

# 公的であり私的：ファン研究炎上の分析

“It’s Public, and also Private”: An Analysis of Flaming Fan Studies

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**Abstract:** Online services make users’ communication activities and content public. This online information has contributed to accelerating the creation cycle of user-generated content. Moreover, these services also allow researchers to utilize these online texts as a public source for easily analyzing human activities, also referred to as social sensing studies. However, we need to realize that there exists a controversial problem of privacy especially in the sensitive areas of creation, even though the content is public. This study tries to create new guidelines for online study using the case of the flaming of a study of female fan-fiction, which attempted to extract and filter sexual expressions using online fan-fiction novels as source. Researchers from the fields of both engineering and humanities, including law and ethics, discussed the violations in this case, and extracted ethical, legal, and social issues according to their specific areas of expertise.

## 1. Introduction

Internet technologies allow human communication to become much more tractable and observable. SNS and other networking services attract users to upload their activities online, eliciting social rewards. Maker Movements like Fablab, and the user generated content (UGC) movement also appreciate this form of shared information for enhancing the creation cycle of users supported by upload and feedback [1]. These online content platforms are a good research source, or hidden treasure, for evaluating and analyzing society’s activities. Several researchers define online records of human activity as “social sensors” and have proposed utilizing them [2][3], while HCI studies have also started to use these online activities as data [4][5][6].

However, we also need to be careful that these public texts are not just open information for the research. The boundaries of public and private information are ambiguous, because users are not always aware of or have agreed to the fact that their content is to be openly used. Several researchers have voiced the criticism that the

binarized notion of public and private is not appropriate in today’s Internet environment [7][8]. In 2008, a group of researchers released profile data collected from Facebook accounts of US university students, leading to controversial discussion [9]. This mismatch between user and researcher requires new ethical guidelines for online studies [10]. Regarding the handling of information on the Internet, the Association of Internet Research Ethics Working Committee provides guidelines on human online activities [11].

Our viewpoint on the study by the abovementioned researchers is that not only user attribution, but also user content causes this kind of discussion on the border between public and private. These situations become critical in studies on UGC. Usually, every piece of published fiction is required to be separately accepted and criticized from the author’s private attribution in a literature context. The author’s privacy is protected by their name is anonymized by a pen name. However, these published contents may be regarded as private content, especially in sensitive fiction by minorities. Guidelines are starting to be created in the area of fan studies [12]. How

to design an online space where private and public spaces are mixed is an important issue in HCI, especially in the field of UGC where users request feedback by publishing content, and that feedback contributes to creation of further content. In such a scenario, it is a particularly difficult challenge to design a system that ensures privacy. In this study, we analyzed a case of flaming that occurred in response to a research study that analyzed fan fiction, which was posted at domestic congress of Japanese computer science society (in this paper, we called this society as society X for anonymization). We applied hybrid approach using both sociological method and online analysis. We created a team composed of researchers involved in computer science and literature, law, ethics, anthropology, etc.

## 2. Background

### 2.1. Sequence of the incident

The incident starts as follows. Researchers at University Y, including students, presented their fan study during Society X's annual conference, which is related to computer science. We refer to this day as day 1. The theme of the research is techniques used to filter obscene expressions from text. The core idea is as follows: Generally, words in text have multiple meanings including suggestions and implications, and some kinds of fiction use words generally reserved for obscene purposes for several other purposes. Thus, the word-based filtering approach commonly used as filtering technology is ineffective. In the abstract, the authors described that their controversial purpose of detecting obscene expressions was to eliminate information that might be harmful to young people. The authors used samples of secondary creation fan fiction, which were posted on Site Z, as a source text. They collected 10 samples from the site's ranked list, and manually analyzed expressions appearing in the text. Eight of ten fictions described homosexual relationships of male characters in famous Manga and Anime series (called Yaoi in Japan and slash fiction in U.S.[13]). The paper, in which the authors referred to the story title, author's account name, and link to the manuscript, was uploaded onto Society X's annual report page. At Society X's annual conference, organizers only perform brief checks on the title and abstract before uploading the entire paper online. In this case too, the same procedure was followed.

After the presentation, several participants at the annual

conference posted short comments on Twitter. Next, online news media reported this incident based on the above tweets (day 2). Several tweets reported that eight of the authors deleted their novels from Site Z according to the effect of this flaming. Based on the above reactions and flaming, Society X organized an emergency meeting and decided to ban the paper. On the evening of day 2, Site Z commented on the fact that their site's intellectual property had been reprinted on the site and they contacted Univ. Y to confirm the fact. Based on the above facts, multiple media channels and more than one thousand users discussed this incident.

### 2.2. The Fan-fiction Environment in Japan

The ecosystem of subcultures including Manga, animation, and young novels in Japan are supported by fan actions including fan-fiction's so-called second creations [14]. In the fan-fiction movement, fans write and draw their original stories reusing characters and scenarios from the original works. They exchange their own works with other fans, mainly in the form of booklets called doujinshi. These doujinshi are shared mainly at large fairs called comic markets that have existed for more than 40 years [15].

