

A clearer narrative from business, including an emphasis on the critical distinction between personal and non-personal information, could help loosen this regulatory knot and raise confidence in the positive impact of data.

“I like to think of data as having value, but it might be oil or it might be blood,” says Robert Madelin, Director-General of Communications Networks, Content and Technology for the European Commission. “Our ethical stance, if my data is blood – if it’s going to save lives – is different than if my data is of a sort that can be ethically monetized.”

**SCANNING** the global landscape, we appear headed toward a discordant set of rules that could result in the fracturing of the internet, undermining its power as a global, equal-access knowledge base. A heavily pro-business argument that ignores consumer concerns could inadvertently strengthen support for nationalist regulatory tendencies.

So what should companies do, especially multinationals, within this regulatory patchwork? In a word: engage.

Most companies understand the power of data analytics for their business. They should also recognize the threat of regionally based regulation. By getting ahead of consumer and government concerns, companies can move toward a more nuanced conversation about how data is being handled and the power of analytics to change society for the better. Multinational companies are best positioned to make this case, thinking globally and responding locally.

Unleashing the digital revolution in a controlled environment could bring unimaginable benefits. Businesses should start to tell that story, before overly stringent regulation hijacks the narrative.

**MARK SEIFERT** is a Partner in Brunswick’s Washington, DC office, advising on corporate data, privacy and cybersecurity.

**KATE TELLIER** is a Director in Brunswick’s Brussels office and advises on European public affairs related to the digital economy.

Additional reporting by **MATHILDE BONNEAU**, Account Director in Brussels.

## CHINA

# EVOLUTION OF PRIVACY

Until recently, the concept simply didn’t exist, says Brunswick’s **MEI YAN**

**F**or centuries in China, ruling powers advocated for collectivism and cohesion, and treated individuality with suspicion. Until fairly recently, the concept of privacy, as the West understands it, simply didn’t exist.

This absence is most clearly evident in the Chinese language. Until the 20th century, the language lacked a word for “privacy” or even the vocabulary needed to communicate the concept. The compound that eventually emerged, “yinsi” (隐私), has negative connotations of secrecy and conspiracy, as does the phonetically similar word for “hell” – “yinsi” (阴司).

The Mao era reinforced this vice-over-virtue view of privacy with the glorification of collectivism. From the very foundation of a society built on public ownership, to the treatment of individual lives as an open book, lack of privacy was the norm, reinforced by Communist Party monitoring even at the grassroots “neighborhood committee” level (居民委员会). Private thoughts showed selfishness and brought shame, persecution or worse.

The negative framing of privacy was upended by China’s “open door” policy. Launched in 1978, it ushered in economic reforms that eventually enabled private and individual ownership. The Party’s shift set off a major social evolution, paving the way to greater acceptance of personal privacy.

As a backlash to China’s collectivist past, in the post-reform era people

have begun to see individual privacy as a right that should be guarded and respected. Yet the concept is still very much in flux, with the internet and the widespread adoption of social media playing important roles.

In China, the internet has sparked a mass invasion of privacy known as “human flesh search engines” – digital witch hunts by netizens nationwide who band together to identify and shame individuals perceived as having violated public morality. While the trend is often seen as a positive force to root out socially unacceptable behavior, it also intrudes deep into private lives.

Early examples of people who had their names, addresses and other private details exposed on the internet include a woman who complained that coverage of the deadly 2008 Wenchuan earthquake was disrupting her TV viewing. Another notable case is that of “Uncle Watch,” a government official who was outed by online vigilantes for flaunting multiple luxury watches while attending official duties.

“Yinsi” may no longer be closely associated with “hell,” but these incidents highlight how the concept is still evolving. Ultimately, respect for personal privacy in China is destined to become more natural, as people begin to appreciate privacy as a daily necessity rather than a luxury.

**MEI YAN** is a Senior Partner in Brunswick’s Beijing office. She advises major global corporations, with a particular focus on public affairs. As a journalist for *ITN* and *CNN*, she was a three-time Emmy winner.

