





## *Chapter Two*

# **The Real Name Requirement and Ethics of Online Identity**

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The online Nym War had been waging for a decade before what came to be known as the Final Identity Battle (FIB) in the summer of 2011. The battlefield was the newly created Google+ social network site. As virtually bloody as any 666 online game, this battle threatened to shatter the boundary between the virtual and the physical world. The Nym War left real people bandaging their hurt, frustration and confusion, even as they remained steadfast in their united determination to continue to pseudonymously live an active online life while keeping their physical life identities hidden from the virtual world of advertisers, administrators and users. Both sides in this controversy, the website administrators on one side and those taking part in the pseudonymous revolt on the other, knew that this battle was different from those in the past. Before, it had been possible to simply boycott sites that insisted on “real name” disclosure. But, Google controlled too much virtual real estate for those who made their living online or spent substantial avocational time online for these users to collect their profile and go elsewhere, no matter how easy Google made the “take out” procedure.

In this chapter, I use Google+'s real name requirement to demonstrate ethical analysis of online controversy. I distinguish among the concepts of anonymity, pseudonymity, and confidentiality in online communication and argue that the burden of justification is on those who would demand disclosure of identity rather than those who seek to protect it. I take a look at who is harmed and who benefits from online real name requirements. I conclude by showing that twenty-first century web-based mass communication ethics requires systematic analysis based on common morality in contrast with the twentieth century model of professionally-based media ethics.

## THE REAL NAME REQUIREMENT AND GOOGLE+

Google's new social network, Google+, launched in June 2011. Its description, "real life sharing rethought for the web," gives a banal feel to the newest in the Google lineup of more than 150 desktop, mobile, and online products. But, embedded in the new platform was a massive change that resulted in individuals providing an unprecedented amount of information about themselves to what has become the world's largest and most diverse corporation. In the past, Google had allowed individuals to use any name that they wanted in creating profiles on many of its products, such as Gmail and YouTube. But, when individuals signed up for the new social network platform, they were required to provide their "common names." Once one has created a Google+ profile with one's "common name" the corporation then substitutes the Google+ profile for any previous profiles in the Google system.

Google's search engine, the most used worldwide, has been collecting and aggregating information since 1999 and continues to build its knowledge through 1 billion searches each day (Wikipedia, 2012). As of March 2012, Google had acquired, "on average, more than one company per month since 2010" (Wikipedia, 2012) with the acquisitions—now numbering more than 100—spanning all elements of computer technology and services, along with diversification into biotechnology firms and utilities. As the content and patterns of Gmail, web searches, YouTube use, GoogleDocs, and RSS feeds have been collected and aggregated by the corporation beginning in 1999, the introduction of the Google+ social network provided the company the new opportunity to attach all of that data to the user's physical world identity.

Google explained the new requirement this way: "Google+ makes connecting with people on the web more like connecting with people in the real world. Because of this, it's important to use your common name so that people you want to connect with can find you. Your common name is the name your friends, family or co-workers usually call you" (Google, 2011).

If Google+ became a successful competitor to Facebook, it had the potential of shaping the future of online interaction. Bloggers, entrepreneurial journalists, and others dependent on their developed online presence could predict that not being part of the new social network was likely to interfere with their ability to connect with their audiences and advertisers.

According to an early review of Google+ by Techcrunch blogger MG Seigler, "Google+ is more than a social product, or even a social strategy, it's an extension of Google itself...It's through Circles that users select and organize contacts into groups for optimal sharing...With Sparks, you enter an interest you have and Google goes out and finds elements on the web that they think you'll care about. These can be links to blog posts, videos, books – anything that Google searches for." As Seigler breathlessly tells us, "The key to the [Google+] project is the attempt to unify everything" (Seigler, 2011).

Despite Seigler's enthusiasm for the new social network, the blogger would soon find that s/he would not be able to sign up for Google+ using the name under which s/he blogs, MG Seigler. According to the Google+ rules, "Names that consist primarily of initials . . . are not allowed in the first or last name fields" (Google, 2011).

### LOGICAL PROBLEM OF THE REAL NAME REQUIREMENT

A process is overly exclusive if it inappropriately excludes those outside of the set intended to be left out. The Google+ real name requirement is overly exclusive in that it does not allow people to enroll with their real names if that names do not fit the dominant society views of what Google's software engineers think counts as a name. A Google+ profile name includes a call name and a surname. The requirement excludes those from cultures, such as Mongolia, who normally do not have two separate names, along with others who have been given or have chosen a single "legal" name, or that include initials as a first or last name, or that include "special" symbols (Google, 2011). So, ultimately, what Google+ demands is a name that sounds common enough for the software engineers. Ironically, that means that some people can enroll only if they create fake names that fit Google+ standards.

