THIRD EDITION

Digital Media Ethics

Chapter 1

pp. 1-35

Charles Ess

was targeted with death threats and other harassment (Warren and Keneally 2012).

(A) How do you respond to this set of problems? That is, does it sometimes seem justified for groups such as Anonymous to intervene in such cases – i.e., when the legal authorities initially appeared to lack the technical sophistication needed to track down stalkers such as the one who pursued Amanda Todd? And/or: might the risks of such "trial by Internet" – beginning with the erroneous accusation of the wrong person – outweigh its possible benefits (such as – occasionally – getting the right person when the authorities can't)?

Again, the key point is to provide support for your claims and observations, beginning with evidence (e.g., how often does a group such as Anonymous succeed where others fail?) and arguments that will hold up to critical scrutiny.

(B) In January 2014 (slightly over a year after her suicide in October 2012), Dutch police arrested Aydin Coban. Amanda Todd is alleged to be but one of his more than 30 victims; following Coban's trial and conviction in the Netherlands on charges of internet fraud and blackmail, he is to be extradited to Canada to face charges related to the Amanda Todd case (https://en.wikipedia.org/wiki/Suicide_of_Amanda_Todd).

How do these subsequent developments affect or change (if at all) your initial reflections and arguments above on Anonymous and "trial by internet?" For example, given these more promising outcomes through the work of law enforcement authorities – when given enough time – what happens to initial (more short-term?) arguments in favor of "trial by internet?" Alternatively: what if, in the subsequent seven years following Todd's death, these authorities had in fact failed to come up with a likely suspect and evidence to bring him or her to trial? The larger point here is to begin to reflect on how far into the future our ethical decision-making must stretch – e.g., in order to consider possible *consequences* several years down the road that might affect our current ethical decisions and judgments. (This is an important consideration in the discussion of *utilitarianism* in chapter 6.)

Introduction

Most certainly, in the industrialized world, our lives are inextricably interwoven with what are sometimes called "New Media" or digital media. Current generations are sometimes referred to as "digital natives," indicating that they have been born into and grown up in a world saturated with these technologies. More broadly, an influential European Commission "Digital Futures" project used in its title the term "Onlife," as developed by information philosopher Luciano Floridi (2015) to highlight how the once distinct domains of "life online" and "life offline" are now (more or less) seamlessly interwoven in an "Onlife." At the same time, contemporary media coverage of digital media frequently highlights important, often frightening, ethical issues these entanglements entail. Beyond our opening examples of cyberbullying and "trial by Internet," it is easy to find stories highlighting how violence in games appears to lead to horrific, real-world violence, ranging from school shootings to the July 22, 2011, killings in Norway, including 69 young people on the island of Utøya (Daily Mail Reporter 2012). Similarly, the long-standing debate over whether pornography consumption results in increased sexual aggression, especially toward women and girls, continues (e.g. Wright, Tokunaga, and Kraus 2016). More broadly, numerous episodes and developments have forced

attention to how our immersion in digital media technologies renders us vulnerable to massive state and corporate surveillance and manipulation. Think: Edward Snowden and the US National Security Agency (Dahlberg 2017); Facebook's secret mood manipulation of nearly 700,000 users (Kramera, Guillory, and Hancock 2014); foreign actors' interference with elections and campaigns, including sophisticated hacking attacks along with "fake news" distributed along increasingly polarized "filter bubbles" fostered by social media (Pariser 2011); and a range of Facebook scandals, such as the discovery that Cambridge Analytica, a data firm affiliated with Donald Trump's election campaign, scraped otherwise private data from some 87 million Facebook users for the sake of targeting and manipulating voters (e.g. Confessore 2018). And so on.

These are certainly critical ethical issues, ones that will only become more complex and pressing as our digital environment continues to expand and evolve – most obviously, through ever greater collection and analysis of our personal data in so-called Big Data approaches that will be fed ever more data about us in the emerging Internet of Things. Of equal importance: consider the increasing development and usage of AI technologies and algorithms – whether in the form of recommender systems in our shopping and musical choices, or, more darkly, in increasing use of so-called pre-emptive policing systems that use AI and Big Data collections to predict individual criminal acts *before* they occur (Hildebrandt 2015, 191–9). Perhaps most ominously – at least for those of us who still hold to ideals of individual freedom and democratic norms and processes – such systems seem to drive inevitably toward Western equivalents of the Chinese Social Credit System (SCS). In its final form, SCS will use multiple technologies of surveillance and data mining to "assess citizens, businesses and other organizations in China with regard to their creditworthiness, adherence to law, and compliance with the government's ideological framework" (Kostka 2018, 2). In light of such

developments, it is no exaggeration to worry that our digital technologies may result in nothing less than "the end of law" as it has developed in modern democracies – where such law rests upon and primarily defends individual freedom and affiliated democratic norms (justice, fairness, equality) and rights – including rights to privacy, freedom of expression, and, most radically, rights to resist, contest, and disobey (Hildebrandt 2015, 10).

We – meaning everyone who makes use of, and is dependent upon, such digital technologies – are thereby confronted with a staggering range of *ethical* issues. This is to say: these issues – whether cyberbullying and pornography or foundational threats to privacy and democracy – present us with possible conflicts with our basic ethical norms, values, or principles; they thereby urge us to consider one or more alternative choices or routes of action in order to resolve the conflict. Many of these issues require the insight and assistance of professionals such as computer and data scientists, ICT designers, and philosophers specialized in these matters: but life in a (post-)digital era means that *all of us* are confronted with such issues, as inevitably catalyzed by our technologies.

