexts, and feminists also need to engage promptly with these kinds of Internet regulation and with the social policies that form their undercurrents or flip-sides.

The thematic field of sexuality can be considered a prime area in which the struggle over gendered forms of self-determination, self-expression and control has unfolded in the public sphere. Sexuality is at the root of the gender system and simultaneously at the root of any other system of social stratification, which explains the stakes that every-body and every institution up to and including the nation-state have in its normative elaboration, its policing or modification. Historically and ideologically, the allocation of sexuality to the private sphere and the structural exclusion of women from the public sphere have combined to give women's public talk about sexuality the status of a potentially volatile and destabilising political act: It may expose gender hierarchies, misogyny and sexual violence, heteronormativity and ideologies of race, class and the nation and can enable the articulation of alternative forms of desire and politics based thereon.

However, feminist interventions into the public discourse of sexuality also run the risk of reinforcing the status quo or being recuperated by third parties for this purpose. They often buttress the association of women with sexuality and can easily be twisted to cater to the voyeurism of third parties. They are compatible with the increasing sexualisation of everyday life which is spearheaded by the advertising industries to constantly create sexualised desires and which is also exploited and profited from by many Web 2.0 platforms. And finally, such interventions may be compromised or marginalised by scandals based on breaches of women's privacy, which appear to have become so endemic that they need to be conceived of as a new area of violence against women.

If unchecked, a repressive patriarchal order may hence develop or be furthered in nations on the basis of widespread sexualised privacy invasions perpetrated against women, even while women's freedom of expression may theoretically be enhanced by the opportunities offered by ICTs. Thus women's enjoyment of their citizenship status hinges on strong initiatives to further both their communication rights and their privacy rights in all public spheres, be they digitally mediated or not, and to protect these rights against all agents that potentially infringe on them, be it private individuals, companies or governments.

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