



# **Information Wants To Be Free: Thinking-Through Respect by Design**

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# 'Gamers' don't have to be your audience. 'Gamers' are over. EXCLUSIVE



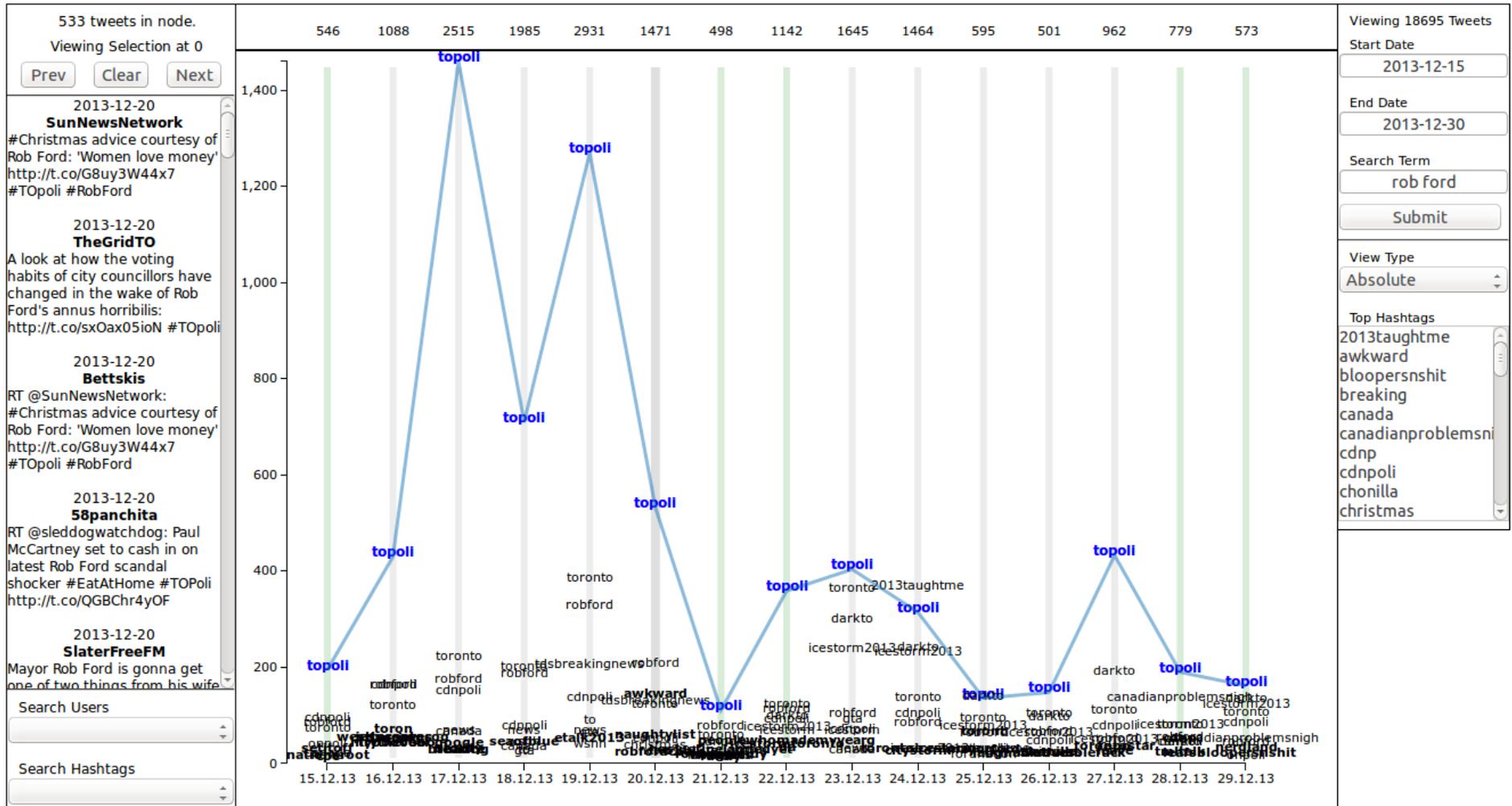
I often say I'm a video game culture writer, but lately I don't know exactly what that means. 'Game culture' as we know it is kind of embarrassing -- it's not even culture. It's buying things, spackling over memes and in-jokes repeatedly, and it's getting mad on the internet.

August 28, 2014 | By Leigh Alexander

 291 comments

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## UAL DATAVERSE NETWORK

GAMERGATE REACTIONS

doi:10.7939/DVN/10253

Version: 5 – Released: Sat Jun 27 14:09:16 MDT 2015

### CATALOGING INFORMATION

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**i** If you use these data, please add the following citation to your scholarly references. [Why cite?](#)

Data Citation

Rockwell, Geoffrey; Suomela, Todd, 2015, "Gamergate Reactions", <http://dx.doi.org/10.7939/DVN/10253> V5 [Version]

Citation Format

#### Data Citation Details

Title	Gamergate Reactions
Study Global ID	doi:10.7939/DVN/10253
Authors	Rockwell, Geoffrey (University of Alberta); Suomela, Todd (University of Alberta)
Contact	Gamergate Project (University of Alberta), <a href="mailto:gamergte@ualberta.ca">gamergte@ualberta.ca</a>
Distribution Date	June, 2015

**doi:10.7939/DVN/10253**

# Why this case study?

- Scraping and archiving **current** data
  - Living and **identifiable** authors
  - **Terms of Service** of Twitter
  - **Consent** of Authors
- GamerGate community and **Ethics**
  - **Ethics of Games Journalism** and Acader (DIGRA)
- **Surveillance** in the Human Sciences
  - What makes us so different?**



Vivian James: GamerGate Mascot

# We are all archivists now

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# Outline

- Freedom of information
  - Arguments for access
- Communities of stories
  - Opposing views
- Care and repair in the digital humanities
  - Ways of thinking-through the ethics
- Privacy and respect by design
  - Drawing on data sciences

**Information wants to be free.**  
**Information also wants to be**  
**expensive.**

Stewart Brand, *Media Lab*

<http://www.rogerclarke.com/II/IWtbF.html>

# Freedom of Information

**Freedom of information** is a fundamental human right and is the touchstone of all the freedoms to which the United Nations is consecrated.

