

Who Watches the *Watchtower*?

Two perky and cheery little old ladies, Jehovah's Witnesses, stop by the farm about once a month. My grandmother tells them that there's no god and no afterlife, and my dad opens the door naked, and we—through some combination of etiquette and cowardice—invite them in for tea. Over the years, I've spent a certain amount of time reading JW literature, and eventually I noticed one of its hidden treasures. Every year, *Watchtower* magazine devotes a segment to a spreadsheet breakdown of their missionary work. It is a window into a particular kind of metomania. These numbers are to the Witnesses what genealogy is to the Mormons. And they're quite revealing: in 2011, for instance, the church baptized a little over a quarter million people, after putting in—wait for it—1.7 *billion* hours of missionary work. That's our two little old ladies driving around sixty hours a week, all year long, just to get one new baptism.

I was intrigued by the mathematics of this, which I saw through the lens of a larger research question that had nothing to do with the Witnesses, or even with religion. 6487 hours per baptism sounds pretty bad, but is it getting easier or harder as time goes by? Are the Witnesses fighting an uphill or a downhill battle? More generally, could I devise a way to analyze time series data like these spreadsheets in a way that echoed differential calculus: measuring the trends of change in other trends, and so on? Along the way, appropriately enough, I encountered a problem within the problem. Although I have probably recycled or burned fifteen of the special spreadsheet issues of *Watchtower*, I only had the most recent on hand. No problem, I thought. It's 2012. Surely this information is all online.

That was not quite correct. I quickly learned that the relevant information is produced in the form of Yearbooks as well as the *Watchtower*, and that a DVD-ROM exists of all this information, going back many decades. But it was not publicly available. The DVD was only officially given to members of the church, and even then, it was given under an end-user license agreement which prohibited the use of the content for any purpose not approved by the church. The church is evidently fairly serious about this restriction. On one website, I read a rather less than perky-and-cheery Witness blasting people for even requesting the DVD, saying roughly “*we kept coming to your house bringing you our literature and you kept telling us to fuck off, well now it's your turn...*”

There is some background for their anxiety. The 1934 yearbook has been made available online, and it contains a passage in which the Witnesses from Nazi Germany seemingly denounce German Jews:

“It is falsely charged by our enemies that we have received financial support for our work from the Jews. Nothing is farther from the truth. Up to this hour there has never been the slightest bit of money contributed to our work by Jews. We are the faithful followers of Christ Jesus and believe upon Him as the Savior of the world, whereas the Jews entirely reject Jesus Christ and emphatically deny that he is the Savior of the world sent of God for man's good....It has been the commercial Jews of the British-American Empire that have built up and carried on Big Business as a means of exploiting and oppressing the peoples of many nations...” (p. 134)

This is not very auspicious, and church critics seized on it to portray the Witnesses in a bad light. Such criticism was a bit disingenuous—by 1934, Hitler was already sending the Witnesses to concentration camps, so we can hardly view them as Nazi assets. At best, the passage in the Yearbook simply demonstrates the all-too-human failure of one oppressed group to express solidarity with another, and even then, the surrounding text mitigates that

sense considerably.

So the church has a rationale, however paranoid, for controlling the flow of information to their critics. The usual way that institutions do this is by withholding new information: that is, by not publishing it in the first place. What makes this situation interesting, and increasingly part of the modern information landscape, is the church's attempt to control information "in the wild". A lot of water has gone under the bridge since 1934, and although it isn't directly reflected in their spreadsheets, it's clear that a lot of Witnesses have left the church in a huff. It didn't take me long to find one of them who had a copy of the DVD, and was more than happy to send me the data I wanted. But could I, in good conscience, use it?

Everyone I spoke to about this pointed out correctly that I had already decided to use the data. That's true enough, but I think the retroactive search for ethical justification is only a farce if it becomes a thoughtless and hypocritical process. I would rather have a specific and consistent argument in my defense than an intuitive (and perhaps precious) generalization. Indeed, I've found it fruitful to run through the variety of arguments, since many of them appear in other contexts, and are not as solid as they might appear.

The Legal Argument

End user license agreements are an effort to assert one's preferences in a legally binding form, and this strikes me as a generally bad idea. I suspect EULAs of inhibiting innovation and weakening the idea of mutual assent by creating a culture where we all allege we've read seven thousand pages of terms and licenses, and we all know we haven't. I think the idea of putting an EULA on *text* is especially shocking, but really no worse than putting it on software. There are several serious legal objections to EULAs, and the case law is still wide open, though it is probably closing in favor of corporate content owners. That said, I am not especially concerned with the legal niceties here. In particular, I think that the most serious *legal* objection to contracts without actual communicated assent is their possibility for ignorance or misinformation: legally binding agreements in which there was no "meeting of minds". And that is not the case here. I know exactly what the church wants, and why. I can't plead ignorance.

