

The New Tech Manifesto: Live, Open Source Edition (aka #datafesto)

Shortcut to this open document: bit.ly/datafesto

This project is based on [the Medium feature](#) for its “Trust Issues” series launched in June 2018. That feature was written by [Baratunde Thurston](#), focused on data, and titled:

[A New Tech Manifesto: Six demands from a citizen to Big Tech](#)

Introductory Note from Baratunde:

Hi, I am [Baratunde](#), I started this document, inspired by a similar crowdsourced [effort by Eli Pariser on the subject of Fake News](#). I'm copying and pasting much of the language from that document to seed this one.

I knew that putting something out there called “A New Tech Manifesto” could never be the final say. As with my book “How To Be Black,” the topic is too large for one human to comprehensively cover. I'd like “my” manifesto to become our manifesto, expanded and improved by the many smart humans (and maybe even machines) who are also thinking about our relationship with technology companies exploiting our data with so-far unacknowledged contributions from we, the users.

There aren't many rules, and I don't have much time to manage this document process, but I'll sketch out a start here: Be kind. Be constructive. Be fair.

If you need to reach me directly, I'm online wherever there's a Baratunde including Twitter, Medium, Facebook, Instagram, [To Be Invented Time-Suck], and baratunde.com. I also have a text message community I'm playing with. You can text me at +1 (202) 902-7949 , add yourself to my phonebook, and I'll get back to you.

Content-wise, I'll initiate with the following intention for this open source edition: I think there are at least three parts this document can grow to include:

- 1) more demands;*
- 2) resources (including writings, videos, podcasts) by others on the topic;*
- 3) projects/efforts/products/businesses that show a better way of building tech which shifts the balance of power in favor of people.*

Because this is an open Google Document, please know that if you're signed into Google, they know you're here. If you comment or edit, anyone else accessing this document can see that and identify you based on your Google ID.

- June 2, 2018

Here's [an image version of my remarks](#) I created so you can see if anyone changed them (or you can nerd out in the revision history). I may update this method of authentication. If only there were some sort of non-malleable public ledger I could use to verify my authorship. Oh well, one can dream! 😊 If someone has ideas about that, holler.

Look, it's a TABLE OF CONTENTS. It is time...

Introductory Note from Baratunde:	1
The List of Demands (or are they Principles? Principles Sounds Nice!)	3
1. Offer Real Transparency Around Data Collection and Usage	3
2. Change Data Defaults from Open to Closed	3
3. Respect Our Right to Our Own Data	4
4. Diversify Who's At the Table	5
5. Implement New Laws and New Rules	5
6. Enable Users to Collect and Analyze Our Own Data	7
7 - Implement a Trust Score	8
8 - X. [Your Ideas Here]	9
Exploratorium: Resources and Discussion	12
Solutions Lab: Examples of the Better Future Already Here	13

The List of Demands (or are they Principles? Principles Sounds Nice!)

Add, edit, restructure. Have fun!

1. Offer Real Transparency Around Data Collection and Usage

Real transparency means we have the ability to see how our data is being used while we interact with a platform as easily as we can find out that someone “liked” our post. We must understand, from a data-extraction perspective, what is inside the tech products we use. And we deserve to know clearly and upfront what companies are doing with our data, including how they are monetizing it—even if they’re not selling the raw data itself.

Matt Reynolds, a writer for Wired U.K., calls Facebook a “dual-headed beast” which has for years been perceived by advertisers as a sophisticated tool for targeting customers, while users think it’s a convenient way to keep in touch with friends. Real transparency means that the user is fully informed about both sides of the business without having to read novel-length legal documents. (Real transparency also means we believe, as I said with the first that if you’re a massive tech company that, say, exposed the data of 87 million users, you wouldn’t [threaten to sue the journalists](#) who brought it to the world’s attention and you would let those users know in a timely manner.)

If these companies want to earn our trust, I propose they take a cue from the food industry. We don’t individually drag chemistry sets to the grocery store in order to measure the ingredients of our food. Instead, companies are required by the federal government to include standard nutrition labels on their products, and many now go much further to increase transparency and brand trust with their customers by sharing how that food is brought to market and through third party certifications.

Imagine something like a “data usage label” or scorecard that demystifies the terms of service and allows users to see if a service collects information about our friends, tracks our location, encrypts our records, or wipes our data at regular intervals.

Companies could then compete for our attention based on these data scores and based on who protected our data best—rather than who exploited it the most.

