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## Trade with China: Free trade requires free people

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China-US ties strained like never before

By Benjamin A Shobert

WASHINGTON - In hindsight, Wednesday's United States House of Representatives Committee on Foreign Affairs hearing over "The Google Predicament" may well prove to be one of the many grains of sand which are slowly eroding the conventional logic that has kept America and China engaged for most of the past several decades.

On the whole, the testimony and congressional statements appear to suggest we are fast approaching a rebalancing act between the two countries. Such a moment might change little in the way of formal policies and promulgated laws, but it will have significant impact on the politics and philosophies of engagement between Beijing and Washington.

as it has not been in 30 years, if ever. Literally every front is being strained, with the net effect being that many politicians, policymakers and even average Americans are beginning to wrestle with whether it makes sense to be in a relationship with China at all.

If one had to choose a single idea held consistently across most of the congressional statements and expert witnesses today, it would be that the grand idea of China democratizing as it opened to trade with the West may no longer be a valid framework by which to understand our situation. Around Washington, this is becoming an increasingly common question, made more heatedly and pointedly in the midst of America's perceived economic decline.

From China's perspective, this was not a friendly hearing. While some members of this congressional hearing made an effort to acknowledge the difficulties in understanding China's development and how it uses technology within its political institutions, the majority of Wednesday's congressional testimony was quite hostile towards China.

Most notable was congressman Dana Rohrabacher (Republican, California) who said about China's political leadership, "You can't treat gangsters and thugs as if they were the same as normal people, and this is what we're talking about today ... China is a vicious dictatorship." Rohrabacher has been a long-time tenacious and principled advocate for dissent, more dramatic liberalization and human-rights reforms in China.

Speaking more narrowly about the matter of the hearing, namely Google's experience of working inside of China, congressman Robert Inglis (Republican, South Carolina) said, "There are two Googles: the real one, and the one the Chinese communist dictators want you to see."

Nicole Wong, vice president and deputy general counsel of Google, testified that "Google is firm in its decision to stop censoring search results [in China] ... but we want to do it in an appropriate and responsible way."

Having said that, Wong also stated that they are prepared to "shutter our Google.cn property and leave the country" if need be. It is important to distinguish the two primary issues that Google is wrestling with: first, the original devil's bargain made when they agreed to enter China and have their search results censored. Never entirely comfortable with this, Google developed a protocol that would notify someone in China when his or her search results had been filtered due to Google's agreement with the Chinese government. This solution has never been particularly appreciated by Beijing, but has been allowed.

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Similarly Google, whose unofficial corporate motto of "Don't Be Evil" may seem to some oddly unhelpful in their overall day-to-day search operations, seems particularly on-point when describing the paradox of their China business model. Google's second issue is more recent, namely its discovery of highly organized and concentrated attacks on their corporate information technology (IT) systems, including Gmail, from within China.

Wong did make it clear this event was distinct from their discovery that particular Gmail accounts of human rights advocates had also been hacked from within China. In her written testimony she elaborated on this: "We discovered in our investigation that the accounts of dozens of US-, China- and European-based Gmail users who are advocates of human rights in China appear to have been routinely accessed by third parties. I want to make clear that this happened independent of the security breach to Google, most likely via phishing scams or malware placed on the users' computers."

While Google's concerns may be best embodied by its situation in China, it faces similar questions in other countries such as Thailand, Turkey, Indonesia and Saudi Arabia. Situations in these countries follow similar paths as the company's experience in China: authoritarian political regimes that desire to "plug into" the information super-highway and want Google's information-gathering technologies deployed within their country, but who feel compelled to limit the information their people can freely access.

As Wong testified in the hearing, "More than 25 governments have blocked Google services over the past few years. Most notably are the 13 countries that have blocked YouTube, including Turkey, whose justification is that some videos posted "insulted the Turkish nation". In addition, Wong shared that "in the last two years, we have received reports that our blogging platform [Blogger and Blog\*Spot] has been or is being blocked in at least seven countries including China, Spain, India, Pakistan, Iran, Myanmar and Ethiopia."

On January 21, US Secretary of State Hillary Clinton acknowledged similar events when she said, "In the last year, we've seen a spike in threats to the free flow of information. China, Tunisia and Uzbekistan have stepped up their censorship of the Internet. In Vietnam, access to popular social networking sites has suddenly disappeared. And last Friday in Egypt, 30 bloggers and activists were detained."

At best, Wednesday's hearings embraced Clinton's remarks and wrestled with how technologies can be (and whether they should be) exported to empower individual voices of dissent while enabling overbearing authoritarian political institutions. Unfortunately, at its worst, the discussion sought to elevate Google's recent problems as the embodiment of China's "true" intentions.

