A Virtual Life after Death : An exploratory study with special reference to India

Dr. Sharuti Choudhary

Assistant Professor, Information Technology, IILM Graduate School of Management, Greater Noida, India

ABSTRACT

This research paper explores the awareness of and sentiments toward digital legacy through 60 structured interviews carried out in Delhi NCR. The prime focuses are on the methodical aspects and the conducted study considerations. In short, digital legacy in this review refers to the digital artefacts people consider worthy of preserving either for practical, historical, sentimental or even economical reasons, and which are most often inaccessible due to password protection (Waagstein 2013). The study is based upon the idea that very few people presumably give thought to their digital legacy due to the subject matter's novelty. In this study respondents were also asked to what degree they felt that their digital legacy was important to them and what artefacts they regarded as valuable and potential heirlooms. The empirical study showed that the respondents were not aware of their digital legacy at all. However, following the interviews many of the respondents changed practice both professionally and personally, ensuring their digital access after they will decease. The study also identified the types of artefacts respondents considered as either practically or emotionally important, or worthy of preserving. In the end, this study gives recommendation for such situations.

Keywords: Digital Legacy, empirical study, digital artefacts, preserving data

I. INTRODUCTION

We live in a Digital world. We regularly use Email, Facebook, Google, Skype, LinkedIn, Twitter and other tools to communicate and share with the world, friends and family. As people are becoming digital, virtual belongings are becoming deeply integrated into our lives and subsequently our legacies, and these legacies comprise of a combination of life experiences, values and artefacts, including digital artefacts. (Gulotta, Faste & Forlizzi 2012: Gulotta, Odom, Forlizzi & Faste 2013). This means, that not only do we live a great part of our lives online, but we might also leave a great part of our online life behind when we die, and this postmortem online life potentially constitute what we can call digital legacy. We manage our Banking, Stocks, Investments, Life Insurance, Car Insurance, Health Insurance, Photos, Music, Blog, Mortgage and Credit Card accounts online.

Statics shows about 323 million people in India accessed the internet through their mobile phones in 2016, which corresponds to about 24.3 percent of the country's population. Both figures are forecast to increase in the coming years, with projections to amount to 524.5 million and around 37.4 percent respectively in 2021. One aspect whereby India shares the characteristics of other global internet users is its passion for social media. In 2021, it is estimated that there will be around 358.2 million social network users in India, a significant increase from 2016, when this figure stood at about 216.5 million. This means that the share of the Indian population that access social networks is expected to jump from around 16.3 percent in 2016 to just over 25 percent. Facebook is the most popular social networking site in the country. There were about 195 million Facebook users in India as 2016, placing India as the country with the largest

Facebook user base in the world.(https://www.statista.com)

We're increasingly storing email, social networking, internet banking, utility bills and data on our computers. Added to this are heirlooms such as family photos, home movies, I tune, downloaded books, and personal letters etc, which now exist in digital form. Even most of small business is running on these internet sites.

Have you ever thought these are your assets too like your other properties? Have you ever wondered what will happen if we die suddenly and our loved ones cannot access the important information and accounts which are linked to our life digitally-professionally and socially? what happens to these digital belongings when we are no longer around to maintain it? And how does our digital death affect ourselves, our loved ones and the generations to come?

As Steve jobs said, even if we know we are going to die, we don't want to die. I know most people aren't comfortable talking about death, but that is one of the biggest truths of our lives, and we have to face it sooner or later. I know there are some of us who maintain paper files for all important investments, different insurance policies, and other critical information and store them strategically or so secretly, sometimes it may not be even accessible after the person ceases to exist. And there are those who access and operate almost everything online. So, it's best for people to understand how to manage their digital assets after their death so we can better prepared for what happens after we are gone, especially in this world of digital era?

Digital assets can be transferred or bequeathed to those who you wish to receive them by way of a will. However, unlike physical property, digital assets are intangible and invisible. The rights of ownership, control and access of digital assets are intertwined with complexities of privacy and security protection as laid out in various service provider policies.

In India, however, there are no specific laws that govern these digital assets; nothing is even being worked upon. Digital bequeaths in India are still few in number as there is little awareness about the topic.

Creative products, literary writings, research notes and photographs are seen as intellectual property and treated likewise. The Information Technology Act, 2000, which is applicable to all digital information, data and assets, does not make a mention of testamentary, disposition and wills.

A recent STEP article on digital assets by Julia Aubrey called "I'm Shutting Down" suggests that the digital lives of clients fall into three broad categories:
  (i)   Personal and Sentimental Items;
  (ii)   Financial Information; and
  (iii)   Items that already have a value or may acquire value in the future.

The first two categories of items/information do not have an immediate value and may be resistant to traditional valuation models. Many people, when asked, tend to attribute the greatest value to their personal and sentimental items, and therefore are generally most concerned as to the treatment of these items upon death. It is important for the e- user to understand the complication arises due to digital dependence before finding the solution.

