

Banning TikTok:

The US, China, and the Battle for Technological Dominance

Ravale Mohydin



(Ali Balıkcı - Anadolu Agency)

The relationship between the United States and China has become increasingly fraught in recent years, with a range of issues including trade, human rights, global influence, and territorial disputes. One specific area of contention is the competition for technological dominance, as demonstrated by the US plan to ban the Chinese-owned app TikTok. This paper focuses on the proposed ban on TikTok, against the backdrop of previous US concerns about other Chinese technology companies. It also looks at factors such as the potential impact on global economy, future of innovation, implications for greater human rights and freedoms, along with possible Chinese countermeasures. The paper concludes with policy recommendations for the prevention of further escalation of tensions between the two nations.

Introduction

The rivalry between China and the United States encompasses a growing concern from political and ideological perspectives, particularly concerning the competition for power and prestige. Recently, the two global powers have been in intense disagreement over trade, human rights, worldwide influence and territorial disputes. The US plan to ban TikTok, a popular short-video app owned by the Chinese company ByteDance, reveals the two nations' battle for technological dominance. This paper explores recent US-China tensions and examines the planned ban as well as US apprehensions about other Chinese technology companies in the past amidst their "Tech War". Issues like precedent-setting, antitrust fears and implications for greater freedoms are discussed. Understanding the complexity of the TikTok ban, given that almost all governments seek information from technology companies, guides the policy recommendations that follow a delineation of potential Chinese countermeasures and what they could mean for the global economy as well as the future of innovation.

Recent US-China Tensions

The competition between the United States (US) and China has emerged as a [defining aspect](#) of global affairs in recent years, influencing a broad range of strategic discourse and actual political, military, and economic developments. The scope of the Sino-American rivalry encompasses an ever-expanding threat perception from political and ideological perspectives. This rivalry has been red-hot recently, with the two global forces clashing over key issues, including technology, trade, human rights, international influence, and territorial disputes, particularly Taiwan.

US-China trade exploded since China joined the World Trade Organization (WTO) in December 2001, and while commerce has benefitted both countries' people and businesses, "Beijing's [state-led development](#) has created a range of problems, leading Washington to push back". The trade conflict has been characterised by the imposition of tariffs on substantial quantities of goods imported from each other's countries. The Trump administration claimed China had been engaged in a long-standing pattern of [unfair trade practices](#), including manipulating currency values and stealing intellectual property. In response, China implemented countermeasures in the form of [tariffs on](#)

[goods](#) imported from the US, such as soybeans. President Joe Biden, upon assuming office, has [retained tariffs](#) on Chinese imports and implemented additional trade restrictions to restructure and rebalance the bilateral relationship between the US and China. The trade war has significantly impacted the global economy and the relations between the two countries.

In terms of human rights, the US expressed condemnation of China's treatment of ethnic minorities, with specific emphasis on the Uyghur Muslim population residing in Xinjiang province, adding to the strained relationship between the two countries. Following a spike in violence in 2014 between Uyghur Muslims and Han Chinese in Xinjiang, the US government and international community raised concerns about the treatment of Uyghur Muslims in Xinjiang, including reports of mass detentions in "deradicalisation centres," forced labour, and other human rights abuses.¹ China says the deradicalisation centres are no longer in operation and that Xinjiang has been [free from terror attacks](#) for more than five years (as a result of the "deradicalisation centres"). Nevertheless, the US imposed sanctions on various [Chinese officials and organisations](#) to hold those responsible accountable for their actions and exert pressure for a policy change. The [Uyghur Forced Labor Prevention Act \(UFLPA\)](#), which went into effect in June 2022, empowered US authorities to block the import of goods into the US that was linked to forced labour in China.

The US and China are fundamentally different when it comes to perspectives on global influence. The US has traditionally advocated for a rules-based international system, where nations are bound by a set of agreed-upon rules and institutions to govern their interactions. These rules are predominantly made by developed countries already holding significant power and influence. In contrast, China has promoted a more multipolar world, where multiple centres of power coexist and exert influence on the global stage. This approach emphasises the need for greater representation and participation by developing countries in global governance and decision-making and a more balanced distribution of power among the major actors in the international system².