Google's dilemma in all of these countries is the extents to which their products and technology hold the possibility of further reinforcing the stranglehold authoritarian regimes have on information. It becomes increasingly difficult for the company to believe in its motto, knowing that its technologies are prohibited from existing in versions that could further educate, inform and provoke dissent.

A number of congressional members voiced concern over this very idea, namely Representative Albio Sires (Democrat, New Jersey) who asked whether "China could become a model for other countries who want to similarly restrict information access?" Rebecca MacKinnon, visiting fellow at the Center for Information Technology Policy at Princeton University, acknowledged that one of the more important questions was determining "how authoritarian governments are adapting to the Internet".

"Over the past five years many authoritarian regimes have shifted from reactive to proactive in terms of how they deal with the Internet. Most modern authoritarian governments now accept the Internet as an irreversible reality. Rather than try to restrict citizens' access, the most proactive regimes are working aggressively to use Internet and mobile technologies to their own advantage."

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His realization may speak more to Google's reconsideration of its China business than anything else: it is one thing to make a devil's bargain with unfriendly regimes in the hopes that your products will enable liberalization. But what if the exact opposite happens and they make increased oppression and misinformation more effective?

For the most part, the IT industry in the US continues to very much wrestle with these questions. Robert Holleyman, president and chief executive officer of the Business Software Alliance, mentioned the work the Global Network Initiative has done to establish standards for IT companies to bridge the gap between the rights of individuals and the desire of some governments to control information access.

Holleyman reinforced on Wednesday his belief that allowing IT companies to "remain in these markets is important", given both their economic potential as well as their ability to empower individuals to communicate and make change, as best evidenced by the role technology played in the recent Iranian election protests.

Dr Larry Wortzel, a commissioner for the US-China Congressional Committee (USCC), clearly felt the recent attacks on Google from within China should be understood as broadly consistent with China's cyber-warfare doctrines. Wortzel, in testimony he wished be understood as his own and not that of the USCC as a body, stated he believed three types of "malicious Chinese computer network operations" needed to be recognized as originating from China, and likely government sponsored.

During the hearing, he identified these as: "Those that strengthen political and economic control in China; those that gather economic, military or technology intelligence and information; and those that reconnoiter, map and gather targeting information in US military, government, civil infrastructure or corporate networks for later exploitation or attack".

Laden throughout much of the testimony and exchanges was the matter of China's trade practices and how they impacted American business. It may be possible to see this more clearly when looking back, but how congress treats China over the course of the next two to three years is likely to have more to do with the US's economic prospects than an enlightened sense of human rights.

In response to questions by representative Sires, who asked if Americans realized "we are in the middle of a big Cold War ... we have bad economic times ... is America focused enough on this new Cold War?" Wortzel pointed out that unlike the original Cold War, we "have no containment policy [with China] &hellip; we are heavily engaged ... but we have to be very careful of how we navigate through this." He added, "Much of what China and the American public thought would happen as part of China entering the WTO [World Trade Organization] in terms of democratization has not worked."

As Wednesday's testimony reinforced, the interests of business are still so heavily inter-twined with maintaining ongoing trade relations with China that it is practically impossible to impose trade restrictions or taxes on all Chinese made products. In an exchange between representative Brad Sherman (Democrat, California) and Holleyman, Sherman asked what specifically industry was prepared to do, or what they wanted congress to do: "Beg with a louder voice? This has been particularly ineffective with China. What action are you proposing?"

Sherman wanted to know if industry was finally willing to support taxing Chinese-made products, or enforce a one-week trade holiday with China, as a means of showing solidarity over China's trade and human-rights policies. In Sherman's view, anything short of this "will not work ... they will throw paper at us, we'll throw it back at them."

However, the political calculus in Washington is beginning to change. Rohrabacher may have best illustrated this when he said, "We are trying to treat China as if they were Belgium, and it's just not ... dictatorships do not deserve the same trading rights as democracies ... free trade requires free people."

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What comes through clearly after the hearing is that what America hoped the China model would come to represent - trade empowering liberalization and freedom - may never happen. Instead, the China model may come to be known the world over as using trade to gather together the pieces of technology and industry you need for your own purposes, always dangling out in front the possibility of meaningful reform, but when ultimately pushed to make these changes, stopping short.

The US-China relationship is stuck between these two models.

It may well be that the tensions we are feeling now indicate far deeper divides and incompatibilities. That we are having this realization in tandem with our own economic insecurities should give us some patience and discernment lest we entirely upend what has been a meaningful and mutually beneficial relationship between the two countries for most of the past 30 years.