The Unsympathetic-Victim Argument

A number of people seeking (or purveying) JW content on the internet clearly consider the church so disreputable as to be beneath their ethical scruples, and some of them can attest to experiences that might justify that sentiment. As it happens, though, the Jehovah's Witnesses haven't done me any dirt. If anything, I feel a little sorry about having "wasted" so much of their time on little tea parties, when I never had any plans to sell them my soul. So at face value this argument doesn't work for me.

I want to go a bit beyond that, though, and draw an image of a *highly* sympathetic party asking me not to use data in some comparable fashion. For me, the choice analogy would be to certain indigenous groups who have created information (e.g. traditional knowledge, practices, or stories) that is already available in the wider world, but which they have asked people not to use without their permission. I have little respect for this "cultural appropriation" formula, especially as it is so unfailingly reproduced by white liberals who seem to have mistaken good table manners for politics. Yet I have considerable respect for the groups in question, and I would be very reluctant to offend them.

I make this comparison because my whole experience of civil liberties work is that it is of paramount importance to treat the disreputable and the reputable by the same standards.

The most important battles for freedom of speech are almost always be hosted in the least savory corners of the culture: they are the battles to defend pornography, blasphemy, sedition, bad art, and hate speech. The defense of privacy rights will largely be composed of people with a lot to hide. It is illuminating of my own biases that I feel less sympathy towards the Witnesses (who were, after all, persecuted by the Nazis) than I do towards some remote tribe in the Amazon I've never met. But if we are only willing to defend the rights and freedoms of people we like, we don't actually believe in rights or freedoms; we just believe in our team.

The Innocuous Use Argument

In contrast to the previous line of reasoning, the fact is that my intended purpose in using the JW content is not especially critical. At most, I would be pointing out that the church has difficulties in recruiting new converts. I had no plans to even speculate about *why* that would be the case—if indeed it was the case. Rather, I was interested in comparing the JW “conversion efficiency” curve alongside other time series, such as return-on-investment for various industries, or population growth.

A few people have suggested to me that this in itself is a justifying argument—I wasn't planning to say anything “bad” about the church. I can't agree, though. In the first place, such an argument amounts to prior restraint: *it is OK to use this data as long as you agree not to criticize it*. No one with a shred of scholarly integrity could accept such terms in advance. Imagine the case of a researcher studying anti-Semitism in the 1930s, who obtained the 1934 yearbook containing the passage quoted above. It would be absurd, and worse, to suggest that their right to use the content was limited by a constraint to portray the church in a good light: the only relevant thing about the yearbook, to them, would be its anti-Semitic assertions.

More practically, perhaps, it is impossible for any author to predict what an institution will consider to be a critique. Even if we could make such predictions, they would not last long. In an era of rapidly shifting political nuance, today's encomium can look like a hit piece tomorrow, and vice versa. The only way to be able to guarantee that an essay will not offend its subject is to allow them to review it and edit out whatever they don't like. This may be a courteous gesture, but it is completely unacceptable as a general practice.

The Journalistic Freedom Argument

I have just spoken of scholarly integrity, which Diderot phrased rather harshly as: “All things must be examined, debated, investigated without exception and without regard for anyone's feelings.” In the 20th century, codifications of ethical scholarship have been ever-more conservative. For every case of Ron Fouchier, asserting his right as a scholar to publish potentially apocalyptic virology research, we have several thousand cases of HSRBs doing their best to render research tedious and insipid. The political focus of participatory research is also, in many ways, quietest: it frequently places an emphasis on what the scholar *should not say*, rather than what the scholar *is allowed* to say.

However, a much more energetic and assertive version of the same ethics emerges from journalism. From Daniel Ellsberg, Philip Agee, or Howard Morland to Julian Assange, activist/journalists have frequently defended their right (or even obligation) to publish content whose sources *desperately* wanted it kept secret. I take an instinctive and vicarious glee in all those battles, without even counting their costs. Henry Kissinger once said of the Pentagon Papers: “This is an attack on the whole integrity of government, if whole file

cabinets can be stolen and then made available to the press you can't have orderly government anymore". I've always considered that a cheery anarchistic promise, rather than a complaint.

And yet. The argument from scholarly or journalistic integrity has traditionally relied on a priest-caste whose scruples and biases were subject to monitoring by the public. Media institutions have framed their integrity in terms of a larger social contract, which justifies periodic violations of smaller social contracts, like not stealing secret documents or cultivating anonymous sources. Even a pirate like Assange has staked his own reputation in these terms. As the clergy of journalists is being supplanted by the laity of bloggers, it is hard to see how these safeguards will persist.

