

IS GOOGLE VIOLATING WOMEN'S RIGHTS?

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Google Inc.'s recent restrictions on ads for abortion services in fifteen countries raises questions about the influence of search engine provider policies on freedom of information. In withholding access to this kind of information, are women's rights being violated?

by Masum Momaya

On September 17, 2008, internet-giant Google Inc. issued an AdWords advertising policy update stating it would no longer accept ads that promote abortion services in fifteen countries: Argentina, Brazil, France, Germany, Hong Kong, Indonesia, Italy, Malaysia, Mexico, Peru, Philippines, Poland, Singapore, Spain and Taiwan. When a user searches for keywords in a search engine, AdWords show up alongside search results as "sponsored links" and are a source of revenue for the search engine company.

At the time of this writing, when searching for the relevant translation of "abortion" in each of the fifteen localized Google search engines, no sponsored links appeared in any of the countries – for abortion-related services or otherwise. Incidentally, no AdWords come up either in China - a country that heavily restricts search results for many topics – Greece or South Korea. Meanwhile, AdWords featuring abortion service providers do appear in localized searches in Japan, the Netherlands, Switzerland, the UK and the US.

AdWords are Politically-Charged

Since their inception, AdWords have been the subject of numerous controversies. For example, because advertisers select keywords to be associated with their ads, they can **manipulate** the searcher's intention to find specific kinds of information. Search engine companies can also control access to information by refusing to accept certain kinds of ads, raising red flags about freedom of information, as was the case here and with a **December 2008 controversy** when Google Inc. did not allow members of the public to place Web ads detailing companies that have donated to politicians in the US.

With this policy revision, it appears that Google Inc. has chosen to steer clear of controversy, avoiding any kind of related ads altogether in the fifteen specified countries. The shift in and specificity of the company's policy indicates it is taking a stronger role in verifying and deciding what ads are placed – a move that has policy and ethical implications.

Policy Inquiry

Various women's rights organizations, including **Women on Waves and the Health Equity and Law Clinic** at the University of Toronto as well as **Feministing blogger Lori Adelman**, approached Google Inc. in June 2009 to ask for a rationale behind and revision of the policy.

Acknowledging that Google Inc. had the right to "refuse or terminate any advertisement at any time and for any reason," Rebecca Gomperts, Joanna Erdman and Susan Newell, who wrote the inquiry on behalf of Women on Waves, the Health Equity and Law Clinic and more than 115 other signatory individuals and organizations worldwide, were concerned about "the adverse effect of the [policy] on women seeking safe and lawful abortion services due to restricting access to information." They argued that such restrictions "may contribute to unsafe abortion in a manner inconsistent with human rights principles," pointing out that Google Inc. "plays an important role in the protection of human rights."

The inquiry letter also argued "advertisements on abortion services can be a valuable source of information on both the legal status of abortion and the availability of services, and thus a crucial measure to mitigate access barriers to safe and lawful abortion." Susan Newell, who spoke to AWID earlier this month, said that, to her knowledge, they have not yet received a response to the letter.

Adelman told her readers that she was "pretty disturbed by Google's ability to withhold information about reproductive health services in these countries without justification or accountability." Adelman also wrote to Google Inc. and received a reply from a company representative stating the search engine's goals were to "provide more relevant results and a higher quality experience for our users, and to have policies that are fair, consistent and adaptable." The spokesperson went on to say that the new policy was "consistent with local customs and practices" and that it created a "level playing field" that enabled religious associations to place ads on abortion in a "factual" and "campaigning" way, provided that the goal was to "educate and inform, not shock."

Legality of Abortion Services Ads

In most cases, the first screen for allowing ads is compliance with local laws.

Although Google Inc. did not state this in its **response** to Feministing, there is an assumption that, at least in some of the fifteen countries, the company is simply complying with local law that forbids advertisement for *any* medical services and prescription drugs, as is the case in France.