The real name requirement is also not clear about just what counts as one's real (or common name). Google+ would argue that a person's common name is synonymous with one's legal name—the name that appears on a birth certificate, social security card, the name that an individual is known by. Unfortunately, for some people, these might be three different names. In some cultures, for example, many women have a maiden (birth certificate) name that is different from what appears on their (post-marriage) social security card, which may be entirely different from the (nick)name by which they are known in the physical world.

Last of all, one's common name may be too common to provide unique identification online. My friend, Sue Smith, is indistinguishable from thousands of others with the same name. But, if Sue's online persona profile listed her as Gulfcoasthorseenthusiast, it would distinguish her, in at least a couple of ways, from many of the other Sue Smiths.

### ANONYMITY, PSEUDONYMITY, CONFIDENTIALITY

Anonymity derives from the Greek "no name" while pseudonymity derives from the Greek "false name." Anonymity is usually attached to an event or singular situation. The whistleblower anonymously mails documents to the

*New York Times* with no return address. A restaurant owner anonymously posts a scathing review of a competitor, which is an ethically questionable act known as “astroturfing.”

Pseudonymity presents a persona, which is usually persistent over time and events, in which the alternate identity is held separate from one’s common or legal identity. One may build credibility, relationships, and a large set of fans with a pseudonym, as we know from Mark Twain, Dr. Seuss, and a host of celebrities past and present.

Confidentiality is the act of protecting the known identity of another. If I do a blind review of an academic manuscript, the identity of the author is kept confidential by the journal editor and my identity as reviewer is kept confidential as well. Neither of us are anonymous, although we remain unknown to one another, although we share research and analysis with one another.

Anonymity, pseudonymity and confidentiality are morally neutral, in that none of these concepts connotes wrongdoing in a prima facie sense. Anonymity is a voluntary act in which one withholds the identified self from one’s act. Pseudonymity is a voluntary act that provides an alternate name or identity to a part of one’s self. Confidentiality requires two people in that one guards some piece of another individual’s identity or information from others.

Withholding of the identified self may take any of these forms in the virtual world, just as it can in the physical world. One may seek anonymity, pseudonymity or confidentiality for reasons that are morally prohibited, neutral, or permitted. The ethical importance of acts, whether committed by the identified self, anonymous self, pseudonymous self or the self kept confidential by another is whether the intent or content of the act causes unjustified harm to another.

One may be anonymous and pseudonymous to different recipients simultaneously. For example, a hacker will be anonymous to the manager of the secure system she has just breached, but may celebrate her success among her hacker friends who know her pseudonymously. She trusts her life partner to keep her physical world identity confidential from both sets of online users.

Online psychologist John Grohol distinguishes between anonymity and pseudonymity: “Pseudonymous systems strike a balance between people’s needs to obscure their identities online, while still allowing them to build reputations in those usernames. These systems have been shown to work very well for an online community” (Grohol, 2006).

Many sites practice confidentiality to protect their users. Users trust information that makes them vulnerable to loss, such as their credit card numbers, to vendor websites with the expectation that the information will not be revealed to others, regardless of the personal or business concern of the other.

It is interesting to note that while complicated “opt out” procedures are the norm for individuals who wish to protect their contact information and consumption habits from being shared by one website with another, the confidentiality of credit card information is assumed by all involved. It would, of course, be ludicrous for online sellers to expect consumers to go through complicated or difficult processes to protect their credit card information. The result would be consumers highly reluctant to make online purchases. The fact that sellers do expect consumers to go through complicated or difficult processes to protect their contact information and consumption habits and that users generally don’t bother to protect such information provides evidence for the conclusion that consumers do not yet understand the value of this information in the marketplace.

In the physical world, one does not need to justify withholding one’s real name. It is assumed that one has the right to control release of important information about oneself, including one’s real name. The burden of justification is on those who would demand to know it. In some situations, it is legally required that one disclose one’s real name to verify one’s identification, or verification of identification may be required to protect the user in commercial transactions. However, for the most part, we remain anonymous to one another as we pass on city streets. There is no legal or ethical barrier to the adoption of a pseudonymous identity when waiting for one’s turn at a restaurant or when joining an affinity group. Conventionally, we expect service providers, such as hair stylists and drycleaners to refrain from gathering and sharing information about us. Legally, such confidentiality is the norm for information gathered by medical and educational personnel.

In the physical world, the burden of justification is not on the individual seeking anonymity, pseudonymity or confidentiality, but rather on those who would deny it. When customers pay cash to buy products in a store, there is no duty for them to disclose their names, phone numbers, or even their zip codes, despite the clerk’s request that they do.

The real name requirement is thus ethically questionable first because it incorrectly places the burden of justification on the individual who does not wish to disclose rather than on the organization wishing for disclosure.