To take a somewhat trivial example, last October Adrian Chen made waves by exposing the chronically offensive and creepy Reddit user Violentacrez as one Michael Brutsch; he was subsequently fired from his job, lost his health insurance, received death threats, and generally had his life torn apart. [Chen's article](#), for Gawker, is quite thoughtful, but the flavor of vigilantism is overpowering. Do we as a culture really consider Gawker an institution with enough gravitas to chose when it's appropriate to destroy someone's life?

The Aggregation Argument

Chen does not offer it, but his most salient line of defense is that he did not track down Brutsch by any particularly extraordinary or objectionable methods. Instead, he seems to have worked by compiling the personal information that Violentacrez himself had released, which led him to people who knew Brutsch in person. This approach might be described as an "aggregation ethic", because it is pointedly the same argument that is used by data aggregators sifting through the public domain.

The Jehovah's Witnesses, like Brutsch, initially gave out all their content for free. If I had been only slightly more of a hoarder, I would probably have copies of the *Watchtower* spreadsheets going back to the mid-'90s. All the information that I'm interested in was at some point passed out door to door, by perky, cheery little old ladies. I could (probably) go down to the Library of Congress and find the relevant copies of the *Watchtower*, and re-create the data that is on the DVD-ROM. Since I *could* get this information without snapping any legal or ethical tripwire, there is a suggestion that the information is OK to use, even if *in fact* I got it from a different source.

We might call this a "virtual aggregation ethic", and it is pretty clearly a major feature of our assumptions about data today. As data aggregation becomes inevitable, it seems more and more archaic to make an ethical distinction between "raw" and aggregate data. In this vein, I have seen older privacy-rights activists become apoplectic about the casual way that young people often treat their personal information online. The old guard likes to suggest that kids these days "don't understand the technology", which is amusing. In fact, the kids understand very well that their information has already been aggregated and collated: you can keep your mailing address off your Facebook profile, if you like, but it's already on forty-five other websites, cross-listed with your arrest record and your credit score.

Moreover, this technology is moving very fast. Facial recognition search engines are not far off, and are sure to obliterate a great deal of anonymity. I have occasionally heard arguments that extend the virtual aggregation ethic to the realm of non-existent-but-likely technologies. For instance, in many jurisdictions it is legal to look through someone's trash once it is on the curb. It is also probably feasible to scan shredded documents from someone's trash, and algorithmically re-assemble them as image files. Given an extrapolated virtual aggregation ethic, we might argue that it is OK to use a stolen bank statements, because you

could have legally obtained the same information from the garbage.

Absurd as such an argument seems, we are already hearing versions of it, and we will hear it a great deal more often in the years to come. For instance, after Google was busted sniffing wifi content with their Street-View cars, they issued a denial, and then a series of rebuttals that amounted to: “well, it was there, so what did you expect?” The upshot of this is to erode the distinction between *published* content and *imperfectly defended* content.

I am fairly fatalistic about the trend towards aggregation; I can even imagine that a less private world will be a more honest one. Soon enough, employers will be able to discover that *all* their job applicants once got wasted in a strip club in Cancun, and they can go back to considering who's the most qualified. But I think that, like any other revolution in social life, the end of privacy is apt to consolidate power in a few hands. I don't think Acxiom, or ChoicePoint are ethical businesses; and I am even more dubious about Google, despite their warm and fuzzy corporate aesthetic. So I am not planning to lean too hard on a virtual aggregation ethic.

The Reproduction Argument

I think the most compelling argument, for me, is a rather bizarre one, emerging from my understanding of the value of free speech. And I am not speaking here so much of *my own* right to speak freely, as I am questioning the basis of the Church's right. Any possible social value that we might impute to free speech relies on the idea that speech acts can be discussed and responded to: that speech has value only because it is part of a *discussion*. I am suspicious of any attempts to speak that coincide with attempts to mechanically limit the larger discussion, and content-based EULAs are precisely that. Many authors and institutions would prefer not to have their writings criticized, or even discussed in ways outside their direct control. Sometimes this base motive gets expressed as vengeful lawsuits or indignant blog-nonsense, usually without much effect. But we can imagine a world in which everyone could effectively place a EULA on their words to restrict criticism. Public debate in that world would be as tedious and pointless as a presidential debate or Youtube comment thread.

To frame this more specifically, I think that it is generally honorable for people to *reproduce* each other's speech acts in order to respond to them or analyze them. The waiter who videotaped Romney's “47%” speech was undoubtedly violating his or her employer's trust. But they could feign innocence in one respect: by releasing the video, they were simply reproducing Romney's own words. Might we not presume that Romney, as a public figure, wanted to get his message out to the wider public, to the “Great Conversation”? If so, they were doing Romney a favor, actually facilitating the publication of a speech that probably encapsulated his political outlook better than anything else he said during the campaign.

