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Advocating on Their Own Behalf:

U.S. Exclusionary Data Collection and Implications for Inequality in the Digital Age

In the midst of a post-industrial society people remain apprehensive about the future of American society. The introduction of advanced technology worries low-skilled laborers about job security. The intellectuals of society ponder whether artificial intelligence will surpass their mental capabilities. Capitalists perplex over the way in which they will assign a price to a product that was created by machinery that required no human labor. This present phenomenon has been named the digital revolution.

These fears are rational but exaggerated. Society has control over how technology is implemented. Society entitized technology and assign it the freewill to do as it pleases without human intervention, but that idea is false. Society does have the power and the responsibility to restrict the impact and consider the implications for such advanced technology.

One aspect of digital revolution that merits attention are intense mechanisms for data collection. Companies like Facebook collect multitudes of information on their users from posts, demographic information, where they live, and their social network. This information is given voluntarily provided by users when they publish information about themselves, but there are instances where data is collected involuntarily. Cell phones companies track where customer's cellphone is regarding the network towers. Partaking in society inevitably requires the revealing of personal information and this divulgence has raised a rampant amount of questions about

privacy, but more interestingly these has not been much clamor about those people whose information is not being recorded.

Data earns legitimacy. If there is evidence something happened, it must have happened. Time and time again, data has proven and disproven occurrences in the world; its presence is enlightening. Information collection leads to discovery. Astronomers have understood that Earth is a part of a heliocentric system opposed to a geocentric system. Biologists discovered DNA. Meteorologists discovered global warming. At the root of all these discoveries is an interest; without an interest there is no reason to pursue data collection.

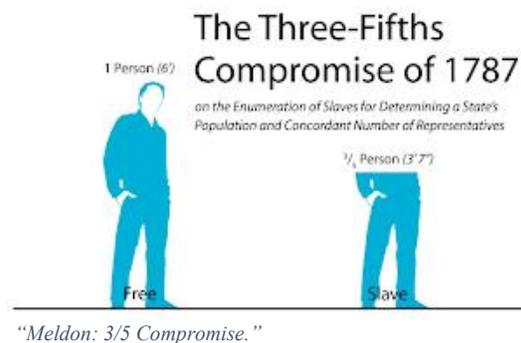
Throughout history the interests for data collection have been biased. Researchers and politicians decided to collect data based on what benefits them and their claims. They showed only what they want to show. Under the guise of professionalism and status, what was presented as truth was unquestioned. In these collections of data there were present undertones of racism, sexism, xenophobia, ableism, classism, etc. that either proved a negative assumption of marginalized groups or placed a complete focus on the group that desired to gain a benefit from the collection of data. Alternatively stated, the collection of data is a biased act that can exclude information as a tactic for the social engineering of society.

In his book, *Information and Exclusion*, Lior J. Strahilevitz poses three modes by which outsiders can be excluded: the first via trespass law on absolute and discretionary terms, second is by “exclusionary vibes”, and thirdly by an “exclusionary amenity” (Strahilevitz 13–14). Trespass laws articulates that an owner can exclude outsiders from something they own on absolute terms, meaning no one can enter or they can do so on discretionary terms, meaning they have the right to allow some outsiders and exclude others. In the case that it is illegal to outrightly exclude people from something, people can utilize “exclusionary vibes” which entails

creating an unwelcoming environment to certain individuals and catering to others. An example would be changing the name of a school from Stone Creek High School to The Stone Creek College Preparatory Academy can suggest that the school desire to capture students who aspire to attend college and turn away students those who do not. Lastly, given that “exclusionary vibes” has limited effectiveness, people can also employ an “exclusionary amenity”, which is something that people in a group all contain that others do not. Using the school as an example, if this school was in a gated community, the school would the “exclusionary amenity” of being in a gated community that would exclude those who exist outside of it from attending that school. These tactics of trespass law, “exclusionary vibes” and “exclusionary amenities” have prompted the absence and inaccuracy of data from excluded individuals to disempower and inch toward erasure.

These tactics have been utilized throughout the history the United States since the recording of information.

Before the Constitutional Convention in 1787, slaves were considered property and not persons, thus they were not counted as people. They had not rights and they were dispensable. Employing the logic of discretionary exclusion, white men classified black persons as outsiders.



