

# Modding Data Policies: Interventions Developed by Browser Extensions

Jessica 'jynnie' Tang

## I. INTRODUCTION

Over the past year, in response to the numerous reports of data policy and user right breaches [1], many have called for tech giants to reevaluate their policies. But there appears to be little internal motivation for corporations to revise or reject practices that make profits. Changes made are little to inadequate. Even the EU's General Data Protection Regulation (henceforth referred to as GDPR) -- meant to reassert users' rights to understand how their data is used and to withdraw consent to practices -- appears to have changed little. As I found in my last essay [2], many platforms' policies are still lacking in readability and transparency. But legislation also failed to solve the core problem: users consent to data policies without reading them through [3]. Even if a policy is readable, transparent, or even funny; it's unlikely users will read a full short story length policy before agreeing. The truth of the matter is it's difficult for legislation to encapsulate the spirit of improvements without getting too specific. And it's easy enough for platforms to get around the spirit of legislation while following the letter of the law.

All in all, a general sentiment of cynicism and hopelessness has captured the public. It seems nothing less than an economic crisis will motivate immoral practices to change.

Despite what my language may suggest, I do not believe these tech companies and platforms are evil corporations bent on exploiting the masses. But I won't pretend that platforms' and their parent companies' interests aren't complicated by economic interests. Regardless, it's perhaps naïve to expect platforms or legislation to adequately adopt policies sufficient to alleviate data privacy, biased big data analytics, and "dataveillance" concerns [4, 5, 6].

However, what platforms and legislation cannot mandate or provide, users have the power and provisions to enact change themselves. In this essay, I examine how users have envisioned fair user rights with the browser extension ToS;DR. I analyze the intervention rendered by the user labor done and what it means for user data policies. Furthermore, I propose borrowing frameworks, such as the "assemblage of play" and "co-creativity", used in games studies to better capture user participation on platforms and empower "internet denizens".

## II. BETTER THAN VOTING WITH YOUR DOLLAR

Before I specifically examine ToS;DR, I want to first address the more well-known, "mainstream" method of exerting user power -- social media boycotting. When the Facebook - Cambridge Analytica scandal surfaced, many users responded by deleting their Facebook accounts. As this reaction spread, it became known as the #deletefacebook movement, sprouting web pages, articles, anecdotes [7, 8]. But in the

end, the movement had perhaps a negligible effect. Many did not #deletefacebook, citing dependencies on Facebook [9]. In addition, many have pointed out that boycotting is a privilege [10].

This sort of protest echoes a “your dollar is your vote” ethos. If you disagree with the company’s practices, simply move your attention and your consumer dollars elsewhere. But this framework is rather problematic. It assumes an ease of moving off platforms, which may in reality serve as crucial support networks for marginalized groups and freelancers. Furthermore, it perpetuates that user consent is all-or-nothing: if a user still uses this service they must be okay with the platform’s practices, right? And if they left, is it because the platform sold their data? Or maybe they didn’t like the user interface. The reality is more complicated and nuanced than “stay or leave” renders it.

Ostensibly, the framework of the “attention economy” appears compelling. After all, platforms’ “value is derived from stealing people’s attention, PC processing cycles, network bandwidth, or online preferences” [11, p. 4]. However, this framework misses out on many means of user participation and intervention on platforms. It’s already well-established that platforms rely on user-contributed content -- posts, videos, photos -- to profit [12]. As such, we should shed the unilateral consumer-producer model of the “attention economy”.

### III. A CULTURE OF MODIFICATION

Recent work in media studies has illuminated the role of user labor in negotiating platform cultures. Tarleton Gillespie’s and Claudia Lo’s works demonstrate the value of user labor in moderating on social media platforms [13, 14]. User labor additionally helps develop and negotiate platform values. Gillespie’s examples of user labor are designed into the platform. On the other hand, while the moderation work noted in Lo’s work is both afforded by Twitch, significant user labor occurs outside of the platform. For example, Lo points to the user developed bots and other plug-ins. A lot of user labor goes into developing mods, such as browser extensions and bots, that modify platforms “from the outside”. Platforms have not always designed in affordances to facilitate that kind of user labor. Take browser extensions; they’re supported by browsers, but not necessarily by the platforms and websites they can affect. Bank refers to web extensions as “web-altering” -- they intrude upon experiences served to you by altering what you may see. They can be as fun as the browser extension *non views*, which “replaces YouTube views into the amount of people that didn’t watch the video currently living on the world” [15]. Or be as meaningful as *PolitEcho*, which “shows you the political biases of your Facebook friends and news feed” [16]. However, Bank also warns “a word of caution: If you do install these extensions, please remember the dimensions of the alternate digital reality you’ve created for yourself” [17].

