

Controversy over Gender Differences and Free Speech at Google

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Abstract	In August 2017, Google executives found themselves in a difficult position. An internal memo written by a disgruntled software engineer, James Damore, had just gone viral. In this memo, Damore claimed that the relatively small number of women in the tech industry was partly due to biological factors, and that many of Google's diversity efforts were therefore counterproductive. The contents of this memo were offensive to many (and thus were having a negative impact on the overall workplace environment), but the executives were aware that the wrong reaction to it would at least partially vindicate Damore's claims about the lack of open discussion at Google. In the end, after two days of controversy, Google leadership decided to fire Damore on the grounds that he had violated the company's code of conduct. This case gives students an opportunity to explore the numerous issues raised by Damore's memo and the controversy surrounding it. Did Google handle this case properly? Was firing Damore the right thing to do? How could the situation have been handled more effectively?

Learning Outcomes

After completing this case study, students should be able to:

- reach a deeper understanding of the challenges faced by women and minorities in the technology industry, and evaluate potential solutions to those challenges;
- examine and evaluate Damore's arguments (and the empirical claims those arguments are built on);
- navigate the potential conflicts between a respect for freedom (especially freedom of speech) and an obligation not to cause harm (especially psychological harm); and
- explore the issue of civil discourse, and the question of how leaders can facilitate civil discourse while maintaining an inclusive work environment.

Introduction

On August 5, 2017, James Damore's "Google memo" went viral. It had been circulating within Google, but it became public when Gizmodo, a science and technology blog, published a blog post (Conger, 2017) that included the full text

of the memo. In the memo (Damore, 2017), titled “Google’s Ideological Echo Chamber”, software engineer James Damore argued that Google’s attempts to increase racial and gender diversity were doing more harm than good. Damore’s memo, which focused on gender diversity, contained numerous controversial claims and sparked an intense, mostly critical discussion. Two days later, on August 7, Google CEO Sundar Pichai wrote an email to Google employees indicating that Damore had violated the company’s code of conduct (Swisher, 2017), which led many to believe that Damore would be fired. Sources within Google later confirmed that Damore had indeed been fired.

This controversy arose just a few months after the U.S. Department of Labor accused Google of wage discrimination against female employees (Levin, 2017)—accusations that were themselves coming in the context of numerous reports of sexual harassment throughout the technology and entertainment industries. The contents of the memo, and the reactions to it, raise numerous important issues involving science, ethics, and public policy.

The Contents of the Memo

The essence of Damore’s memo consists of three main claims. The first claim is that the relatively small number of women working at Google, and in the tech industry in general, is the result of biological gender differences rather than discriminatory practices. Although his memo did not include a list of references, the document did contain numerous hyperlinks to scientific studies that Damore used to support his arguments. (Gizmodo removed these hyperlinks when they published the text of the memo.) We will briefly consider these studies below.

As Damore (2017) says in his introduction to the memo: “Differences in distributions of traits between men and women may in part explain why we don’t have 50% representation of women in tech and leadership.” For example, he cites research suggesting that women typically “have a stronger interest in people rather than things, relative to men.” The second main claim is that the initiatives and policies Google had been implementing in order to increase diversity were themselves discriminatory, and thus unfair and counterproductive. Damore cites educational programs and mentoring programs that are confined to women or minorities, special treatment for diversity candidates, and objectives or benchmarks for diversity that incentivize what he takes to be illegal discrimination. The following list of practices, taken verbatim from Damore’s memo (2017, p. 6), are the ones he identifies as discriminatory:

- Programs, mentoring, and classes only for people with a certain gender or race;
- A high priority queue and special treatment for “diversity” candidates;
- Hiring practices which can effectively lower the bar for “diversity” candidates by decreasing the false negative rate;

- Reconsidering any set of people if it's not "diverse" enough, but not showing that same scrutiny in the reverse direction;
- Setting org level OKRs [Objectives and Key Results] for increased representation, which can incentivize illegal discrimination.

The end result, claims Damore, is "discrimination to reach equal representation," which is "unfair, divisive, and bad for business."

Damore's third main claim is that some members of the Google community feel ostracized because they disagree with the political and moral views underpinning Google's diversity efforts. Damore describes the Google culture as an "ideological echo chamber" in which only viewpoints from the left side of the political spectrum are welcome. He says (Damore, 2017) that "Google's left bias has created a politically correct monoculture that maintains its hold by shaming dissenters into silence," and that this shaming has created a "psychologically unsafe environment."