2. Change Data Defaults from Open to Closed

Defaults matter. I'm going to guess that 90 percent of users don't change the default settings of a technology product they buy or use within the first six months. I admit that number is an educated guess — such things are not widely studied — but I also suspect it's close to true. We sign up for a service and trust that the people who made it aren't trying to rob us (and who has time to flip through all those settings, anyway?). But they are, metaphorically, out to rob us.

Most tech products grab as much data from as many users as possible regardless of whether that data is currently useful to them. They lay claim to something they assume will be valuable in the future, and they assume we won't challenge them on it and for the most part, we don't.

In the majority of cases, companies don't need all that data to provide their services. So what if they flipped the defaults? What if the data extraction defaults were as constrained as possible, taking more of a data conservationist approach? Mozilla offers a simple starting point through what it calls [lean data practices](#). The policy is a win-win: It protects users and limits companies' liability, because the less data they store, the less someone can steal from them.

Bottom line: Tech companies must treat data like added sugar or reality TV, and consume as little of it as possible.

3. Respect Our Right to Our Own Data

I'm going to make a light legal proposal that we extend property rights to cover our data—both the data we generate (such as photos or messages) and data derived from our activities (such as our purchase history, location, or our interactions within a service, including swipes, taps, clicks, and more).

Without our data, these services wouldn't have anything to monetize. Without our data, the artificial-intelligence systems powering machine vision, speech recognition, and many other technologies of the future would be very, very dumb.

When you understand that it is lots of user generated or derived data that is powering the foundations of future innovation and wealth, we become more than users. We become partners with rights to determine how our contributions are used and how the

value created from them gets allocated. When we consider our true worth, “free” photo storage and communications suddenly don’t seem like a fair trade.

An analogy to land rights may help. Let’s say someone offers to buy your home for \$200,000, and they throw in free shipping to remove all your belongings to make the move easier. But they haven’t told you that the land your home is on contains precious [vibranium](#). So you sell—because: “Free shipping!”—and you give away the real value. Our data is like vibranium, and we’re offloading it unknowingly, and at criminally low prices.

I know implementing this thinking is complicated, but our current economy deals all the time in complex calculations that were previously unimaginable. Look at algorithmic stock trades or the digital-copyright-claims process or the fact that, despite its best efforts, Netflix doesn’t break the internet every single day.

Thanks to the surveillance economy we’ve built, we have most of what we need to account for the value of our data. All that remains is to recognize that it’s ours, and throw some big brains and big computers at the problem. I believe in you, Silicon Valley! With your help, we can do this!

4. Diversify Who’s At the Table

The power of technology to shape the future of literally everything means that the people in the drivers’ seats—the entrepreneurs, engineers, and investors—wield incredible power. But being a good software engineer does not qualify you to engineer society, politics, economics, and beyond. Not alone.

Technology is created by people, and people have blind spots and biases. That’s why tech companies need more diversity at the table—people who think differently about ethics, privacy, and tech’s ability to facilitate abuse. (Project Include has a [14-item list of recommendations](#) to get you going.)

Even the most inclusive, multi-perspective team can’t anticipate every outcome of its service before launch. The systems are too complex to see it all. That’s why we also need [more researchers with controlled access](#) to how these complex systems work, not fewer.

5. Implement New Laws and New Rules

Leaders in the tech space should encourage regulation. Regulation would provide clear lines within which companies should operate, which would prevent embarrassing public spectacles and level the field among competitors. Of course, rules only work if they're enforced.

Back in 2011, the Federal Trade Commission (FTC) [reached a consent decree](#) with Facebook over its practice of sharing user data with third-party apps. Google was similarly called out for misusing user data.

Marc Rotenberg, head of the Electronic Privacy Information Center who brought the FTC complaints, [recently wrote](#) about those decrees:

Both Google and Facebook are now subject to 20-year oversight by the Commission and annual reporting requirements. At the time, we were elated. Although the United States, unlike many countries, does not have a data protection agency, we believed that the FTC could safeguard online privacy even as the tech industry was growing and innovation was proceeding.

We celebrated too soon. Almost immediately after the settlements, both Facebook and Google began to test the FTC's willingness to stand behind its judgements. Dramatic changes in the two companies' advertising models led to more invasive tracking of Internet users.

I don't share these examples as a sign that we can't get things right. I share them to point out that we almost had a different history, and if we do things differently now, we can have a better future.

