

“Google-ing” China: An ethical analysis of Google’s censorship activities in the People’s Republic

by

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Introduction

The spread of the internet to all corners of the world has led to tremendous business opportunities for many American businesses. With these opportunities may also come many ethical dilemmas. When operating abroad, businesses are required to abide by the laws of the host country. For US companies operating in China and other countries with totalitarian regimes, this requirement may include actions that are viewed as unethical or illegal in the United States. These “expatriate” corporations must often choose to ignore the basic rights guaranteed to American citizens, and disregard their own corporate missions, in order to respect the foreign society’s mores and meet the government demands. While cooperating assures legality, the question remains is their compliance ethical?

Case Background/Research Findings

“The Great Firewall of China”

With an email stating “Beyond the Great Wall, Joining the World,” China signed onto the internet in 1987. (Liang & Lu, 2010, p. 104) Quickly, internet usage in the Communist country began to grow. The Chinese Communist Party (“CCP”), which governs China, exercises almost total control over all forms of communication within its domain. If the CCP wished to continue to maintain its communication stranglehold,

they realized that a way to police the internet needed to be developed. (Thompson, 2006, 8)

Initially, the internet police took the sole form of physical monitoring. A police force would manually monitor internet traffic, websites, emails, et cetera, redact information deemed “illicit” and arrest the offenders. As internet usage spread throughout the People’s Republic, this soon became an insurmountable task.

The answer came in a digital filter. Dubbed “The Great Firewall” of China, the filtering system consists of routers placed in Beijing, Shanghai, and Guangzhou. In each of these cities, massive fiber optic pipelines bring the internet to China. Usually, these pipelines simply send information to a switch that passes the information to end users. In China, rather than simply passing the information on, the router transmits the information through a series of filters that remove “inappropriate” information from the message. In some cases, the end user will receive an error stating the information cannot be retrieved. In others, it is as if the information never existed. (Liang & Lu, 2010, p. 106)

This system works extremely well in terms of content filtering. While blocking banned content on a website, the filters allow unobjectionable portions of the same site to pass freely. The CCP successfully developed a system to censor the freest medium for communication known to man. The problem is speed. Sending all traffic through “The Great Firewall” is a slow and tedious process that creates a message gridlock. To solve this problem, China has allowed companies with a physical presence in China to practice self-censoring.

A company inside China isn’t required to navigate the traffic of the filters but must redact their own content. (Dann & Haddow, 2008, p. 221) Rather, they must

redact their own content based on government regulations. An exact list of content banned by the Chinese government does not exist. The CCP guideline for companies practicing self-censorship, ironically named “Public Pledge of Self-Regulation and *Professional Ethics* for China’s Internet Industry,” (emphasis added) simply states, “Companies must protect users against the spread of superstition and obscenity...and remove information the state deems to be contrary to its law.” (Dann & Haddow, 2008, p. 226) The ambiguity in the law means a company must decide for itself what the government might find offensive. Most businesses choose to err on the side of caution. Failure to properly censor has led to police raids on offending firms and the imprisonment of company executives.

“Google-ing” China

Like all internet traffic that passes the Chinese border, queries to Google.com must traverse “The Great Firewall” before reaching the end user. The resulting slow search results are a very real detriment to Google’s ability to gain, or even maintain, market share in China. (Liang & Lu, 2010, p. 105) “Google’s China Problem” was further exacerbated in 2002 when Google.com was entirely unavailable—the CCP filter had unexplainably blocked the entire domain—for a period of two weeks.(Thompson, 2006, p. 9) Even when service was restored, Google users in China continued to experience slow service and the company continued to lose market share to faster engines located inside the country. Google had a decision to make. It could continue offering only its uncensored website, subject to the slowness and filters of “The Great Firewall” or it could move its servers inside the company and

practice self-censorship. Google was standing on an ethical balance beam but the time had come for the company to pick a side.

Google.cn was launched in January of 2006. The service, based in China, would look almost identical to the Google.com site offered elsewhere. The only physical differences were a lack of email and blogging solutions. However, there was a major difference in how the searches were performed. In a move that seems contrary to everything Google represents, Google.cn would redact all mention of taboo subjects. (O'Rourke, Harris, & Ogilvy, 2007, p. 12) Instead of a complete page of search results, Google.cn queries would return a list of "safe" websites and a message stating that results were censored in accordance with Chinese law. (Thompson, 2006, p. 10)

Ethical Analysis

The Utilitarian Approach

The ethical rubric of Utilitarianism has as its main criteria the net value of good versus evil. Therefore, if the net consequence of an action is a net positive, or at least is not negative, that action is ethical. Looking at the actions of Google in China, one can see no net negative effects to their decision to self-censor. Had Google chosen to continue solely with the "uncensored" site, the "Great Firewall" would have blocked the same content. Ergo, self-censoring is not detrimental to the amount of information available to users under CCP jurisdiction. Furthermore, it is the opinion of many internet executives that the Chinese people have no interest in looking for the information that was censored. (Thompson, 2006, p. 14) Conversely, by practicing

self-censorship, Google has increased the speed of search results thereby allowing users to receive the information they are looking for at a much faster pace.

If you take these known facts and contentions at face value, it is very easy to see that the Utilitarian would view the actions of Google as ethical. They produced no negative effects while positively affecting the efficiency of users' internet experience. No negative plus a positive equals a net positive and a grade of ethical for Google. However, the answer might not be that simple.

