

Producing Ethics [for the digital near-future]

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As I write this at the end of 2014, ethics seems to be heavy on the public mind. Maybe this started with Edward Snowden revealing that the NSA was collecting massive amounts of data on its citizens in 2013. Then, when Facebook revealed in midsummer 2014 that it had conducted experiments on the newsfeeds of nearly 700,000 users without their knowledge, the ethics of data privacy were joined by the ethics of informed consent and research oversight. A couple of months later, yet another ethical issue emerged in the U.S. in what is being called “Gamergate.” In this situation, a clash among game developers has blown up into what appears to be rampant misogynist, physically threatening, harassment of female game developers [and all feminists everywhere].

As we respond to these events, we all engage in what could be called ‘producing ethics.’ While scholars, journalists, and public commentators might engage in ethics discussions directly, these questions are debated and decided through everyday interactions with and life through digital media. We talk about these events, define them in particular ways, make decisions that lead to actions that over time may become habitual. As habits become absorbed into everyday practice, they can take on both obdurate and invisible properties that direct rather than suggest future actions. These activities take place within structures that are already highly coded, template, and normalized. [long lists of citations belong in these paragraphs]

Discussing ethics within complex socio-technical contexts requires a bit of digging and sifting through the different registers [levels? contexts?] at which materiality, everyday practice, and situated people operate. For me, then, the discussion of ethics involves a close look at the rhetoric, poetics, and politics of language in use—an analysis of how our everyday and regulatory ways of talking about ethics function persuasively to shape frames for ethical practice. It also involves exploring how everyday descriptions and definitions can become over time concrete, taken-for-granted understandings of the way the world works. In this article, I focus on specific examples to explore ethics at both these levels. The discussions throughout this chapter are situated at the intersections of rhetorical theory, symbolic interaction, and systems theory. I find this a productive combination to examine how our everyday sensibilities within socio-technical contexts are negotiated discursively; to illustrate how these practices become invisible and powerful frames over time; and to consider how future-oriented ethics-in-practice can facilitate evolution rather than entropy in socio-technical systems of meaning.

Negotiating frames of meaning

In June 2014, the world learned that Facebook had been conducting experiments on users without their knowledge. Modifying certain users' news feeds, Facebook displayed different types of emotional content to test the hypothesis that if users viewed happier items in their timeline feed, they would respond in kind with happier content: sharing happier stories or posting happier updates. Reportedly, six million users were part of this study, although the experimental intervention occurred for only a fraction of that group. This study became the topic of significant debates about ethical research practices. One could witness a general outrage at the situation, initially focused on the hidden manipulation of users. Were they legally allowed to do experimental research on users as if they were research subjects? As interest grew, more refined questions were asked, using regulatory language of U.S. higher education institutions' research review boards (IRB, or Institutional Review Board): Did they go through an IRB to get ethical approval for human subjects research? As the moral and legal considerations broadened, some asked: Was this a human rights violation?

Not everyone was outraged, of course. Defenders of the research or the team behind the Facebook study reminded us that if we sign an application's terms of service (TOS) agreements, we agree to a whole host of experimentation through our use of the app (cite). Others noted that since the data was anonymized, there was no need for preapproval or informed consent (cite). Soon after this news broke, OKCupid, a social media type of dating service, announced proudly they frequently conduct experiments on their users, arguing that such interventions improved the program overall.

This event exemplifies the ongoing process of social construction around digital technologies, whereby certain realities are up for negotiation. These conversations can be added to those of the past twenty years, as we struggle to make sense of media forms that no longer seem new, but have not yet been absorbed into everyday practice, so as to seem natural and neutral ways of being. How does this happen? Partly [and here one could draw on any number of scholars but I suppose I'm blending ideas from rhetorical theorist Kenneth Burke, social constructionists like Berger and Luckmann, the Blumer/Mead combo, and Goffman's discussions of frames], it's a matter of negotiating everyday frames for sensemaking around specific events or anomalies that prompt a response. It's not difficult to see in this and many other examples that the process of framing our sociotechnical structures also frames our ethical practices.

Frames draw a line around something so that we can draw our attention to what's inside the frame. When we typically think of frames, we see things on the wall, but they are also a way of seeing. So any conceptual guide will highlight and hide certain features and obscure alternate features of what we are looking at, examining, or how we behave. In general frames are difficult to identify because most of the time, as psychologist Erving Goffman noted (1974), they function invisibly to shape and delimit understanding and behavior. There are moments when we can see frames in interaction (Garfinkel, 1967). These can be events (anomalies), and the frame will shift to accommodate or it might break (Goffman, 1974, p. 347).

Let's look more closely at a couple of examples to illustrate how this works. In a personal romantic relationship, what is a kiss? The answer depends on the person or the couple, but generally speaking, it's a somewhat to intensely intimate act that occurs between two people and there are certain parameters or limits for what sort of kissing can occur outside this dyad. What happens if your partner kisses someone else, in a way that could be considered romantic? The moment one must deal with this question constitutes what Goffman would call an anomaly. All of a sudden, the framework that sets the parameters of "relationship" is revealed, because its boundaries are up for question and necessary reconsideration. The frame of "kiss" is also up for consideration, within this larger frame of romantic partnership. is all of a sudden up for question. Either the frame will break, or its boundaries

will bend and shift to accommodate the anomaly and the boundaries of what “relationship” includes. The rules might change.