These (and more) are compelling and urgent issues. Here, however, we can explore only a few, beginning with privacy (chapter 2). It is also important to notice how these issues are not solely pressing ethical concerns. In addition, some of the stories and accounts of these (including some of the references included above) illustrate a tendency in popular media to call our attention to such issues in the frame of a "moral panic" (Drotner 1999). That is, in order to attract our attention, such stories sometimes simplify and sensationalize (and, whenever possible, highlight the sexual). They thereby appeal to a deep-seated fear in modern Western societies that our new technologies are somehow getting out of control. This fear has been thematic in the modern West since E. T. A. Hoffmann's *Der Sandmann* ([1816] 1967) – an early story

about a seductive robot – and Mary Shelley's *Frankenstein* ([1818] 1933). These stories and accounts highlight the fear that such new technologies will corrupt our ethical and social sensibilities.

These more popular approaches – in contrast with the far more nuanced and careful reflections of ethicists, philosophers of technology, and our colleagues in the relevant technical fields – appear to influence how "the rest of us" think and feel about these issues as they affect our own lives and existence. So it is important to first examine how "moral panic" reporting both furthers and frustrates careful ethical reflection on digital media. On the one hand, such reporting usually succeeds in getting our attention – and is thereby useful as it catalyzes more careful reflection on important ethical issues. On the other hand, by highlighting the negative effects and potentials of digital media, *such reporting fosters a polarized way of thinking* – a framework of "technology good" (because it brings us important benefits) vs. "technology bad" (because it threatens the moral foundations of society, most especially the morality of young people). As we will see, such simple either/or frameworks for reflecting on important ethical issues are simply misleading. Rather – and as most of us likely already know full well – whatever truths may be discerned about the ethics of digital media are more complex and often lie somewhere in the middle between these two extremes. But if presented only with the simple choice between "technology good" and "technology bad," we may not look for further alternatives: hence, we get needlessly stuck in trying to decide between two compelling choices. Getting stuck this way short-circuits, that is, the more careful and extensive reflection required if we are to move beyond such either/or thinking.

So we begin by examining more carefully some of the important characteristics of digital media, along with the specific sorts of ethical issues that these characteristics often raise for us.

(Ethical) life in the (post-)digital age?

In keeping with their increasingly central importance in our lives, "digital media" are the subject of an ever-growing range of analyses in a number of disciplines (e.g., Couldry 2012; Davisson and Booth 2016). At the same time, there has been something of a popular turn in our experiences with and sensibilities toward digital media in recent years. Broadly, a largely *optimistic* assumption that new technologies would make our lives better in many ways – whether as *consumers* satisfied with the latest convenience of, say, a voice-activated digital assistant or smart home, and/or as *citizens* in a world of increasing individual and collective freedom, democracy, and prosperity – is increasingly overshadowed by darker developments, such as the Cambridge Analytica scandal (Solon 2017). At the same time, more and more of us are becoming aware of how "our minds can be hijacked" (Lewis 2017) – in part, as more and more "tech dissenters," including Justin Rosenstein, the coder who invented Facebook's "like" button, have become increasingly and publicly critical of the very technologies they themselves have built.

Lastly, since as early as 2000 (Cascone), an increasing number of scholars and researchers argue that we are now living in a *post-digital era* (e.g., Berry 2014; Lindgren 2017; Ess 2019). Some obvious markers of this era are the increasing popularity of primarily *analogue* technologies, including analogue film, vinyl records, and rising interest in board games (Birkner 2017); we will explore additional examples, such as "slow technology" and "digital detox" (chapter 4). To be clear: "post-digital" does not mean "anti-digital." It signals, rather, a broader shift from an exclusive focus on "the digital" – to the exclusion of "the analogue" – to a more nuanced balance and recognition of the roles and importance of each in our lives.

At the same time, digital media represent strong *continuities* with earlier forms of analogue communication

and information media: the latter include printed books, journals, and newspapers, what we now call "hardcopy" letters, and, for example, traditional forms of mass media such as newspapers and "one-to-many" broadcast media such as radio and TV. We will note and explore these continuities more fully in our efforts to evaluate one of the larger ethical questions we will confront – namely, *do digital media present us with radically new kinds of ethical problems* that thereby require *absolutely new ethical approaches*? Such questions are often driven by emphasizing instead important *differences* between earlier media and digital media. Such an emphasis, however, also drives the either/or approach underlying much popular media reporting. In any event, these differences often are part of why new ethical issues come up in conjunction with digital media. Exploring these differences at the outset is hence a good starting point.

Three especially relevant characteristics of digital media are: how digital media foster *convergence*; digital information as "*greased*"; and digital media as *ubiquitous and global communication media*.

1. Digital media, analogue media: convergence and ubiquity

To begin with, digital media work by transforming extant information (e.g., voices over a phone, texts written on a word-processor, pictures of an impressive landscape, videos recorded and broadcast, etc.) into the basic informational elements of electronic computers and networks, using binary code (1s and 0s – bits on and off). By contrast, analogue media, such as increasingly popular vinyl records, capture, store, and make information accessible by producing specific *material* artifacts that are *like* (*analogous* to) the original. Music recording equipment, for example, begins with microphones that translate the vibrations of an original sound into magnetically stored information, corresponding to specific

sound pitches and volumes; this is then "written" onto a tape that passes by a recording head at a specific speed. These analogues of an original sound are in turn transformed into further analogues: they are mechanically carved onto the grooves of a vinyl record in the form of bumps and valleys that correspond to the high and low frequencies and volumes of the original sound. These physical variations are then translated by a phonograph needle back into electronic impulses that likewise mimic the original variations of a sound. Finally, these impulses are turned into sound once more by an amplifier and speaker(s) – again, as an analogue or copy of the original that, ideally, is as close to the original as possible.