## WHO IS HARMED AND WHO BENEFITS FROM THE REAL NAME REQUIREMENTS

### The Argument that Real Names Keep the Internet Safe

Web managers function with the belief that requiring that users reveal their real names cuts down on flaming, trolls, and other uncivil communicative acts. According to online psychologist John Grohol, “Anonymity is a double-edged sword when it comes to an online community. While anonymity may allow people to feel more free and disinhibited to discuss otherwise embarrassing or stigmatizing topics, it can also be a community’s biggest enemy. Anonymity allows people to hide behind their computers while saying whatever they want with little ramification. Psychologists know that online community is far more disinhibited than face-to-face communications. Pair that disinhibition with anonymity and you have a recipe for potential disaster” (Grohol, 2006).

Most arguments in favor of real name requirements suggest that people will refrain from engaging in evil acts if their identity is knowable. That claim leads easily to the work of ancient Greek philosopher, Plato, thus illustrating how classic some new media ethical issues turn out to be. In Book II of Plato’s Utopian work, *The Republic*, we find Glaucon presenting Socrates with the Myth of Gyges. Gyges, as the story goes, takes a golden ring from a corpse and then finds that when he puts the ring on his finger and turns the ring, he becomes invisible. As the story goes, Gyges uses his new found power to sneak into the Queen’s chambers and seduce her; he kills the King and takes over the kingdom. Glaucon uses this story to argue the point that any person would act unjustly if given the chance to do so without consequences. Socrates doesn’t directly respond to Glaucon’s position until *Book X*, where Socrates formally lays out the argument that people act justly or unjustly because of their character and conscience, not because they will be punished for unjust actions. Most people are familiar with more recent renditions of the Myth of Gyges as it appears in *The Lord of the Rings* and in the *Harry Potter* series.

Socrates’ position, that one acts justly just because it is the right thing to do, is also the hallmark of moral sophistication according to contemporary moral developmental theorists. People who are morally mature do the right thing just because it is the right thing to do, not because someone else is watching. The Internet may be the playground of moral ingrates and, depending on which site you peruse, it can certainly seem that way. But, the Internet also provides unprecedented opportunity to teach and learn civility and civic discourse and to appreciate individual and cultural diversity. Rather than creating online environments that operate in the moral basement by requiring real names so that inappropriate users can be more easily caught and pun-

ished, online environments should appeal to the best of human nature, by encouraging right acts for the right reasons. The punishment meted out by website administrators is suspension of user privileges and users are suspended regardless of whether they use a real name or not. As users are trusted to provide their real names, it can be assumed that users inclined to act inappropriately may also be willing to lie about their identities. Harms are caused to users by a real name requirement in that it does not appeal to or enhance users' moral development.

### **Chilling Effect**

Some users claim that a real name requirement causes them harm by restricting them from pursuing interests that they feel unsafe having linked to their physical world identity. Concerns include work-related consequences, or the anticipation of other physical, social, reputational, financial or psychological harm if one's expressed political thoughts, sexual orientation or other online exploration is attached to physical world identity.

Just as the question of what individuals would do if they were not accountable to others led quickly to Plato, the question of harms caused by silencing minority voices leads quickly to nineteenth century British philosopher John Stuart Mill. Mill argued that citizens have the duty to reason carefully about matters of governance and to continually test the validity of one's beliefs against opposing views. He claimed that citizens have a duty "to form the truest opinions they can" (Mill, 1869/1991, p. 59). Citizens achieve that lofty goal by being part of public discussion that includes the hearing of all manner of diverse views, both civil and offensive. Mill notes that most people "have never thrown themselves into the mental position of those who think differently from them and consider what such persons may have to say; consequently, they do not, in any proper sense of the word, know the doctrine which they themselves profess" (pp. 42-43). Having true opinions is essential to the individual becoming educated and enlightened. "The term duty to oneself," Mill said, "when it means anything more than prudence, means self-respect or self-development" (1869, p. 87).

From a Millian perspective, the unjustified harm that an unknowable individual might cause is less than the harm to the community as a whole if diverse voices are silenced or if self-exploration is restricted.

### **Governmental Control and Promotion of Democracy**

Another problem with the real name requirement is verification. Governmental "real name" requirements that link online user behavior to an individual's governmental ID are abhorrent in most of the world and have been found by the U.S. Supreme Court to be unconstitutional. As of this writing, only China

enforces a direct connection between an individual's online action and his or her governmental ID. Without official verification, the real names requirement is more of a real-sounding name request or suggestion. With official verification, citizens run a high risk of having their speech controlled or monitored by those in power. Mill argued that it is not appropriate for government to control objectionable speech, as the temptation for those in power to control dissent was far too great. Mill argued that individuals are not accountable to anyone aside from themselves for how well they do on their personal adventure of self-development (1859, p. 87).