The second example is the ongoing debates about how much analog contexts and bodies translate directly to their digital counterparts. Over the past two decades, we have seen and continue to see frames in formation. What is ‘place’? What is a ‘person’? What is a ‘community’? In physical contexts, these terms have conditions. In non-physical contexts, these frames are still in formation and certainly not stable. What impact does this instability have, ethically speaking? Relationship has been framed for hundreds of years. We know the rules and in many ways, simply enact the processes and characteristics of ‘romantic relationship’. We learn from a variety of personal and pop culture sources the expected behaviors in such a context. But the conditions for which we can take as self-evident a “person” or “human” in an internet era remain contested. Thus, how we treat people online, whether they are defined as data, person, participant, or author, and how we interact in these spaces is ethically ambiguous (Markham & Buchanan, 2012).

Framing everyday socio-technical structures and relations in particular ways will frame the way ethics are defined and practiced around and with these contexts. This process occurs at the everyday level of discourse among scholars, as we talk about, enact, and debate methods, ethics, and premises of inquiry. This is no revelation for the scientific community, perhaps, but this process doesn’t just happen at the level of scientific inquiry and research design in labs, think tanks, and academic institutions. It happens as people talk about their relationship with technology. It happens as people use and grow comfortable with certain protocols and settings in their smartphone apps. It happens as people start to use the term ‘google’ as a verb to mean “make a query in a browser.”

The framing power of terminology: Big Data [cut???

As the epoch of big data develops, we bear witness to a fierce struggle over how we as humans are being defined and delimited. There is a strong discourse that defines humans (and their data) as data. I turn to a very minor example to illustrate the pervasiveness of a particular frame whereby everything--and I mean every aspect of human existence--is transformed and equalized as a unit or bit of information.

[this entire example needs to be cited cuz I wrote about it elsewhere, or I need to develop another example.]

In a 2011 advertisement for the Samsung Galaxy II smartphone (figure 4), tiny objects swarm around the central person in the video (<http://www.youtube.com/watch?v=NF7FF9-cJrc>).



Figure 1

The voiceover says:

Your life is a galaxy. Made up of a million things. Things you need, things you want. Your work. And play. Sounds, dreams, moments, everything that makes life so full of life. This is your galaxy. And it lives in the revolutionary new Samsung Galaxy SII. The fastest, the brightest, the sharpest the greatest smartphone ever. Own the new Samsung Galaxy S2. Be the master of your universe.

This advertisement is interesting on many levels. It presents a particular way of seeing the social and natural world. It flattens all experiences, reducing and then equalizing people, emotions, and dreams to the same level as goods and services. It then chops everything into tiny but not infinitesimal units,

all of which can be transmitted and more importantly controlled--as long as we purchase the smartest phone, which is one that can transmit these units quickly and accurately. This framework is not new, but a different iteration of a gradual shift in thinking from atoms to bits, as Negroponte noted in the early 1990s.

We might not consider this anything but a part of a particular company advertising a particular product, using a particular advertising campaign strategy. But it functions well beyond this purpose to encapsulate a common way of thinking about the nature of being in the 21st Century. It exists within a much larger context whereby experience is simultaneously displayed as diverse, immense, and complex, flowing in a global network of connections, but also collapsed into collectable data points. Once this conceptual move is made—to transform experience into digital information, it is only a small step further to visualize it as a series (or assemblage) of objects that necessarily have obdurate qualities that can be collected, sorted, categorized, and analyzed. Within a framework where experience is digitized, it's not surprising that we think of everything as data.

It's important to note that this is not a new way of thinking, but another plotline within a long story about how we characterize, study, and therefore 'know' the nature of the world around us, including ourselves. Any number of philosophers could (and do) articulate this story better than I could ever hope to. Bruno Latour, for instance, uses a study of dirt in the Amazon to illustrate the ways in which particular conceptions of data pervade scientific research, effectively transforming reality into an abstraction called 'data' that reduces complexity to such a radical degree that it no longer resembles anything like that which it is supposed to represent. In the same spirit as philosophers of science and technology, I use this Samsung ad to illustrate a pervasive and troubling conception of "humans (and their data) as data," which troubles me in the same way it does Grinter (2013). This datafication transgresses advertising, everyday life, and scientific practice. The question is not only "what might we be missing, in our attempt to capture and encapsulate human experience in data trails (as Baym discusses in this issue), but what are we losing sight of in the larger picture of the consequences of framing human and social experience in this way?"