One of the reasons digital media are so attractive is that analogue media, by contrast, always involve some *loss of information* across the various processes of collecting, recording, and storing it. This means – and this is particularly critical to the ethical discussions of copying – that each analogue copy of an original is always less true to the original; and the more copies that are made – e.g., a tape copy of a record as a copy of a tape of an original performance – the less faithful (and satisfying) the resulting copy will be. By contrast, once information is transcribed into digital form, each copy of the digital original will be (more or less) a perfect replica of the original. Copy an MP3 version of your favorite song a thousand times and, if your equipment is working properly, there will be no difference between the first copy and the thousandth.

Even more importantly, analogue media are strongly distinct systems: how information is captured and replayed on a vinyl record is not immediately compatible – and hence not easily exchangeable – with how information is captured and replayed in a newspaper or printed book. But once information is translated into digital form, such information – whether destined for an MP3 player as an audio recording or a word-processor as text – can be stored on and transmitted through a shared medium. Hence the same computer or smartphone can capture, create, process, and distribute

digital photos and music, along with a thousand other forms of information held distinct in analogue media, from simple emails to word-processing files to maps to ... "you name it."

To be sure, these distinctions between analogue and digital media are only one side of the coin. As advocates of the post-digital remind us (Cascone 2000; Berry 2014), however much our media technologies have changed in recent decades, the human eyes, ears, and voices have not: we as *embodied* beings still generate and receive information in resolutely analogue form. The digital codes, for example, that pass between two computers or smartphones, whether in the form of a Skype call, Facebook update, or phone call, begin and end for their human users as analogue information. The emergence of "the digital," in short, does not mean the quick and complete end of "the analogue" (cf. Massumi 2002). *This is critical to keep in mind especially from an ethical perspective*: as digital media build on and enhance – rather than replace – our analogue modes of communication and experiences, they thereby call into play experiences and communication that have been part and parcel of human ethical reflection and frameworks for millennia. This is good news, ethically. That is, it is sometimes argued – and tempting to think – that the ethical experiences and challenges of digital media are so strikingly *new* that they require entirely new frameworks (e.g., Braidotti 2006). But these continuities with our experiences as analogue and embodied beings argue that the emergence of digital media does *not* require us to throw out all previous ethical reflections and views and somehow try to start *de novo* – from the beginning. On the contrary, we will see several examples of how older forms of ethical reflection (perhaps, most notably, *virtue ethics*) – however transformed through their applications within digital media – are often key in helping us analyze and successfully resolve contemporary ethical dilemmas.

Nonetheless, as once-distinct forms of information are translated into a commonly shared digital form, this

establishes one of the most important distinguishing characteristics of digital media – namely, *convergence* (Jenkins 2006). Such convergence is literally on display in a contemporary webpage containing text, video, and audio sources, as well as possibilities for sending email, remotely posting a comment, etc. These once-distinct forms of information and communication are now conjoined in digital form, so that they can be transmitted entirely in the form of 1s and 0s via the internet. Similarly, a contemporary smartphone exemplifies such convergence: as a highly sophisticated supercomputer, it easily handles digital information used for a built-in camera (still and/or moving video), audio and video players, a web browser, GPS navigation, and many other sorts of information. (Oh yes, it will also make phone calls.)

Digital media thus conjoin both traditional and sometimes new sorts of information sources. In particular, what were once distinct kinds of information in the analogue world (e.g., photographs, texts, music) now share the same basic form of information. What does this mean, finally, for ethics? Here's the key point: what were once distinct sets of ethical issues now likewise converge – sometimes creating new combinations of ethical challenges that we haven't had to face before.

For example, societies have developed relatively stable codes and laws for the issue of *consent* as to whether or not someone can be photographed in public. (In the US, generally, one can photograph people in public without asking for their consent, while, in Norway, consent is required.) Transmitting that photo to a larger public – e.g., through a newspaper or a book – would then require a different information system, and one whose ethical and legal dimensions are addressed (however well or poorly) in copyright law. But, as many people have experienced to their regret, a contemporary smartphone can not only record their status and actions, but further (more or less immediately) transmit the photographic record to a distribution medium such as Snapchat or an even more public website (e.g., as in revenge porn). The ethics of both consent in

photography and copyright in publication are now conjoined in *relatively* novel ways. (In fact, technological convergences toward the end of the nineteenth century – specifically, the ability of newspapers to print photographs – occasioned some of the foundational arguments for *privacy* in the contemporary world. This innovation led to the demand for celebrity photos – and thereby intrusions into the lives of the famous that violated "the obvious bounds of propriety and of decency" (Warren and Brandeis 1890, 195, cited in Glancy 1979, 8).

2. Digital media and "greased information"

A second characteristic of digital media is that digital information is "greased." That is, as James Moor (1997) has observed, "When information is computerized, it is greased to slide easily and quickly to many ports of call" (27). As anyone who has hit the "post" button on a status update too quickly knows all too well, information in digital form can spread more or less instantaneously and globally, whether we always want it to or not.

As the example of uploading embarrassing photos or videos from a smartphone suggests, the near-instantaneous and potentially global distribution of digital information raises especially serious ethical issues surrounding *privacy*. Where it was once comparatively difficult to capture and then transmit information about a person that she or he might consider private, digital media, beginning with computer databases that store and make easily accessible a vast range of information about people, have resulted in an extensive spectrum of new threats to personal and private information. Moreover, digital information as "greased" likewise makes it easy to copy and distribute, say, one's favorite songs, movies, or texts. To be sure, it has always been possible to copy and distribute copies of a given text, song, or film. But the ease of doing so with digital media is a primary factor in the central problems of copying, copyright, and so on.

