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RESEARCH ARTICLE

GOVERNMENT LAWS AND LEGAL BARRIERS FOR E-COMMERCE IN THE MODERN CROSS-CULTURAL WORKPLACE

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A B S T R A C T

Disruptive technologies such as the existence of social media and various apps are prevalent characteristics of the 21st century's cross-cultural workplace. The impact of ubiquitous and disorderly technologies has been most noticeable in the area of e-commerce. In this paper, which is based on a review of literature and existing laws, we examine aspects of e-commerce with a focus on governmental and legal impediments to modern technology adoption in the United States, Germany, China, France, and others around the globe. As technology use becomes more widespread among consumers around the globe, so does the number of rules and policies that governments impose on businesses to protect local citizens and entrepreneurs.

We believe that conventional legal barriers such as licensing will eventually be modified to provide growth opportunities without sacrificing the private rights of citizens or the sovereignty and competitive advantage of a nation. At the meantime, governmental censorship of social media sites is likely to continue on some jurisdictions to ensure governmental control or to offer advantages to local providers. Overall, the existing laws of various countries are discussed and recommendations are provided.

INTRODUCTION

Electronic commerce (e-commerce) is a term used for businesses and commercial transactions that require the transfer of information using modern technologies across the internet. Of course, e-commerce is now made much easier as it often takes place across cultures using various apps, websites and social media. So e-commerce covers a range of different types of businesses, from consumer based retail sites, through auction or music sites, to business exchanges of trading goods and services between consumers, firms, suppliers, and corporations nationally, regionally or internationally across the globe. E-commerce allows consumers and firms to electronically exchange goods and services with little to no barriers of time or distance. However, we know that electronic commerce has expanded rapidly over the past ten years and many governments are creating new rules and policies to protect their local entrepreneurs and consumers as well as the rights of all citizens (Ahern, 2017). Overall, the rapid growth of e-commerce is expected to continue growing steadily and even accelerate with the wide-spread use of mobile phones. We can now see that the boundaries between "traditional" and "electronic commerce" business has become blurred, as more and more firms make their products and services available through the Internet.

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The new modern and competitive environment of business necessitates the use of new legal rules (Cavico and Mujtaba, 2014) and globally acceptable management skills using modern technologies with colleagues and employees over the internet (Mujtaba, 2014).

Experts agree that online shopping has become increasingly popular because of the speed of technology and its ease of use by customers through their mobile devices (E-Commerce, 2015). So it is critically important for modern researchers and practitioners alike to closely examine and explore the legal aspects of contemporary e-commerce prior to doing business across cultures. It is also important to make sure everyone both locally and internationally knows the rules and policies of the nation where they are doing business so they can avoid illegal and unethical behaviors (Ngo, Fisher and Mujtaba, 2014). It is well-known that better roads, modern technologies and e-commerce have all enabled massive disruptions in traditional business spheres such as traveling, publishing, and transportation (Ping, Mujtaba, and Xue, 2014). However, new e-commerce business models often face hurdles in the form of government opposition and ad hoc rules. Such opposition may spring from a desire to suppress dissent (for example, Facebook in China has not been very successful due to various political barriers and laws) or to placate existing stakeholders (such as Uber and taxi drivers in Germany or Airbnb and the hotel lobby in New York City).

As part of the literature review process, we initially discuss some of the differences in rules and regulations across cultures pertaining to information technology, privacy, and confidentiality to demonstrate the complex nature of doing business in different countries. Then, we begin focusing on the recent barriers related to e-commerce and social media. As such, the first part of this discussion asks why some countries block social media. The second part of the paper focusses on social media censorship in China and explores how some U.S. based social media firms face obstacles when dealing with Chinese officials. By contrast, Chinese-based social media firms have flourished; this is the focus of the third part of the paper. The fourth part of the paper looks at the experience of Uber in Germany. The concluding part of the paper seeks to isolate some key learnings from our review.