Complication to digital planning:

The difficulty with social networking mediums, and we include public e-mail providers such as Google, Microsoft and Yahoo! in this category, is that by and large, all public social networking providers retain the ownership rights to the various accounts that users create. This creates something of a dilemma for intellectual property rights, insofar as while a beneficiary of a digital estate might have been bequeathed the copyright to a particular poem of the deceased, if that poem was not stored outside of, for example, the deceased's Facebook account, then the beneficiary would have no means of compelling Facebook to turn over the digital asset. Since Facebook retains the right to the account and its contents, but not necessarily the intellectual property rights of the contents themselves.

Currently, **Facebook** provides two options: It enables the profiles to be turned into a memorial. The profile remains as is, but the memorialized page is not shown as an active Facebook user. A friend or family member must fill out a 'Memorialization Request', and provide proof of death. A second option is for the account to be removed. This is done on request of an immediate family member, who must fill in a specific

request form. Facebook has recently introduced the option of nominating someone as a 'legacy contact'. That person has access to your profile when you die. You will find this option in your security settings. According to the terms of service governing Yahoo, Yahoo! account is non-transferable and any rights to your Yahoo! ID or contents within your account terminate upon your death. Upon receipt of a copy of a death certificate, your account may be terminated and all contents therein permanently deleted. Gmail and Hotmail, by contrast, do have mechanisms in place that provide for account access, under certain circumstances, by a representative of a deceased user's estate. Hotmail also provides similar access to an individual with a power of attorney for an incapacitated user. Gmail, owned by Google, has a policy that appears strict. "In rare cases they may be able to provide the Gmail account content to an authorized representative of the deceased user. **Twitter** will deactivate an account on request of an Executor or verified family member upon receiving a copy of a death certificate and certain other documents, as advised by Twitter support. Instagram will remove the account on receipt of a death certificate and complete form.

There is much more to our online presence than social media. Most of your financial interests today are effectively managed online. Usually, as in the case of banking and investment accounts, a deceased person's accounts freeze upon his/her death until the day an Executor is appointed by the High Court. The Executor will administer the estate and have access to all your bank accounts, but he/she will not become the owner of the funds in the accounts. An Executor will have to transfer all assets and funds to the heirs after the estate debts and taxes are paid. It is therefore not necessary to give your access details for your bank or investment accounts to family members or anyone else. In fact, it is not recommended. Along with that, Most of us have documents, photographs and such stored on a PC or in the Cloud. If you want your family to have access to the contents of your computer, you will need to give someone the password.

Problem formulation

To explore the awareness of the digital legacy, I have asked respondents if they can relate to their digital legacy, and if so, how? I have also asked them to what degree they feel the digital legacy is important to them, and what artefacts they regard as valuable and potential heirlooms. I also asked would they like to save their digital presence and handover their digital assets. The structured interview form involves. Many other questions were also asked. Like:

- ✓ Are you using digital gadgets?
- ✓ How much time you spend on that?
- ✓ How much data you stored online?
- ✓ Do you quote financially your digital data?
- ✓ Do you think you should maintain your digital record for your family and friends?
- ✓ The inherent and personal memories of a physical, tangible object such as pictures or letters can help families reminisce about their deceased loved ones. Do you think some of your digital belongings could help your family reminisce about you?
- ✓ Do any of your digital data have value to you at present, and do you think they could have value to your family post-mortem?
- ✓ Are you like to carry on your virtual presence?
- ✓ Are there any digital artefacts you would like to have deleted/made inaccessible upon your death?
- ✓ Are there any digital artefacts you don't care about are being preserved, passed along or deleted? Are there any digital artefacts (hardware, software, passwords etc.) you think would be clever to make accessible before death?
- ✓ Do you think you have to prepare your digital will?
- ✓ Which one is your most valuable digital data and you would like to preserve it?

This study is exploratory, which is why no initial hypothesis was put forward regarding the sentiments towards digital legacy. However, it is, as stated, highly motivated by the presumption that many respondents have thought about their digital legacy. The empirical, qualitative data consist of 60 structured interviews with respondents aged between 22 and 64. Digital activity refers to a day-to-day use of tablets, PC, smart phones, social networking sites, ITunes, e book, online financial records, digital document, official documents etc.

Findings

This research leads us to the following findings regarding digital data and respondent's perception about digital will.

Most of respondent are aware about the use of digital gadget and actively use them 4-5 hours a day. They agreed on the statement that digital belongings help reminisce about them. Majority of respondent believe that digital data have emotional and economic value and they like to carry forward this to their coming generation. Specifically, majority of person like to continue their virtual presence for their family. But they are also caution about what to pass on to maintain their private life secrets.