In a subsequent discussion of the controversy surrounding the memo (Freeman, 2018), Damore himself describes the memo in anodyne terms, as a call "for a more open discussion of Google's diversity policies, citing research on average gender differences between men and women." This description belies some of the controversial conclusions Damore draws from his discussion of the scientific research. For example, he cites research suggesting that women express extraversion as gregariousness rather than assertiveness, which, he infers, "leads to women generally having a harder time negotiating salary, asking for raises, speaking up, and leading." Damore (2017) also cites research suggesting that women exhibit more "neuroticism" (a clinical term referring to a tendency toward negative emotions and a lower tolerance for stress). He then infers that this tendency "may contribute to the higher levels of anxiety women report on Googlegeist [an annual employee survey] and to the lower number of women in high stress jobs." Damore does repeatedly qualify these claims; for example, he notes that "these are just average differences and there's overlap between men and women." But given the history of gender imbalance in technology and other industries—not to mention the accusations of wage discrimination at Google and sexual harassment throughout the tech industry—it's not hard to see why readers of the memo might interpret Damore as making (or at least implicitly endorsing) stronger and more derogatory claims about women.

Response to the Memo

Although some readers of the memo were in agreement with its main claims, much of the response was critical. The criticisms can be divided into two main categories: criticism of the contents of the memo, and criticism of the negative impact that the memo had on women working in tech.

Criticism of the Memo's Content

Perhaps the most important question about the contents of the memo is whether and to what extent Damore made accurate use of the scientific evidence. This

important question is, in turn, composed of two important sub-questions. First, did he accurately and fully represent the current state of the scientific research? It's possible to paint a distorted picture of the science by only citing a subset of the relevant evidence. Second, were his inferences—that is, the claims that he built on top of the empirical research—logically supported by that research? It's possible to start with an accurate and complete picture of the scientific evidence and yet draw a conclusion that isn't licensed by that evidence. A negative answer to either (or both) of these questions would mean that Damore's conclusions are not well supported.

Let's focus for a moment on the question of whether Damore accurately represented the current state of the science. The most comprehensive coverage of this question comes from Sean Stevens and Jonathan Haidt (2017), two academics who put together a comprehensive summary of numerous meta-analyses of the relevant research. The experimental results they aggregate are mixed—some support Damore's claims, while some are inconsistent with his claims—but they draw three lessons from the research. First, all things considered, there are no differences in average abilities that can fully explain the gender gap in tech. When we are comparing the two populations (i.e. when we are comparing the population that consists of women with the population that consists of men), it does appear to be true that the men's abilities are more *variable* than the women's abilities. This means that when we look at the very top and very bottom of the ability distributions in these populations, we see more men than women at those extremes. These variability differences, however, can only provide a partial explanation of the gender gap, since men's and women's average abilities are the same, despite more men being at the extremes. Second, there do appear to be some substantial gender differences in interests when we compare the two populations. Third, culture and context make a difference in female representation, whatever the biological facts may be. Stevens and Haidt (2017) provide a helpful summary of their conclusions:

Population differences in *interest* and population differences in *variability* of abilities may help explain why there are fewer women in the applicant pool, but the women who choose to enter the pool are just as capable as the larger number of men in the pool. This conclusion does not deny that various forms of bias, harassment, and discouragement exist and may contribute to outcome disparities, nor does it imply that the differences in interest are biologically fixed and cannot be changed in future generations.

Criticism of the Memo's Impact

As mentioned above, much of the criticism of the memo focused not on the truth of its claims or the validity of its inferences, but instead on the impact that it had on women and minorities in tech. One helpful treatment of this issue comes from an article by Cynthia Lee (2017), a lecturer in computer science at Stanford University, who has worked in tech for many years. "It's important," says Lee, "to appreciate the background of endless skepticism that every woman in tech faces,

and the resulting exhaustion we feel as the legitimacy of our presence is constantly questioned.” Even though Damore did include the caveat that he was making claims about populations rather than individuals, such caveats send an irksome message to women in tech. As Lee (2017) points out, it’s almost as though Damore were saying to his co-workers, “On average, women may be less well equipped than men for jobs in tech—but you’re not like most women.” (Zunger [2017] also explains how Damore’s actions had harmful effects on the overall workplace environment at Google.)

It’s also worth noting that Damore’s caveats about averages appear to be in tension with his own complaints about the diversity programs at Google. Presumably the diversity programs are targeting populations that are far above any relevant averages in either abilities or interests. Thus, in this context it would seem that claims about averages are not entirely relevant. The bottom line seems to be that, whether or not it was intended to do so, the circulation of the memo created a hostile work environment (or at least a *more* hostile work environment) for many of the employees at Google.