3. Digital media as communication media: fluidity, ubiquity, global scope, and selfhood/identity

The emergence of digital media – along with the internet and the Web as ways of quickly transporting digitized information – thus gives rise to strikingly new ways of communicating with one another at every level. Emails, SNSs (Facebook, Twitter, Snapchat, etc.), photo and video distribution sites (YouTube, etc.), and personal blogs provide ways for people – especially in the developed world, but also increasingly in developing countries – to enhance existing relationships and develop new ones with persons often far removed from their own geographical/cultural/linguistic communities. Especially as the internet and the Web now connect over half of the world's population (Internet World Stats 2018), they thereby make possible cross-cultural encounters online at a scope, speed, and scale unimaginable even just a few decades ago.

Along these lines, two additional features of digital media become crucial. To begin with, digital media enjoy what Phil Mullins (1996) has characterized as a kind of fluidity: specifically, a biblical text in digital form – either on one's smartphone or as stored on a website – becomes, in his phrase, "the fluid Word." In contrast to a biblical text as fixed in a strong way when inscribed on parchment (the Torah) and/or printed on paper, a biblical text encoded on a flash memory or server hard drive in the form of 1s and 0s can be changed quickly and easily. This fluidity is highlighted by a second characteristic of digital communication media – namely, interactivity. Both a printed Bible and the daily newspaper are produced and distributed along the lines of a "top-down" and "one-to-many" broadcast model. While readers may have their own responses and ideas, they can (largely) do nothing to change the printed texts they encounter. By contrast, I can change the biblical text on my smartphone if I care to (e.g., if I think a different translation of a specific word or phrase might

be more precise or illuminating) – and, by the same token, a community of readers can easily amend and modify an online text; they might also be able to post comments and respond to a given text in other ways that are in turn "broadcast" back out to others. (Such matters, along with many others evoked by digital media, are the foci of Digital Religion, a now mature field of internet studies: Campbell 2017.) In other words, digital communication media offer multiple new possibilities of "talking back": posting comments, or even a blog, in response to a newspaper story, now reproduced online; voting for a favorite in a TV-broadcast contest by way of SMS messaging; organizing "smart mobs" via the internet and smartphones to protest against – and, in some cases, successfully depose – corrupt politicians, etc.

Secondly, the diffusion of internet and Web-based connectivity by way of smartphones and other digital devices (e.g., the sensor devices a jogger wears to track and record a run in exquisite detail, including precise location, time, speed, etc.) makes increasingly real for us the *ubiquity* of digital media. We are increasingly surrounded by an envelope of interacting digital devices – meaning first of all that we are "always on," always connected (unless we take steps to go offline – steps that are increasingly difficult to accomplish but also increasingly recognized as important to our health and well-being in a post-digital era, e.g. Roose 2019). The ubiquity of our interactive devices means that we are increasingly both the subjects and the objects of what Anders Albrechtslund (2008) early on identified as "voluntary surveillance." To be sure, such voluntary or lateral surveillance can certainly be enjoyable, even life-saving – e.g., as we keep up with distant friends and family through a posting on a social networking site such as Facebook. At the same time, however, the mobile or smartphones we carry with us into more or less every corner of our lives – including the (once) most intimate spaces of the bathroom and the bedroom – open up our lives in those spaces to new possibilities of tracking and recording in exquisite detail.

On the one hand, social scientists (among others) can thereby use smartphones as primary conduits into the lives of their informants and subjects of study – often on a massive scale. Such research – especially as enhanced through Big Data collection and AI-/algorithmic techniques of analysis – has dramatically expanded our insights into just about every facet of human behavior (for an overview, Ling 2017). On the other hand, carrying these devices renders us immediately vulnerable to governmental and corporate surveillance, various forms of governmental and private actors' hacking (e.g., the phone hacking scandal in the UK – CNN 2018), parental efforts to track their children (Gabriels 2016), partners' ability to track one another's sexual activities and infidelities (Danaher, Nyholm, and Earp 2018), to engage in sexting as well as revenge porn, etc. In particular, as we will explore more fully below, when such surveillance is *not* voluntary, our online and offline lives risk becoming more and more like those in a medieval village in which "everybody knows everything about everybody." As the phenomena of "trial by Internet" and cyberbullying make clear, our increasing inability to hide or get away from those who seek to do us harm in such a medieval village – including, worst case, a self-righteous mob inspired by unproven allegations, for example, of sexual assault – opens up a number of critical ethical (and political) concerns (Jensen 2007).

Moreover, our personal data are being collected in ever increasing amounts through the emerging "Internet of Things" (IoT) – e.g., in the name of so-called Smart Cities which promise greater energy efficiencies, better traffic flow, etc., through constant monitoring of individuals and our devices (including, for example, our cars, our electric meters, our smart assistants, and so on), coupled with a growing web of cameras and sensors embedded in the environment around us. It is not difficult to see that the IoT thereby presents still more threats to individual and group privacy (e.g., Rouvroy 2008; Bunz and Meikle 2018, 123–5) – especially as the IoT

threatens to easily morph into a total surveillance system, as exemplified in the Chinese SCS.

Thirdly, fluid and interactive digital media enjoy a *global* scope, which leads to still more urgent ethical issues. Our communications can quickly and easily reach very large numbers of people around the globe: like it or not, our use of digital technologies thus makes us *cosmopolitans* (citizens of the world) in striking new ways. We are forced to take into account the various and often very diverse cultural perspectives on the ethical issues that emerge in our use of digital media. So I will stress throughout this book how the assumptions and ethical norms of different cultures shape specific ways of reflecting on such matters as privacy (chapter 2), copyright (chapter 3), pornography, sexbots, and violence (chapter 5).