The framing power of algorithmic logic: Online Quizzes

Another example might be online quizzes, currently most seen through buzzfeed.com. These everyday quizzes get passed around as entertaining ways to determine what Disney character we should be, what city we were meant to live in, who would be our co-star in a Hollywood blockbuster, and so forth. Why do we take these? Why are they so popular? Who makes them? Like Jordan Sapiro (2014), "I find it bizarre that any of us want to be analyzed by simple algorithms that divide and reduce us into a limited number of categories." These quizzes are not new, of course, and on the surface they're quite a banal game. But as we take quiz after quiz, how does this repetition impact our understanding of how categories are derived? How identity is understood? How analysis of information leads to answers? Shapiro poses an intriguing argument that mass obsession with these quizzes is:

a collective manifestation of a psychological function Sigmund Freud called "displacement ... an unconscious process through which the psyche transfers energy, ideas, and emotions away from things that cause anxiety, and toward similar things that are superficial, whimsical, and distracting. . . . In this case, rather than focusing on the algorithmic targeting and surveillance that has become so ordinary in our everyday lives, we distract ourselves by focusing on meaningless algorithmic categorization (2014, n.p.)

Sure, many of us are well aware that anyone can build these fake questionnaires, with no more skill or knowledge than is required to press the "build your own survey" button. Still, each instantiation of a

quiz and each calculated result utters a message at the direct level ('You are the Little Mermaid') and at an indirect level ('this is how self-analysis works'). Whether or not we take these messages seriously on the surface, they become participants in a continual symbolic interaction process whereby our understandings of self, other, and our social worlds are co-constituted. In this sense, the technological system of medium, code, and algorithm contains moral components and functions ethically, whether or not we see it as having agency. Mackenzie (2011) discusses the downstream implications, noting that the performativity of this system "ultimately exercises control over us by harnessing these forces through the creation of relationships between real-world surveillance data and machines capable of making statistically relevant inferences about what that data can mean" (p. 178). Similar to arguments made by Bolter (2012), Mackenzie focuses on the cybernetic system of continual feedback loops to describe a process whereby we lose "ownership over the meaning of the categories that constitute our identities" (2011, p. 178). Here, I use the notion of frames to point to the microsocal level at which technological systems can function as persuasive discourse, speaking with us every time we interact with the system, influencing our everyday sensemaking of ourselves and the world around us.

The framing power of concepts-in-use: Privacy

[this section is too U.S. situated—needs to be broader or not so specific] One way to see the possible outcome of this symbolic interaction between code and self is to explore how we frame the concept of privacy now, as opposed to 20 years ago. Over this relatively brief timespan, everyday, scholarly and regulatory talk in the U.S. —but not just the U.S.—illustrates a major shift in definitions expectations of privacy. In the brief analysis below, I focus on the shift in rhetorical frames and possible consequences, although one could focus on other causal factors, such as a more nuanced or sophisticated understanding of the distinctions of private from public, the lived difference between perceived and actual privacy, or direct shifts in our conceptualization about information and its connection to the private versus public realm.

The 1993 New Yorker cartoon "On the Internet, nobody knows you're a dog" is based on a premise that the public internet is a space where anonymity is possible through the protection of privacy, if by privacy we mean the user controls (shows or hides) what is seen and known about various aspects of identity. This cartoon reflects a larger and longstanding attitude; the first decade of the public Internet lives in a world where there are strong claims for the expectation of privacy in internet use. Law review articles such as Skok (2000) and Belgum (1999) represent the prevailing discourse of the time:

Clickstream data poses a dramatic risk to the personal privacy of Net users since it can be collected, stored, and reused indefinitely" (Skok, 2000 p. 3)

The series of electronic footprints created when a Web user moves about in cyberspace, commonly called a "clickstream," can be monitored and recorded by prying eyes" (Skok, 2000, p. 61).

individuals view privacy as a fundamental value (Belgum, 1999)

Data obtained and recorded in digital form can be preserved indefinitely, and the perception that a permanent record of our movements and actions is recorded and available to posterity is oppressive to many (Belgum, 1999)

Surveys in the mid 1990s conducted by the FTC, At&T, and Business Week/Harris Polls, showed strong concerns about privacy and strong desires by individuals to ensure their private information is kept from 'prying eyes,' 'misuse of personal information,' and other 'threats.'

Worries about protecting personal information on the Net ranked as the top reason people are staying off the Web (Businessweek.com, 1998)

Although many individuals are willing to strike a balance between maintaining personal privacy and obtaining information and services that new interactive technologies provide, they are concerned about potential misuse of their personal information and want meaningful and effective protection of that information” (FTC, 1996, ch. 2, p. 1).

[The Business Week/Harris Poll] is clearly a signal to business that they have to be more aggressive in forming privacy controls ... So far, the industry’s track record has been found lacking” (Green, 1998).

Over the past two decades, this discourse has significantly shifted. Again, one could focus on legal or regulatory shifts, but here, I focus narrowly on terms used in everyday discourse that frame or delimit the relationship between the self, technological infrastructures, and privacy.

Whereas privacy was initially perceived to be the expected right of the individual, to which the structures around the internet needed to accommodate, this has become an individual burden.

Whereas data commodification was defined as one’s individual choice, it now is a default, posed as an inevitable outcome of using the internet at all.

“So by me being naive and disclosing to OKCupid that I do drugs... this company that I've never heard of gets to know that I commit a crime. (NPR)

Whereas once the individual’s personal information was threatened by prying eyes (victim), now the individual shares (agent). As legal analyst David Cole said in an interview with NPR:

When I send an email, I've shared it with the Internet provider ... When I search the Web, I've shared it with the Web company. When I walk around with my cellphone, I'm sharing with the cellphone company my whereabouts. All of that information has lost its constitutional protection, and the government can get it without having to make any showing that you're engaged in illegal activity or suspicious activity.”