First at the argument that "The Great Firewall" would block access to the sites returned in the query regardless of Google's decision, while true, isn't quite cut and dry. "The Great Firewall" does block access to websites but CCP has not been able to stop the search results from including these sites. Therefore, the user in China would be able to see that another opinion does exist and would be able to see the small clip of the article included with the result. Just seeing that the information is out there, might be enough to drive a user to pressure the government for freer access. Furthermore, by blocking these results from returning on Google.cn, Google has indirectly implied that the "clean" sites provide the most accurate information about the subject. Google is condoning the CCP's revision of historical and current events. As US Senator Christopher Smith stated, "When Google sends you to a Chinese propaganda source on a sensitive subject, it's got the imprimatur of Google. And that influences the next generation—they think, 'Maybe we can live with this dictatorship.'" (Thompson, 2006, p. 13)

Secondly, the contention that Chinese citizens do not care to see the censored information is also inherently flawed. While the statistics may uphold the argument, the statistics cannot accurately portray what is wanted, only what is done. This is a

problem because the Chinese government has maintained a program of intimidation that reeks of “Big Brother” in George Orwell’s “1984.” According to a Shenzhen Public Security Bureau official, this program’s public face, cartoon “‘Internet Police’ mascots named ‘Jinjing’ and ‘Chacha,’” are intended to intimidate and “publically remind all Netizens to be conscious of safe and healthy use of the Internet, self-regulate their online behavior and maintain harmonious Internet order together.”(Thompson, 2006, p. 6) Additionally, these “mascots” are available online for chat conversations (it is probably safe to assume it is CCP internet police playing the mascot role). This provides an easy and available access point for “Netizens” to inform on their neighbors. Even George Orwell couldn’t have predicted that.

Finally, the justification of the action with speed statistics is also unfounded. Chinese citizens already have access to Baidu, a government backed search engine. A lack of Google would do nothing to harm those citizens who are looking for speedy and CCP friendly results. The only harm would be to Google’s market share.

When viewed in context, the net effects of Google.cn are most definitely, and undeniably, negative. Google has suppressed the freedom of information of an entire nation. The actions of Google can no longer be viewed as ethical under the Utilitarian standard.

The Kantian Perspective

The theory of Kantian ethics aims to uphold a different standard than its utilitarian counterpart. Rather than focusing on the net effects of the consequences of an action, Kantian theory seeks to “restore reason to what [is] regarded as its rightful place in our moral life.” (Boatright, 2009, p. 63) This theory focuses less on the

consequences of an action and rather attempts to determine what “one ought to do.” (Boatright, 2009, p. 63)

One of the main ethical tests under the Kantian is the principle of Universalizability. This principle is derived from a statement made by Emanuel Kant, for whom the theory is named, which states “Act only according to that maxim by which you can at the same time will that it should become a universal law.” (Boatright, 2009, p. 64) This means that persons, or in this case companies, have the duty to commit only those actions which could be universally applied.

In the case of Google in China, the Universalizability test can be demonstrated with the following question. “What if every company agreed to self-censor in order to gain access to an otherwise closed market?” The answer is that suppression of the rights of freedom of speech and information would go unchallenged. In a global and digital world economy, multinational corporations have the ability to influence societal change. Failure to stand up to unethical practices, in essence, condones that practice. A free media helped build support for American independence and the same can be done in relation to freedoms in China.

Google has a duty to stand up against the tyrannical practices of the CCP and Google knows it. Free compliance with anti-human rights practices flies in the face of its oft quoted motto “Don’t be evil.” This motto is derived from a mission statement which says “We believe strongly that in the long term, we will be better served [...] by a company that does good things for the world even if we forgo some short-term gains. We aspire to make Google an institution that makes the world a better place.” (O’Rourke, et al, 2007, p. 13) How can a company with this mission statement, and that was founded “to organize the world’s information and make it universally

accessible and useable,” deny they have the ethical duty to stand up against the oppressive censorship of the very media on which this information is disseminated?

Reversing the Google decision and applying the Universalizability (i.e. “What if every company resisted compliance with the unethical suppression of human rights?”) one can see clearly what Google’s decision should have been. If all companies (including the American companies that supply the hardware used in “The Great Firewall”) resisted complying with the censorship demand, China would be unable to maintain the censorship without completely cutting off the internet. This would seriously cripple that country’s ability to maintain its standing as one of the 20 greatest world economies (“G-20”). China would be forced to choose between allowing the free flow of information and signing its own “economic death warrant.”

Application of the Universalizability standard clearly shows that the actions of Google are completely unethical according to the Kantian theory. The suppression of free speech is a clear violation of this ethical standard.

Conclusion

Google recently announced it had reconsidered its decision to practice self-censorship. Initial speculation indicated the company had realized the error of its ways. Yet, more than a month after Google threatened to cease self-censorship, the practice still remains active. There is also no evidence that ethical reasoning had any part in the possible change of policy. Therefore, the question of ethics still stands. Google’s compliance with Chinese censorship may teeter between ethical and unethical based on the theory utilized in analysis and how that theory is applied. However, the preponderance of evidence points toward the latter. While Google may truly believe the compromise it made is the better of two evils; voluntary participation

in any activity reminiscent of an Orwellian nightmare can never be the right thing to do—by any standard.

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