CPSM 3

Social media has an increasing role in the public and private world. This raises socio-political and legal issues in the corporate and academic spheres.

Public Interest and Private Rights in Social Media provides insight into the use, impact and future of social media. The contributors provide guidance on social media and society, particularly the use of social media in the corporate sector and academia, the rising influence of social media in public and political opinion making, and the legal implications of social media. The Editor brings together unusual perspectives on the use of social media, both in developed and developing countries. This title consists of twelve chapters, each covering a salient topic, including: social media in the context of global media; the First Amendment and online calls for action; social media and the rule of law; social networks and the self; social media strategy in the public sector; social media in humanitarian work; social media as a tool in business education; social media and the 'continuum of transparency'; business and social media; making a difference to customer service with social media; social analytics data and platforms; and altruism as a valuable dimension of the digital age.

Cornelis Reiman is a board-level advisor, working on international start-up, turnaround, business development and merger and acquisitions often with an IT focus. A member of several boards he has been President of an international economic development entity spanning the former Soviet Union and, as Vice President, Chief Operating Officer and Chief Technology Officer based in Singapore, was instrumental in setting up a global Business-to-Consumer (B2C) and Business-to-Business (B2B) e-business, complete with social networking to facilitate interaction between stakeholders. Prior to this, Cornelis was Dean and Vice President of a university in Thailand, and taught international business, management and economics to postgraduate students at Monash University, Australia. Cornelis has worked with a major global information technology provider, and a leading accounting service.

Key Features

- gives guidance on the key components of corporate and academic use of social media
- offers technological and non-technological, legal, and international perspectives
- considers the socio-political impact and legal issues surrounding social media
- written by highly knowledgeable and well-respected practitioners in their fields

Chandos Publishing is an imprint of Woodhead Publishing Limited
www.chandospublishing.com • www.chandospublishingonline.com

Woodhead Publishing Limited, 80 High Street,
Sawston, Cambridge CB22 3HJ, UK

Public Interest and Private Rights in Social Media Edited by Cornelis Reiman

CP
CHANDOS PUBLISHING

CHANDOS PUBLISHING SOCIAL MEDIA SERIES

Public Interest and Private Rights in Social Media

Edited by Cornelis Reiman

- *www.gozaar.org*
- *www.irz-stiftung.de*
- *www.reuters.com/article/idUSTOE6BT01T2101230*
- *www.seasawe.net*
- *www.transparency.org*
- *www.wikileaks.ch*
- *www.wordpress.com*
- *www.worldjusticemap.org*
- *www.worldjusticeproject.org*

Notes

1. Craig, P. (1997) 'Formal and substantive conceptions of the rule of law: an analytical framework', *Public Law*: 467.
2. WJP Rule of Law Index 2011, p. 7.
3. Universal Declaration of Human Rights adopted by the United Nations General Assembly in 1948.

4

Default metaphysics – social networks and the self

Florian Hadler and Gabriel Yoran

Abstract: The fundamental issues of social media are the ways that people relay something of themselves to others and how this shapes society. Plus, increasingly, there is the breadth of social media reach, and the depth of what is kept in terms of related history of a person, captured constantly by postings and connections. As a consequence, much can be gleaned about people, especially as to their networks, actions and opinions. This leads to an additional matter of the concern generated when the massive amount of personal and socialised data is accessible, not only by befriended users of social media applications, but by government agencies, as is done for the purpose of pursuing political objectives. This gives social media a rather less than fresh and innocent appearance to any who see past the vast popularity of seemingly innocuous interchanges between old friends and new acquaintances met online.

Key words: social media, normalised differences, personalised data, socialised data, Rousseau, Latour, Guattari, Deleuze, Foucault, communication, governmentality, ubiquity of technology, data austerity, archiving, sociality, apparatus, defaults.

Normalised differences

Existing discourse on so-called social networks, let alone social media, often ignores the ideological implications that the usage of these terms imply. *Social* as well as *network* and, of course, *media* are concepts that are very controversial in their respective scientific disciplines, such as sociology, anthropology or philosophy. One cannot claim a clear and stable definition for any of these but must, rather, acknowledge their specific operational objectives when applying the terms to phenomena, such as web-based services, user-generated content, ubiquitous computing, viral marketing (which is another euphemistic expression) and other topics of economic interest. Nevertheless, for the purposes of this paper, the three terms are set out in turn below.