While Cole’s point is to critique the weakening of the fourth amendment, the basic action taken by the individual –sharing—differs significantly from previous ways of talking about individual actions on the internet: surfing, browsing, searching. Arguably, this terminology shift can be associated with the emergence of web 2.0 social media capabilities. Regardless of the origin of such discourse, the function of this discourse, rhetorically speaking, is a direct shift of the locus of control—from the larger socio-technical system called ‘The Internet’ to the individual. The burden of responsibility for privacy and data protection likewise shifts from the corporate and federal to the individual. As my students repeatedly say in class: “everyone knows the internet is public and you should know better than to post anything there you don’t want everyone to see.”

Perceived privacy is dangerous. It convinces you that something is private, when at it’s very core it isn’t private at all. (McLane, 2009).

“Just as long as you know what you are giving up and you make that choice then you are fine. But know, whatever you know “They” know and that is the way it will be.” (Newman, 2014, in Forbes)

For some, the individual is squarely responsible for the current relation:

As a society, it really came down to our insatiable desire for free. Free content, free social media, free productivity tools and free games. We want to be connected and we want to play with the latest games, toys and widgets, but we by in large don't want to trade our cash for them. So instead we trade something else; our data and our privacy. (also Newman, 2014, in Forbes)

"we've all heard stories about people in power tweeting things they shouldn't have, deleting them, and still getting into trouble because of the Internet's long memory (Henry, 2013, in Lifehacker)

"You incriminate yourself legally, you implicate yourself at work, you embarrass yourself personally"

A survey commissioned by Microsoft in 2013 "found that for the most part people feel they have limited control over how their data is used online" (Microsoft Trustworthy Computing, 2013). In the same survey, "perhaps the biggest finding is that 40% of all Europeans and 46% of all Americans believe that responsibility for consumers' online privacy rests with the individual. Only 30% of Europeans and 31% of Americans think companies are responsible for their customers' privacy" (Kügler, 2014).

This contrasts significantly from the Business Week survey mentioned above or the FTC's own survey and workshops in 1997, which found that "consumers care deeply about the privacy and security of their personal information in the online environment and are looking for greater protections" (1998, p. 5). Where would these protections come from? According to the commission report, "members of the online industry are aware of the need to address consumers' concerns. Throughout the series of Commission workshops on these issues, the online industry has asserted that self-regulation is the most efficient and effective means of creating online privacy protections" (p. 6). By 'self-regulation,' the FTC does not mean individuals, but "industry members involved in the online collection and dissemination of consumer's information" (p. 2). In reporting to the U.S. House of Representatives Judiciary Committee, the FTC expresses their support for industry self-regulation as the mechanism by which they hope to achieve "online privacy protection for consumers." However, they conclude, if such self-regulation proves "inadequate, appropriate alternatives may need to be explored" (p. 9).

This frame shift is by no means unchallenged or finished. Continual robust discussions about these issues continue. But the consequences of the decade of conversation continue to define and delimit the user's rights and responsibilities. The ongoing dialogue is comprised not only of individuals or groups who make sense of their internet activities through everyday talk, but the habits and routines built through reactions to the socio-technical infrastructures the interweave in our everyday lives. Technologies, devices, and algorithmic codes 'speak' and through this ongoing interaction with the discourses of interfaces or the institutionalization and normalization of business practices, a reality is co-constructed.

Perhaps we should not be surprised, therefore, that in the 2010s, law journal articles tend to talk about privacy in the context of the first amendment, not the fourth. Whereas it was once our expectation to have privacy as netizens, we are now presumed to be public speakers, and our rights include those associated with freedom of speech. This shift adds yet another burden to the individual to maintain sole responsibility not just for his actions online, but the flow of these speech actions and associated informational units beyond the personal sphere. The irony in this turn of logic is that the internet simultaneously *is* a public space where one cannot expect privacy and *is not* a public space, since when you're surfing through various privately held apps or social network sites, one is bound by the terms and conditions of using these private spaces, and there, free speech is not protected (usefully described by Henry, in Lifehacker, with expertise from Bambauer). The conclusion of this

article and many everyday conversations is that the individual is responsible: “this is about one’s on-line identity, and managing that.” Their advice? Think before you post, learn to use privacy settings correctly, use pseudonyms, but don’t put faith in them, be impersonal about what you say or avoid the issue entirely (in Henry, 2013).

The power of regulations: Ethics as regulations

Frames for the concept of ethics itself are likewise contested, as the contexts within which ethics operates [or morality becomes salient] continue to shift with converging media, digital technologies, and globally-tangled networks of information flow. What constitutes ethical design of technologies, ethical use of data, and ethical research about people? To even begin to answer this question is to invoke a tangle of contingencies, definitions, and tendencies. Defining “ethical” is just one of many steps in this invocation. Generally, when discussed in the realm of scientific research, ethics is defined as a *stance* one takes, adhering to a set of values and principles about what is good or bad, and therefore what actions will be right or wrong.¹

Whether we’re talking about the ethics of interface design, ethical corporate use of data, or ethics of scientific research, two key terms remain central: ‘harm’ and ‘good.’ The injunction to ‘do the right thing’ is grounded in the more basic injunctions to ‘do no harm’ or ‘maximize the good.’ For the most part, however, these concepts are taken for granted and overshadowed by more direct discussions of law, regulation, procedures, norms, and common sense. Let me dive a bit deeper into this:

Historically, egregious harm to persons in biomedical and psychological experiments prompted large international bodies to respond with statements about how research on humans should be conducted. The Nuremberg Trials, the Declaration of Helsinki, and the Belmont report are the most prominent of these efforts in the West.