I propose that free, user-created browser extensions are “web mods”, modifying user experiences across the web. Their greatest power is in allowing user labor to intervene on sites and services developed by another party. Mehitabel Glenhaber, in her work on

the browser extension Xkit, argues that user labor can be formulated as “protest” [18].

On the other hand, John Banks and Sal Humphreys use the term “co-creative”, often used to describe video game modding [19], as a particular kind of creative power unpaid user labor wields [12]. Much as how video game modding makes “conceptual intervention[s] around how play is constituted” [20, p. 334], web modding (via browser extensions) intervenes in user engagement with the web.

I’ll be drawing off both models for user labor: that of modding on digital media platforms and that of video game modding<sup>1</sup>; to describe user labor done by web extensions, and specifically ToS;DR, on platforms. Additionally, I argue that ToS;DR represents a crucial user intervention in data and privacy problems.

#### **IV. TOS;DR**

Terms of Service; Didn’t Read (otherwise known as ToS;DR - a pun off of the internet acronym TL;DR or Too Long; Didn’t Read) is a community effort, free browser extension that creates short summaries and ratings of various internet services’ terms of service. It attempts to reclaim user rights by solving the problem that terms of service and privacy policies are not only mostly unreadable to the layman, but also much too long. Community labor is uncompensated and freely volunteered.

ToS;DR emerged from “people from Unhosted a movement to create web apps that give users control over their valuable user data and privacy” [21]. When installed, ToS;DR provides users a brief bulleted summary of the platform they’re on’s terms of service and data policy as well as a rating of how fair the terms of service are to users (see Figure I for an example).

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<sup>1</sup> Which I would also postulate are one in the same. However, that is an argument for another paper.