1946 UN General Assembly Resolution 59(I)

# Universal Declaration of Human Rights

Everyone has the right to **freedom of opinion and expression**; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers. (Article 19)

# IFLA Code of Ethics

The core mission of librarians and other information workers is to ensure access to information for all ...

Librarians and other information workers **reject the denial and restriction of access to information** and ideas most particularly through censorship ...

<http://www.ifla.org/news/ifla-code-of-ethics-for-librarians-and-other-information-workers-full-version>

# Free Software

## **Write open-source software**

The first (the most central and most traditional) is to write programs that other hackers think are fun or useful, and give the program sources away to the whole hacker culture to use.

<http://www.catb.org/~esr/faqs/hacker-howto.html#respect>

Information wants to be free.

## Threat of Determinism

Stewart Brand, *Media Lab*

<http://www.rogerclarke.com/II/IWtbF.html>

We should care about information  
and to do so is to not hide our  
participation in the culture of  
information.

# Privacy

thinking about privacy not only undermines naive ideas about reified information wanting to be free, or naive ideas about privacy being only about confidentiality, but also **challenges the subject-object relations of the scientific gaze**

# Aboriginal Knowledge

Aboriginal people are concerned about the appropriate use and protection of their knowledge. Many deem **integrationist research and implementation methods as another form of colonization and exploitation**, where knowledge is categorized into hierarchies and AK (Aboriginal Knowledge) can be devalued, exposed, abused or used against Aboriginal empowerment to self-govern their resources.

[http://www.afn.ca/uploads/files/fn\\_ethics\\_guide\\_on\\_research\\_and\\_atk.pdf](http://www.afn.ca/uploads/files/fn_ethics_guide_on_research_and_atk.pdf)

# Appropriation of Voice

As philosophers and social theorists we are authorized by virtue of our academic positions to develop theories that express and encompass the ideas, needs, and goals of others. **However, we must begin to ask ourselves whether this is a legitimate authority.**

Alcoff, "The Problem of Speaking for Others"  
(1991-2)

# Respect by Design

- Talking about ethics **early and again**
- Consider the **paradigms** and change the **metaphors**
- Focus on **curation and enrichment** not digitization
- **Rights** of return

# Initial position:

Talk about ethics **early and again**

*Above all we are committed to making our objectives, procedures and ethics transparent. That is one of the reasons for this document. We are also interested in respectful feedback and prepared to change our position. Should you object to our position, want to comment on this, or want access to the full datasets, please contact us. We will not respond to abusive notes or unsupported arguments. We discuss what we do together so it will take a while to respond no matter how brilliant your intervention. Finally, we all have other studies and commitments and therefore reserve the right to ignore requests for dialogue that we cannot maintain. (Ethics of Gamergate Research position, June 3, 2015, p. 4)*

# Q&A (I)

## Talk about ethics **early and again**

**Question:** This raises questions about dialogue: How do you keep a conversation – with the data, with the stakeholders, in the research team – going? Isn't it just more work? How can we note „milestones“ and also „failures“ and what we learn from them? How can we critically evaluate whether we learned something? – Can you share insights from the process involving the GamerGate data that may help us (as researchers) make good choices to start and maintain such dialogues?

*Returning to our case study. Once we decided an important part of our project was gathering and archiving data we reviewed positions on the ethics of social media research including Twitter's terms of service – this is a traditional form of dialogue if you will with the literature. I wrote a draft position that we discussed among the team of mostly graduate students. When we had consensus we posted it along with deciding a process for inviting others to have access to the full data. The document is the first milestone or summary of our conversations. Here are the key points*

*The ethics position itself should be published.*

*We be clear about the level of dialogue we are willing to engage in. This is because the GG community had a reputation for harassment and “sea-lioning”. Further they have targeted academics. This is one case where*

*As Tweets are clearly public we didn't need REB ethics clearance to gather or publish.*

*That said, we decided where possible to remove names to reduce the chances that individuals are embarrassed. Under the Canadian Tri-Council Policy Statement: Ethical Conduct of Research Involving Humans we are called to consider embarrassment.*

*Finally, we decided not to share all the data, especially full sets of Tweets, until we had a chance to think further about it. Under Twitter TOS you can save IDs that can be “rehydrated” and we may still do this.*

*This was just a start.*

## Q&A (2)

Consider the **paradigms** and change the **metaphors**

**Question:** What words or metaphors did you find to be problematic, how did you find them, and into what did you change them?

*In our first round we reviewed some fairly standard ethical guidelines, and positioned ourselves in relation to those. We did not have a position of our own. We felt that was a problem so the initial team has teamed up with others to develop a position based on a different ethical paradigm, that of the Ethics of Care. We are doing this with a social scientist within the context of the games research project. The choice of the paradigm was partly a choice of the paradigmatic relationship the ethic is based on – that of care as in care for elderly, care for teens, etc – with that came language. Further, it struck us that an ethic that came out of feminist thought would be appropriate to dealing with an issue of harassment of feminist critics.*

## Q&A (3)

# Focus on **curation and enrichment** not digitization

**Question:** Could you share some observations about the development of your thinking about stakeholders and choices in the case study ?

-

*It is only in further reflections around how we might apply an ethics of care that came to see what we were doing.*

- 1. First of all we have come to think of this as an ongoing process of controlled conversations and ethical research. This is a relief in that we don't have to get it right or pretend we think it is possible to get it right.*
- 2. Second, it also recognizes how ethics is about changing relationships.*
- 3. It was in that context, and prompted by work by Klein, that we realized this is what curation as carework has always been – an ongoing maintenance and care of culture.*
- 4. What we needed to do was to get a clearer sense of the stakeholders and what relationships we could have with them.*

# Q&A (4)

## Rights of return

**Question:** How can we implement rights of return? How would someone make and enforce the claim that they have special rights to some content? How can we (as researchers) establish procedures that will enable people to claim (and obtain) these rights? What happens if conflicts arise?