I am encouraged by what's going on in Europe, where sweeping changes have been enacted with the [General Data Protection Regulation](#). But stateside, there is a worrying lack of understanding of technology at the highest levels of the U.S. government. For that reason, I think part of the onus is on tech companies to encourage regulation, but it's also on us to demand more from our government.

The FCC's decision to [end net neutrality](#) was partially reversed thanks to continual pressure on Congress. I think we should keep that pressure up when it comes to allowing internet service providers to [sell our browsing history data](#). New York City is exploring a way to [hold algorithms accountable](#), since they are increasingly implicated in policing, finance, and other resource-allocation decisions. We need more of that. And we need to upgrade the knowledge of our elected officials, either by educating them or replacing them with people better equipped to face our future challenges. Beware the

politicians who want to make Americans feel safe by separating immigrant children from their parents—but who refuse to secure their own smartphones.

Right now, a handful of companies are creating and controlling massive amounts of wealth. The U.S. government would be wise to catch up with the economy of tomorrow instead of fighting over jobs that may not exist in 25 years. A more modern take on data and regulation around its use would help us get there.

6. Enable Users to Collect and Analyze Our Own Data

We can tip the balance of power between users and companies with increased transparency, a new framework on data rights, and stronger regulation — but we won't achieve true balance until we shift what we do with the data itself. So far, mostly what we've done is take the smartest people and most powerful machines in the history of the world and use them to distribute ads. We turned “we the people” into “we the product.” That's quite an underwhelming use of a superpower. We cannot let the story stop there.

It must continue with tech companies empowering users to collect and run analyses of our own data. We've seen hints of what's possible from now-shuttered services like [Knodes](#) and [ThinkUp](#), which allowed people to analyze their own social media data and find hidden connections in their networks.

We've also seen justice pursued and powered by data through projects like the Equal Justice Initiative's [Lynching in America](#) installation, and the [Center for Policing Equity's](#) National Justice Database which uses data science to understand and reduce discriminatory police behavior. We need more of all this.

The promise of the internet isn't that a few centralized powers will do everything for us. That's the Old World, and we shouldn't try to recreate it. The promise of an inter-networked world is that we can do more ourselves under new models of collaboration, whether in the fields of science or art or justice.

Imagine if we used our collective data to help us be better neighbors, partners, artists, citizens, and humans, rather than just better products to be auctioned off to the highest bidder. Imagine, too, if we could hold technology companies accountable by demanding that they share power more equitably with the people who use and enable their products and services.

Imagine it. Now let's go build it.

7 - Implement a Trust Score

It's not enough to implement tools and laws to protect us. Companies that want to profit off of us must actively work to earn and keep our trust. Trust is the ultimate commodity and it's one that most tech companies have largely ignored in the name of revenue. Successful companies must buy into the idea that customers are partners and that partners will be more loyal than sheep.

A company's success must depend as much on its ability to maintain its customers' trust as it does on its ability to maintain healthy amounts of revenue. To that end, companies must develop the tools and the infrastructure to foster this trust in their customers without sacrificing revenue. The companies that crack this particular nut will crush any competitors who fail to do so, but only if customers have a way to verify it.

Which brings us to us - the customers. As customers we must be principled in who we trust with our information. We must choose trustworthy companies and leave those that violate our trust. To make this choice we must have reliable and verifiable information about how our partners are using us to make a profit. Only then can we make informed decisions about the products we use.

This is at the core of all the ideas above. They are tools for assessing companies and products. For establishing trust. For choosing viable partners. While each is valuable, no single idea provides a quick and reliable method for assessing a company in the heat of the sign-up process.

If companies can check our credit scores before doing business with us, we should be able to check company trust scores before doing business with them. Tools like this do exist after a fashion, but they are blunt and slow and only as good as the reports they receive. Better Business Bureau, Consumer Reports, and other companies all try to tackle some parts of this, but they are working with a desperately old and out-moded form of evaluation and there is no way for customers to know how they arrived at their conclusions.

We need a better solution. One which uses a set of metrics that are reliable and accurate indicators of trust and which is tamper-proof or, at the very least, tamper-resistant. Such a system would have the following qualities:

- Implemented as a blockchain
- Possible Metrics (updated annually)
 - Independent security evaluation score
 - Independent privacy settings usability score (includes evaluating ideas 1, 2, 3, and 6 above)
 - Score against Project Include fundamentals
 - EFF score
 - BBB score
- Score is given as an aggregate of the metrics
- Companies pay into an independent nonprofit alliance to obtain a trust score and set of emblems/badges they can use.
- Consumers can quickly look up companies in the registry to ensure their badges are real and up to date.
- Choosing the metrics and setting the criteria for the scores is handled by a committee of 10 with 6 consumer advocates and 4 business advocates, each having limited service terms.