- *Social* in one of its primal denotations – *socius* – is participation, or association. But its function regarding society and sociality is quite obscure. The term was, and still is, used in the same sense as by Jean-Jacques Rousseau in his political theory. The concept of socialism eventually gave the term its specific meaning, so that sociology turned to notions like being sociable and co-extension. Bruno Latour (French sociologist of science and anthropologist, and an influential theorist in the field of science and technology studies) has been trying to establish a new notion of the term 'social', being one that focuses not on the connective character of the term, but towards that *which is to be connected* through all kinds of links and connectors.
- *Network* is a metaphor used for a relational view of phenomena, one that points to structuralism and post-structuralism and its conceptions of the world, not as an essential sum of objects, but as an ever-changing network of relations, as an ensemble, most noted in the term *rhizom* by French philosophers Guattari and Deleuze. The truncated term *net*, since then, has evolved into the most powerful paradigm of contemporary thought and it informs not only philosophy but all associated humanities.
- *Media*, at last, is a term that could not be more obscure – deriving from the Greek term *metaxy*, it unfolded its initial power in the Aristotelian epistemology *Peri Psyches*. Since then, it has experienced a never-ending, inflationary usage and currently covers everything from all kinds of mass communication technologies to clothing, cars, gestures, language, parapsychological phenomena, books, mobile devices, computers, publishing houses, network channels, advertising and many more things besides.

By operating within economic conditions, these three terms not only often reveal hidden ideology, but also execute their metaphysical programme by creating the environment in which the subject finds itself. Consider that the templates for our virtual identities are predefined by the services that we use. For instance, we have different services for different means. Private, erotic, professional and other interest-based communities offer separate spaces for our virtual communications and dialogues, either in writing, or in pictures, in links or in sound, in video or in any other kind of communication. Each of these channels demands a certain behaviour, which reflects its audience and acts according to the shared conventions and codes of that particular cohort.

There is rarely a thing that the so-called social networks are not supposed to facilitate, as can be seen from radical changes in communication, commerce, marketing, politics and even the 'Facebook revolution'. Is there anything that these social networks are not able to do? Also, what does it mean if actual revolutions are named after commercial web-based services? Who coined this term? What media were used in the revolutions preceding the Arab Spring uprising, and why did these not develop the same brand awareness? What does the term 'social' even mean in this context?

It is worth contemplating that the rampant usage of the term 'social media' demands a more detailed look as to its contexts and conditions. In so doing, we must be aware of the fact that social networks reflect communication according to the terms and conditions of privately held or publicly traded companies. These conditions, filters and restrictions tend to hide themselves and develop a hidden agenda that not only affect the aforementioned aspects of society but, first and foremost, affects the subject itself and the way that it interacts with others. These influences on concepts of identities are completely underestimated and unrecognised if one continues to use the term 'social media' in a strictly commercial sense.

We need to remember, at the same time, that each and every aspect of our behaviour within these so-called social networks is subject to commercial exploitation. The sheer fact that services costing hundreds of millions of dollars per year to maintain are being offered for free to the user suggests that the users themselves are the actual products being sold. Therefore, customer satisfaction cannot be measured by how quickly the user gets their needs fulfilled, but by how long and how often the user indulges in social networking. There is a reason why Internet strategists strive for so-called 'stickiness' when designing 'social' user experiences. Bluntly speaking, social networks manipulate their users to produce

relevant content in order to build addiction. The users are the squeezed fruits which provide the juice that keeps the economy of attention running. The 'fight for eyeballs', known from classical media such as television, and still used for online campaigning with banner ads along the top of web pages, has become a fight for identities in at least two perspectives: on the one hand, we have the identity construction of the subjects themselves, that is performed in specific web-based services; on the other hand, we have the digital fingerprint, that is the behavioural patterns and preferences of the users. The more precise such a fingerprint is, the better it is for advertisers to target these users.