The US and China disagree on several dossiers, especially Taiwan. China considers Taiwan one of its provinces and has claimed it as its territory since 1949. For several decades, the US [implemented a strategy of diplomatic delicacy](#) regarding Taiwan, by not officially recognising Taiwan as a sovereign state, but maintaining unofficial relations

¹ The Uyghur Muslim issue in China has roots in the country's "hukou" registration system, which determined where people could live and work, and, once movement restrictions were lifted in 2002, government-run technical training programs existed to enable an "orderly" and "guided" population flow. In 2014, the clashes between the ethnic majority Uyghur Muslims against the Han Chinese (the ethnic majority in China itself) spiked because more and more Han Chinese settled in Xinjiang, threatening the Uyghur Muslim culture. The Chinese government then established a separate system of facilities referred to as "training centres" to de-radicalise individuals from ethnic minorities who allegedly hold extremist views. This process was achieved through the indoctrination of these individuals with the ideology of the Communist Party.

² This is very much aligned with the phrase "[the world is bigger than 5](#)", coined by Turkish President Recep Tayyip Erdoğan. The government of Turkey has consistently expressed its opposition to the system of the United Nations Security Council (UNSC), which grants disproportionate power to the five permanent members - the United States, United Kingdom, France, Russia, and China - who possess the ability to veto any resolution, regardless of the number of member states that support it.

with the island, including economic and military ties. The Chinese particularly object to the US arms procurement to Taiwan, which the US views as key for Taiwan to deter potential aggression from China, but China deems it a violation of its sovereignty. However, the recent statements of President Biden indicate a departure from this policy, as he has unequivocally stated that the United States would defend Taiwan in the event of an attack from China. President Biden was also the first US president to invite official [Taiwanese representatives](#) to attend his inauguration. This is another warning of increased tensions between the two global powers, threatening the international order.

The Sino-American Tech War

Against this background of multiple Sino-American political, military, and economic disputes, particularly the conflict over Taiwan, appears to be an even larger competition for technological dominance. This competition over technology has been brewing for some time, simmering beneath the surface. However, it has reached a boiling point, coming to the forefront with increased clarity and velocity. This section will highlight and explore the context and implications of the most recent tussle: the US government wanting to ban TikTok.

In August 2020, the US government issued an executive order stating that TikTok, a popular short-video app owned by the Chinese company ByteDance, would be banned in the US unless it was sold to a US-based company. The rationale behind this decision was that the US government believed [the Chinese government could use TikTok](#) to collect personal data on US citizens and potentially use that data for nefarious purposes. However, no evidence has been produced that China is ["using TikTok in this way"](#). Regardless, the concern was fuelled by the fact that TikTok has a large user base in the US and the company stores a significant amount of data on its users. [Two-thirds](#) of American teens are now TikTok users. By April 2022, US Senator Josh Hawley proposed legislation similar to the current ban on TikTok, stating that the app posed a potential threat as a ["Trojan horse for the Chinese Communist party."](#)

This controversy was coupled with bipartisan efforts to regulate the use of TikTok, which intensified after reports surfaced that ByteDance employees were [accessing user data](#) of TikTok's American users. ByteDance argued that it stores all user data outside of China and that the company is not subject to Chinese laws requiring companies to share data with the government. It is always possible that the Chinese government could be using other means to

gain access to TikTok data, regardless of the company's claims, but so far, there is no publicly available evidence to suggest that this is the case. However, US cybersecurity experts have raised concerns that the Chinese government might use TikTok to [spread propaganda or censorship](#) to American users³ or exert control over individuals who may later regret the content they have shared on the app. While the extent of TikTok's censorship is contested, "if an app is censoring for Beijing, it might also be [handing over data to Beijing](#)".

With that said, TikTok has hired a Chief Information Security Officer and pledged to share data with US authorities in cases of national security concerns. TikTok and ByteDance also tried to secure the deal with potential buyers such as Oracle, Microsoft and Walmart, but the agreement still faced [hurdles and controversies](#). Nevertheless, as of January 2023, [26 US states](#) have implemented full or partial bans on the usage of TikTok on government-issued devices by US officials and government employees. Furthermore, the US Armed Forces have also [prohibited](#) using TikTok on military devices.