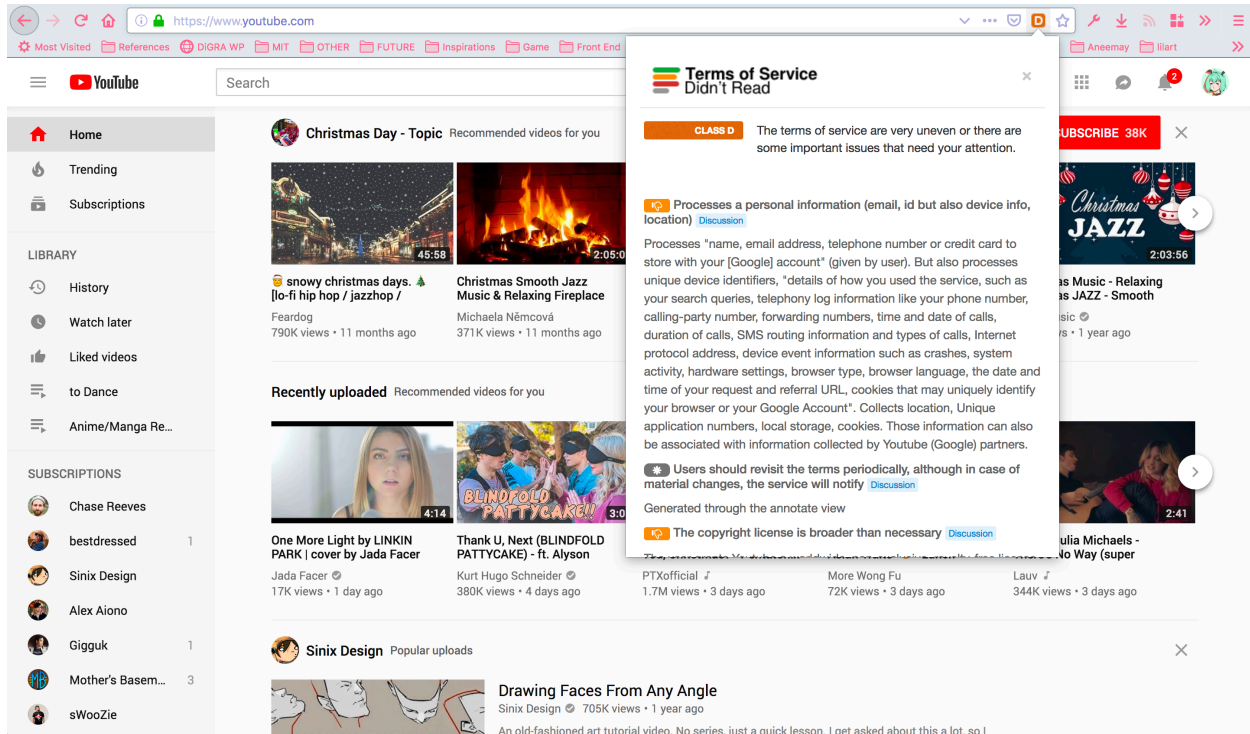



Figure 1: ToS;DR summary for YouTube [screenshot mine]

Moreover, the content in ToS;DR is community aggregated. As such, it enables a user community to negotiate 1) what is important in a platform's terms of service and data policy and 2) what is and isn't "fair" to users. And they do this together. For each bulleted summary, there's a link to the discussion for that point. On discussion pages (see Figure II), the community cites the policy in question, voices comments, and records the history of analysis edits.

 ToS;DR

[About](#)
[Login](#)
[Sign up to contribute](#)

On 2018-01-16 15:28:36 UTC, someone wrote:

<https://groups.google.com/forum/#!msg/tosdr/2xvjZf1mgd0/xERopPZTKAQJ> Google's copyright license may be limited for purpose, it is not limited in time in general:

<http://www.google.com/intl/en/policies/terms/>

When you upload or otherwise submit content to our Services, you give Google (and those we work with) a worldwide license to [...] such content. This license continues even if you stop using our Services (for example, for a business listing you have added to Google Maps). Some Services may offer you ways to access and remove content that has been provided to that Service. Also, in some of our Services, there are terms or settings that narrow the scope of our use of the content submitted in those Services. [...]

For some services, as indicated, it might makes sense. But I doubt that it really makes sense for all services. The fact that by default Google's keeping the right to use your content even if you stop using the service is a source of worries, especially wince content can be used by other Google services you might not be aware of.

I suppose the other way around would be more fair towards the user.

So, how should we sum up this? I propose:

Google keeps the rights on your content when you stop using it

The license that you grant to Google on content you upload to their services will continue even if you stop using the services. While this makes sense for some services (e.g.

*Figure II: Discussion on summarizing Google's rights to user content [22]*

ToS;DR gives a good sense of what's important in the topics points are organized under. Points for a service are then scored and can be compared to other services' points in that topic. This provides both a common vocabulary of important topics for the community, but also allows value judgements to be made across services.

Let's look at the topic "Right to leave the service" (Figure III). This topic is akin to the GDPR provision that services must provide users "the right to be forgotten".

Terms of Service; Didn't Read Ratings About Follow us @tosdr Donate Rate this

## Right to leave the service To avoid lock-in and stay in control

Once you subscribe to the service, will you have the right to leave it and remove your data?

- Couchsurfing may retain your data after deactivation for legitimate business purposes
- Google keeps the rights on your content when you stop using it
- Developed features are made available under a Free Software license
- You have the right to leave this service at any time [Good] Dropbox allows you to leave the service [Discussion](#)
- Deleted videos are not really deleted "Youtube may retain, but not display, distribute or perform, services copies of your content that you have removed or deleted." [Discussion](#)

## Ownership What happens with the content you generate on the service?

The content and the data you generate on services online is usually subject to copyright law. When your data are collected by services, they can be considered personal data. It means that it is **your content, your data**: you can decide.