*The major challenge we have struggled with is how to deal with two types of stakeholders: 1) those harassed by GGers, and 2) the GG community. In both cases we had a double problem of needing to be careful not to characterize them and their position, and trying to find a way to respectfully enter into a relationship of return.*

*Take the case of those harassed. Some of them we know, but there is still a danger that we assume we know what they would want us to do. In conversations with those who are colleagues it became clear they felt ambiguously about the archive. We are now trying to develop a way of having a confidential focus group to get a sense of what they are comfortable with. Further, we have decided to not archive visual materials, and to discontinue the scraping of 4chan/8chan as that is where the most toxic materials are.*

*On the other hand, take the case of GGers. Are they really one community? They are clearly interested in our data as they have made our Dataverse the most popular among those at the UofA. They have even been analyzing that which we put up. How can we engage in a respectful dialogue with them. As a first step we are trying to extract from the Tweets a Benefit-Of-The-Doubt (BOTd) set of arguments. The idea is to extract what we think is their position using analytics and close reading. Once we have a BOTd Argument we can then respond to that, rather than the cruder and more toxic stuff.*

# Respect by Design

- Talking about ethics **early and again**
- Consider the **paradigms** and change the **metaphors**
- Focus on **curation and enrichment** not digitization
- **Rights** of return (to **stakeholders**)

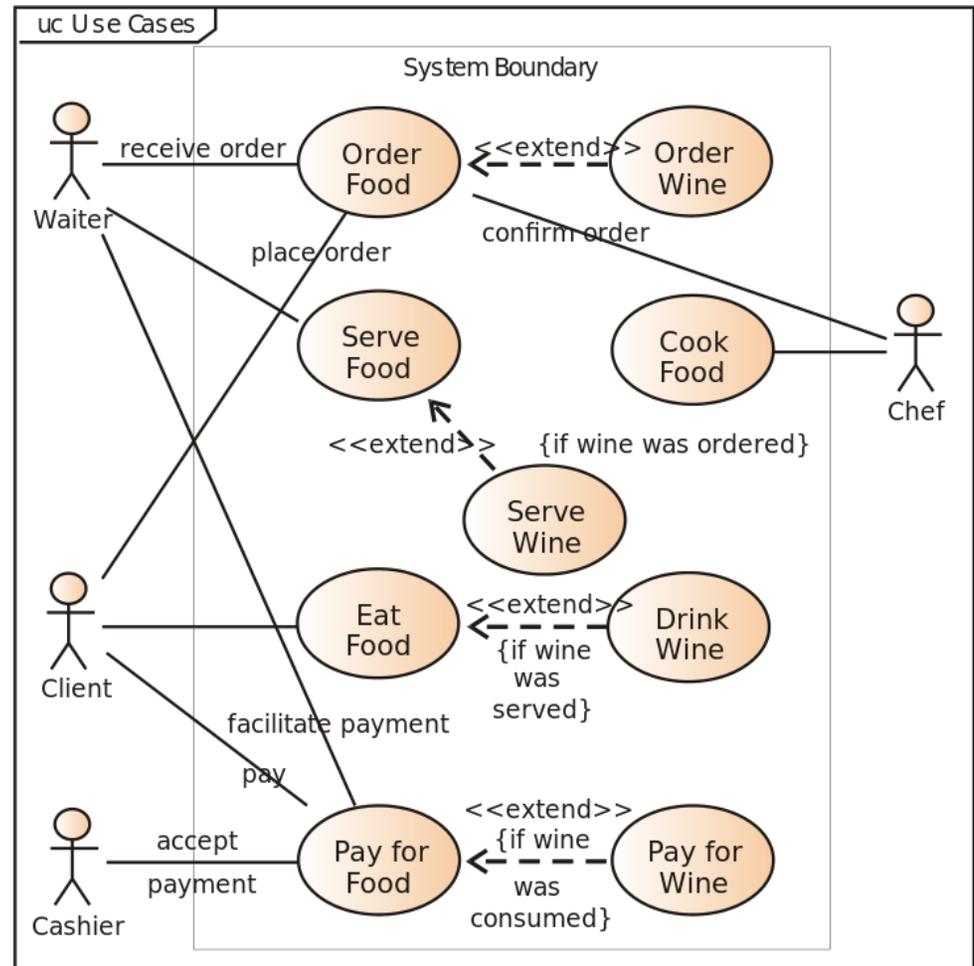
## The Digital Humanities as an interdisciplinary exercise:

- What can humanists learn from computer science?
- and vice versa?