The goal is to make it easier for consumers to make good choices and for companies to earn our trust. Feel free to add or edit this as you desire.

8 - X. [Your Ideas Here]

Experiments with social data involving the psychological well-being or health of humans on the social platform should be regulated in accordance with FDA regulations. Quiz apps, for example, used in the context of a study, should be treated as Software as Medical Device (SaMD). SaMD processes require rigorous risk analyses with mitigations of those risks to ensure patient safety. These analyses hold the maker of the software accountable for harm. Further, these experiments must go through an Institutional Review Board (IRB), which is an ethics review of the experiment. When a tech company wants to conduct such experiments, they must also be regulated in this way.

An algorithmic classification system should be created, especially when the algorithms are used in the public domain, according to potential for harm. Cathy O'Neill's criteria in Weapons of Math Destruction are a useful starting point: transparency, fairness and scale. If an algorithm is used in housing policy, education, bail and sentencing, the

consequences for those at the losing end can be drastic. Further, these algorithms are formulated using government data, which is a public asset. We the people should be aware of how our data are being used.

Algorithms created by technology companies are increasingly commoditized. Meaning, they are used by other companies to solve problems. When these algorithms are biased or flawed, the problem is distributed across industries. There should be a way to understand which algorithms are problematic, in what way are they biased or problematic, and what is the remedy. This may not be something that the private sector advocates, but the software engineering and data science community could combine efforts to hold commoditized algorithms accountable.

It is a necessity for there to be a more responsible handling of the monetization of so-called “free-to-play” (advertised as such, but really implementing a system where the user pays microtransactions to gain access to more content in the game; speaking to loot boxes and other similar systems especially) games and other similar media people, and especially children, are exposed to.

First of all, the advertisement of the games does not make it clear what the user is getting without having to pay microtransactions. Some of this has even bled into paid games that implement loot boxes with cosmetic features; this information should be easily available to the user before buying the game, without having to go to a game forum or consult an already-active user.

Secondly, the social norm (and in many places, the legal requirement) is that one needs to be of age to gamble or even enter a casino. However, many developers have implemented systems of monetization into their games that resemble or even directly emulate gambling. More often than not, not engaging with these systems is detrimental to the users’ overall experience.

This should not be the common practice in the industry and many people have already voiced their concerns on how developers of these products are taking advantage of their consumers’ psyche to drain their time and money. There needs to be a change, be it dependent on government regulation or otherwise.

Exploratorium: Resources and Discussion

There's so much good exploration by individuals and organizations of topics related to data and a different balance of power for the future of our relationship to technology. This should grow to include meaningful pieces of journalism, research, discussion, and other activities that fit the description of "exploration." Some sub-organizing will be needed over time.

- [Note To Self](#), a podcast hosted by Manoush Zomorodi
- ["We need to remake the internet"](#) a TED Talk by Jaron Lanier
- [Tactical Tech Collective. Designed the data detox](#) that inspired Baratunde to write the first draft.
- Weapons of Math Destruction. Book by Cathy O'Neill on the wrath of algorithms
- Dr. Sofiya Noble's work on "algorithms of oppression."
- Highly recommend the work of [Doteveryone](#) out of the UK. They have been putting together a growing list of orgs/movements/journalism around ethical tech. Fits under the description of "exploration."
- [Mozilla's Internet Health Report](#), which takes a stab at trying to improve the internet's health for everybody.
- [NESTA in the UK's Decode project](#), which provides tools that put individuals in control of whether they keep their personal data private or share it for the public good.
- [I School Pledge of Ethics](#) that's relevant and applicable to all technologists. Helps in times of doubt

Solutions Lab: Examples of the Better Future Already Here

Is someone already building products and services that flip the script on data extraction and exploitation? Who is giving users more power? Who is using this vast superpower for something that benefits people and doesn't just have them part with their time, money, and attention?

These can be expanded and sub-categorized.

- The Center for Policing Equity
- Botnik Studios
- Comedy Hack Day
- Artist Surya Mattu
- Riot, film by Karen Palmer
- The Alternative App Centre
- Bloom - Blockchain-based Credit