Rules and Regulations across Cultures

Managers and entrepreneurs dealing with e-commerce and traditional business alike must aware of different rules and policies across cultures (Cavico and Mujtaba, 2014). For example, in the Netherlands and Spain, covenants not to compete in employment contracts are valid and enforceable under certain circumstances. In the Netherlands, based on 2004 legislation by the Dutch Parliament, a provision that reasonable compensation will be paid by the employer if the employer wants to hold the employee to the non-compete clause upon termination of the employment agreement. Similarly, in Spain, non-competition clauses in employment contracts are valid and enforceable only if adequate compensation is paid to the employee upon termination of the employment relationship, but Spain also requires that the employer has an effective commercial or industrial interest in preventing the employee from competing, and in addition the agreement must be limited in time. Moreover, the Spanish Supreme Court ruled that an "opt-out" clause in an employment contract, whereby an employer can waive the non-competition obligation to pay compensation to the employee merely by giving prior notice, is null and void. In the U.S., although there are comparable requirements for a valid covenant in an employment contract, the payment of any consideration to the restricted former employee is definitely not one.

Internet monitoring in the United Kingdom is extensively regulated by several statutes (Rustad and Paulson, 2005). British employers' electronic surveillance of their employees Internet usage and email also must comply with the United Kingdom's implementation of the European Union Directive on Data Protection. The major statute in the U.K. is the Data Protection Act (DPA) of 1998. The DPA requires that the "data controller," that is, the one processing the information, typically the employer, notify the employees about the monitoring system as well as protect the data according to certain data protection standards. There is one exception in the DPA, though, and that is where the electronic monitoring is permissible without notification when it is done for the purpose of preventing a specific crime. The DPA, moreover, requires that the monitoring be not only lawful, but also, most interesting, fair to employees, and that personally identifiable data be protected. Furthermore, the monitoring program must be reasonably related to achieving a legitimate business purpose and must respect the privacy of individuals. Another important statute in the U.K. is the Regulation of Investigatory Powers (RIP) Act which makes it a criminal offense to intentionally intercept, without authorization, any communication in the course of transmission. The RIP Act, however, does allow employers to intercept email and monitor Internet access so long as both senders and recipients consent. The Lawful Business Practice Regulations (LBPR) also provides additional exceptions to the RIP Act. The LBPR authorizes interception of electronic communications without the employees' express consent in five situations: 1) to determine the existence of facts, to establish compliance with regulatory and self-regulatory practices or procedures, such as quality control and training processes; 2) to prevent or detect crimes; 3) to detect or investigate unauthorized use of electronic communications systems; 4) to secure or maintain effective system operation; and 5) to determine whether or not the communications are business communications. The monitoring of company employees must be limited to their use of the company's computer system within the scope of the employees' work duties.

In 2002, the Russian legislature amended that country's 1992 Trademark Law, and, thereby made substantive changes for the protection of domain names (Meyers, 2005-2006). Pursuant to the 2002 amendment, the commercial use of a trademark or a confusingly similar sign on the territory of the Russian Federation with respect for goods for which the trademark has been registered or similar goods will be regarded as an infringement of the rights of the holder of the mark, and thus an illegal use of the trademark. Moreover, this prohibition applies to the use of trademarks or confusingly similar signs on the Internet, including domain names. The amended statute also provides that a trademark will be protected not only on the basis of its registration, but also if the mark is protected by an international treaty, or the mark can be recognized as a well-known trademark as a result of its intensive use to the extent that it is widely known in the Russian Federation among consumers with respect to goods of the holder of the mark. The amended statute is significant because it provides legal protection to trademarks that are well known, though not necessarily registered in Russia. Of course, the amended statute will not help a company whose trademark is well known in the West, but not well known in Russia. In such a case, the company will have to do business there to obtain recognition, or, of course, formally register its trademark in Russia.