Finally, our engagements with digital media have consequences for nothing less foundational than our most basic conceptions of *selfhood* and *identity* – of *who we are as human beings*. To be sure, questions such as "Who am I – really?" and "Who ought I to be?" are among the most abstract and difficult ones we can ask as human beings. Indeed, outside of an occasional philosophy class or, perhaps, a mid-life crisis, we may rarely raise such questions with the sort of sustained attention and informed reflection that they deserve and require. But there are strong theoretical and urgently practical reasons for taking up such questions here. To begin with, the Medium Theory developed by Harold Innis, Elizabeth Eisenstein, Marshall McLuhan, Walter Ong (1988), and Joshua Meyrowitz (1985), and, more recently, Naomi Baron (2008) and Zsuzsanna Kondor (2009), demonstrates strong correlations between our diverse modalities of communication and our sense of selfhood. These correlations begin with the stage of *orality* and what is characterized as a *relational* sense of selfhood: such a self is made up of and thus dependent upon multiple *relationships* – beginning with the family (as child, sibling, cousin, etc.) and then the larger social relationships that define one. The

emergence of *literacy* appears to correlate with more *individual* understandings of selfhood – so much so that Foucault has characterized writing as a "technology of the self" (1987, 1988). Emphases on individual aspects of identity further emerge in conjunction with the printing press and the expansion of *literacy-print*, initially via the Protestant Reformation, and then as underlying both much of modern ethical theory and political theories justifying democratic regimes. With the rise of the "secondary orality" of electric media – beginning with radio, movies, and TV and then extending into the age of networked digital media – there appears to be a shift in Western societies (back) toward more *relational* emphases of selfhood and identity (Ess 2010, 2012, 2017a). There are also important middle grounds here – namely, conceptions of the self as a *relational autonomy* that conjoin more individual emphases on freedom (autonomy) and the realities of our relationships with one another: relational autonomy is applied, for example, in recent critiques of so-called Quantified Relationship (QR) apps (Martens and Brown 2018).

It is a commonplace in philosophy that our sense of human nature and selfhood drives our primary ethical assumptions and frameworks. In particular, we will begin exploring more fully below how *questions of identity* immediately interact with our most basic assumptions regarding *ethical agency* and *responsibility*. We will further see in our ethical toolkit (chapter 6) that our emphases on either more individual or more relational aspects of selfhood and identity are definitive for (more individually oriented) utilitarian and deontological ethics, in contrast with (more relationally oriented) virtue and feminist ethics and the ethics shaped by Buddhist, Confucian, and African traditions, for example. Like it or not, while questions of identity are, again, among the most difficult we can raise and seek to resolve, our responses to those questions are crucial if we are to make coherent choices regarding the ethical frameworks we think best suited to help us analyze and resolve the ethical challenges evoked by digital media.

Lastly, our assumptions regarding identity and selfhood have immediate significance for how we begin to think about the nature of *privacy* – specifically, if what we feel and think we need to protect is a more individual and/or more shared or collective sense of privacy (chapter 2). Similar questions hold for our understandings of who should have – and should not have – access to our intellectual property: i.e., whether we hold to more traditional (meaning, more *individual* and *exclusive*) conceptions of property, so that we transfer rights to its use to others only in exchange for monetary or other sorts of considerations, or to more *inclusive* notions of property, e.g. as an inclusive good to be shared freely, as we routinely do when giving copies of our favorite music and films to friends, for example (chapter 3). By the same token, our underlying notions of selfhood and identity will prove critical to our analyses of the issues surrounding friendship, death online, and democracy (chapter 4) and those evoked by pornography and violence in digital environments, including sexbots (chapter 5).

Digital media ethics: How to proceed?

At first glance, developing such an ethics would seem to be an impossible task. First of all, digital media often present us with strikingly new sorts of interactions with one another. So it is not always clear whether – and, if so, then how – ethical guidelines and approaches already in place (and comparatively well established) for traditional media would apply. But again, as emphasized in the term "post-digital," digital media remain analogue media in essential ways – the music arriving at our ears remains analogue, etc. And so the lifeworlds of human experience that digital media now increasingly define remain connected with the analogue lifeworlds of earlier generations and cultures: this means that there remain important *continuities* with earlier ethical experience and reflection as well.

In addition, digital media as global media thus force us to confront *culturally variable views* – regarding not simply basic ethical norms and practices but, more fundamentally, how ethics is to be done. In particular, we will see that non-Western views – represented in this volume by Confucian, Buddhist, and African perspectives – challenge traditional Western notions of the primary importance of the individual, and thereby Western understandings of ethical responsibility as primarily individual responsibility. That is, while we in the West recognize that multiple factors can come into play in influencing an *individual's* decision – e.g., to tell the truth in the face of strong pressures to lie, to violate another's rights in some way, etc. – we generally hold individuals responsible for their actions, as the individual agent who both makes decisions and acts independently of others. But, these days, our interactions with one another predominantly take place via digital media and networks. This means, more specifically, that multiple actors and agents – not only multiple humans (including software designers as well as users) but also multiple computers, networks, bots, etc. – must work together to make specific acts (both beneficent and harmful) possible. Hence, in parallel with the distribution of information via networks, our ethical responsibility may be more accurately understood in terms of *a distributed responsibility* (Simon 2015). That is, ethical responsibility for our various actions via digital media and networks is "stretched" across the network. This understanding of distributed responsibility is, in fact, not an entirely new idea; rather, it is one shared with both pre-modern Western philosophies and religions and multiple philosophies and religions around the globe.