# Procedures for ensuring system properties – software engineering

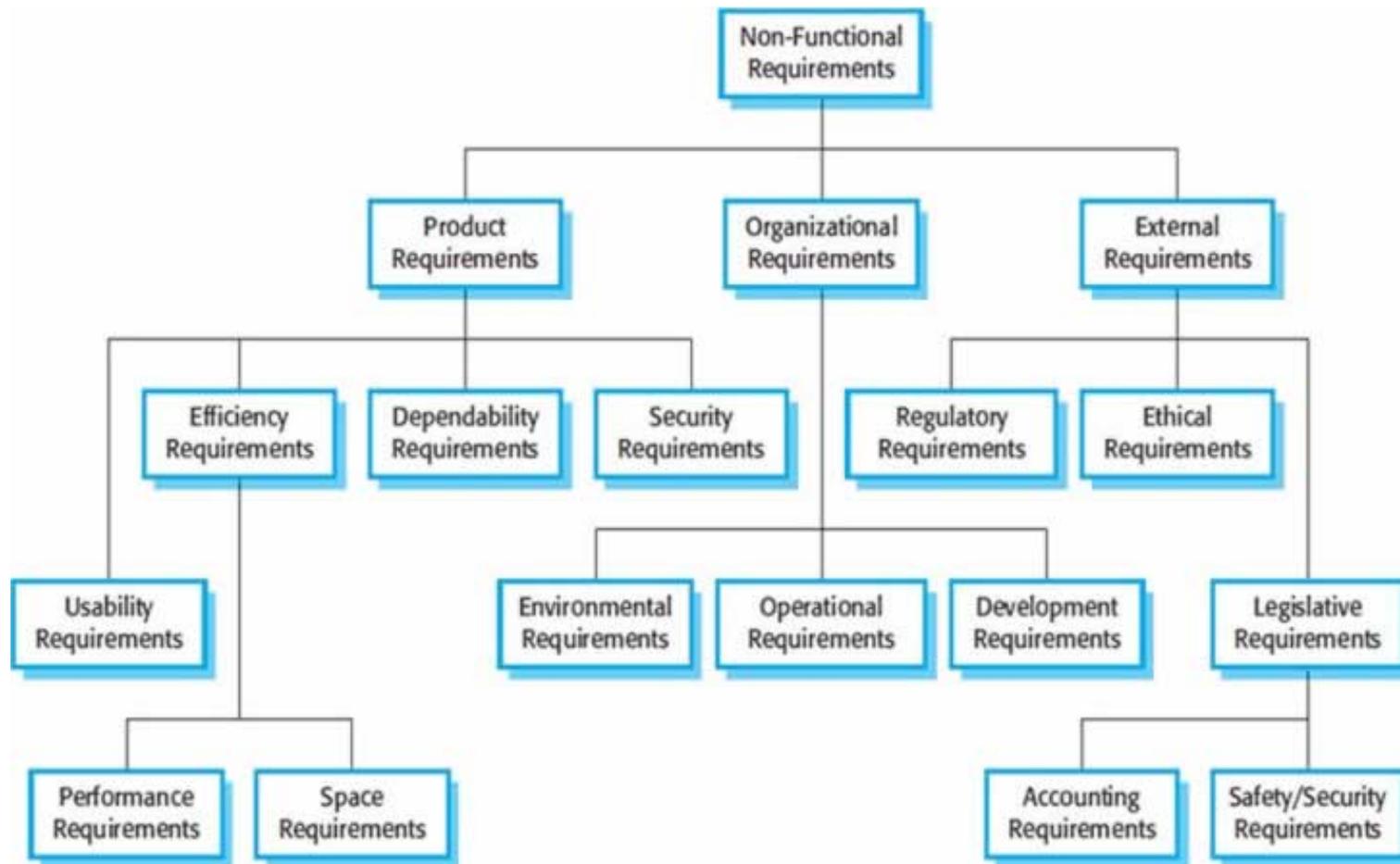
"The application of a systematic, disciplined, quantifiable approach to the development, operation, and maintenance of software; ie, the application of engineering to software."

IEEE



# Functional and non-functional requirements

What the system should *do* – versus ?! – What the system should *be*



# Value-sensitive design

- “human values“ such as “human welfare, ownership and property, privacy, freedom from bias, universal usability, trust, autonomy, informed consent, accountability, courtesy, identity, calmness, environmental stability”
- Integrative and iterative: Conceptual, empirical, technical investigations

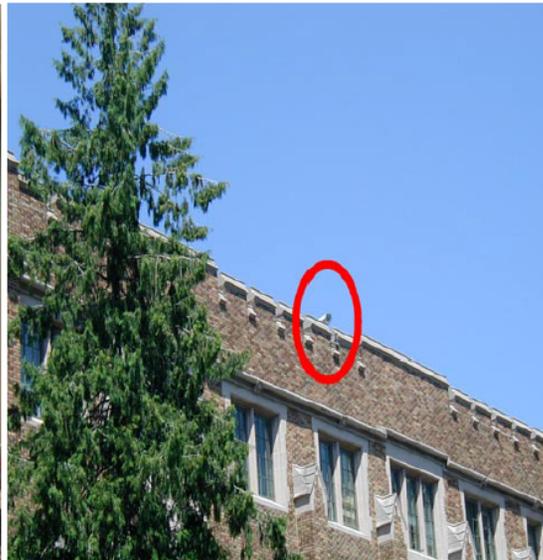
# Value-sensitive design

1. Start with a value, technology, or context of use.
2. Identify direct and indirect stakeholders.
3. Identify benefits and harms for each stakeholder group.
4. Map benefits and harms onto corresponding values.
5. Conduct a conceptual investigation of key values.
6. Identify potential value conflicts.
7. Integrate value considerations into one's organizational structure.

# Value-sensitive design (ex.)



(a) “The Watcher”