Argentina, in 2001, amended its civil code to legalize electronic contracts and signatures, and to reflect the increasing use of electronic contracts and signatures in that country and to "stabilize" its contract law. The Argentine law is called the Digital Signature Law (DSL) and it established uniform legal recognition of electronic documents and signatures. The DSL most significantly recognized the legal validity if documents constructed and signed electronically. Moreover, DSL established a rebuttable presumption of validity concerning the identity of parties who sign contracts with "digital" signatures, but not for "electronic" signatures. In essence, in Argentina, a digital signature is an electronic one which the user thereof has a valid digital certificate at the time of formation which was issued by an authorized certification agent, who also must verify the signature contained in the electronic document.

In Japan, as diametrically opposed to the U.S., the failure of a director of a corporation to disclose important information that would affect the price of stock is not a criminal or civil wrong. Fraudulently concealing information, however, is an offense. Moreover, and even more significant, the issue as to whether a director in Japan has a duty to inform the other party about inside information when trading in his or her own company's stocks generally has been met with a "negative answer". Unless there is a case of "clear-cut fraud," a director will not be obligated to make redress to a party because the director failed to disclose certain inside information about the company that the director came to know in the course of his or her work, unless the other party affirmatively asked the director to disclose the information. However, actively concealing or purposefully delaying the release of information probably will constitute fraud in Japan, with criminal and civil ramifications. Japan, therefore, even in its securities laws, appears to mirror the old, Anglo-American, common law, general rule that "silence is not fraud." In the U.S., as noted, when it comes to the purchase and sale of securities, silence, that is, the failure to disclose material information, is fraud; and furthermore the legal wrong of insider trading is a very serious criminal and civil infraction in the United States (Cavico and Mujtaba, 2014).

Overall, electronic commerce, regardless of country or culture, is literally changing how work is being done in today's diverse and cross-cultural workplace (Schneider, 2013; Shim, 2010; Dicken, 2007; Rainer and Cegielski, 2011; Mujtaba, 2014; Wilson and Mujtaba, 2008). Modern technological advancements are changing how fast and how often firms are expanding into new markets (Chen and Mujtaba, 2007); as such, it is the responsibility of firms and human resources professionals to educate and train their employees across cultures to conduct business in an ethical, sustainable, and legally responsible manner (Cavico and Mujtaba, 2016; Karadjova-Stoev and Mujtaba, 2009; Franklin and Mujtaba, 2007; Wolf and Mujtaba, 2011). Of course, it is acknowledged that e-commerce processes can put a company's data and their customers' information at risk of being used by hackers, thieves and even competitors through unethical means (Xie and Mujtaba, 2008; Jones and Mujtaba, 2006; Mujtaba, Griffin and Oskal, 2004). Therefore, we need effective leadership in the age of cyberspace technology and this type of transformational management in a cross-cultural workplace requires patience, clarity, teamwork, fairness, a full understanding of the laws, and alignment of behavior with local laws (Huang, Ryan, Mujtaba, 2015; Zareen, Razzaq and Mujtaba, 2015; Pelletier Mujtaba, 2015; Hsu and Mujtaba, 2007; Byrnes and Mujtaba, 2008; Mujtaba and McFarlane, 2005).

Why Some Countries Block Social Media?

The way we interact with one another has greatly improved as a result of the rapid growth of social media. We can share, connect, interact and collaborate regularly when we have internetaccess and at much cheaper cost than ever in the past. The most important aspect of social media is that it allows the voice of everyone to be heard.

Most of us live in countries that allow the use of social media; however, there are several countries that regularly censor these mediums. In this part of the paper, we look at some of the countries that block social media or censor these mediums and examine the reasons for such actions. The Prime Minister of Turkey banned Twitter across the country for about 2 weeks in 2014 when an incriminating recording revealing corruption inside his government appeared on the platform. In defence of the ban, the Prime Minister said that his enemies were attempting to smear his reputation and were abusing Twitter (Bender, 2015).

