

Dark Patterns: Surveillance Capitalism and Business Ethics

Workshop Lesson Plan



Hartman-Caverly, S. (2022). Dark patterns: Surveillance capitalism and business ethics.

<https://guides.libraries.psu.edu/berks/darkpatterns>.

- Workshop guide: <https://guides.libraries.psu.edu/berks/darkpatterns>
- Workshop slides: <https://docs.google.com/presentation/d/1bldbkGtqb68FggpMmTUcJK-hzxBWvnr9XyvaCwR6qNQ/edit?usp=sharing>

Note: This workshop is designed for a 75-minute class session as indicated by activity timestamps. It can be compressed into a 60-minute session.

Learning Objectives

During this workshop, participants will

- Learn how companies make money from data collection practices.
- Explore how interface design can influence our choices and behaviors.
- Discuss business ethics regarding privacy and big data.

Learning Activities

Workshop welcome and agenda (2 mins.)

[Activity] Warm-up reflection: From data to dollars (10 mins.)

Invite participants to respond to the following prompts. For in-person sessions, write the prompts on dry erase boards or wall-pad post-its posted around the room; for hybrid or online sessions, create an online posting board (ex. [Padlet](#)).

- How is your personal data used?
- How valuable is your personal data? (Estimate a \$ amount!)
- What drives innovation?
- Should data collection be regulated? If so, by whom?
- When thinking about technology, how do you feel about the future?

Questions inspired by [Technology Optimism Quiz](#) by Tijmen Schep.

Facilitate a large-group discussion based on participant responses.

[Lecture] Corporate surveillance (10 mins.)

Discuss applications of corporate surveillance and introduce commercial data collection practices.

Explore the value of personal data by demographics.

Refer back to participant responses to the warm-up reflection prompts, “How is your personal data used?” and “How valuable is your personal data? (Estimate a \$ amount!)”

Transition: Ask participants by show of hands if they’ve heard the phrase, “If the product is free, you are the product.” Then, ask rhetorically: what about the products and services we pay for?

[Activity] Where is all that data coming from? Consumer products and personal data (10 mins.)

Organize participants into pairs or small groups. Direct groups to select a product from Mozilla Foundation’s [*privacy not included](#) guide and review its profile. Ask participants to respond to the prompt: How creepy do you think this is? Why?

Provide an anonymous online posting wall (ex. [Padlet](#)) to preserve anonymity in sharing.

Facilitate a large-group discussion based on participant responses. Invite participants to voluntarily share their observations.

[Lecture] Data brokerage (10 mins.)

Compare government and corporate surveillance and discuss their linkages.

Discuss the value of the personal data market. Refer back to the value of personal data. Ask participants to hypothesize why the market is so much more valuable than the raw data itself.

Define data brokerage and discuss the examples of Acxiom and Oracle.

Transition: Acknowledge that many people are aware of data collection practices in apps (paid and free) as well as smart devices. What other techniques are companies using to collect personal data?

[Activity] Dark patterns (12 mins.)

Direct participants to explore the following links to experience dark patterns - a technique of persuasive (or deceptive, or manipulative) design to nudge your behaviors and maximize personal data collection.

- [Quiz: Dark Patterns that Mislead Consumers are All Over the Internet](#)
- [Play: Terms and Conditions](#)
- [Explore: How I Experience the Web Today](#)

Ask participants to respond to the following prompts:



- How did you feel while navigating these dark patterns?
- Have you encountered dark patterns in real life? Describe your experience.
- Do you think dark patterns are ethical? Why or why not?

Provide an anonymous online posting wall (ex. [Padlet](#)) to preserve anonymity in sharing.

Facilitate a large-group discussion based on participant responses. Invite participants to voluntarily share their observations.

[Lecture] Dark patterns and surveillance capitalism (10 mins.)

Define dark patterns as an element of “asshole design.” Provide examples of confusion, pressure, and obstruction techniques. Link dark patterns to personal data collection with the example of “privacy Zuckering.”

Discuss the panoptic sort and how personal data is used to categorize and prioritize individuals in order to present them with different information and opportunities. Refer back to participant responses to the warm-up reflection prompt, “How is your personal data used?”

Introduce the concept of surveillance capitalism. Explain how the use of personal data to make future predictions and influence future choices and behavior is where much of the value of the personal data industry is generated. Refer back to the previous discussion about the value of the personal data industry.

Draw the connection between surveillance capitalism and privacy using the Six Private I’s Privacy Conceptual Framework. Discuss how privacy is necessary for any sense of self-determination and ability to shape one’s own future. Refer back to participant responses to the warm-up reflection prompt, “When thinking about technology, how do you feel about the future?”

Transition: Introduce Lessig’s concept of the four regulators. Refer back to student responses to the warm-up reflection prompts, “What drives innovation?” and “Should data collection be regulated? If so, by whom?”

[Activity] Regulatory compass (5 mins.)

Direct participants to indicate their position on the regulatory compass, comprising law, norm, market, and design.

Create a digital whiteboard with a drawing tool where you can customize the background, such as [Jamboard](#).

Facilitate a large-group discussion based on participant responses. Invite participants to voluntarily share their observations.

Workshop review and closing (2 mins.)



Assessment

1. This workshop taught me something new about **corporate surveillance**. [Likert scale 1 = strongly disagree 5 = strongly agree]
2. This workshop taught me something new about how **personal data is used**. [Likert scale 1 = strongly disagree 5 = strongly agree]
3. This workshop gave me new ways to think about **business ethics**. [Likert scale 1 = strongly disagree 5 = strongly agree]
4. My **top takeaway** or **suggestion for improvement** is: [free-text response]