The legal position of these fan-fictions is ambiguous. Unlike the copyright law in other countries like the United States, Japanese copyright law does not have a notion of fair use [16]. Thus, these fan creators' positions are not determined, and sometimes regarded as rip-off. On the other hand, copyright violation is defined by original creators in Japan, not by policies. If there are copyright violations, original creators need to sue them at first. In addition, these fan fictions sometimes include sexual content, and representing obscene expressions in public is considered illegal in Japan. For these three reasons, original creators simply ignore the doujinshi market. They do not want to sue fans, but they also do not permit fans' private works.

The people that participate in these doujinshi activities now number hundreds of thousands, and the boundary between public and private is transforming [17]. Many authors use doujinshi and comic markets as a target of drama in their story plots. Some publishers utilize these doujinshi markets as a place to find new creators of content, even for use in official anthologies. For example, vocal synthesizer creator Crypton permits users to create content using their characters except for sexual purposes [18]. Several original doujin-game (indies game)

communities also allow such kind of second creation [19]. Local trade in doujinshi has gone online, and some of those supporting this trade have started businesses. These situations make the boundary between official and fan fictions, and also between public and private works ambiguous.

### 3. Analysis by Discussion

This incident has many aspects to be discussed. To start the research, we organized an interdisciplinary team of humanities researchers (representation, ethics, philosophy, sociology, anthropology, science and technology society (STS)) and science and engineering researchers (artificial intelligence, natural language processing, multi-agent system (MAS) and human-agent interaction (HAI)). The researchers selected the five themes to be considered as key factors after 10 days of online discussion after day 1.

#### 3.1. Ethical Issues

Online discussion of this case was confused on early days, with a mixture of legal, ethical, and other issues. Ethical issues cover a wider area than legal issues, and issues are different from the research field. We therefore had to separate the ethical and legal problems.

First, we confirmed that the ethical and moral standards and policies of research are different for each discipline, and that the obligation to present the source of the data and the protection of the information provider differ depending on the field to maintain the fairness of the research. The engineer emphasized the fact that the information regarding the source data, including the source, needs to be traced in order to guarantee the authenticity of data and the reproducibility of the research. In particular, it was pointed out that it is more important for stakeholders involved in the management of academic societies to seek clearly the quotation source of the data from an educational point of view when teaching students how to do research. An engineer involved in the operation of Society X pointed out that it is important to seek explicit reference from the data as the academic society is also a place of education that can teach students how to conduct research. However, Site Z needs to be registered with Site Z beforehand when browsing the contents. On Site Z, content intended for adults is zoned to prevent access by minors, so it is considered that the author does not want to disclose their work to many people. Therefore, the engineers said that it is important to anonymize the content as highly confidential data.

Even in the field of humanities research, the balance of both research ethics was diverse. However, in all areas, the case where research ethics needs to be revised to place more emphasis on protecting the interests of users is indicated. A literary researcher pointed out that even a published work is UGC, and it can be regarded as a right to criticize it. However, the researcher said that it is also important to consider the circumstances in which the research outcome affects the study subjects and becomes a mental hazard. On the other hand, from the anthropologist, the learning was that the policy is to minimize the influence of intervention in anthropology. In anthropology, as a rule, the name of the author and title of the work are generally pseudonyms. Anthropological research is carried out according to the rule that it does not describe the service name in some cases. From the standpoint of sociological researchers, there has been a case wherein information on Facebook leaked out under the name of sociological studies [9], and current sociological academic societies try to create a standard for dealing with such online studies.

#### 3.2. Legal Issues

From the viewpoint of copyright law, it was discussed whether this research was cited or reprinted. Reprinting is not permitted in the terms of Site Z (Site Z expressed on Twitter that it views this paper as a reprint). However, Japanese legislation permits quotations that show the original, and if you do not show the original, there is a danger of being considered plagiarism. From the legal point of view, there is no legal problem with the authors presenting the original text. As a precedent, however, if there is a possibility of infringing the privacy of the other party, it is permitted to perform an appropriate anonymization in quotations.

#### 3.3. Fan Studies Issues

The subject of research on this flaming is fan-fiction, a vulnerable community with a weak legal position. Anthropologists pointed out that if this case was an analysis of sexual fiction for men, there is a possibility that the flames would not have occurred. As a related factor, the problem of “representation of culture” in anthropology was cited. In the past anthropology, the problem arose that anthropologists deliberately distributed the values of cultures instead of local culture themselves. This is based on the imbalance in social power between academic researchers and local people. In the anthropology studies

from the 1980s to the 1990s, researchers were criticized for this problem, and as a result research in these fields has become impossible. Authors who make secondary creations are in a similar weak position. A similar problem seems to be the widely considered problem in UGC where the producer is an amateur. However, this paper is not created for the purpose of prescribing a specific culture. Suspicions were perhaps not appropriate in this case.

## 4. Conclusion

This study analyzes the case of the flaming of a study of female fan-fiction, which attempted to extract and filter sexual expressions using online fan-fiction novels as source. Researchers from the fields of both engineering and humanities, including law and ethics, discussed the violations in this case, and extracted ethical, legal, and social issues according to their specific areas of expertise. Based on the analyses, we hypothesize the structure of online discussion with three layers and propose new guidelines for user sensitivity to both private and public information.

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