Just a few years back, the government of Pakistan blocked the use of YouTube as some people had uploaded insensitive and inappropriate videos regarding religious beliefs of Muslims. When YouTube officials refused to delete such videos, the Pakistani government banned YouTube from being accessed in the country. In 2015, giant firms such as Twitter, Facebook and YouTube were blocked in Turkey. The official reason was to stop the image of a state prosecutor - Mehmet SelimKiraz, who was being held hostage by "far-Left militants - being shared across the platform (Tam**,** 2016). The Chinese government blocked both Facebook and Twitter in 2009, when it was used by its citizens for protests that turned into riots. Facebook founder Mark Zuckerberg has repeatedly made moves to re-enter China but the government has continually denied him entrance, or is requesting for Facebook to be censored (TorGuard, 2016).

North Korea is a particularly interesting case as the country does not just ban social media but the internet in its entirety for the mass population. Access is only available with special authorization and only when used for government purposes (Bennett, 2014). However, posing a potential problem to North Korea's aim of controlling all media outlets such as Facebook, Twitter, and YouTube, in 2013 the country started to allow foreign visitor's access to 3G on their smartphones. Photos and posts shared on these platforms by foreigners provide a "behind-the-veil" look at the inner workings of the country. However, understandably for the so-called "hermit state", such access is a cause for concern as the flow of information about the country is no longer under direct control (Bennett, 2014).

We might ponder upon why some African governments block social media. According to research by Portland communication, Twitter in Africa is more political than other continents. There is fear of the equivalent of the "Arab spring" and the political impact the social media can create (BBC, 2016). Most African governments are authoritarian and oppressive as a result of greed and corruption. They tend to suppress the will of the people which is why it is rare to have free and fair elections in some African countries (Twist, "Countries That Block Social Media", 2016).

Some governments use social media to perpetuate an oppressive governing style by taking over the media where they spread lies about happenings in the country. For instance, a non-violent group separationist group in Nigeria (IPOB) were protesting and demanding independence when they were fired on by the Nigerian military. About 150 persons were killed according to Amnesty International; but none of the local media reported the incident. Nigeria is a typical example of government influence of the media where some media only report favourable news in regards to the government and remain mute on negative news about them (Makmid Kamara, 2016). Recently, a bill was sent to the Nigerian senate for censorship of social media but did not see the light of the day as protests in the country forced the government to drop the idea.

Many of the countries that ban social media are caught up in human rights issues and do not let people speak to or inform outsiders as to what is going on in the country. We do not completely disagree with the censorship of inappropriate and culturally insensitive material on social media, but not with an outright ban. It can be argued that absolute freedom has its own problems. However, countries that ban social media during elections in Africa may do so for the purpose of rigging the election in order that the opposition parties do not spread the results from the polling boots. They also do so to prevent the international community from accessing the conduct and outcome of the elections (Deutsch**,** 2016).

Social Media Censorship in China

Similar to many other nations, it is often reported that the Chinese government censors certain materials on old and new media outlets. In this part of the paper, we review some recent literature on censorship of social media and other internet sources in order to draw some conclusions as to the viability of forms of e-commerce in China.

The rise of China in the last 30 years has awakened the interest of Western firms eager to capture new consumers in the most populous country in the world, outside of India. Western carmakers, for example, have entered in the Chinese market with some success. Generally speaking, the provision of Western consumer goods to Chinese consumers has been straight-forward whether such goods are delivered by traditional shop-front channels or via e-commerce. However, internet service providers and social media businesses face greater challenges on account of censorship practices in China. For example, United States based companies such as Google, Facebook and Twitter face severe obstacles in China since they enable communications that may be deemed threatening to the government of China.

Although the Chinese Constitution provides for freedom of speech, Chinese regulations aimed at the non-exposure of State secrets are commonly perceived to have been used to suppress freedom of speech. In 2010, China announced “internet sovereignty,” and since 2016 censorship has increased (Xu and Albert, 2017). China ranks last of 65 countries in freedom of speech, and at 176th place out of 180 nations in press freedom. The fact of censorship in China means that foreign e-commerce companies (broadly defined) must be alert to the peculiar characteristics of the Chinese market. Simply put, any social media company will face enormous challenges in China raising the following question: should Western social media companies avoid the Chinese market?