Concerns over data privacy are not only limited to TikTok but also extend to other Chinese technology companies. Such US apprehension has been termed the ["securitisation"](#) of technology policy in US-China relations. The Chinese telecommunications giant Huawei Technologies [also garnered increased global attention](#) and scrutiny from the US government due to its expansion in the international telecommunications industry in August 2019. This reaction was also deemed a direct consequence of Huawei's central role in the then rapidly escalating trade dispute between the US and China under former US President Trump. It must be noted that Huawei has become the second-largest global smartphone seller, [surpassing](#) the American Apple Inc. sales for the first time in 2018. The former Trump administration launched a sustained campaign to prevent Huawei from being utilised in the [implementation of new 5G networks globally](#), citing national security concerns also alleging that the Chinese government could potentially use Huawei's communications technology for espionage. Huawei also consistently denied the allegations then, like TikTok now. Various measures were implemented to impede Huawei, including attempts to disrupt its supply of [critical semiconductors](#).

This brings attention to US-China tensions over Taiwan also. Taiwan's [global pre-eminence](#) in the field of semiconductor fabrication has transcended geography, economy, and technology. Therefore, it has impacted the dynamics of the relationship between the United States, China, and Taiwan. The Biden administration believes that Taiwan's technological leadership and capacity for producing vi-

³ It has been reported that on [several instances](#), TikTok has instructed its moderators to censor videos that contained references to certain sensitive topics such as Tiananmen Square, Tibetan independence, or the religious group Falun Gong, as per a report by *The Guardian* in September 2019. Following this report, the company no longer engages in such censorship practices. Furthermore, during a parliamentary committee hearing in November 2020, the UK Director of Public Policy of TikTok, Elizabeth Kanter, admitted that the app had previously censored content that was critical of the Chinese government regarding the forced labour of Uyghur Muslims in China. Subsequently, the Director stated that her previous statements were misspoken.

tal semiconductor chips [cannot be effectively substituted](#) either by diversifying the sources of chip fabrication or by government funding to reinstate a limited US domestic capability. The [US and China both rely](#) on the Taiwan Semiconductor Manufacturing Company (TSMC) for chip production, but the nature of their dependency differs. While the US is a leader in chip design, it has a weak supply chain. On the other hand, China [struggles to meet its semiconductor chip needs](#) despite government subsidies and funding. This is due to China's unbalanced development and inefficiencies in its state-controlled industrial sector.

Like 5G technology, artificial intelligence (AI) has advanced and become more of a reality today. Chinese technology companies have rapidly gained global market share [in AI](#), potentially putting the US at a security and economic disadvantage. A report from Stanford University revealed that China submitted [more than 50%](#) of all global AI patent applications in 2021. It is critical to acknowledge that TikTok, in particular, can be an important platform for the development of AI: TikTok has vast amounts of data generated by its users, including videos, text, images and other types of information, that can be used to train machine learning models. This data can improve the performance of various AI-powered features such as video recommendations, content moderation, and facial recognition.

Additionally, it can be used to train models that can be used to improve other AI applications such as natural language processing, computer vision, and speech recognition, "[leveraging the massive datasets](#) generated by its ever-expanding user base". TikTok is not alone in using AI in this way, and many other platforms, tech companies, and industries are using AI and machine learning to improve their operations and services, but TikTok likely has the [user acquisition strategy](#) likely to garner the most and the richest data to feed their AI models. This is critical to understand when contextualising US concerns about TikTok. As stated by researcher Robert D. Williams at Yale Law School: "US concerns over companies such as telecommunications equipment-maker Huawei and social-media platform TikTok [are multidimensional](#) and scarcely amenable to characterisation in terms of discrete national security risks."

Even though most Big Tech faces unprecedented levels of scrutiny nowadays, TikTok's specific "popularity is a threat to America's [technological superiority](#)", especially regarding the Internet. Such rivalry is something the US is taking very seriously.

Setting A Precedent?

The potential ban and sale of TikTok could also be a precedent for other Chinese technology companies operating in the US. Setting a precedent is important in this case because it establishes a pattern of behaviour or a course of action that can be followed in similar situations in the future. When it comes to the situation with TikTok and

other Chinese technology companies operating in the US, setting a precedent could significantly impact how the US government deals with these companies in the future. For example, if the US government successfully bars TikTok or forces it to sell a controlling majority to a US-based company, this could set a precedent for the government to take similar actions against other Chinese technology companies in the future. In a January 2023 interview, Brendan Carr, Commissioner of the US Federal Communications Commission (FCC), stated that India's ban on TikTok in June 2020 set a precedent for other countries to follow as the app posed a threat to national security. He believes that the app operates as a "[sophisticated surveillance tool](#)" and presents a serious threat as "all sensitive and non-public data is [sent to Beijing](#) and could be used for malicious activities such as blackmail, espionage, foreign influence campaigns and surveillance". He suggested that a blanket ban, like the one imposed by India, is the only solution to this issue, even for the US. An outright ban or divestment could have far-reaching implications for Chinese technology companies operating in the US, as they would be forced to either conform to US regulations or face being banned or forced to divest themselves of their US operations.