In other countries, such as Germany and Italy, for-profit abortion providers are illegal and abortions can only be had in public hospitals. In a few other countries, private abortion providers, while operating legally, are still prohibited from buying advertisements in any medium.

When asked about the legality issues surrounding this, Newell explained "an absolute prohibition on abortion service advertisements is unnecessary and inconsistent with the Google AdWords' general policy on advertisements that are subject to legal regulation. The general policy states that it is the responsibility of the advertiser (not Google AdWords) to ensure that its advertisements are in full compliance with the applicable domestic law." In other words, those submitting the ads, and not Google Inc., should be doing the screening for legal compliance.

Similarly, Southern Students for Choice, a self-identified pro-choice group in the US that submitted **comments** to the Feministing blog, argued that "if Google restricts ads for abortion because of a country's laws, it follows that people will question it's reliability in providing unbiased search results, especially from algorithms that in themselves have to introduce a kind of ranking – or bias- to simply display a list of results."

Given all the legal issues, it is unclear – and difficult to discern - whether national governments have put pressure on Google Inc. to block certain kinds of ads, as was the case in China; whether Google Inc. is bowing to pressure from certain religious groups and using legality as a convenient reason for prohibiting ads and/or whether Google Inc. is proactively abiding by law. In any case, it is unlikely that Google Inc. or any other search engine would risk breaking the law, especially if there is little profit to be made from a certain type of ad, and the topic is potentially controversial.

Aren't Ads Viewed as Spam Anyway?

A number of comments on the Feministing blog note that, while the policy is disturbing, it is not a "big deal" in the long-run given that search engine results themselves still yield information about abortion service providers, which is the case in most of the fifteen countries, even if links to service providers are buried several pages into the search results. Another comment stated, "Google ads are best known for spam."

Southern Students for Choice wrote in response that "in geographic areas where abortion rights are restricted it is even more important for people to be informed about laws, policies, and existing providers, both through advertising as well as through more objective sources of information." Thus, they say, ads matter.

Newell agrees, dismissing the claim that most people automatically treat the ads as spam. She reasons that "AdWords advertisements provide a benefit over search results alone," explaining that "the person attempting to access the information is more likely to see the advertisement as it will appear on the first few pages of results, and information appearing as an advertisement through Google AdWords increases the credibility of information." She explains that this is particularly important given the rising number of sites providing medical information these days and the difficulty of assessing the quality and credibility of them,



Photo Credit: Amancay Maahs

an “overwhelming task” for a woman seeking an abortion.

So do we want Google Inc. sorting, accrediting and ordering our information for us, ads or otherwise? And is doing so in a truly unbiased way possible for a for-profit company whose major source of revenue is dependent on advertising?

“Decision” Search Engine?

Microsoft, with its recently-launched “decision search engine” Bing, claims to do just this. Billed as a tool that “finds and organizes the answers you need so you can make faster, more informed decisions,” the new product claims to circumvent the “overwhelmed” problem. Bing orders descriptive information about each topic prior to any opinion or service-related sites in all of its localized search engines, regardless of country.

Regardless of search engine used – Google, Bing or otherwise - search results are ordered through an algorithm that is not publicly revealed, and employees from these companies manually alter the algorithm and the display of search results.

Competing Priorities

While search engine companies such as Google Inc. may **aim to** “organize the world’s information and make it universally accessible and useful”, it is clear they won’t fundamentally compromise their revenue stream or embroil themselves in legal and political battles to do so.

Meanwhile, a number of women’s rights groups are calling on Google Inc. to uphold freedom of information and protect human rights.

This tension remains unresolved and is being worked out through policy decisions such as the recent Google Inc. decision. In the meantime, it is important for women’s rights activists and social justice advocates more generally to understand the issues and limitations behind what does – and does not - show up when Googling for “abortion” or any other topic, for that matter, and continue to be on the lookout for this “invisible” violation of women’s rights.

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