Ethical principles emerging from these reports include respect, beneficence, and justice. These three general principles, especially but not exclusively in the U.S., are operationalized as accepted procedures regarding research of ‘human subjects,’ which includes obtaining ‘informed consent,’ ensuring ‘protection of privacy,’ taking special care with participants deemed part of a predefined ‘vulnerable population,’ and conducting research within an appropriate ‘risk/benefit’ ratio.

These guidelines have become, over time, strong regulations of scientific research. Institutional Review Boards (IRBs) exist at all institutions of public and private higher education to review all human subjects research proposals to determine whether or not they adequately conform to ethical guidelines—that is, if the meets a particular, pre-determined set of ethical criteria and measures. Over the past 20-30 years, ethnographic and social science research disciplines have challenged the foundations and criteria for IRB approvals, but for the most part, at least in the U.S., there has been a strong tendency to acknowledge the limitations of the current regulatory framework but rather than changing the system, to grant exemptions or expedite review for those whose work does not fall into the human subject category.

Looking back, we can see that the emergence of Internet related research seems to mark a tipping point whereby regulatory boards finally acknowledged the significant limitations of current regulation-based frameworks, which fail to adequately predict or account for possible harm in digitally-saturated, internet-mediated contexts. The more informational our everyday lives become, the more we comprehend the complexity of the assemblages that are created—temporary, negotiated, informational fields of meaning, highly localized in context but globally networked in structure. In such contexts, the ethical stance best suited to the context cannot be universalized or determined a priori.

Within the broader internet research community of practice, we see strong efforts to shift toward context-sensitive, grounded approaches (e.g., Ess, 2002; Torseth, 2003; Buchanan, 2004). Concurrently, U.S. interpretive sociologists make strong arguments for contextual or communitarian ethical approaches in ethnographic, community-based research (e.g., Denzin, 2000; Lincoln, 2005; Christians, 2005; Thomas, 2002; Markham, 2005). Combined, these and other arguments have been successful in shifting U.S. national guidelines. As I note elsewhere, “The National Science Foundation (2008) has extended guidelines to recognize and facilitate emergent, case-by-case considerations of informed consent. The U.S. Research Council is in the process of recommending significant changes to the way informed consent is conceptualized within the complexities of twenty-first-century information and data contexts (Markham & Buchanan, in press).

Despite the development of more nuanced approaches for the operationalization of ethical concepts in scientific research, the language surrounding ethics has remained ensconced in the language of regulations, requirements, and concepts. These discourses privilege and preserve top-down approaches to ethical practice. Thus, the traditional frame through which we see and enact ethics persists, albeit more flexibly. For example, we know that we can get exceptions to the requirement for informed consent, but the old rule persists—ethical research conduct *ought to* involve informing participants of the character and intent of the study in advance, so the participant has adequate comprehension and ability to consent or withdraw. This frame is not just ethical, but epistemological—it reinforces the notion that the researcher is separate from the researched and that the intent of research can be known in advance, both of which are contested premises for inquiry.

We see a more complex discussion emerging quite recently in the aforementioned case where debate arises over Facebook’s manipulation of more than 600,000 users’ newsfeed items. In most public media response, we see two types of responses: 1) In the first type of response, the researchers failed to meet regulatory requirements by a) neglecting to seek and gain approval from their institutional ethics review board (IRB) or b) neglecting to seek or obtain informed consent. Both failures could be interpreted to imply that if such regulations had been met, we would not have cause for concern. 2) In the second type of response, Facebook manipulated users’ emotions, possibly causing harm by causing our emotions to change. As the hours and days pass and the responses grow more sophisticated, it becomes clear that harm is possibly felt at two levels; not only have our emotions been manipulated, but we have also been deceived. Here, a different regulatory question arises: Does a company have the right to use our data in such a way without our consent? Is this an ethical violation?

To answer these questions, the tendency is to look toward regulations and laws. We see this directly in debates about regulatory requirements. We see it indirectly in how the Facebook experiments are framed or defined discursively. Not unexpectedly, they are compared to Stanley Milgram’s psychological experiments where participants were manipulated. By analogous reasoning, one might conclude that Facebook is acting unethically to manipulate participants through subterfuge. On the opposite end of the ethical spectrum, the experiments are defined as A/B testing, which in marketing terms is a widely accepted practice of testing the efficacy of different messages on consumers. As most tech companies engage in A/B testing, one might conclude that Facebook is operating well within expected legal norms for corporate entities whose bottom line depends on effective marketing.