The Xu and Albert (2017) paper is called a “Backgrounder” on the United States, council for foreign relations website. The paper can be described as a review paper that provides key facts about media censorship in China. From these facts, it is possible to make some conclusions about the viability of foreign internet based social media businesses in China. The first point to note is that China has been actively engaged in partly or fully blocking Wikipedia, Facebook, Google, and YouTube where those companies have supposedly carried stories dealing with official corruption by various Chinese individuals or firms.

There are more than twelve government bodies and over two million workers engaged in media censorship in China (Xu and Albert, 2017). Here, a key development was the Golden Shield Project also known as the “Great Firewall” - the means by which censorship takes place include bandwidth throttling, keyword filtering and access blocking. In addition, some journalists have been threatened and imprisoned (for example, Liu Xiaobo) investigating issues that the government allegedly did not want discussed. In 2015, VPNs were banned in China and consequently this creates additional headaches for teleworkers who prefer to access work-related electronic files from remote locations.

The Western media reports instances of visa denial and harassment of foreign reporters (Xu and Albert). As such, some American technology firms find it difficult to compete in China. Gmail has been banned. Facebook, Twitter and Instagram have been blocked. In January 2015, new cyberspace regulations were released which increased the difficulty of U.S. social media firms doing business in China.
Xu and Albert’s review of media censorship in China is echoed by other writers (Bamman, O’Connor and Smith, 2015). Accordingly, the key learning to be taken from these and similar articles is that non-Chinese social media firms should think carefully before attempting to enter the Chinese market. Indeed, it could be said that foreign social media firms should avoid the Chinese market altogether on the basis that costs may prove to be irrecoverable due to the rules, regulations and actions of the Chinese government. On the other hand, conventional forms of e-commerce (such as eBay) seem more viable in the Chinese market.

While e-commerce has the ability to cross national borders, this does not mean that e-commerce businesses can ignore governments of nations or the risks that come with doing business in countries like China or North Korea. Some types of e-commerce will flourish in China but others, such as social media, are much more problematic and carry high degrees of risk. Overall, it does appear that some foreign firms have been adversely affected by governmental rules and regulations in China. However, local firms and entrepreneurs have certainly had opportunities to thrive in this vacuum created by the lack of foreign competitors due to various rules, regulations and barriers imposed upon international technology firms who are willing to serve Chinese customers, firms, vendors, and suppliers.

Chinese Social Media Platforms

As discussed in this paper, Facebook, YouTube and Gmail were all at one time available in China. Later these sites were blocked. However, they were replaced by Chinese platforms such as Youku, Tudou, Renren, Sina, Weibo, WeChat, and many other forms of social media. As a result, these forms of social media are freely available in China and growing successfully (Flemming, 2016).

The foreign, non-Chinese, social media platforms have been banned by the Chinese government for many reasons. The reasons are complex; however, there does appear to be a “China first” policy that favours local firms over foreign firms in this area (Flemming, 2016). This is very similar to the President Donald Trump administration which promotes an “America First” nationalistic propaganda.

China, because of its huge population, has always been very attractive to many businesses, especially to e-businesses. China has approximately 800 million people using the internet. This number is bigger than the population of most countries in the world. Facebook, the biggest social media site once opened in the Chinese market but is now banned. Chinese business people then made another site similar to Facebook called Renren (Flemming, 2016).

Renren was very popular after Facebook was banned, however, it seems to have faded in recent years. It has been replaced by others like WeChat. WeChat is a Chinese mobile-messaging app (like Viber or WhatsApp) launched on January 2011, which has now become the largest social media network in China. Chinese people use Wechat to talk with family members, friends, friends of friends, share pictures, watch videos, pay bills, transfer money, and to do business (The Economist, 2016).

The latest number of Wechat users is 846 million people. There is no need to talk about Wechat's market share as Wechat dominates. This means it is going to be very hard for Facebook to ever enter the Chinese market again. There is also another reason for this difficulty as the word "facebook" translated into Chinese is "非死不可", meaning "have to die" or "must die"(Yin, 2012).