(b) The HDTV Camera



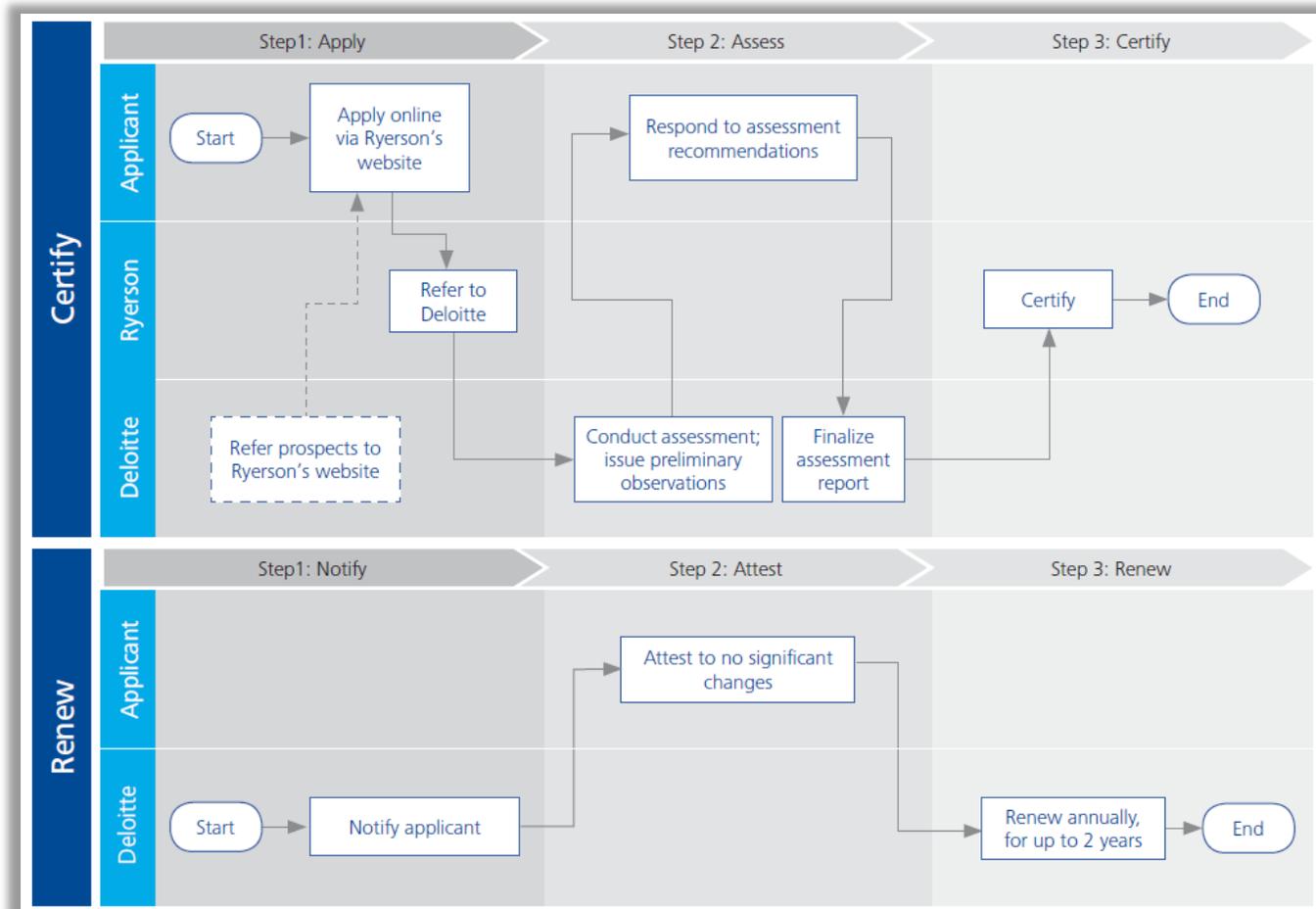
(c) “The Watched”

*Figure 2. Plasma Display Technology Studies*

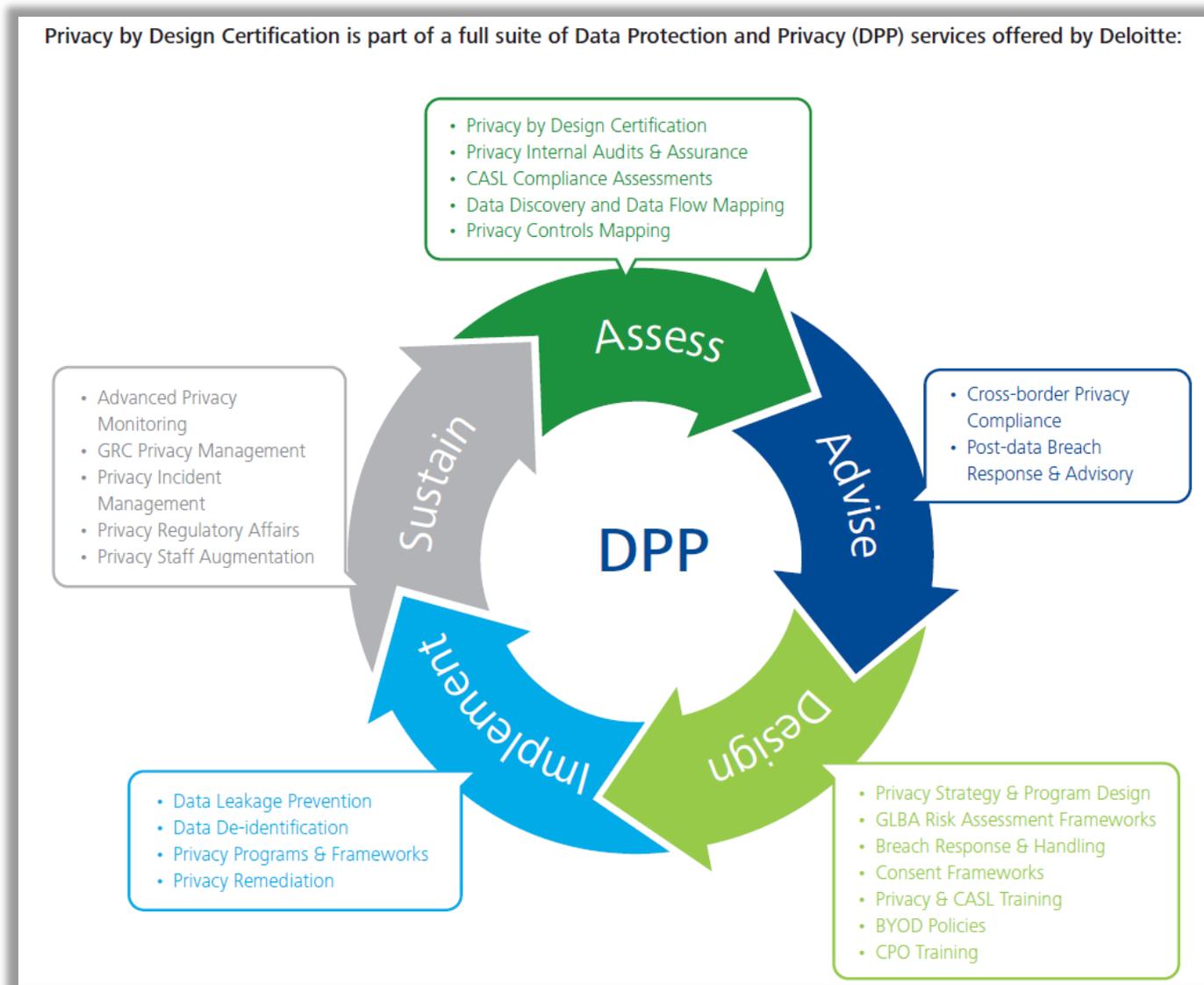
# Privacy / data protection by Design

1. Value: privacy/data protection: conceptual basis e.g. EU law
  - Data protection by design and by default: mandated by GDPR!
2. As in VSD: Describe technology and context of use, identify stakeholders.
3. Conduct a *privacy impact assessment*.
  - Important: analyse data flows
4. Use *privacy design strategies*
  - E.g. data minimisation, distribution of processing, and information of stakeholders
5. Transform into *software design patterns*.
6. Use *privacy techniques*
  - E.g. encryption for authentication, data management and processing options for anonymization