In his blog, Deterding (2014) describes this “split reaction...as a clash of different ways the [Facebook] study is framed, which points to the larger issue how we should frame and regulate private entities engaging in scientific research – and even more fundamentally, how to frame and regulate digital entrants to existing social fields.” While Deterding’s discussion of frames throughout his analysis provides an excellent and nuanced response to the situation, even he does not escape the regulatory

framework that drives most of our discussions about ethics. This is not surprising, since the vast majority of responses are focused on this perspective.

There are moments in this particular Facebook conversation where we move to different discussions about ethics. Zeynep Tufekci (2014), for example, invokes Gramsci's model of hegemony to articulate the way that we are seduced into behaviors by social media. More to the point of research ethics, she strongly critiques the way that the public and academia simply accept this social control:

I'm struck by how this kind of power [the inevitability of these types of experiments] can be seen as no big deal. Large corporations exist to sell us things, and to impose their interests, and I don't understand why we as the research/academic community should just think that's totally fine, or resign to it as "the world we live in". That is the key strength of independent academia: we can speak up in spite of corporate or government interests.

Her critique attempts to shift the conversation of ethics to another front. She continues:

It is clear that the powerful have increasingly more ways to engineer the public, and this is true for Facebook, this is true for presidential campaigns, this is true for other large actors: big corporations and governments ... That, to me, is a scarier and more important question than whether or not such research gets published." (2014, n.p.).

danah boyd also attempts to shift the grounds of the debate in her own response (2014), noting if we focus too much on the research practices, we trivialize or ignore the larger issues. She reminds us that Facebook, through design and algorithms, curates content. Agreeing with Tufekci that these issues go well beyond research practice to questions of power, she speaks directly to the way that this curation process is one that naturally involves ethical decision making: "This is a hard ethical choice at the crux of any decision of what content to show when you're making choices. And the reality is that Facebook is making these choices every day without oversight, transparency, or informed consent." The case of the Facebook study, she notes, "provided ammunition for people's anger because it's so hard to talk about harm in the abstract," a point that helps us move to ethics discussions that focus on larger issues of potential harm and power, rather than remaining stuck in the somewhat simplistic arena of regulation and more specifically, informed consent.

Both of these responses highlight new issues that emerge once we reconsider what should be the topic of discussion. By deliberately shifting away from the idea of *research* ethics, we begin to see other exigencies. I contend that this is not just a shift away but a shift to a different temporal position.

Ethics are generally defined in the past tense and applied in advance, using predictive theories as a way of calculating the chances of potential harm or good. This is actually intentional, as this thinking enables us to compare what was with what might be to find logics for moving forward. This is not a bad strategy, but still, it's a strategy designed to maintain the status quo. It thus may not be the best strategy for thinking about the future in terms of the ethical accountability of various biological, technological, and corporate entities.

We find ourselves at a critical juncture where we can and should participate in the work and play of disassembling and reassembling various possible frames that can guide our practical knowledge and practice of ethics. This requires a concerted effort to look forward rather than backward to consider what we wish to become. It also requires a focus on ethics-in-practice.

Projecting Phronesis into the Future [Phronesis: producing ethics]

In 1960, Gadamer uses Aristotle's notion of phronesis to contemplate hermeneutics as a practical philosophy. His arguments were based in the idea that "all understanding has a practical orientation in the sense of being determined by our contemporary situation" (Malpas, 2014). From this perspective, and drawing from the pragmatist philosophies of Richard Rorty, theory is always produced as it is used in context. Ethics, then, is phronetic, emerging from the domain as practice, or in Gadamer's terms, 'practical theory.' (see also Ess, [add multiple citations here]). We might well say it is produced, in the sense that Axel Bruns intends (2008). [[[Gadamer is not the only, or necessarily best source for this discussion. Just happened to be on my mind when writing.]]]

Phronesis in research practice:

'Producing ethics' comes with responsibility. It shifts the burden from the regulatory arena to the personal and makes the personal political, in the feminist sense. Here, the individual works within a logic of accountability. In scientific research environments, this may not be the most comfortable position, but such a grounded ethic can gain a robustness and strength through reflexive conviction that one has made the best possible choice in the circumstances.

Phronesis always associates ethics with choices, decisions, and consequent actions. One's decision might have precedent, or might adhere to certain regulatory guidelines. But this may be only accidental. The core of phronesis, as McKee & Porter learn through interviews of internet scholars, is that the situational features and the dynamic relations between researcher, data, phenomenon, and artifact or participant drives the decision, which therefore might be in direct conflict with guidelines, norms, or regulations.

Our 2012 version of the AOIR guidelines takes the same phronetic stance as the 2002 version (Ess, 2002), but moves one step further by underscoring questions as the primary enactment of this stance. This document removes almost all injunctions or recommendations, avoids declarative statements and frames ethics as decisions, made by researchers, at critical junctures throughout specific projects. The decisions are always based on the researcher's answers to various questions.

This move toward questions versus concepts is an important shift. It prompts the researcher to answer difficult questions and link these answers to later decisions made in throughout the study. It also shifts from a past to a future orientation--rather than making decisions because of what has been done before, it compels us to ask 'what might happen if I do this or that?' or 'How could it be otherwise?'