Youku is a video site that is known as the "Chinese Youtube". There are also many other video websites, such as iqiyi, PPTV, etc. Youku was released in 2005, and merged with Tudou in 2012. Now YoukuTudou is the biggest video website in China. At the beginning, the site was free. However, in recent years, some of the popular channels, programs, and movies are not free. YoukuTudou has about 600 million users; last year, Alibaba, the biggest e-commerce company in China, acquired it (Davila, 2016).

Weibo is often referred to as the "Chinese Twitter". Two companies own Weibo - Sina and Tencent. Sina Weibo is the most popular microblog having 90% market share in China. Some reports state that Sina Weibo is planning an English version to compete with Twitter. This will not be easy, because Twitter has already taken over the global market. But who knows, Sina Weibo is worth more than Twitter as of October 2016. Comparing with Twitter, Sina Weibo has more functions, such as online stores, cashless payment, and brand account. Sina Weibo released cashless payment in 2012; however, this function has been beaten by Wechat. Alibaba group own 18% of the stake since 2013. So as a partner, Taobao, the No.1 online shopping website which is also owned by Alibaba group, allows Sina Weibo to access its website directly. Alipay also allows the users to do online and offline payments (Falcon, 2016).

So far we have looked at three sets of social media platforms that are popular in the Chinese market and the global market. Overall, we find that nowadays it is really hard for foreign based social media platforms to enter Chinese market.

So, why is it that Chinese platforms have dominated in China? One obvious reason is that because the government banned foreign social media for all these years, and consequently the Chinese social media platforms were given space to grow. Another reason might be corruption whereby the foreign firms were banned in order to give preferred local counterparts a chance to take over the market.

The censorship in China gave Chinese technology companies space to flourish. They are less diverse and more aligned with the Chinese people's taste. However, they also offer more functions. Chinese people feel more comfortable and ease of convenience with domestic social media than foreign ones. After almost 10 years of censorship, Chinese social media are starting to expand globally. Through the Chinese censorship they gained a lot of experience and have enough capabilities to challenge competitors in new markets. Regarding their safe revenue generating market in China with almost no global competitors they don´t need to worry too much about failure in entering new markets.

Uber in Germany

"UberPop" is an application of the company Uber by which mostly private persons can offer cab rides to consumers. These private persons use their own cars and the cab ride can be booked and paid for through the application on smart phones (Seibt, 2016). At the beginning of using the application, the consumer can choose a type of car which s/he wants and where s/he wants to be picked-up. The program then searches for a driver in striking distance and the driver picks the consumer up. When the driver drives the person(s) to the destination, the payment will be executed automatically and the amount will be billed directly from the given credit-card (Uber.com).

The problem with Uber in Germany is that the private persons who are offering cab rides do not have a license to offer commercial cab rides. As a result, Uber was sued in March 2015 by the German association of taxi-drivers. The provincial court in Frankfurt thereupon decided to forbid the application "UberPop" of the company Uber. The result was that the company was not allowed to operate in Germany with this application. Uber appealed this decision. The higher regional court of Frankfurt approved the decision of the provincial court and confirmed the decision to ban Uber. The outcome was that "UberPop" remain banned in Germany.

The required taxi license is necessary in Germany as the driver needs to prove amongst other things that s/he is healthy / well, s/he knows the streets of the city very well, s/he has insurance for the car, and that the car is not damaged. The license must verify this required information for conformance with the law and the safety of all citizens in the community. Without incurring the license expenses a firm is able to offer cab rides cheaper than the competitors (normal taxi drivers) and that was the competitive advantage of UberPop (Seibt, 2016).

Germany is not the only country in which UberPop is banned. For instance, it has lost legal actions in Italy, Netherlands and in Belgium. In addition Uber had to pay a fine of 800,000 Euros in France because their services were not in alignment with the French law (Seibt, 2016).

The German association of the taxi drivers is happy with the decision of the court. It argues that consumer protection is secured and that the competition with Uber is unfair. Uber argues that the algorithm of their application has more capacities and that it is therefore more efficient and is a boon to consumers (Seibt, 2016).