On the other hand, if the US government's efforts to ban TikTok or force it to sell itself to a US-based company are unsuccessful, this could also set a precedent, indicating that the US government may have difficulty taking similar actions against other Chinese technology companies in the future. It is also worth noting that the US government's actions towards TikTok could also serve as an example to other countries in how they deal with Chinese technology companies operating in their countries. By December 2022, Taiwan was also considering a total ban on TikTok for Beijing attempting to erode the "public's [confidence in government](#)". Therefore, setting a precedent, in this case, is important because it could significantly impact the future of Chinese (and perhaps other foreign) technology companies operating in the US and around the world.

Antitrust Fears and Implications for Greater Freedoms

Though the US government has stated that the decision to ban TikTok is based on national security concerns, specifically the handling of user data, the decision may have unintended consequences on other freedoms. While protecting national security is a legitimate concern, care must be taken to ensure that it is protected in a way that respects other rights and values.

Firstly, one can argue that the decision to ban TikTok and its attempts to force the app's Chinese owner, ByteDance, to divest the app could be considered an antitrust move. Antitrust laws, also known as competition laws, [are de-](#)

[signed to promote competition](#) and prevent monopolies by regulating anti-competitive practices such as price fixing, predatory pricing, and mergers and acquisitions that result in a dominant market position. However, US officials are framing the issue of Apple and Google still allowing TikTok to be downloaded from their app stores not as “their defence of altruistic or procompetitive purposes... [but as] [a cover-up to avoid liability](#)” that should be investigated by the US Department of Justice’s Antitrust Division to evaluate if their actions are anti-competitive.

Additionally, the US government’s decision to ban TikTok and its attempts to force the app’s Chinese owner, ByteDance, to divest itself of the app could have implications for freedom of expression and other freedoms. A ban on TikTok could limit the ability of US citizens to express themselves and access information. Many of them [find the platform useful and enjoyable](#). TikTok is a platform that allows users to create and share short videos and has become a popular way for people to express themselves and share their perspectives. A ban on the app could mean that some people can no longer use it as a means of expression. This could lead to [angry TikTok users](#) who did not get the choice to use the app or not. It is also possible that the ban could have a chilling effect on free expression on other platforms, as people may be hesitant to express themselves online if they think their content could be subject to government censorship or surveillance.

Furthermore, the ban could also have implications for other freedoms, such as the freedom of assembly, as people use TikTok [to organise and participate in protests](#). This has had both positive effects and negative consequences also. Some users used the platform to share [false claims about widespread voter fraud](#) in the 2020 Presidential election, which were used to incite and rally individuals to march on the US Capitol in January 2021. TikTok has also been used to document the events of the US Capitol and its aftermath. Many users shared videos and information from inside the US Capitol during the attack. Law enforcement has used this footage [to identify](#) and arrest individuals who participated in the storming. TikTok removed content that incited violence or promoted false information about the election and banned President Trump’s official account after the events of January 2021.

The role of TikTok and other social media platforms in the events leading up to and during the storming of the Capitol in January 2021 [has implications for citizen journalism](#). Citizen journalism refers to regular citizens gathering, reporting, and disseminating news and information, often through digital technologies. Social media platforms like TikTok have enabled more people than ever before to participate in this form of journalism by providing a means for them to create and share content and reach a large audience. The banning of TikTok could potentially disenfranchise [people who found a voice for themselves](#) via the app they otherwise would not have.

Politics At Play?

American companies, like many other companies around the world, also have access to a large amount of user data, which they can use to train AI models and improve their products and services.