# Certifying Privacy by Design (I): Industrial



# Certifying Privacy by Design (I): Industrial



# Certifying Ethics (2): Academic

The Ethics Review Process

ERC Proposals



## Legal requirement

- Article 19 of the H2020, article 13 of Rules for Participation, which states that any proposal which contravenes fundamental ethical principles shall not be funded

## What could be an ethics issue? Main examples:

- Privacy and personal data

### • Dual Use

- Potential military/terrorist application
- Council Regulation (EC) No 428/2009



### • Misuse



- Aim of the research: Possible distortion of the facts by the methodology used
- Discrimination and stigmatisation: During research and/or dissemination of results
- Misinterpretation of results: Preventing wrong political use of results

### • Involvement of Human participants

#### Medical studies

- Declaration of Helsinki
- Oviedo Bioethics Convention
- Regulation No 536/2014 of the European Parliament,

#### Children involved in research

- Information sheet and assent
- Reconsenting when turning adults

#### Social or Human Sciences Studies

- Oral and written consent
  - Illiterate individuals
  - Oral tradition countries
  - Risks of written consent

#### Vulnerable populations

- Free will of university students as research subjects
- Financially vulnerable populations and use of incentives

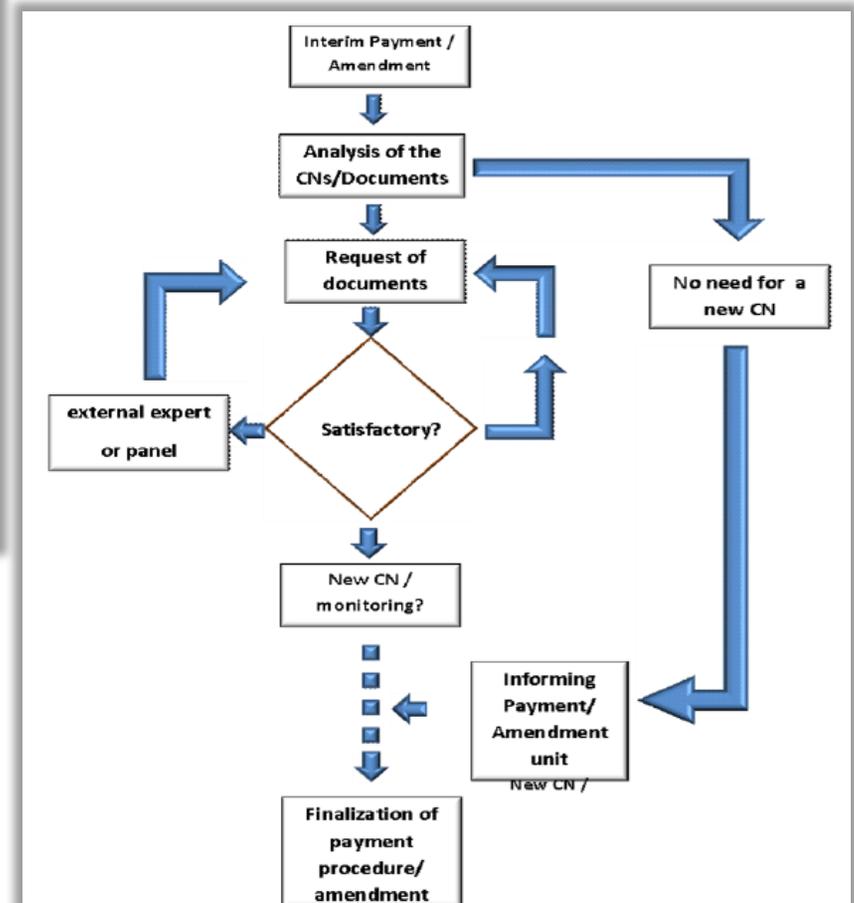


# Certifying Ethics (2): Academic

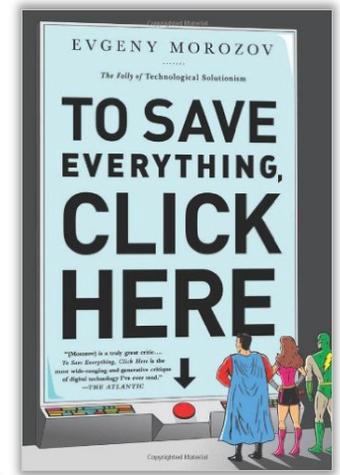
## The whole ethics life-cycle: The actors