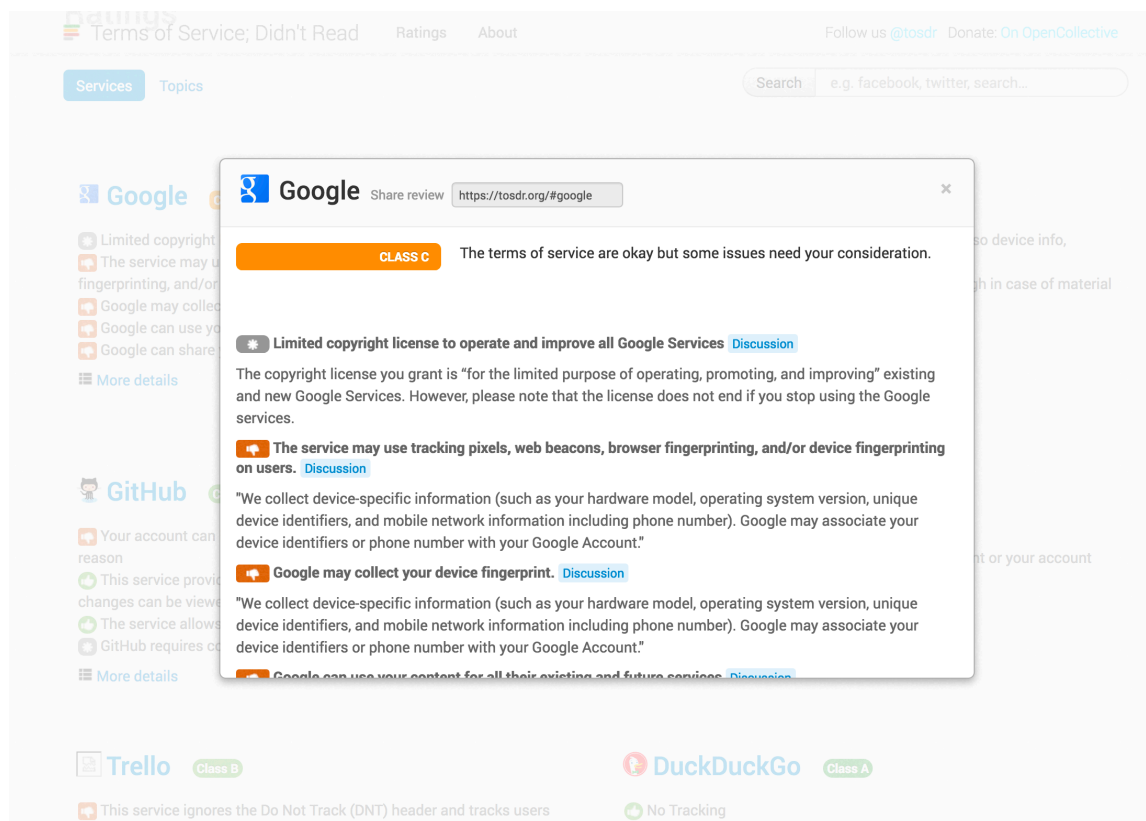
- You own your data
- Google can use your content for all their existing and future services
- Couchsurfing becomes the owner of ideas you give them
- You maintain ownership of your Tumblr content

*Figure III: Topics and examples of service policies*

ToS;DR clearly defines what this right means for users -- "once you subscribe to the service, will you have the right to leave it and remove your data?". It also helpfully provides what the importance of the topic is -- "to avoid [user] lock-in and [let users] stay in control" [23]. The topic is defined in terms of what it means for the user and what right they should be afforded by a platform. ToS;DR then provides examples of various platforms policies in regards to the right to leave the service. We see that YouTube is called out for the lack of user control over their content when they leave, as "deleted videos are not really deleted". On the other hand, Dropbox is held up as "good" and is said to allow users to leave. Through examples and descriptions, ToS;DR provides clear frameworks of what the community deems is fair to and good for users.

ToS;DR additionally classifies services overall based on the points scored in topics. On their site, they provide some examples of well-known services and their ratings. Google has a rating of Class C ("The terms of service are okay but some issues need your consideration"). Underneath, a series of points contributing to that classification are provided, each with an indication if that point is good (thumbs-up), bad (thumbs-down),

or unclassified (asterisk).