Certainly, this is a Very Good Thing: it suggests important ethical norms and practices that can be shared among the multiple cultures and peoples now brought into digital communication with one another. But it represents a major challenge, especially, to Western thinkers used to understanding ethical responsibility in primarily individualistic terms.

Is digital media ethics possible? Grounds for hope

These challenges are certainly daunting. Indeed, when we first begin to grapple with digital media ethics, especially with a view toward incorporating a range of global perspectives and changing notions of selfhood and responsibility, the tasks before us may seem to be overwhelming and perhaps simply futile. But both our collective experience with earlier technological developments and more recent experience in the domain of information and computing ethics (ICE) suggest that, despite the considerable challenges of developing new ethical frameworks for new technologies, we are nonetheless able to do so. Indeed, this experience provides us with a number of examples of ethical resolutions that "work" both globally (as they involve discerning shared norms and understandings) *and* locally (as they further involve developing ways of interpreting and applying shared norms in specific cultural contexts – and thereby preserving the distinctive ethical differences that define diverse cultural identities).

As a primary example: the European Union has drawn up and now implemented *more* rigorous privacy protections than were defined under previous data regulations (GDPR 2016; Berbers et al. 2018). In 2015, the European Data Protection Supervisor (EDPS) established an Ethics Advisory Group, assigned to develop a "new digital ethics" to help guide the specific implementations of the GDPR, including sustaining the rigorous EU privacy protections vis-à-vis the emerging Internet of Things and growing uses of Artificial Intelligence (AI). This new digital ethics, however, turns squarely on two ethical frameworks we have begun to explore here – namely, *deontology* (roughly, an insistence on human *autonomy* and thereby basic rights, including the right to privacy) and *virtue ethics* (briefly, a focus on achieving good lives of flourishing through the development of our best capacities). For example,

the EDPS Ethics Advisory Group (EAG) foregrounds the central importance of autonomy and freedom, including as these are grounded in the philosophical work of Immanuel Kant (Burgess et al. 2018, 16). Similarly, both the EAG report and the more philosophical account of the key ethical pillars of a "Good AI Society" (Floridi et al. 2018, 689f.) foreground the central aims of virtue ethics – namely, flourishing, well-being, and good lives (Burgess et al. 2018, 21; Floridi et al. 2018, 690f.). At the same time, these ethical frameworks are (also) applied in a *pluralistic* fashion. So the EAG asserts that basic norms and values – such as autonomy, dignity, equality, and so on – are both central "to the European project" (Burgess et al. 2018, 16). Indeed, these are claimed to be universal – while recognizing that "these values must be understood and implemented in the social, cultural, political, economic and not least, technological contexts in which the crucial link between personal data and personal experience is made" (Burgess et al. 2018, 9).

Similar comments hold for the long-term experience of the Association of Internet Researchers' (AoIR's) development of Internet research ethics guidelines since 2000 (Ess 2017b). Taken together, these examples suggest that digital media ethics – as likewise requiring us to address the ethical dimensions evoked by developing new technologies, including how these implicate diverse cultural norms and traditions – is nonetheless a doable project.

Moreover: extensive evidence argues that with few exceptions, as enculturated human beings, *we are already deeply ethical* (at least by the time you are reading a book such as this). In Aristotelian terms, you are already experienced with confronting ethical difficulties; you are already equipped with important foundations and, most importantly, *phronēsis* as a central skill of ethical judgment (more on this below). Be of good courage!

How to do ethics in the new mediascape: Dialogical approaches, difference, and pluralism

These examples of the AoIR guidelines and recent EU law and ethics further offer important suggestions for how to proceed – specifically, as both examples share two elements in common. To begin with, they each incorporate what we can think of as *dialogical* approaches – approaches that emphasize the importance of listening for and respecting differences between our diverse ethical views.

Ordinarily – especially if our thinking is shaped by a polarized either/or common in popular media reporting – we tend to understand the difference between two views in only one possible way: if the two views are different, one must be right and the other wrong. Again, as we will explore more carefully in chapter 6, such approaches are called *ethical absolutism* or *ethical monism*. These may work well in certain contexts and with regard to some ethical matters. But, especially in a global context, a severe consequence of such ethical monism is to force us into thinking that one – and only one – particular ethical framework and set of norms and values (usually, those of the culture[s] in which we grew up) are right, and those that are different can only be wrong.

In the face of such monism and its intolerance of different views, we are often tempted to take a second position – one called *ethical relativism*. Ethical relativism argues that beliefs, norms, practices, frameworks, etc., are legitimate solely in relation to a specific culture, time, and place. In this way, ethical relativism allows us to avoid the intolerance of ethical monism and to accept all views as legitimate. Such an approach is especially attractive as it prevents us from having to judge among diverse views and cultures: we can endorse all of them as legitimate in at least a relative way (i.e., relative to a specific culture, etc.).

But the examples of *ethical pluralism* in both internet research ethics and EU law and ethics surrounding privacy and data privacy protection show how such pluralism stands as a third possibility – one that is something of a middle ground between absolutism and relativism. That is, to begin with, such pluralism avoids the either/or of ethical monism – an either/or that forces us to choose between two different views, endorsing one as right and the other as wrong. Rather, pluralism shows how different views may emerge as diverse *interpretations* or *applications* of shared norms, beliefs, practices, etc. To be sure, not all of our differences can be resolved so neatly; but, when pluralism succeeds, the differences between two (or more) views thus do not force us to accept only one view as right and all the others as wrong. Rather, we can thereby see that many (but not necessarily all) different views may be right, insofar as they function as diverse interpretations and applications of shared norms and values.