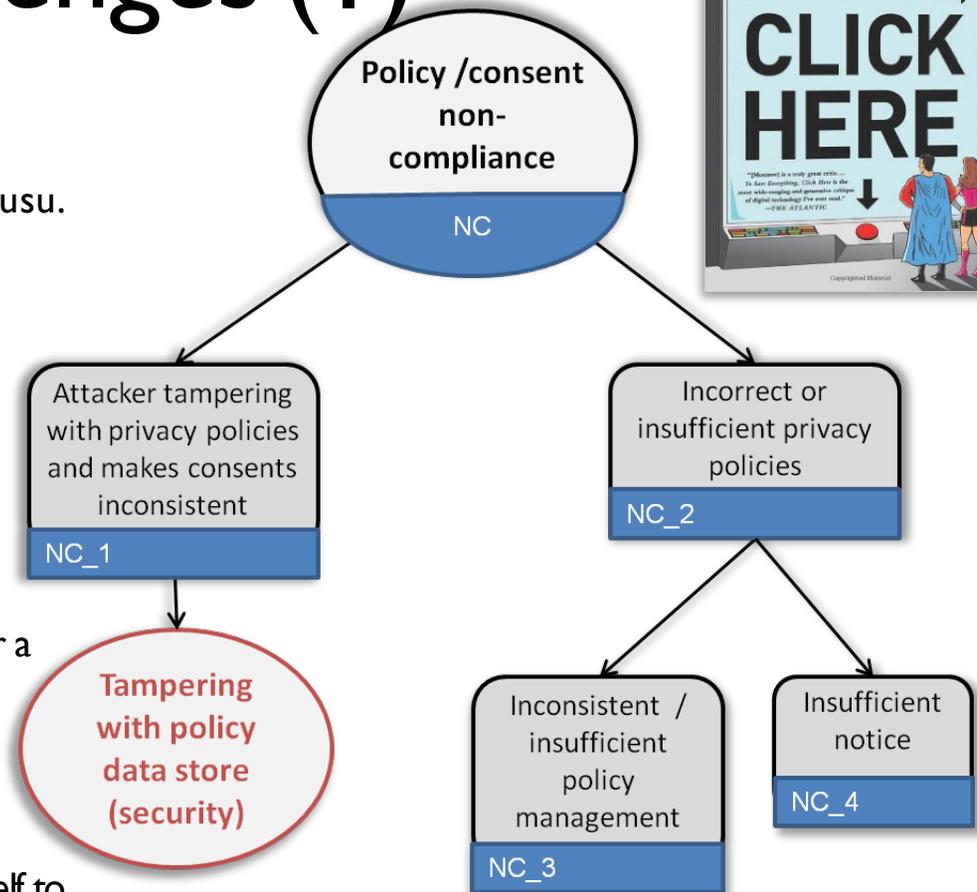
Step	Who?
Pre-screening	Scientific officers in Ethics Sector
Ethics Screening	External experts in ERCEA
Ethics Assessment	External experts in ERCEA/DG R&I
Ethics Assessment (hESC)	External experts in DG R&I
Ethics Clearance	Scientific officers in Ethics Sector
Communication with PIs and Granting Unit	Scientific officers in Ethics Sector
Authorization of hESCs proposals	Programme Committee/EC decision



# Challenges (I)



- Solutionism
  - belief that all difficulties have benign (usu. technological) solutions
- Solution focalism
  - failure to take into account multiple viewpoints
  - Participatory design to the rescue?
- Quantification at all costs
  - Ex.: use customer complaints data for a surrogate measure of PbD success
- Risk management
  - Questionable utilitarianism
  - taming uncertainty by blinding yourself to unknown unknowns
  - “The risk management of everything” → secondary risk management crowds out primary risk management

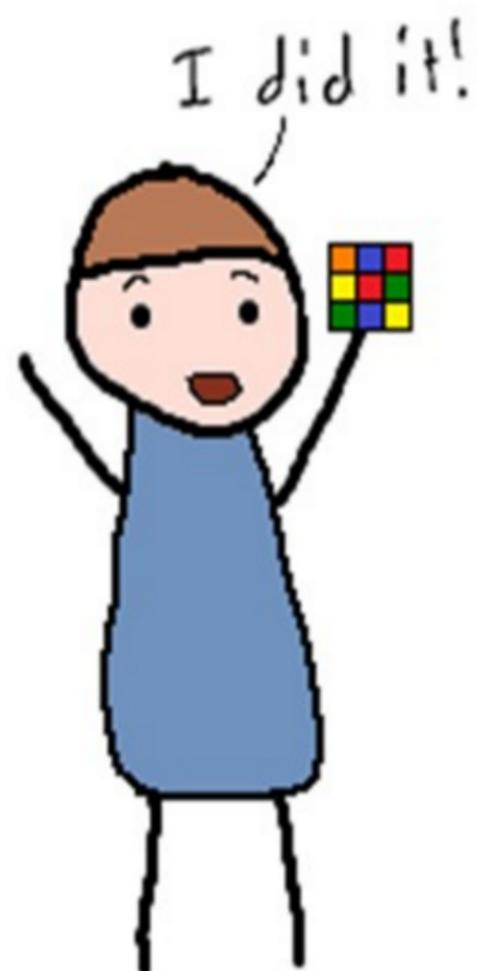


# Challenges (2): Procedure ≠ substance

Example: The German plan for ELENA (Electronic proof of payments), 2010

- Goal: replace paper-based system de-centralised at employers'
- designed according to security and PbD privacy techniques
- But it turned out:
  - Not all those data fields were really needed
  - designers had not thought much about this question, the existing paper forms had set the standard
- System was abandoned (or suspended?)
- [...] Privacy by Design should not be reduced to ensuring data security and technical data protection functions [...], and that a process evolves and must meet new requirements." (Schaar, 2010)