Phronesis in individual responses to situations

In a recent Facebook thread about threats and harassment of women in the game design industry, professor of media studies Kylie Jarrett notes that "the repercussions of gamergate (and its ilk) are chilling. ...Those of us who are educators, continuing to teach our students to be critical of all normative positions is at least one thing we can do." In calling for proactive response, she asks potent questions: "But do we need to go further? Do we need to actively teach empowered practice? Do we teach our students how to speak back to backlash?"

Commentator and writer for the Washington Post Caitlin Dewey also pushes readers to consider framing the current conversation differently, so to highlight different critical issues:

But Gamergate, crucially, isn't just about gender. It's not, contrary its name, even about video games. At its heart, remember, the so-called "movement" (if an ambiguous hashtag with no leaders and no articulated goals can be called a movement), was always about how we define our shared cultural spaces, how we delineate identity, who is and is not allowed to have a voice in mainstream culture. It's about that tension between tradition

and inclusion — and in that regard, Gamergate may be the perfect representation of our times. (2014)

Similar to boyd's and Tufekci's discourse, mentioned earlier, this intervention represents an important effort to shift the conversation to new grounds. By doing so, it seeks to redefine the parameters of discussion and talk about ethics within this new territory. Multiple articulations such as these can spark new trajectories. These commentaries represent a hermeneutic exploration of the future, from a critical standpoint. These responses, in their determination to point to issues of power and consequence, can create social change. It might feel a bit like tying oneself to a bulldozer in an old growth forest or burning one's bra. But such micro-actions function to raise consciousness to situations and over time, can nudge the larger social system toward different ethical practices, like recycling and more gender-neutral language.

Near Future Orientation

A phronesis projected into the future necessarily involves shifting from focusing on what *is* to focusing on that which *is not quite yet*. This can be done by generating figurations, as Donna Haraway describes, that help us critique, in that we can explore how things might be otherwise. Figurations are tropes that "make us want to look and need to listen for surprises that get us out of inherited boxes" (Haraway, 2003, p. 32). They help us consider what we want to become.

Invoking Nelson & Stolterman's work on design thinking (2003/2012), Croon Fors (2013) discusses figurations as a part of accountability in design. Playing off this notion, anything we might call 'research' is inevitably about making/designing futures (Light, 2009). This 'making' is embedded in the way we make statements, the way we enact processes, or the way we think about the products of inquiry. As an enactment of an ethic of accountability, it's certainly not new, but takes new forms, both big and small, and has more widespread potential since it can play out across multiple digital stages.

A near-future orientation takes into consideration the interplay of the forward and backward gaze. One can explore the present and near or distant past from the near future perspective, or consider the future from the trajectory of the past through present. Such exploration is not concerned with what is (or was, or will be), but with exploring possibilities and trajectories. It is certainly a position that resolutely transgresses boundaries of what has already been postulated and considered 'known.' This stance does not emerge from an attitude of dismissal, but with an attitude of exploration. A thought provoking example of this is Juan Salazar's recent work on 'Futuring Antarctica,' a series of research projects, one of which is an ethnographic documentary set in the year 2035. He calls *Nightfall at Gaia* a 'future fabulation,' the result of an experimental method for mixing 2011 ethnographic data with imagined future trajectories to yield a product that provokes the audience to consider what might happen, rather than learn what has happened.

Papacharissi (2012) discusses a similar orientation through the idea of reverse linearity. In her argument, the deliberate reinvention of theories of the past constitutes a form of 'theoretical existentialism, which allows us to "revisit, mimic, and even rival the past" (p. 197). Through such nonlinear remediation of theory, we can better inform our imaginings of the future.

This playful remix of possibilities is a way of generating ideas about ethics that anticipate various 'what if' scenarios. An ethnographer might ask: what if ten years from now, my participants did x or said Y about my study? Facebook executives might ask: What if manipulation of a user's timeline feeds altered the lived timeline of that person? An app designer might ask: What basic skill might be endangered if everyone relied on this app? These parallel universe imaginings are the stuff of great films. They also enhance the evolution of our ethical and methodological practices and premises.

This ‘what if’ stance is a part of remix culture. In this sense, it playfully recombines existing ideas in new ways, to produce something different. Like remix, it does not operate empty handed, as if all known legacies and tools can be left behind, but with the conviction that finding new vocabularies means loosening the grip of concepts that are or have been specifically configured in particular ways, for particular moments that may haunt, but do not define the future. Remix is an intensely generative process, one through which products are offered as contributions to ongoing conversations rather than answers to persistent questions. A remix approach to ethics would enable ethical practices to like memes, in that they are intended to move and through the input and interaction of others who encounter it, shift and morph into other imaginings. If they become too static, they are left behind to wither and die from inattention.

A ‘what if’ remix about ethics encourages playful creativity. But it is more fundamentally a critical interrogation of possible trajectories for design, cultural formations, and the shape of our future. Thus it is neither neutral nor vacuous. A phronesis of the future is a call to breach the frames that currently shape our trajectories, to reassess and reimagine what we want to become.

Breaching the Hype Cycle: A sample ‘what if’ future fabulation

[I think I have to cut this section, or significantly shrink other sections. It just doesn’t fit (article is too long), but it also may be too complex to fit neatly into the more general argument]

The Gartner Hype Cycle predicts how technologies will develop. Primarily used for investors to make decisions, this cycle provides an intriguing temporal image of the future. It has been used for 20+ years as a way of imagining the future of new technologies.