In addition, ethical pluralism thereby overcomes a second either/or – namely, the apparent polarity between ethical monism and ethical relativism themselves. That is, when we first encounter these two positions – and, once more, especially if our thinking has been shaped by prevailing dualities in the thinking of those around us, including popular media reports – our initial response may again be either/or: either monism is right or relativism is right, but not both. In important ways, ethical pluralism says that *both* are right – and *both* are wrong. From a pluralist perspective, monism is correct in its presumption that universally valid norms exist, but mistaken in its insistence that the differences we observe between diverse cultures in terms of their practices and behaviors must mean that only one is right and the rest are wrong. Similarly, from a pluralist perspective, ethical relativism is correct in its attempt to endorse a wide range of different cultural norms and practices as legitimate, but mistaken, first of all, in its denial of universally valid norms.

We will explore these theories of absolutism, relativism, and pluralism in more detail in chapter 6. Here it suffices simply to introduce these possibilities of thinking in an initial way to help us move beyond the either/or thinking that tends to prevail in popular media – and thereby, perhaps, our own thinking.

Given this first introduction, perhaps we can now see more clearly why the either/or underlying many popular media reports – especially of the moral panic variety – works against our best thinking. Ethical pluralism requires us to think in a "both/and" sort of way, as it conjoins both shared norms and their diverse interpretations and applications in different cultures, times, and places. But if the only way we are able to think about ethical matters is in terms of the either/or of ethical monism, then we literally cannot conceive of how to move beyond the right/wrong dualisms with which it often confronts us. That is, we will find it difficult conceptually to move toward pluralism and other forms of middle grounds, because our either/or thinking insists that we can only have either unity (shared norms) or difference (in interpretation/application), but not both.

Stated differently: in dialogical processes, we emphasize learning to listen for and accept differences – rather than rejecting them from the outset because different views must thereby be wrong (ethical monism). But we also do not come to endorse all possible views as correct (ethical relativism), because not every view can be understood as a legitimate interpretation or application of a shared norm. Rather, dialogical processes help us sort through, on the one hand, which views may stand as diverse interpretations of shared norms in a pluralism and, on the other, those views (e.g., endorsing genocide, racism, violence against women as inferior, etc.) that cannot be justified as interpretations of shared norms.

Further considerations: Ethical judgments

Another difficulty with the "moral panics" approach to ethical issues in the new mediascape is that it suggests that "ethics" works like this:

1. There are clear, universally valid norms of right and wrong that we can take as our ethical starting points – as premises in an ethical argument.[1]
2. All that "ethics" really involves is applying these initial premises to the particulars of the current case in front of us – in a straightforward deduction that concludes the right thing to do, as based on our first premises.
3. Once we have our ethical answers in this way, we can be confident that our answers are right; those who disagree with us must be wrong.

This approach to ethics is not necessarily mistaken; on the contrary, it seems that much of the time, most of us in fact do not perceive an ethical problem or difficulty in the situation we're facing – because our ethical frameworks already provide us with reasonably clear and straightforward answers along just these lines. Most of us, for example, do not routinely lie, steal, or kill – despite sometimes what may be considerable temptations to do so – because we accept the general norms and principles that forbid such acts.

1 Here I use the terms "premise," "argument," "conclusion," etc., in their logical sense. An understanding of the basic element of logic is essential for undertaking ethics – and many ethics texts include an introduction to logic (e.g.Tavani 2013, ch. 3, etc.). For the sake of brevity, I have chosen instead to introduce and discuss a minimal number of logical elements: analogy and questionable analogy in chapter 3; the distinction between exclusive and inclusive "or"s in chapter 5; and the basic fallacy of affirming the consequent in chapter 6. Otherwise, in addition to any preferred resources of instructors, I would further recommend Weston (2018) as an excellent introduction to logic.

At the same time, however, this initial understanding of ethics obscures a number of important dimensions of ethical reflection.

To begin with, this initial approach runs counter to what seems actually to happen when we encounter genuine ethical problems and puzzles. Take, for example, the problem of downloading music illegally from the internet. We all know that this is illegal, but we are also influenced in our thinking by other considerations, e.g.:

> I'm not likely to get caught, so there's virtually no possibility that this will actually hurt me in some way.
>
> The internationally famous musicians – and the multinational companies that sell their music as product for profit – are certainly wealthy enough. They won't feel the loss of the 2 cents profit they would otherwise enjoy if I paid for the music.
>
> Copyright laws are unfair in principle: they are written for the advantage of the big and already wealthy countries. Thus, I think illegal downloading by a struggling student in a developing country is a justified form of protest against multinational capitalism and its exploitation of the poor.
>
> Whatever the law says, the law is the law: I think it should be respected so far as possible – not only in order to avoid punishment, but in order thereby to contribute to good social order.
>
> Even if the chances of getting caught are vanishingly small, if I do get caught, the negative consequences would be enormous (fines, possibly problems at work, maybe even jail time). It's not worth breaking the law to save a few bucks on music.
>
> While internationally famous artists may not miss my contribution to their royalties, local and/or new artists certainly will. I'll not rip them off by illegally copying their music – I'll just order the song online or buy the CD instead.

The point here is not only that we are often pulled in competing directions by values and principles that appear to

contradict one another. In addition, the more fundamental problem is: given the specific details of our particular situations, how do we know *which* principle, value, norm, rule, etc., is in fact relevant to our decision?

That is, in direct contrast to the "top-down" deductive model of ethical reasoning – i.e., one that moves from given general principles to the specifics of our particular case – this second ethical experience begins with the specifics of our particular case, in order then to try to determine ("bottom-up") which general principles, values, norms, etc., in fact apply.