The irony of such individual approaches to advertising is that it only works for huge populations in which each individual is identical in terms of their differences. This might seem counterintuitive. However, these differences are normalised and standardised in order for users to be clustered into target groups and, therefore, no real differences exist within each cohort, other than settings that the user can adjust according to their self-construction. Consequently, any difference is anticipated and transformed into strategic intentions. So it is that the single usage proposition no longer exists, and the product itself anticipates its misuse. Although MySpace might not be the best current example of a successful social network, it nonetheless established the paradigm of user-generated usage. The re-appropriation of the profile pages, and their decoration with html snippets, was based on a simple error in the source code. Even so, this turned out to be their most promising proposition – at least for some years. Still, the unique selling proposition is no longer stable as it is a product of the users' projections whereby the services are mere platforms, or screens, on which the wishes of the users are projected and then recorded.

The omnipresence of the *like*, *share* or *+1* button all over the web is just the tip of the proverbial iceberg, with these representing only the visible ends of vast tentacles of the most prominent social networks – specifically, tracking, targeting and analysing user behaviour throughout the whole web. It is noteworthy that this behaviour is not only tracked by the particular service; it is also, in parts, visible to the so-called 'social graph' of the user, appearing in the so-called 'stream' and, therefore, is a fundamental part of the juicy addiction for which these services aim. The stream is not just a naturalised algorithm as it has become the personal river, where one can think while watching the waves; to all intents and purposes, it is conceived as a place. Social networks have successfully constructed a virtual ontology, one that suggests a topological structure

of a 'where to go to' to connect with friends. Overall, social networks are perceived in a gross misconception as public places. On the contrary, these networks are not. They are secretly individualised filter bubbles; they are apparatuses of governmental power relations in a Foucaultian sense. These functions are hidden in naturalising metaphors such as stream, tweet and cloud, disguising their very essence and their technology, and luring the user into their realm. Once inside, the user is prompted to formulate their existence, according to the templates offered by the service. The identity of the user is structured by default.

Submitting subjects

> Whatever we may wish in the future, we can no longer live in Euclidian space under electronic conditions, and this means that the divisions between inner and outer, private and communal, whatever they may have been for a literate culture, are simply not there for an electronic one.
>
> Marshall McLuhan, Canadian educator, philosopher, and scholar

When entering the realm of social networks, we are confronted with three main paradigms, each one embodied by one of the leaders of the three most influential technology companies today. Google's Eric Schmidt suggests that if someone doesn't want anyone else to know what they are doing, then they shouldn't be doing it in the first place. Facebook founder Mark Zuckerberg suggests that one identity for each user is enough and that it should be the real one. Furthermore, Apple founder, the late Steve Jobs, suggested that one does not have to understand how technology works in order to use it and, in stark contrast, the more obscure the function of any technology is for the user, the better it adapts to their daily behaviour. In this regard, the Human Interface Guidelines from Apple propose the simulation of physical characteristics, such as balance points for screen designs and textures, that appear haptic, tactile and tangible in order to integrate more seamlessly with the user's real-world interactions.

These statements are the very essence of governmentality – the user is conceived as the ideal citizen, one whom governs themselves with the aforementioned social technologies to become transparent, addressable and morally adjusted. This is no longer achieved by repression or state

institutions. On the contrary, the users themselves are acting in a democratised Panopticon, in a prison where the guards are inhabitants at the same time. Consider, therefore, that the pressure to put every part of one's life online leads to self-governing behaviour that constantly scans the user's behaviour for *postability*: 'Would what I am doing here receive positive feedback? Would it resonate with my peers?'

Individuals are reproducing Schmidt's dictum: Those who have nothing to hide can share everything. So it is that the tyranny of transparency is linked to a type of self-leadership that takes users towards decent behaviour by the means of Google and Facebook. For instance, the user's friends are their most respected and feared judges. Exposing actions, preferences, attendances and locations to the judgement of peers and, in return, commenting, liking and judging their online activities, is crucial to the economy of attention that keeps the social services running. We find here the technology of the self, described not only by Michel Foucault in his famous and oft-quoted 'discipline and punish', but also by Norbert Elias in his 'Civilizing Process – Sociogenetic and Psychogenetic Investigations'. Elias speaks of a *Zivilisationskurve* (civilisation graph), marked by the ever-growing internal self-regulation and anticipation of the other that renders institutional control instances more and more obsolete. Also, it is Jean Baudrillard's 'Transparency of Evil' which manifests itself in social networks: Sanctioning non-transparency, secrecy or silence is wished for politically – and realised in these services. In this regard, contemplate the pertinent musing of Baudrillard, who stated:

> When everything tends towards the visible, as is the case in our world, what becomes of the things that were once kept secret? They become occult, clandestine, maleficent: what was merely secret – or, in other words, given to be exchanged in secrecy – becomes evil and must be abolished, exterminated.

At this juncture, it is worthwhile to contemplate a definition of an authoritarian variation of democracy, as proposed by Fareed Zakaria, the renowned journalist, author and commentator, in which democratically elected politicians cut back on civil rights. What follows is that, with current illiberal security apparatuses, tracking is the new statistic and means of measurement and the basis of control. Every subject, on its own, needs to be placed under surveillance because every one of them could be the next Mohammed Atta, in the case of the Egypt Revolution,

or Anders Behring Breivik, who perpetrated mass race-related killings in Norway.

It is no longer the statistical average, nor the Foucaultian security apparatuses, that creates the normative power of the 'average citizen', which modern nations once strived for. On the contrary, in an enormous effort of reversal of evidence called *telecommunications data retention*, every citizen is considered to be a potentially dangerous subject. People become loaded biomass, the energy signature of which must be uncloaked in due time. What started with the fingerprint in English colonies at the end of the nineteenth century – the developing of the anonymous population into addressable subjects starting with the identification of recidivist criminals – has now become a default for each and every citizen.

Consider that governmentality links self-leadership with techniques to lead others. Successfully conveying the feeling to be at the mercy of free-floating data is such a link. Also, as we now know, social networks create leadership by educating subjects to submit information willingly. In addition, such subjects produce a plethora of information that was entered voluntarily and that no longer needs to be recorded by government-backed secret services.

With the rise of technologies, such as smartphones, tablets and other mobile devices, this vicious circle of control and exposure integrates deeply and intimately into the everyday life of social media users. Recent products from Apple use the same metaphorical field of naturalisation that we already know from social services. For instance, Apple computers imitate breathing with harmonic standby lightning, and the iPhone 4 has a so-called retina display. These products are not bodily functions. Yet they demand to be treated as organic implants that need to be taken care of – not only in form of providing nutrition, such as in the form of electricity, but also in providing attention. The selling proposition is no longer the product itself, but the virtual environment it provides (the 'ecosystem', as the industry calls it, in another naturalistic metaphor), as well as the possibility of connection, communication and interaction through all kinds of apps.

With the ubiquity of technology, it is no longer just the users' behaviour on the web that is tracked and analysed. There are also the physical whereabouts, routes and encounters of the user. Predictive behavioural targeting becomes localised. Spaces that were once conceived as private become hybrid as the user is constantly connected via a virtual umbilical cord. Classic concepts of privacy (which, by the way, is a rather young phenomenon) become obsolete as we enter the so-called digital age.

Being traded

Foucault's governmentality concept describes, among other things, a power structure in which power is exercised by *gentle means*. Social networks like Facebook act 'governmentally': their technology is the power of defaults. The microphysics of power manifests itself in the interface of social networks. Their defaults – that is, their design, and their ontology (like the dominant 'sharing with everyone') – act as a gentle means of power over the subjects.

The so-constructed 'social' subjects share data almost reflexively: 'I must tweet that' has become common practice, just like the 'checking in' at certain locations where users share their whereabouts with friends.

Facebook's triumphal procession through the private lives of over 800 million people will force the thinking of governments about Facebook becoming governmental technology, and it should not be a surprise, therefore, that the larger social network providers already have entire internal departments dedicated to cooperation with federal law enforcement institutions. There is hardly a case that does not take the online existence into account: claims of responsibility are found online, online correspondences lead to supporters and accomplices, tracking of locations via mobile devices leads to surveillance and arrests, and so forth.