Now, there are a number of pitfalls with such an argument. The most direct have to do with intellectual property rights designed to protect against piracy. I've written about that elsewhere, but it isn't germane here. The *Pentagon Papers* were not a bootleg edition. A more serious challenge is the issue of reproducing a quotation out of context, which serves to obfuscate rather than further the conversation. As Neil Steinberg points out in his wonderful essay on spelling bees, true out-of-context quotation is so rare as to be shocking. I can think of only one prominent recent example: Romney's early 2012 campaign ad. The ad includes a sound bite of Obama saying “If we keep talking about the economy, we're going to lose”. The [original clip](#) was: “Senator McCain's campaign actually said, and I quote, 'if we keep talking about the economy, we're going to lose.' Well in New Hampshire last night we had a debate...” (Eric Fehrstrom then committed his soul to eternal damnation by defending the ad as a way

to start dialogue.)

More typically, though, what we hyperbolically refer to as out-of-context quotations are simply an editor's choice to focus on some point of interest, without reproducing its drab surroundings. For instance, there has been a cottage industry lately of reproducing hate tweets. After the release of the movie version of *Hunger Games*, there were a handful of racist tweets denouncing Amandla Stenberg's casting as Rue. More recently, Jezebel.com focused on racist posts about Obama's reelection by various students, bringing them to the attention of the students' schools administrations. The communal discussion around these actions has been ambivalent—on the one hand it smacks of vigilantism and (arguably) disproportionate retribution: the quotations are “out of context” in the sense that those who object to them are not interested in anything else the speakers had to say. On the other hand, reporting or merely reproducing someone's words seems ethically neutral. If the facts of someone's actions put their head on the chopping block, it is the prerogative of journalists to swing the ax. And rightly so. We do not want a media establishment with a lot of moral qualms about whether or not they should report the truth.

Rather frequently, the targets of such “attacks” delete the offending posts, or even their entire accounts. Donald Trump removed some of the more objectionable lines of his post-election meltdown on Twitter. This would seem to suppose a weirdly archaic idea of damage control: by the time Trump deleted the phrase in question, it had been screen-captured and reblogged hundreds of times. In these instances, I feel quite confident that person reblogging the original post is contributing to the Great Conversation, while the person deleting their profile history is impeding that larger discussion.

Now, one could take the reproduction argument to an extreme, and say that no one has the right to private content. That a poet, for instance, should not be allowed to discard a failed sonnet in the privacy of their own study. Báez has actually made a comparable argument in his *Brief History*, which I've discussed [here](#). I think that's rather silly, and anyway, we should all give thanks that we have been spared the oceans of poems so bad that they never wound up on the internet. But once content is out, in the wild as it were, I think this argument falls apart. We cannot unspeak our words, and in practice we cannot even conspire to stop talking about something—the very effort of the conspiracy would refocus our attention on whatever it was we were supposed to avoid.

And so this is my defense to the two little old ladies to whom I have given so much tea over the years: I was going to and fro in the earth, and walking up and down in it, and I found your data. And now I am going to reproduce it, respecting its original context but not the anxieties of its authors. Because that data it is already part of the Great Conversation, and I believe that the Conversation is holy and valuable, and cannot be harmed by thoughtfully reproducing and commenting on any part of what it already contains.

The defense rests.

And here is the data:

Hours of missionary work performed by the Jehovah's Witnesses per baptism, 1962-2011. Various sources.

1962 --- 3360	1987 --- 3201
1963 --- 3029	1988 --- 3283
1964 --- 2959	1989 --- 3166
1965 --- 2829	1990 --- 2969
1966 --- 2839	1991 --- 3162
1967 --- 2670	1992 --- 3404
1968 --- 2466	1993 --- 3572
1969 --- 1540	1994 --- 3481
1970 --- 1247	1995 --- 3398
1971 --- 1948	1996 --- 3111
1972 --- 1789	1997 --- 3138
1973 --- 1548	1998 --- 3754
1974 --- 1245	1999 --- 3538
1975 --- 1295	2000 --- 4054
1976 --- 1870	2001 --- 4437
1977 --- 2630	2002 --- 4529
1978 --- 3284	2003 --- 4770
1979 --- 2825	2004 --- 4886
1980 --- 2983	2005 --- 5161
1981 --- 2992	2006 --- 5371
1982 --- 2777	2007 --- 4799
1983 --- 2697	2008 --- 5139
1984 --- 2817	2009 --- 5639
1985 --- 3111	2010 --- 5451
1986 --- 3014	2011 --- 6487