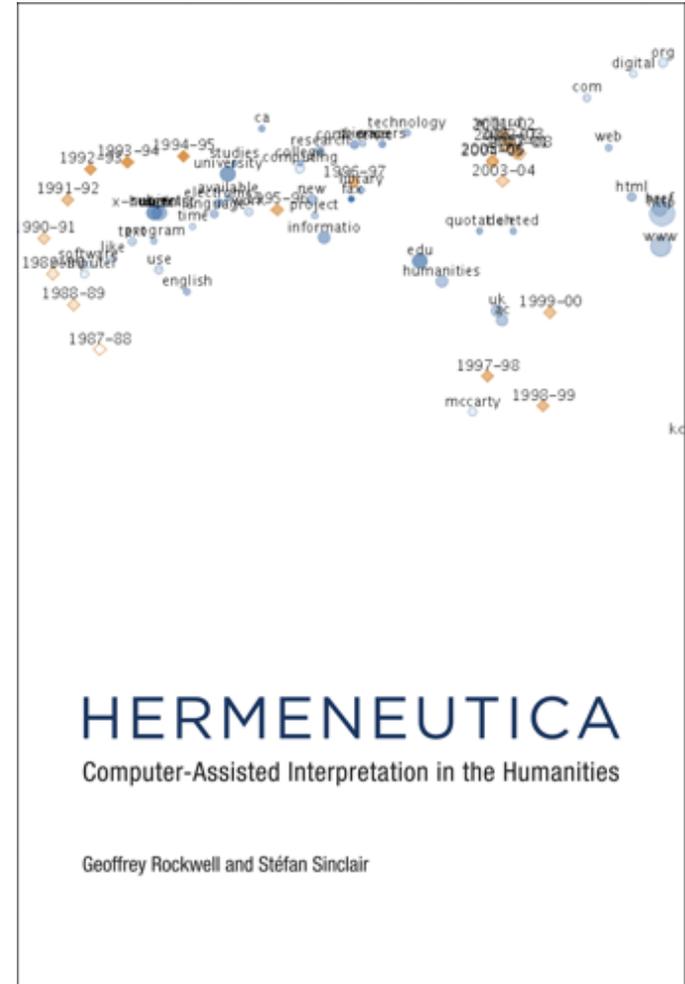
## The Advantages of Being Colorblind



# Respect by Design

- Also refers to VSD's "human values" (PbD, RbD):
  - "human welfare, ownership and property, privacy, freedom from bias, universal usability, trust, autonomy, informed consent, accountability, courtesy, identity, calmness, environmental stability"
- Talk about ethics **early and again**
  - Consider (& re-consider) direct + indirect **stakeholders**
- Consider the **paradigms** and change the **metaphors**
- Focus on **curation and enrichment** not digitization
- **Rights** of return

Thanks  
hermeneuti.ca  
tapor.ca  
voyant-tools.org  
berendt.de



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bettina.berendt@kuleuven.be

# References

## **Procedures for ensuring system properties – software engineering**

Definition from: Abran, Alain; Moore, James W.; Bourque, Pierre; Dupuis, Robert; Tripp, Leonard L. (2004). Guide to the Software Engineering Body of Knowledge. IEEE.

Image: [https://en.wikipedia.org/wiki/File:Use\\_case\\_restaurant\\_model.svg](https://en.wikipedia.org/wiki/File:Use_case_restaurant_model.svg)

## **Functional and non-functional requirements**

Image: <http://usabilitygeek.com/wp-content/uploads/2013/05/Requirements-Gathering-User-Experience-UX-Non-Functional-Requirements.jpg>

## **Value-sensitive design**

Image and text from: Friedman, B., Kahn Jr., P.H., & Borning A. (2006). Value-sensitive design and information systems. In P. Zhang & D. Galletta (Eds.), *Human-Computer Interaction in Management Information Systems: Foundations*. New York: M.E. Sharpe, Inc .

## **Privacy / data protection by Design**

Based largely on:

- Danezis, G., Domingo-Ferrer, J., Hansen, M., Hoepman, J.-H., Le Métayer, D., Tirtea, R., & Schiffner, S. (2014). *Privacy and Data Protection by Design – from Policy to Engineering*. ENISA Report. <https://www.enisa.europa.eu/publications/privacy-and-data-protection-by-design>
- Tsormpatzoudi, P., Berendt, B., & Coudert, F. (2016). Privacy by Design: From research and policy to practice - the challenge of multi-disciplinarity. In B. Berendt, T. Engel, D. Ikonoumou, D. Le Métayer, & S. Schiffner (Eds.), *Privacy Technologies and Policy. Third Annual Privacy Forum, APF 2015. Luxembourg, Luxembourg, October 7-8, 2015. Revised Selected Papers* (pp. 199-212). Berlin etc.: Springer. LNCS 9484.

## **Certifying Privacy by Design (1): Industrial**

Images from: Deloitte & Ryerson University (2015). *Privacy by Design. Setting a new standard for privacy certification*. <https://www2.deloitte.com/content/dam/Deloitte/ca/Documents/risk/ca-en-ers-privacy-by-design-brochure.PDF>

## **Certifying Ethics (2): Academic**

Images from: Martínez Ocaña, V. (2015). *The European Research Council: The Ethics Review Process – ERC Proposals*.

[http://grantsaccess.ethz.ch/fileadmin/content/downloads/I50910\\_Presentation\\_Veronica\\_Martinez\\_Ocana.pdf](http://grantsaccess.ethz.ch/fileadmin/content/downloads/I50910_Presentation_Veronica_Martinez_Ocana.pdf)

## **Challenges (1)**

Images: <http://www.amazon.com/Save-Everything-Click-Here-Technological/dp/1610393708> [2016-05-12], [https://distrinet.cs.kuleuven.be/software/linddun/noncompliance\\_tree.php](https://distrinet.cs.kuleuven.be/software/linddun/noncompliance_tree.php)

- Solutionism: This is the topic of Morozov's book shown in the image.
- Solution focalism: Morton, A., Berendt, B., Gürses, S., & Pierson, J. (2013). "Tool Clinics" – Embracing multiple perspectives in privacy research and privacy-sensitive design. *Dagstuhl Reports*, 3(7), 96-104.
- Quantification at all costs: proposal cited from Canter, L. & Kosseff, J. (2014). How do I measure my Privacy by Design Program's Success? *The Privacy Advisor*, April 22, 2014. <https://iapp.org/news/a/how-do-i-measure-my-privacy-by-design-programs-success/>
- Risk management: Power, M. (2004). The risk management of everything. *The Journal of Risk Finance*, 5(3), 58 – 65. Available as a Demos Report at <http://www.demos.co.uk/files/riskmanagementofeverything.pdf>

## **Challenges (2): Procedure ≠ substance**

- Schaar, P. (2010). Privacy by Design. Identity in the Information Society, 3(2), 267-274.
- <https://de.wikipedia.org/wiki/ELENA-Verfahren>

## **The Advantages of Being Colorblind**

<http://slideplayer.com/slide/3907931/>