*Figure IV: Google scores an okay*

After reading through many of these points and ratings, I've pulled together some of the judgements and ideals of fairness ToS;DR has agreed on:

- Users should have the right to be forgotten
- Users should be notified of changes to policies
- Users should have control over their copyright
- Users should be able to use pseudonyms
- Users should not have to waive rights to legal action against the service in order to use it
- Services should not track users regardless of user requests
- Services should not be able to modify or use user data without consent
- Services should keep archives of their terms of service and data policies

ToS;DR does what GDPR tries to do and make platforms do. It identifies what meaningful rights users care about (i.e. right to leave a service, notification about changes to policies); it judges whether a service has adequately provided those rights; it provides concise, readable versions of policies. It also additionally has generated a very specific, nuanced idea of consent. Much of the rhetoric in platform policies and the “attention economy” model suggests consent is all or nothing. However, ToS;DR

separates a user's inherent rights to copyright, data, and presence (not being tracked), suggesting that user consent can be applied to these various areas independently. Services should ask for user consent for specific uses even after users initially consent to the terms of service. This model follows more closely the ideal that consent should be explicit, easily withdrawn, and not assumed for the future.

Furthermore, what's particularly important is that ToS;DR not only facilitates these negotiations and discussions, but also can modify user experiences with services. The browser extension intervenes on a user's experience by displaying the site's rating (see Figure I). It provides easy access to reasonable summaries of the site's terms of service and data policy while a user is using the service. ToS;DR empowers users to make informed decisions about what policies they consent to and affords them a meaningful way to participate in that intervention.

## **V. WHO HAS A VOICE, WHO AN EAR**

I've discussed that ToS;DR has empowered users in general to have a say in shaping their user experience, but this is not necessarily true for all users. Not everyone can participate in these conversation for lack of time to read through a web service's policies, or lack of technicity (familiarity or literacy with technical and computer specific language) to be able to understand said policies. Additionally, while the source code for the browser extension and discussion platform are open source, not all have the skills to be able to contribute to development.

Moreover, not everyone has access to the ToS;DR browser extension. Browser extensions, in general, are not known by all internet users. Furthermore, the extension is only supported by certain browsers and currently does not have an implementation for Internet Explorer. As a community effort, it does rely on its community to provide the labor and knowledge to distribute and develop. And many shared or public computers (such as public library computers) often do not allow users to make downloads. So while ToS;DR and other web mods may empower and inform users, users must also be able to learn of and access these tools.

## **VI. RESPONSIBILITY & PLAYFUL PLATFORMS**

While ToS;DR has allowed users to intervene in data policy meaning-making, questions about community responsibility and exploited labor crop up. Clearly users "pick up the slack" for web services (and arguably even legislation?) with ToS;DR without making any profit. I do not advocate that users are responsible for making the changes that platforms should. But, as Banks, Humphreys, and Glenhaber push, this sort of user labor has a rather radical power. It is not only protest and co-creativity. It is playful.

I invite the term "playful platforms" for multiple reasons. I wish to highlight the acts of participation, which I postulate are playful -- experimental, rule-abiding and rule-breaking -- and not the service of platforms. And I suggest we think of networked communities and assemblages in video games when we study platforms. Not only do

game platforms face similar design problems (i.e. moderation, user data handling) as what we traditionally consider social networking platforms do, but our understanding of participation on platforms is enhanced when considering play. Perhaps game platforms have been left out in the past from some lingering idea that connections made in games aren't "real". Or perhaps that "play" is not serious or meaningful. But game studies already addresses play as a meaning-making act [24, 25], and play opens up many illuminating ways of thinking about user participation. By considering participation playful, we can wrangle with interventions such as modding and user participation as rule-abiding, rule-breaking, and rule-bending -- which are all "part of an effort to collectively maximize the interests (typically, to have fun) of all players" [24].

Such a view invites us to think about platforms as emergent from participation and negotiation by users, technologies, and corporations. Users are embedded in the circuitry that powers sociotechnical systems in playful platforms. And modding, both in games and playful platforms, is an important articulation between the industry and audience" [19]. I do acknowledge that "play" complicates the discussion about uncompensated user labor. But I don't believe it undervalue of the act or labor performed. Instead, this framework inherently recognizes the power and varying attitudes of users.

