

(REF)USING AI

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EXTENDED ABSTRACT

Introduction

AI is becoming an increasing part of our daily lives, one reason being that it is included in more and more 'smart technologies'. Policy decisions about city-management, for example, are turning progressively 'smarter' and big data driven: from smart waste management to smart parking. Frequently, the justification behind using big data is that it leads to more effectivity and an improved quality of life, such as better water pressure in city households (Kirstein et al., 2021).

However, the inclusion of smart technology also causes privacy concerns (e.g., Mihaljevic et al., 2021; Richards, 2013; Roessler, 2015; Zuboff, 2019). Being surrounded with cameras and sensors in the digital age, how critically can one still engage with these technologies? How much choice does one have when deciding to participate? For a while, discourses about digital inclusion were about being or having to *become* a user. The thought behind this was that digital exclusion ought to be avoided. The only subject-positions were that of participant and soon-to-be participant. Scholars such as Sally Wyatt, Anne Kaun, and Emiliano Treré are researching what it means for people to *not* partake in the digital society (Wyatt, 2003; Kaun & Treré, 2020). This shows that there is not a single way of engaging with technologies. Yet, in these perspectives, a binary way of thinking is sometimes still in place. To Wyatt (2003), again just two subject-positions seem to be available: that of user or non-user.

A binary understanding of use/non-use is already being challenged. To Finn Brunton and Helen Nissenbaum, for instance, the term 'obfuscation' helps to better understand how people are navigating the options between using and refusing technologies (2011). This is important, not the least, to highlight more ground for critical engagement with technologies, in the case of this presentation, more critical engagement with AI. To Marcuse (1969), for example, liberation from domination (for instance from oppressive forms of surveillance), requires thinking of new alternatives to the current ways society is being organized and how people move through it. To Marcuse (1969), this entails "a break with the familiar, the routine ways of seeing, hearing, feeling, understanding things so that the organism may become receptive to the potential forms of a nonaggressive, nonexploitative world" (p.6). Marcuse (1969, p.19) believes technologies play a crucial role in reshaping society in such a way that it moves away from exploitation and domination by materializing values such as freedom. This presentation takes that insight as a starting point and builds on current literature that conceives of various ways in which people move between using and refusing technologies. The aim of our approach is to give more space to the various options of engagement that reside between using and refusing AI. Such an overview will help in conceiving of further, liberatory ways of engaging with AI.

Whilst this presentation is conceptual in nature, we refer to specific examples too. One that shows how the lines between user and non-user can be blurred is clothing brand Cap_able (2023). This brand wants to make consumers aware of privacy, both as a moral value and a human right. The clothes include technologies that, when scanned by a smart technology camera on the street, show a picture of an animal instead of the clothing wearer's face. From the perspective of face recognition cameras, Cap_able's clothes are a way of walking through a public place in privacy. In doing so, Cap_able refuses some consequences, such as a loss of privacy, that come with smart technologies that are all around us. This example shows how people can use technologies to refuse participating in others. At the same time, this example raises critical questions. After all, not everyone can afford these clothes. What does it mean to think of a society in which everyone can choose to be unseen by face recognition cameras?

The aim of this presentation is to complement and add to recent conversations regarding the critical, public engagement with AI. An overview of some ways in which people are engaging with AI in a manner that moves between using and refusing the technology is a good starting point to think of the plurality of ways in which one can critically interact with AI. This is important, since living in a smart city can also mean resisting the smart city, or rather, can also mean resisting the digitalization's monopoly on what 'smart' means in the context of city-design. To have a healthy, digital society, people must have the opportunity to resist 'being smart' too. Yet, who has access to the technologies and practices of refusing these? Who can afford to buy specific clothing to resist face recognition cameras? It is precisely these types of questions that come to the fore when looking at a broader spectrum of critical use of AI.

State of the art

Until now, reflections on refusing technology are often framed around the perspective of non-use. "Analyzing users is important, but by focusing on users and producers we run the risk of accepting a worldview in which adoption of new technology is the norm" (Wyatt, 2003, pp.77-78). To Wyatt (2003), non-users are resisters, rejecters, the excluded, and the expelled. Resisters and the excluded are those who do not make use of a specific technology at all. The former because they do not want to, the latter because they cannot. Rejecters once used a technology but are now not keen on doing so anymore. Resisters have never used a specific technology; rejecters once did so but now (voluntarily) not any longer (Wyatt, 2003, p.76). The expelled once used technology but not anymore, because of involuntary reasons.

To Verdegem & Verhoest (2009), the list of non-users should not be exhaustive. They stress the importance of not viewing non-users as a homogenous group (Verdegem & Verhoest, 2009, p.650). Non-use is often seen as a tool towards resistance (Saxena et al., 2020). In those instances, it is indeed good to not consider the non-users to be a homogenous group. Yet, what happens when complete non-use is not possible? In those cases, one might use practices of obfuscation. Obfuscating software means using the technologies' methods to create within it a self-defeating process. In this manner, one uses the technology to resist the technology, for example by providing so much data that the system cannot possibly process it all (Brunton & Nissenbaum, 2015, p.18). Therefore, we claim that rejection, refusal, and obfuscation are ways of critically *using* technologies too.

More forms of critically (ref)using technologies

In addition to refusing, rejecting, resisting, and obfuscating, users also have the power to ‘fit’ or ‘tweak’ the technology, for instance by using the technology in deviating ways than the script the developers intended. Kamphof (2017) observed how caregivers who used monitoring technologies to observe their patients sometimes deliberately ignored data presented by the monitor if it was not in line with what the patient told them, so to respect the patient’s right to their own version of a story. Privacy was reconsidered through a process of looking at a specific context and the role technologies play in that. Users might use a specific technology without adopting its original script.

Another form of showing resistance to surveillance technologies is by uniting consumers and starting a negotiation process together. A recent example is a group of Dutch schools who grouped together and successfully negotiated with big tech-companies such as Google (Alphabet Inc.) and Zoom to obtain better privacy conditions (Singer, 2023). Negotiation processes can turn the user into a non-user of the specific terms of the companies creating those technologies, whilst thereby actively establishing one’s own terms.

In practices of cheating and protesting, users do not enter into a conversation with the designers of their technologies. Cheating is the act of deliberately confusing the data collected by a smart technology, such as giving the activity tracker to one’s dog or using a device to stimulate movement on a laptop keypad, so that to an employer, it seems one is constantly working. Protesting is an expression of disapproval. This expression is often given form by calling on politicians to forbid the presence of a specific technology, or by activists to take matters in their own hands, for example by designing a system that can block Google Glass wearers from WiFi-networks (Newman, 2014).

The above shows various forms of critical engagement with smart technologies. In our final presentation, we will present an in-depth overview of the key terms refusing, resisting, rejecting, obfuscation, fitting, tweaking, cheating, negotiating, and protesting in relation to AI. Ultimately, we seek to show that a nuanced, conceptual dissecting establishes a thorough understanding of what the practices through which people are already examining these questions in their day to day lives look like. Creating such an overview of concepts related to critically engaging with AI opens up more space for and encourages an imaginary that can in turn again conceive of further practices of critically engaging with AI.

KEYWORDS: AI, Refusal, Resistance.

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