Uber has many competitors in Germany, including "MyTaxi", "Taxi Deutschland" or "Taxi.de". These competitors are offering their services even longer and in more cities in Germany than Uber does (Seibt, 2016). But these competitors differ in the way that they offer services. In these cases the consumers are not driven by a private person but with a real taxi driver who has a verified license. But the applications can do more than just call a taxi. The application "Taxi.de" for instance is able to remember your address so that when you are calling a taxi through the application a second time, the taxi driver knows your address automatically. In addition it is possible to share a taxi with strangers (Taxi.de).

Uber did not leave the German market entirely. In Berlin, for instance, it is possible to book a normal taxi (where the driver has a valid license) with an Uber application and in Munich you can call an Uber-taxi with a private driver but with a valid licence (Seibt, 2016).

In the future, Uber has the possibility of appealing the decision of the higher regional court in the federal Supreme Court. In addition, Uber says that they want to use only drivers with licenses in the future for the German market. They are hoping that the German law will be changed so that the possibility to get a license will be easier for all drivers. Uber thinks that it could be easier to get the license when for instance the drivers do not need to know the streets very well. The public-relations speaker of Uber says that the knowledge of the city in times of navigation devices are not necessary and reasonable, because modern technologies are successfully guiding the taxi drivers (Seibt, 2016).

A key takeaway of this Uber story is that it is important to ascertain if a business model will offend or be contrary to the local laws in a country where you want to export your business. As such, managers and entrepreneurs going abroad into new lands and nations must be warned to be fully prepared and aligned with local countries' rules and regulations (Cavico and Mujtaba, 2011). The worst case would be to be banned from the market and have to pay a penalty. If you do enough research before entering you can save money, time and brand image. In addition, you must not forget that when you are entering into a new market that the incumbent competitors, even when they have substitutes, can have a big influence on policy so that the market gets less attractive. As such, new skills for managers across the globe must be developed and taught so they can be successful in both traditional and e-commerce initiatives (Ping, Mujtaba, and Jieqiong, 2012). Studies demonstrate that distrust of government officials and perceptions of corruption among the political elite seem to be high among respondents (Ngo, Fisher and Mujtaba, 2014; Mujtaba, 2013; Mujtaba, Tajaddini and Chen, 2011ab). As such, workers of all firms, especially public institutions, should recieve both formal and informal education and training regarding ethical expectations and behaviors (Mujtaba and Sims, 2006).

Overall, the offering of technology-based services that are aligned with local rules expectations can be a good promotion for the company and for enhancing the quality of life for one's customers and employees. Although, at times, the technological services may not always be fully aligned with the local law, Uber for example did receive much attention from the media and the license issue gets discussed. Such collaborations among the public, consumers and government officials can eventually lead to a relevant change in the law through public / media pressure. Naturally, it is better to build up a basis of ethical and legal technology-based services which does not go against the local laws in any country in order to have productive start and great potential for successful growth.

Summary

We can make the provisional conclusion that government censorship and legal impediments are key threats to the adoption of some forms of e-commerce in various jurisdictions. This in turn implies that e-commerce providers must think very carefully and research closely before entering a new and an unfamiliar market. In the case of Uber, it was always obvious that licensing requirements would pose a barrier to entry. The history of Uber suggests that the company was well-aware of such requirements but chose to challenge the status quo and mobilize public opinion for a law change. This tactic has also been employed by Airbnb which has faced resistance from many in the hospitality industry.

The experience of social media sites in China is differentfrom most others in developed economies. In China, U.S. based social media companies were shut down by the government under the guise of state censorship. It is revealing, however, that domestic Chinese firms quickly moved to fill the gap. A plausible reason is corruption or nationalistic politics but the real motive is impossible to prove. In addition, the censorship gave local firms the opportunity to develop a counterpart to the powerful foreign-based internet-businesses from the west. With a dominated market and almost no competitors in China, the Chinese social media platforms are motivated to enter in new markets in today's modern and cross-cultural world.

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