Initially, the respondents were not aware of the existence of their digital legacy at all. However, a general tendency amongst many of the respondents seems to be that a deeper understanding and awareness of digital legacy arises during the interviews, Even though it turns out that some respondents 'unknowingly' backup their digital content due to the mentioned fragility of hardware, and write down their passwords in notebooks to support their own memory, the risk of inaccessibly post-mortem is still present The majority of the digital artifacts that are considered valuable are digital content, which makes sense since typically the photos on the camera. People typically acknowledge the value of an old photo regardless of time and place, and thus it is so much easier to imagine the long-ranged value of a digital photo than it is to see the value of a blog or a Facebook profile. Maybe this could be one of the reasons why almost all the respondents stress the value of digital photos. Also, digitized documents such as personal letters, poetry, songs, blogs, digital playlists and SMS's are denoted as sentimentally valuable.
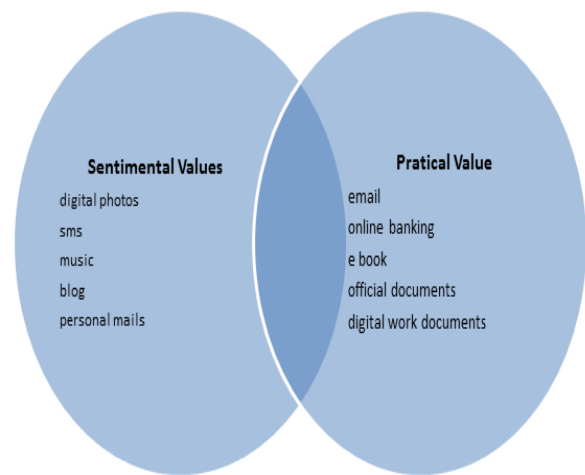

Figure 1

This exploratory study on the awareness of and sentiments toward digital legacy also shows that even though respondents have had experience with inaccessible digital assets personally or through family or friends, they were not at all aware of their digital inheritance and their procedure before the problem was presented to them. When made aware the respondents expressed a large desire towards ensuring their digital artefacts for their families and themselves, as they felt that their digital effects have value.

The value of the digital is classified as mainly sentimental or practical but all artefacts possess an inherent historical value on par with physical assets pointed out by the respondents. Respondents back up their digital content occasionally (with the exception of mobile hardware) due to the fragility of it, but since securement is not made with descendants in mind, the surviving family might be left only with scattered and unintelligible login information. Overall, the results suggest that dying in the digital age is rather complicated for both the individual and the descendants.

As stated earlier, the study is qualitative and therefore not exhaustive. The goal of this study was not to put forward an exhaustive list of potential digital heirlooms, but rather to explore the knowledge and sentiments toward digital legacy, and to see if digital objects are treasured at all. The study in question showed that respondents want to safe-keep their digital content for themselves and for their family. However, without applicable systems or laws that render digital legacy management possible, there is only so much we can do to prepare for our digital death.

Recommendation

Online facilities have opened up, which offer services for a monthly or lifetime fee. You can upload and store all personal passwords and documents. These are emailed to pre-chosen contacts after your death. But it is best to take the will route, and specify your digital estate in the will. In this case, you have the comfort of knowing that your executor has to stick to the succession plan you have laid out and is bound by rules and regulations. Until effective digital estate planning laws are laid down, it would be advisable to include a digital assets inventory in your will.

An audit need to be done on digital assets these may include ITunes, facebook, domain name, blog, email account, online gaming account, data held on icloud, drop box and other storing facilities that may be associated with work, personal business. Nominate a digital executor who has technical knowledge to locate and access account. Prepare a list of location with clear instructions about how to assess the digital files. Keep your updated password on record. If family can close down the account they require proof of death along with the proof that person is authorized to act on the deceased behalf. For facebook/ instagram, you can permanently delete the account or memorialized it by appointing a legacy contact. Twiter account can be deactivated on request from family members of deceased with proof of identity. Microsoft give family members access after providing legal proof like court order. Linkedin / Pinterest delete account upon being notified about a user's death with proof of death certificate. Google give the facility to choose up to 10 people who can get access to your account or delete it after it's inactivate period. Publication / blogpost can be handover by creating a will to give your family assess to your data. The digital will is signed off with digital signature of the executor. Detailed mentioned in the will stored securely in an encrypted format or a bank locker so that your family can access the content.

II. FUTURE IMPLICATION

The literature on, and implications for, digital legacies is broad, covering many fields and disciplines of research. There has been growing interest within the archival, library studies and digital humanities communities about the issues that surround the preservation of personal data and the creation of 'personal digital archives', but few studies focus specifically on death and bequeathing data and digital files (except for the work of Carroll and Romano, 2011). There are also a number of reports that discuss, broadly, consumer rights in the digital economy, such as the Robert Bradgate's Consumer Rights in Digital Products report prepared for the UK Department of Business Innovation and Skills (2010)

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