Extending this image to other arenas is easy. This could describe biological system change, as negative feedback pushes against homeostatic norms to prompt a system shift, but with an equalizing tendency over time. This image could also be

[this case/example takes the Gartner Hype cycle]. I don’t know how to build this example. On one hand, the actual hype cycle of technologies is a great case of how we frame socio-technical futures. On the other hand, the hype cycle can serve as an interesting visual metaphor for how we tend to frame any system change, which then shapes our outlook for any possible future.

I want to dig into this hype cycle: By exploring ethics through this cycle, what do we see? By shifting the image itself, can we see alternatives? Better alternatives?

The next level of exploration may just be too much of a stretch—because it’s a bit of meta analysis: what would happen if we project how this hype cycle reflects and reproduces a homeostatic way of seeing everything. It functions persuasively to emphasize that success (of technology but also of anything) is when it becomes absorbed and system balance is restored, as is illustrated by the tail end of the hype cycle.

This image presents a particular ethic. The Gartner Hype Cycle is an example of a familiar way of seeing and explaining technological development. This becomes a way of seeing our future and our past. We then exist within this technological frame we’ve created.

It raises the question: Should our technologies be more obvious, less absorbed as the tail of the hype cycle shows? Should we strive to make alternate pathways more obvious and clear? Should we stop using visual images that emphasize system balance (status quo) as the ideal situation?

Should we use a reverse linearity, or do more 'science-ethno-fiction' or 'speculative fabulation' to look back from possible futures, say from 2050 to speculate different trajectories that these hype cycles demonstrate?

[these latter points may be too much recursion for this article. It might be enough to just make a simple example with the hype cycle, as an indicator like the pendulum swing, or the homeostatic thermostat example, these are all ways of seeing and privileging that which is status quo, that which finds, over time, stability, and concrete knowing. And that ethics is never about being comfortable. It is essentially the embracing of discomfort, the knowledge that hard decisions must always be made that privilege certain interests and constrain others. That there is not an easy answer. There are not even answers. That there are just choices. And the best choices come from knowledge and empathy in situ. And that to get there, one can only ask more and more questions. And that in the end, the questions are more important than the answers, and sometimes we might just end up with more questions.

That the complexity need not be reduced to simplicity or ignored because it's too complex. But that we have to still make decisions about our future. And that is a matter of thinking about what we want to become, laying out more than one trajectory, resisting hype cycles and easy answers or easy absorption and balance, and letting in more voices to think about possibilities.

Conclusion

This essay is an effort to discuss ways of adopting a future orientation to explore different trajectories or potential consequences of different actions we take in designing, collecting and using data, and studying people in the 'digital internet age' [poor term]. The process involves first identifying the frames operating at deep structure levels to delimit the way we see and interact through socio-technical systems, the way the scientific community conducts social research related to the internet, and the way everyday citizens think about the possible futures. This can become a discussion of structure and agency very quickly. But it also creates an opportunity to move beyond description to intervene in the processes of structuration through creative play, remix, and reverse linearity.

Take our academic definitions for research ethics, for example. If we apply cybernetic thinking to this process, creatively disrupting the frameworks associated with legal, regulatory, and even conceptual understandings of ethics provides an avenue for breaking homeostasis and nudging the entire system of thinking into a more evolutionary state. Moments like the Facebook experiments cause widespread public reactions about privacy, data protection, and possible harms to persons. This situation opens a portal to explore what cybernetic theorists might call 'a persistent mismatch between the system's input and its code' (Bale, 1995). Translated into plainspeak and applied to definitions of ethical research conduct, the system's code is the norm that keeps the system in balance-- traditional regulatory, legal, or rhetorical responses. The contextual demands of specific instances provide new input to the system, persistently contradicting these traditions. We could (and do) explain this away by using the adage 'trying to fit a square peg into a round hole.' We can further critique the 'ill fit,' between regulations and contextual integrity, as we did in the most recent version of the AOIR ethics document (Markham & Buchanan, 2012). But in cybernetic terms, if there is enough mismatch, the system can trigger a self-adjustment in its code and structure. This is called evolution.

The irony of evolving, as Schrodinger noted (1944), is to avoid equilibrium, which is not so much 'balance,' as 'rapid decay' into entropy--system death. In a social, or socio-technical sense, evolution requires a deliberate disruption of the typical movement toward stability and universalized norms, such as those for ethical practice. Putting this into everyday terms: When structures or frames are revealed through situations like the Facebook experiments, these anomalies--what Goffman would call 'frame breaks' (1974)--provide a unique and time-sensitive opportunity for critical action and

response. If we take action at these critical junctures to project [display, distribute, discuss] different possible trajectories on 'what if' or 'what could be,' we cause further damage to the balance in the system. In these moments, we enact an ethic that seeks to keep the system off balance, aware of itself, conscious that the future is a matter of produsage, not acquiescence. This matters because the stakes are high.

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1 Where the term 'ethic' comes from is a relevant story but another matter, best left aside in the interest of sticking to the point, which is about how our everyday practices get framed.