Public Discourse and Disagreement

Before looking at how Google leadership responded to the controversy, it’s worth briefly considering one additional issue: that of public discourse and disagreement. For those who disagree with the substance of Damore’s memo, and especially for those who were offended by it, what is the most effective type of response? In most cases thoughtful engagement is the ideal, but does this situation warrant (or at least permit) other types of response? Some (e.g. Molteni & Rogers, 2017) would argue that the memo exhibits a lack of good faith, that it is “a species of discourse peculiar to politically polarized times: cherry-picking scientific evidence to support a preexisting point of view. It’s an exercise not in rational argument but in rhetorical point scoring.” If this diagnosis is accurate, then perhaps something other than direct engagement with the substance is warranted. On the other hand, perhaps direct engagement is still the best course of action.

This question about the most effective response is a difficult one, without an easy answer. Perhaps it’s worth noting, however, that some of the reports and responses took some liberties in their characterizations of the memo. For example, the headline on the Gizmodo blog post (Conger, 2017) in which they published the memo described it as an “anti-diversity screed,” and it is described in numerous other places as an “anti-diversity” memo. All things considered, the content may in fact be anti-diversity, but Damore (2017) does say in the memo that “I strongly believe in gender and racial diversity, and I think we should strive for more.” So the memo, at least as its author would describe it, is not arguing against diversity itself, but against the methods that Google had been using to bring about diversity. (Gizmodo seems to acknowledge this in their preface to the memo, in which they describe it as: “A software engineer’s 10-page screed against Google’s diversity initiatives.”) On the other hand, as mentioned above, Damore’s after-the-fact description of his own memo (Freeman, 2018) is also inaccurate

insofar as it downplays the controversial and offensive nature of many of his claims. All parties to a dispute such as this one would benefit from extra attention to accurately characterizing their own positions as well as the positions of their opponents.

Response from Google Leadership

The controversy surrounding this memo put Google leadership in a difficult situation. On the one hand, they were under investigation by the Department of Labor on suspicion of gender-based wage discrimination; on the other hand, they were now being criticized from the inside for their efforts to increase the diversity of their workforce. The initial response came from Danielle Brown, Google's VP of Diversity, Integrity, and Governance—who had only been hired a couple of weeks earlier. On August 5, shortly after the memo went viral, Brown released a statement that said, among other things, that Damore's memo "advanced incorrect assumptions about gender" (Emerson & Matsakis, 2017). Two days later, on August 7, CEO Sundar Pichai, in a companywide email to employees, said that Damore had violated the Google Code of Conduct (n.d.). Pichai didn't specify exactly which provisions of the code had been violated, but his email did say that Damore's memo was guilty of "advancing harmful gender stereotypes" and that "to suggest a group of our colleagues have traits that make them less biologically suited to that work is offensive and not OK" (Swisher, 2017). This led many to suspect that Damore would be fired, and sources within Google later confirmed the firing. Pichai has said that he does not regret his decision to fire Damore (Statt, 2018), but he has still had his share of critics (e.g. Brooks, 2017).

Decision Point

Suppose that you are a consultant brought in by Google's executive team to conduct a post-mortem on the Damore memo controversy. In light of the information above, and in light of your own research, what kind of score or grade would you give Google leadership for how they handled the situation, and why? Do you agree that Damore's actions violated the Google Code of Conduct (n.d.)? If so, which provisions of the code were violated? What would you have done differently, and why? What advice would you give Google for handling or preventing a similar type of situation in the future?

Discussion Questions

1. How would you define *equal representation* at Google (or in the technology industry), and what are your reasons for defining it that way? For example, should the proportion of women at Google be equal to the proportion of women in the general population, or perhaps in some more specific population (e.g. college graduates, or engineering majors, or applicants to Google)? If women's interests and preferences differ from men's interests and preferences, should that affect the proper definition of equal

representation? Given your understanding of equal representation, what is the best way to bring it about?

2. One of the key questions that Damore's memo attempted to address was the following: To what extent is the gender gap in the tech industry the result of discrimination, and to what extent is it the result of other factors? How would you go about attempting to answer this question, and why would you approach it that way?
3. Damore argues that Google's diversity policies are doing more harm than good. What is his argument for this claim? To what extent does the argument depend on empirical research, and to what extent does it depend on other types of support (e.g. normative claims about fairness)?
4. Damore describes Google's diversity policies as not just discriminatory, but illegally so. Based on what Damore says in his memo, and based on the content of the Google Diversity Annual Report (2018), are these claims accurate? Are the policies discriminatory? If so, is that discrimination illegal? Setting aside the legal questions, is the discrimination wrong?
5. How can an executive team enable open discussion of controversial issues while also maintaining an inclusive work environment? Should people feel safe to express a viewpoint that causes psychological harm to someone else? How should a leader respond when an employee takes his or her right to free speech too far?
6. Suppose you are convinced that Damore's main argument is unsound. What is the most effective way to try to convince him (and those who agree with him) that he's wrong?

Further Reading

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