They were not worthy of personhood and thus did not get recorded. Until there was an interest accurately representing each state at the governmental level, society did not deem slaves worthy of record. This discussion established the three-fifths compromise wherein the South was able to gain more representation at the federal level by accounting for three-fifths of their slave

population (meaning for every ten slaves, four were discounted from existence) (“The Three-Fifths Compromise”).

Before women’s suffrage was granted in 1920, the government used discretionary exclusionary once more to omit the opinion of women in national voting affairs. The nineteenth amendment allowed the other half of America to partake in the decision making process for their country’s future - their own future (*Our Documents - 19th Amendment to the U.S. Constitution: Women’s Right to Vote (1920)*).

These aforementioned instances utilize discretionary exclusion as a way to prevent the just collection of information from excluded groups. In effort to continue the exclusion of these groups, excluders have moved to more nuanced forms of exclusion – “exclusionary vibes” and “exclusionary amenities”.

“Exclusionary vibes” operate around the feeling of discomfort; the more uncomfortable something for someone the more likely someone will not engage with it and be excluded. Considering the anti-immigrant sentiment that is rampant amongst our government, a thought to ponder is President Trump’s proposed citizenship question for the 2020 census. The Trump Administration has the intent to include a citizenship question on the 2020 Census. Supporters of including this question claim this will provide a more accurate report of the composition of the United States. Despite that argument, those who are opposed to it feel the “exclusionary vibe” of the country and fear this information will be used against undocumented immigrants in deportation efforts. For the Trump administration, to propose such an invasive question is tactless and insensitive. It begs for dishonesty (Thomson-DeVeaux).

An effective “exclusionary amenity” is the front staging of an aspect of an intended group as a means of inclusion with the intention of excluding everyone else. An instance of an “exclusionary amenity” is the financial cost of joining a country club. There is no outright exclusion of a person to having entry, but the financial barrier is one that excludes most people – most marginalized people. If data were recorded on who attends country clubs, the statistics may suggest that only white men attend country clubs, and falsely assume other people do not enjoy the country club atmosphere; that is not the case. By establishing a “exclusionary amenity” liberty is given to the excluders to assign blame on a marginalized group for their own exclusion while occulting their exclusionary tactics.

Traditional data collection methods like the census do not provide a complete picture of a marginalized community’s economic situation and assets in a detailed nor dynamic way because the modes of data collection are exclusionary. This incomplete data then makes its way to the governmental level where politicians consider it as fact and make decisions -decisions that are noncomprehensive.

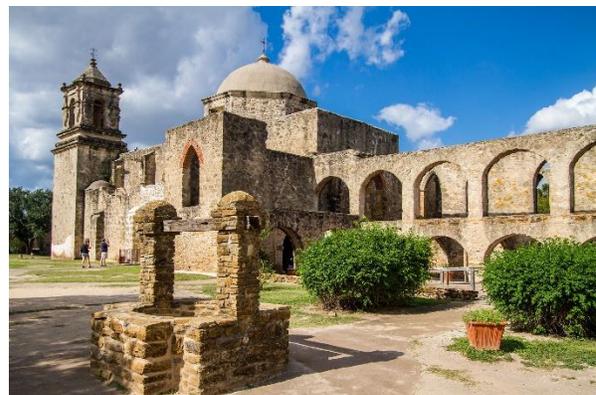
Aspects of marginalized groups have been selectively recorded by the governing institutions showcasing and highlighting arguable disempowering and incriminating information. These exclusionary tactics disadvantage marginalized groups from being recorded or record them unjustly and unfavorably. Because of the rise of being politically correct and bringing visibility to certain marginalized groups, instead of excluders being outright with their preferences for exclusion, they have adopted a new language that secretly references to these groups by which they are able to write into law and continue to control data collection and its representation. The way these conversations are discussed suggests positive change, but instead only the tone has changed and not the intent.

To fight the circulating stigma, marginalized populations should strive to have robust accounts of information on their existence in the digital revolution. This information is powerful and is a form of resistance. Marginalized communities can visualize their worth through the collection of their own information and disprove the governing structures that strive for their erasure and their disempowerment. The presentation of information and evidence validates and legitimizes the views and perspectives of marginalized people in the face of the excluders, uncovering the discriminating and prejudice nature of their social engineering.