The basic mechanisms of this technology are described by Georg Franck's 'Economy of Attention', which states:

> All of us are captivated by the question of how we are received by others. We can't stand not playing any role in someone else's consciousness. The human soul already begins to suffer if it does not play a leading role in another. It takes permanent damage and ends in bitterness when it does not receive ample attention to a minimum. And it is the highest of its delights to bathe in the other's attention.

Related to this particular notion, social network services, such as Facebook and Twitter, make transparent their presence in the consciousness of another person. This is what makes them so successful as a form of governmental technology: They promote transparency through their interfaces, and reward users with attention.

Following on from the preceding commentary, the power technology of data protectionists is the largely unsuccessful recursion on the

economic principles of money. Data protection authorities lose influence because they have never produced a 'data market'. They simply try to limit it. Bloggers who integrate Facebook's 'Like' button should be reprimanded by the will of the German Data Protection Officer Thilo Weichert (formerly Head of the Independent Centre for Privacy Protection) because they transfer personal data into the United States without the user's consent. Absurdities of this kind are piling up, and the reason is the lack of a structured data market. In contrast to the regulation of world trade, including the elimination of tolls and the establishment of double taxation treaties, no equivalent exists for this ensemble of technologies of power in the data market. But social networks are 'administrative apparatuses' of the digital world. Hence, the real world and their economy, in actual fact, is the economy of attention. It is this economy that needs to be politically structured and, eventually, regulated.

It stands to reason therefore that politics today means aligning everything in such a way that the economy works. The conflict between privacy advocates and modern information processing runs along these lines: the latter is a prerequisite for the modern economy; the former is being seen as an economic impediment. From this pertinent perspective, data protection appears as critique of capitalism. Essentially, capitalism and data protection are diametrically opposed and, for now, it seems that the social networks have won. In addition, it can be seen that capitalism has entered the most delicate ramifications of the soul – the subject voluntarily charts their identity by mapping these ramifications into databases, driven by the urge not to be forgotten, and by the desire to resonate. This behaviour, inevitably, will change the not-yet-designed 'data market' to an identity market, in which subjects, in due course, are objects as well: that is to say, they do not only trade, but are also being traded.

Instead of limiting data transfer, as governments try to today, they will be forced to establish an economy of identities, using the economy of money as a blueprint. But this will be difficult since, in contrast to privacy advocates, private individuals have understood that even though data is a currency, its nature is different from that of money: some data, for instance, is more valuable the more widespread it is. This data creates added value to the soul in Franck's sense. Sharing of personal or even private data is a crucial technology of a subject's identity construction. Radical privacy advocates do not understand why individuals spend their data lightly. They do not believe that it is a good investment.

Attempts to educate users as to the benefits of 'data austerity' did not succeed. Individuals spend their data generously for the immediate return of attention.

Although the economy of data may have similarities to that of money, the consequences are quite different: for example, if I am too generous with money, I am poor at the end. However, if I am generous with data, I get attention. A liberal data market would reflect this and help regulate it. In contrast, any attempts to regulate the data market by keeping its currency 'data' scarce will fail for as long as individuals do not value their personal data as they value money. Basically, this asymmetrical valuation of personal data is Facebook's arbitrage.

Archiving the self

The exposure of one's activities through social networks does not only affect the immediate perception of the self through resonating with the other. It also builds an archive of the past, being one that remains available for later reference. Thereby, the self encounters itself through the mirror of its past activities – the ground-breaking effect of this enhanced sense of self surpasses the recording of real-life events, as became possible with the advent of handheld video cameras, and other technological developments in the late twentieth century. The user does not only have partial outtakes of their life, but a chronological timeline that reflects their behaviour and experience in different aspects – friendships they made, comments they received, content they shared, pictures and videos they were tagged in, places they had been, articles and other content they had read, companies for which they worked, projects done, products, companies, celebrities and other stuff that they liked, events that they had attended, and many more to come.