Many major technology companies, such as Google, Facebook, and Amazon, have vast amounts of data generated by their users that they use to train machine learning models. For example, Google uses data from its search engine and other services to improve its natural language processing and computer vision models. In contrast, Facebook uses data from its social network to [improve its recommendation algorithms](#) and to train models for computer vision and natural language understanding. According to the US government, the concerns they raised regarding TikTok stem from the potential risks associated with the collection and handling of their data rather than simply the fact that it is a Chinese company. However, as per the [Harvard Law Review](#), the US government has been accused of accessing or requesting data from American technology companies multiple times, highlighting the complexity and nuance of the issues involved. A ban on TikTok could have unintended consequences, such as promoting alternatives that might not have the same level of security and data protection standards - that would lead to a lose-lose situation overall.

Governments worldwide have concerns about companies of all nationalities having access to their citizens’ personal data and have implemented regulations and laws to ensure data privacy and security. It is fair to say that data privacy and security are a shared concern for all parties, and all companies, regardless of their origin, should be held to the same standards in terms of data protection and data privacy. All companies should be transparent about how they collect and use data, obtain informed consent from users, and implement robust security measures to protect the data they collect. Governments should ensure that the regulations and laws they impose to protect personal data are reasonable and proportionate and do not discriminate against specific companies or countries. If China decides to take [countermeasures against the US post-TikTok ban](#), it could take several different forms, including:

- China could impose restrictions on the operations of US-based technology companies, such as Google, Facebook, or Twitter, or require them to comply with Chinese laws and regulations. This would likely harm these companies, which currently have a large user base in China. This can hit the US economically and politically.
- China could impose economic sanctions on the US, such as boycotts or tariffs on goods imported from the US. This would harm the US economy and could lead to retaliation from the US government.
- China could launch diplomatic campaigns and public relations efforts to counter the US accusations and to present

its perspective on the issue. This could include highlighting the US's actions as protectionist, unfair, or politically motivated and emphasising China's commitment to fair trade and open markets. Already the Chinese are diplomatically engaging and [investing heavily](#) in enhancing international trade and infrastructure projects in the developing world "in [a growing contest for international influence](#) that could heavily shape geopolitics in the decades ahead".

- China could take legal action against the US in international trade organisations such as the WTO over the alleged discriminatory or protectionist measures taken by the US government. China has [already initiated a trade dispute at the WTO](#) against the US regarding its semiconductor export controls, as announced by China's Ministry of Commerce in December 2022. This is in response to the US enacting a comprehensive set of regulations in October 2022, which, according to China, are intended to cripple China's semiconductor industry. While the legal route could be a long-term process, if China were to win, it could lead to the lifting of the ban and compensation for the losses sustained by ByteDance.

These potential countermeasures could further escalate tensions between the US and China and could have negative implications for the global economy and international trade. Thus, finding a peaceful and mutually beneficial solution is preferable.

A Balancing Act

The government must consider the proportionality of its actions to the harm it aims to prevent and ensure that the decision is based on facts and evidence and not on political motives alone. Proportionality is an [important principle in international law](#) to consider when evaluating government actions, particularly when those actions could significantly impact individuals' rights and freedoms. It requires that the means used to achieve a legitimate goal are appropriate and necessary and that the potential harm caused by the action is proportional to the benefit that it aims to achieve. In other words, the action should be the least restrictive means necessary to achieve the desired outcome.

Additionally, it should be done in a way that respects other rights and values and should be subject to judicial oversight to ensure that it doesn't infringe on the right to freedom of expression and a fair trial. Balancing freedom of expression with security issues is a complex and difficult task. On the one hand, freedom of expression is a fundamental right that is essential for democracy and the functioning of a free society. On the other hand, national security concerns are also important and must be considered to protect the safety and well-being of citizens. A primarily security-oriented approach will not likely be sustainable in the coming years.

One way to balance these competing concerns is through targeted and proportionate regulations focusing on specif-

ic harms rather than blanket bans. A ban on the app would significantly impact the rights and freedoms of American citizens who use the app, as it would restrict their ability to express themselves and share information. Additionally, it could have negative implications for the global economy and international trade. So, a ban on TikTok would have to be proven as the only and the least restrictive solution to the problems the US government has identified.

Thus, for example, instead of banning TikTok, the US government could focus on implementing regulations to address specific security concerns, such as requiring the company to store user data in the US and provide it to US (and other) authorities in cases of national security concerns. All platforms could actively promote transparency and build trust with their users by clarifying the data policies and how they handle user data in cases of security concerns. The principle of equality can be applied across the board for a win-win resolution, which may be the most sustainable considering innovation cannot (and should not) be stopped and such frictions can be avoided every few years.