This second maneuver is thereby far more difficult, as it first requires us to *judge* – based on the particulars of our case – which general principles, norms, values, etc., apply to our case. Clearly, without such general principles, we cannot make a reasoned decision. But the great difficulty is this:

> there is no general rule/procedure/algorithm for discerning which values, principles, norms, approaches apply; rather, these must be discerned and *judged* to be relevant in the first place, before we can proceed to any inferences/conclusions about what to do.

Aristotle referred to this kind of judgment as *phronēsis* – often translated as "practical judgment." For Aristotle (and for many ethical traditions around the world), the development of this sort of practical judgment – i.e., one that can help us discern in the first place just which norms and values do apply to the particulars of a specific case – is an ongoing project that continues throughout one's entire life. This is in part because it requires experience – both of successes and of failures – as these help us learn (oftentimes, the hard way) what "works" ethically and what doesn't. The first time we try to learn a new skill or ability – say, ice-skating – we are certain to stumble and fall, perhaps catastrophically, and almost certainly more than once. Analogously, our first efforts to grapple with difficult ethical issues that require *phronēsis* do not always go

well: we are caught in the ethical "bootstrapping" problem of needing precisely the ability to judge that will be robust enough to help only after it has been developed and honed through many years of (sometimes hard) experience.

The good news is that – however daunting all of this might seem – the Aristotelian view (among many others) argues that the vast majority of us are already ethical beings equipped with *phronesis*, and thereby the foundations and abilities for taking on these challenges.

Overview of the book, suggestions for use

By now, readers should have a reasonably good idea of the features of digital media that lead to specific sorts of ethical issues that we will explore more fully in subsequent chapters. I also hope that you are beginning to have a sense that, especially with regard to digital media that interconnect us globally, it is important to do so in ways that go beyond the either/or polarities that tend to dominate popular media reporting.

Chapter arrangement, reading suggestions

The book is organized in a somewhat unusual way, but one that has proven to be effective and useful. I use a "circle" approach to exploring and teaching ethics, one that intentionally moves back and forth between: (a) specific, real-world examples from how we actually use digital media, and thereby encounter specific ethical problems and (on a good day) legitimate resolutions; and (b) a number of theories that often help resolve such ethical challenges and difficulties. This differs from a more common approach in ethics texts – namely, beginning with a listing and discussion of important theories, on the sensible presumption that students can best come to grips with concrete ethical difficulties only after such a comprehensive introduction to ethical theories. Instead,

I've placed ethical theory at the end of the text (chapter 6). The idea is to encourage students and instructors to take up just two or three of these theories at the beginning and apply them to the specific cases explored in the opening chapters. After students acquire greater facility with how two or three theories work in their application to real-world cases, they can return with their instructor to take up additional theories – and then apply these in turn to additional cases. Placing the theory/meta-theory chapter at the end of the text thereby gives students and instructors greater flexibility in determining for themselves just how much theory they wish to absorb vis-à-vis specific issues and problems. At the same time, it remains perfectly possible to take the more usual approach, if one wishes, by starting with chapter 6 and then turning to any one of the specific cases taken up in chapters 1 through 5.

This circle organization reflects a key discovery in my own teaching experience. After some years of the more usual "first, all the theories, then the applications" approach, my students made it clear that they were more likely to acquire facility with both central ethical theories and their application if we instead began with just a few theories and then applied these to specific cases. Whatever the disadvantages of initially confronting specific examples with a more limited set of theories, it also often happens that students will thereby discover precisely through these applications that their initial theories are somehow inadequate. Specifically, the first theories often do *not* allow them to resolve the problems in ways that closely fit their own ethical intuitions and sensibilities. This is pedagogical gold: students see on their own the need for further theory/theories, and so, as we return from specific cases to more theories (making the circle from *praxis* to theory), they are characteristically more interested in new theories than if we had simply worked through all of them from the outset.

By the same token, nothing prevents us from going back to reconsider earlier cases in light of more recently acquired

theories – and thereby seeing these cases in a new light (making the circle from theory to *praxis*). Indeed, doing so often helps us discern new and more satisfying resolutions of the ethical problems involved. Such resolutions thereby enhance our appreciation not only for how a specific theory may offer distinctive advantages vis-à-vis a specific case, but also for how a now greater range of theories work in their application to real-world issues and problems.

Instructors and their students who want to follow this approach can begin with the opening sections of chapter 6 on *utilitarianism, deontology,* and *ethical relativism, absolutism,* and *pluralism,* and then move on to chapter 2 (privacy) and, perhaps, chapter 3 (copyright and intellectual property). Chapter 3 further explores *virtue ethics,* Confucian ethics, and the (Southern) African framework of *ubuntu*: again, taking up the relevant sections in chapter 6 along with these components of chapter 3 should be helpful. These elements, along with *feminist ethics* and *ethics of care* from chapter 6 should be completed prior to chapters 4 (friendship, death online, and democracy) and 5 (pornography, sexbots, and violence). But some readers, depending on their interest in the specific topics of each chapter, may prefer to go to chapter 5 before chapter 4 (or 3, for that matter), as more concrete and specific in certain ways, before taking up chapter 4 (or 3).

Case-studies; discussion/reflection/writing/ research questions

Each chapter includes real-world examples intended to elicit initial reflection; these are accompanied by a series of questions and suggestions for "reflection/ discussion/writing/research." These questions and suggestions can be used by students and classes as initial catalysts for reflection, discussion, and perhaps informal writing. Instructors may also find useful suggestions here for questions and material that they can develop into formal writing and research assignments more

precisely tuned to their own curriculum and goals. But these are only starters and examples. Instructors and students will certainly come up with their own preferred questions, case-studies, etc.

OK – enjoy!