In 2018, the Urban Future Lab of San Antonio, Texas has set out to empower the Southside community in the face of onset gentrification of the area. Since 2016, when the mission system that included the Alamo, was designated as a World Heritage Site channeling millions of dollars into this area for renovations the Southside was gaining the attention of local government as a place of investment. The community welcomed redevelopment and beautification, but not at the cost of removing what the city would see as less desirable people and businesses that were there initially. The Urban Future Lab developed the concept for an app to collect information about the value to the community to prove its worth to the city so that the community can defend against being devalued and overwritten (“Urban Future Lab -”).



(The Alamo Is Forgettable. A Controversial New Plan Could Change That. - HoustonChronicle.Com)



(“Texas Mission Guide”)

The Urban Future Lab had to think about how to collect this information knowing that it was not being collected through traditional exclusionary methods. For example, undocumented immigrants could not apply for an identification card and have difficulty applying for a bank account, thus the data collection for tracking economic activity in the area would have to be brainstormed and developed beyond collecting digital bank statements.

There is no apparent incentive for data collectors to research data that would be disadvantageous to the world they are trying to socially engineer. The formal data collection mechanisms already exclude people who are undesirable by the excluder. It is up to the excluded to advocate on behalf of themselves, by collecting their own data.

In the digital revolution, the spread and collection of information is a primary avenue of impact that is felt throughout the nation. Information can promote, demote, advocate, incriminate, bring awareness, and shut out thoughts, perspectives, and experiences. Traditional data collection methods are biased and do not capture all data including that of marginalized individuals. The absence of information makes a statement just as the presence.

Theoretically speaking, assuming the digital revolution does displace many low-skilled laborers from their jobs because automation has completely supplanted them, these skilled laborers are left as unoccupied human labor. This labor force can be reinvested into a different segment of society, one that has yet to be imagined. It can be said that many of these low-income workers are persons of color, low-income, largely grouped, they are marginalized. These individuals are not at the top of society, with much financial capital, but they do have cultural capital, which they can channel into forms of media and art. The introduction of automation can inadvertently provide more freedom to marginalized populations to document their value in society – their culture. Not only does this liberation from time-consuming, low-skilled labor

allow for marginalized people to produce art, but this production of art is a form of data, a way to show existence.

The market will shift from valuing items of commercial essentiality to valuing items of unique experience.

At the inception of this transition, there will be some instances of discomfort. Not all marginalized people will quickly find value in their heritage as a contribution to society. The neglect of documenting marginalized people will provide ample work for those who suffered that marginalization and oppression to recount and materialize that experience for validation, for empowerment, and revenue.

For these marginalized peoples to generate revenue and empowerment from their cultural capital, it would be necessary for them to have: a target audience that would receive their production, established statistical credibility as a cultural entity, and be continuously active in production to maintain constant visibility. These prerequisites maintain the group's relevance and realness.

Reaching this point in time, where all low-skilled labor will be replaced by automation is no where in the near future. Therefore, there is a need to rectify the exclusionary data collection practices that are already in existence. More information highlighting the assets of marginalized populations are necessary in order to validate the existence and positive impact marginalized communities have on the rest of society.

To do so these communities would need to be avid information sharers and retrievers so that they can communicate/advertise to consumers. Unwin states in his book, *Reclaiming Information and Communication Technologies for Development*, that the salient points for

enhancing the use of the internet by poor people include: “providing infrastructure, lowering costs, improving digital literacy, and ensuring production and use of context-relevant content”(Unwin 179). Proficiency in internet use will be a useful tool in the progression of marginalized groups as the digital revolution widens its impacts in the future.

In summation, data is a powerful tool that people use to prove and disprove their biased perspective to their benefit when describing the condition of the world. In the United States data collection practices excluded many groups from being recorded reinforcing their disempowerment. Until these groups advocated for their themselves to either be included in formal modes of data collection or advocating on their own behalf, these groups remained invisible or falsely represented. As the digital revolution increases its influence in society, marginal groups need to be prepared to self-advocate and adapt to automation. Marginal groups will no longer be subject to the labor of commercial essentiality, but open to the labor of unique experience. The digital revolution will pressure marginal groups to look inward toward their cultural capital to gain revenue and empowerment.

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