We can do so much more than #delete. We can play.

## BIBLIOGRAPHY

- [1] J. Sanders and D. Patterson, "Facebook data privacy scandal: A cheat sheet," Tech Republic, 2018.
- [2] J. Tang, "Reading Privacy and Data Policies," October 2018.
- [3] C. Hoback, Director, *Terms and Conditions May Apply*. [Film]. USA: Hyrax Films and Topiary Productions, 2013.
- [4] S. D. Esposti, "When big data meets dataveillance: The hidden side of analytics," *Surveillance & Society*, vol. 12, no. 2, pp. 209-225, 2014.
- [5] K. Crawford and d. boyd, "CRITICAL QUESTIONS FOR BIG DATA," *Information, Communication & Society*, vol. 15, no. 5, pp. 662-679, 10 May 2012.
- [6] H. Nissenbaum, "PRIVACY AS CONTEXTUAL INTEGRITY," *Washington Law Review*, vol. 79, pp. 101-139, 6 February 2004.
- [7] E. Cant, "Delete Facebook Account," [Online]. Available: <https://deletefacebook.com/>. [Accessed 9 December 2018].
- [8] J. Biggs, "#deletefacebook," Tech Crunch, 2018.
- [9] J. Guynn, "Delete Facebook? It's a lot more complicated than that," USA Today, San Francisco, 2018.
- [10] A. Glaser, "The Problem With #DeleteFacebook," Slate, 2018.
- [11] J. Zittrain, "Introduction, The Rise and Stall of the Generative Internet," in *The*



- Future of the Internet and How to Stop It*, Harrisonburg, Virginia: Caravan Books, 2008, pp. 1-7.
- [12] J. Banks and S. Humphreys, "The Labour of User Co-Creators," *Convergence: The International Journal of Research into New Media Technologies*, vol. 14, no. 4, pp. 401-418, 2008.
- [13] T. Gillepsie, *Custodians of the Internet*, New Haven: Yale University Press, 2018.
- [14] C. Lo, *When All You Have is a Banhammer*, Cambridge, Massachusetts: MIT, 2018.
- [15] Dries, "non views," 3 April 2017. [Online]. Available: <https://chrome.google.com/webstore/detail/non-views/momjekogajkdfbonafkfnhjefpmceema>. [Accessed 10 December 2018].
- [16] S. He, Z. Liu, V. Mo and J. Zong, "PolitEcho," 2016. [Online]. Available: <http://politecho.org/>. [Accessed 10 December 2018].
- [17] J. Bank, "The Simple, Serendipitous Joy of Browser Extensions," *The New York Times*, 15 March 2018.
- [18] M. Glenhaber, *The Xkit Guy: Social Media Modding as Co-Creativity, Exploited Labor, or Radical Political Protest?*, Cambridge, Massachusetts, 2018.
- [19] H. Postigo, "Modding to the big leagues: Exploring the space between modders and the game industry," *First Monday*, vol. 15, no. 5, 3 May 2010.
- [20] T. Taylor, "The Assemblage of Play," *Games and Culture*, vol. 4, no. 4, pp. 331-339, 2009.
- [21] ToS;DR, "About," [Online]. Available: <https://tosdr.org/about.html>. [Accessed 9 December 2018].
- [22] ToS;DR, "Point 783: Google keeps the rights on your content when you stop using it," 3 August 2018. [Online]. Available: <https://edit.tosdr.org/points/783>. [Accessed 9 December 2018].
- [23] ToS;DR, "Topics," [Online]. Available: <https://tosdr.org/topics.html#leave>. [Accessed 9 December 2018].
- [24] M. Carter, M. Gibbs and M. Arnold, "The Demarcation Problem in Multiplayer Games: Boundary-Work in EVE Online's eSport," *The International Journal of Computer Game Research*, vol. 15, no. 1, July 2015.
- [25] T. Taylor, *Raising the Stakes*, Boston, Massachusetts: MIT Press, 2012.
- [26] C. Steinkuehler, "The Mangle of Play," *Games and Culture*, vol. 1, no. 3, pp. 199-213, 2006.