Thus, public discussion and individuals' ability to form true opinion rests on the diversity of views that come when people can speak freely and be exposed to a variety of views different from their own. If a real name requirement interferes with any individual's ability to speak freely, it interferes with the self-development of all and, ultimately, interferes with the democratic process that leads to the aggregate good of the community.

In Mill's companion essay, *Utilitarianism*, he argues that the individual's ability to develop oneself through exposure to different ideas contributes to the good of the community as a whole (1869/1991, p. 142). In an allusion to *On Liberty*, he wrote, "[T]he happiness which forms the utilitarian standard of what is right in conduct, is not the agent's own happiness, but that of all concerned." (1869, p. 148).

Happiness, therefore, is not the product of a passive life in which all of one's desires are met. Rather, happiness is found in the realization of society's shortcomings and active involvement in making the world a better place. There is no better arena for that involvement than the Internet.

A believer in the good of democratic rule, Mill said: "Society between equals can only exist on the understanding that the interests of all are to be regarded equally" (1863, p. 165). But, it is also important not to lose, in the analysis, the reference to the happiness of *all* concerned. Mill's goal is not to have a simple majority of voters calling the shots. Rather, Mill advanced the more sophisticated notion that enlightened self-interest will naturally result in individuals acting for the good of the whole. Regulation of the Internet ought promote democratic interests.

#### WHO BENEFITS FROM REAL NAME REQUIREMENTS

If those with unpopular views, and the community that would hear them, are those most harmed by a real name requirement, it is important to consider who might most benefit. The most obvious beneficiaries of an online real name requirement are those with business interests. Google's aggregation data attached to one's physical identity provide a wealth of material that is used to benefit Google and other corporate interests that pay for the privilege



of exploiting those data. While Google does have opt-out policies, the complexity of the process guarantees that all but the most motivated user will simply allow Google to do as it wishes with the information. The economic harm caused Google and other corporate interests by denying a real name requirement for the web does not trump the ethical harm caused individuals and the community as a whole by having a real name requirement.

#### THE INTERNET, DEMOCRACY, AND CORPORATE INTERESTS

It is true that everyone with access to the Internet can claim a bit of virtual real estate and set up shop, disseminating information and opinion. We can call ourselves journalists or commentators or reviews or bloggers or claim no label at all.

It is also true that the best metaphor for the Internet in its current form is not a “virtual town square,” but “virtual Times Square” with a cacophony of advertising on electronic billboards, each demanding attention, often dangling bait specifically modified based on the patterns and content of individuals’ Internet use.

Advertising needs an updated code of ethics that takes into account the vulnerability of users in virtual environments, just as traditional news organizations need guidelines that take into account the new world of instantaneous deadlines and the ability to provide an unfettered public forum with unlimited reader commentary. But, unlike the twentieth century, when professional codes of ethics addressed all that was deemed important in mass communication, the twenty-first century demands a broader appreciation of ethical expectations for all producers and recipients of digital messages. It is impossible to stretch the standards codified for last century’s print and broadcast news organizations to fit a virtual world of mass communication with its variety of message producers and distributors. Contemporary guidelines for mass communication ethics must address responsibilities of us all.

Communication is a powerful act and communicators are responsible for actions that follow from their messages. Those who receive the messages have responsibility as well. For example, if users are not offered sufficient information to allow them to accurately distinguish the kind of message that they are receiving, whether it is fact, opinion, fiction, or advertisement, for example, they can suffer harms by acting on mistaken beliefs. On the other hand, if citizens form mistaken beliefs because they avoid views that would make them uncomfortable with what they believe to be true, they are ethically culpable for actions or statements that they make based on willful ignorance.

As human beings, we are always limited by what we believe to be true. Forming true belief is a lifetime job. We have no choice but to act on the beliefs that we hold, but we also need to be open to new facts or new interpretations that can help us surrender beliefs that turn out to be false or incomplete.

Regardless of the communicator's chosen label or professional status, guidelines for contemporary mass communication should include the following:

1. recognition of power in the communicative act
2. accountability for the consequences of one's mass communications
3. the expectation that producers and distributors will do what they claim to be doing and
4. the expectation that producers and distributors will disclose ethically relevant information.

These guidelines hold regardless of whether a user identifies herself with a real name in the process of communication. The guidelines also hold for organizations, which means that social networking sites, such as Google+, should disclose their marketing interest in user data and provide justification for disclosure in requiring real names.

Democracy, as practiced online, can tolerate corporate capitalism in various forms including advertising and for-profit providers of information and opinion, just as it does in the physical world. But, the Internet has opened the mass communication field to allow for more active citizen participation than ever. As informed and critical citizens depend on active participation, requirements that favor corporate interests over individual expression should not be tolerated.

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