All of these entries refer to other content, as well as other people, and can be expanded infinitely. A user's life – or at least the increasing part of their life that is reflected online – rolls out like a map in front of them. This map is inter-stratified with economic interests, with targeted advertising and brands, companies and products that integrate seamlessly into the so-called stream of the user's history. The former personal memories are externalised and much more precise, reliable and comprehensive than is possible through personal recollection alone. Yet, at the same time, it is corrupted by commercial means. The life of a user

becomes a collection of already structured and weighted entries, and thereby the user sees their own self as that of another – they have the same perspective of their online existence as do their contacts who can view the same content. Thus, a user gains a supposedly holistic view of their life in the same way they view the life of others. By instantaneous archiving of the user's existence, essentially, the self becomes the other in an externalised memory, doing so by projecting their identity on the templates of the social media services in use.

Attention as apparatus

It is an appropriate time to ponder. Do we remember a society that was not online? Are we able to make appointments outside of the services that provide access to our contacts? Would we remember the birthdays of our friends if we weren't constantly reminded through pop-ups and notifications? What were the conditions of 'staying in touch' before it was automated? Do we unlearn to make a simple phone call to keep up with what another person is doing? What happens to the people that are no longer in our online circles? Do they really cease to exist? Are we able to emancipate ourselves from our online existence and lead an offline life? Do we need to log our important events in order to remember them? Has the automated archive replaced our personal memory? Every technological evolution leads to the oblivion of ancient practices by offering an apparently more promising and efficient way of solving problems and fulfilling needs.

Clearly, social networks normalise identities and make them consumable. The notion of the media becoming an apparatus (or 'dispositif') in Foucault's sense is underlined by every 'Like' button integrated, by every tracking pixel placed on websites all over the world. A 'Facebook revolution' can only come into existence by overcoming these specific mechanisms.

Data protectionists try to protect consumers from data-processing corporations, which is what social networks are. But all they do is set up yet another apparatus to patronise individuals: the noble notion of privacy today holds as much water as do appeals of Christian churches to stop the commercialisation of Christmas. Individuals have long been governing themselves by way of the gentle means of default interfaces that structure their social life. Instead of remaining private, they trade themselves – and each other – in an economy of attention.

Social networking has transformed the subject into an object, which is being constructed and deconstructed, based on the way that it is traded, and by confronting the self with its otherness. The arrival of social networking, in this sense, might be capitalism's finest hour.

As inferred earlier by way of a probing question upon which to reflect, it is hard to imagine a way back to an 'offline sociality' that successfully deprives itself of aforementioned economic mechanisms. Also, one might doubt if the once-offline sociality really is a goal towards which one should aim. In the end, social networks provide sociality for deprived individuals, whether all situated locally, or scattered across the globe. These evolving networks provide resonance for individuals who are disconnected from their peers in real life. The social networks upon which we have focused provide solace for the lonely, give comfort for the needy and offer feedback for the insecure. But although social networks provide all these utopian promises, one should become aware of one's own economic potential. In other words, living up to the requirements of the economics of attention means knowing one's value. So it is that the obstructive, naturalising metaphors must give way to the economic underpinnings of today's sociality. There is a price to pay, and you had better know how much it is.

There is no doubt that the defaults of sociality have changed, as have the conditions of self-perception. Social networks change the default of our sociality. Still, not being there is not an option.

A service-oriented approach to public sector social media strategy

Marshall Sitten

Abstract: Organisations that employ a marketing-driven, broadcast-oriented communications strategy have chosen a path of minimum relative risk. However, organisations that actively impel a service-oriented approach to social media will achieve a higher level of engagement. Even so, it must be understood that there are important risk factors to consider when executing a social media strategy, just as there are issues that must be addressed. From related experience in the provision of strategic and operational advice, it is apparent and necessary for organisations, especially those in the public, not-for-profit and social sectors, to plan for a service-oriented approach. Also, this must be implemented with diligence and dedication to ensure that each organisation gains the necessary benefits of proper communications. In addition, possible problems must be foreseen, and addressed with proper remedies to ensure that that the 'voice' of an organisation has enough capacity to do well in the all-important job of interacting with a growing, demanding and giving online community.

Key words: social media, service orientation, public sector, strategy, organisations, communications, online community, not for profit, customer satisfaction, competitive advantage, service science, platforms, tools, audience, risk, resources, research, posting, curating, community management, campaign, measurement.

Introduction

Quite rapidly, social media has become an essential part of the communications toolkit for private sector companies of all sizes, from