

MySpace.com – A Social Networking Site and Social Contract Theory

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Abstract

The Internet is the world's largest social network. Within this framework lie many sub-networks that cater to individual interests or online desires. Each of these sub-networks has in place "rules of engagement" usually formalized in documents such as user agreements, terms of use or privacy statements. These rules define who can use the site, how the site is to be used and consequences for abuses to the rules. This research will explore the rules governing MySpace.com and how the site is currently being used and/or abused. As a framework, social contract theory will be used to identify organizational structures and to evaluate the "advance" of MySpace.com beyond the State of Nature.

Keywords: social networking site, social contract theory, MySpace.com, cyberdissident

1. INTRODUCTION

The Internet has enabled social interactions to go beyond the traditional venues of one's community, work and home settings. The Internet has, in fact, created new societies based upon niche interests such as auctions, literature and hobbies. Each of these societies must have a set of rules or a social contract in place to maintain order and harmony with the users of the society. Without such rules of engagement, chaos and collapse of the cyber-society is a distinct possibility. These rules have manifested themselves in ways foreign to most dwellers of the physical

realm, but are becoming more and more common in the cyber-realm. Some of these manifestations include:

- Seller's ranking on eBay.com
- Self-ranking of product being sold on TheSamba.com
- Personalized recommendations on Amazon.com
- Seller rating on Amazon.com
- Number of friends on MySpace.com

These rankings are indicative of the individual's motivation to "play by the rules" of the

listed site. For example, sellers on eBay.com want to have a positive ranking because it is good for business. To achieve this, it is necessary to advertise the product truthfully, advertise in the appropriate category, not participate in the sale of illegal or prohibited items and be prompt in the delivery of sold goods, i.e. adhere to the Terms of Use (or social contract) of eBay.com. This type of social contract has many advantages for all members of the community. Some of these advantages include:

- faith in the seller – a willingness to participate is formed based on trust
- faith in the site – business continues if users have trust in the site
- faith in the community – positive experiences yield community membership.

These advantages are fundamental for establishing and maintaining a harmonious community in the cyber-realm, and are obtained by obeying the rules set forth by the site one is participating in. These rules, along with their enforcement are collectively called Social Contract Theory.

2. SOCIAL CONTRACT THEORY

Social Contract Theory (SCT) is “the view that persons’ moral and/or political obligations are dependent upon a contract or agreement between them to form society” (Friend, 2006). The application of SCT dates to Socrates (469 – 399 B.C.) and the time of the flourishing of Greek civilization. SCT is, by all accounts, the rules by which we live and work in a society along with the consequences of non-compliance to the rules. SCT enables humans to rise above the “State of Nature” where all are equal and there is no power in place to force behaviors. The rules which force behavior can result in an organized social structure (an organized social structure can be fair as in a democracy or unfair as in a dictatorship). Because SCT gives humans the foundations upon which to build governments, Socrates viewed the state as the most fundamental entity and “as such deserves our highest allegiance and deepest respect” (Friend, 2006). Socrates went so far as to accept the death penalty handed out by the Athenian jury - even though he believed the

penalty unjust - because the laws of the state must be obeyed (Kemerling, 2002).

Many influential philosophers have used SCT to argue the formation of governmental structures. Thomas Hobbes (1588 – 1679) used SCT to stand in the middle of political ideologies to argue for a reform of political authority. Hobbes argued that men, while living in a State of Nature, face limited resources necessary for survival. However, being that all men are created equal, and that there is no power to force cooperation, survival in the State of Nature would be extremely cruel. Thus, this environment would breed distrust and possible death. It is because of these undesirable consequences that men should be willing to create a Social Contract by which to exist, cooperatively. Further, in this contract there must be two components: a set of laws by which all agree to abide and an enforcement mechanism (a person or group of people tasked with interpretation and enforcement of the contract) for these laws (Friend, 2006). The enforcement mechanism is necessary, because in the State of Nature as in an organized society, men still have at the most basic of levels a certain amount of self-interest that influences their behaviors.

John Locke (1632 – 1704) does not have as callous of a view on the State of Nature. Locke views this state as neither harsh nor cruel, but admits that it does have its inconveniences. As a mechanism for assuring their individual welfare, men must agree to mutually satisfactory rules – a social contract. Locke also observes that these rules can change and be adapted to society as new entrants are added and existing members are removed from society (Keeley, 1988). Locke also held the view that the basis for social cooperation lie in reason rather than coercion. It is this view that allowed Locke to de-emphasize the enforcement aspect of SCT.

A more complex history is presented by Rousseau (1712 – 1778) in his argument for the necessity of a SCT. Similar to Locke, Rousseau views the State of Nature as one where man can exist in as peaceful manner, nature supplying all that is necessary to sustain a small population. Over time, as the population increased, people began to live in groups and to assume a division of duties, much as is done in present day society. This

resulted in an easier life, the advent of leisure time and, as a result, comparisons between individuals and/or family units. This comparison resulted in public values, both positive and negative, that led to the degradation of the social condition. To further complicate this condition, private property was invented which led to an inequity between men and a quick exit from the State of Nature into a more formal social structure with social classes (Friend, 2006). Rousseau considers many forms of government present in the 18th century and various forms of laws in his discourse. His conclusion is that for a social contract to be formed, it must be the will of the entire citizenry to come together and decide, with near unanimity, how to regulate society. At the foundation of all SCT, Rousseau recognizes, lies the morals of society – the unmovable keystone of SCT (Friend, 2006; Rousseau, 1762/1968).

SCT has also been applied in a business environment where it is used to guide business practices and policies (Keeley, 1988). What all these authors agree upon is the unifying principle of a set of rules or laws by which a society must govern itself. This alone will enable the transition of a group of individuals beyond the State of Nature into an organized social structure for the benefit of all involved. In addition to these laws there needs to be a method of enforcement and repercussions for those who do not abide by these laws. Thus, the combining of agreed upon rules and an enforcement policy comprise modern day Social Contract Theory.

3. MYSPACE.COM

MySpace.com is the social networking site that rivals Yahoo!, Google, eBay and MSN for the top spot among visitors on the Internet (Alexa, 2006). A quick look at Figure 1 reveals how quickly MySpace.com rose to be a cyber-power in the age where Internet sites are clamoring to be found via search engines, hyperlinks and traditional advertising.

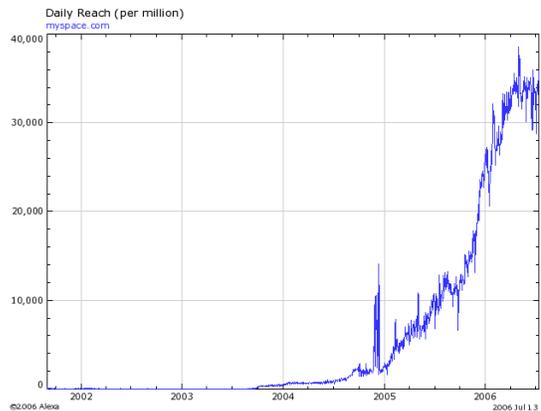


Figure 1

MySpace.com daily reach

(Alexa, 2006)

Figure 1 reveals an exponential growth curve in reach, defined to be the number of individuals (per million individuals) who visit a site per day. While the past few months seem to be leveling off for MySpace.com, at its peak in February 2006, almost one in twenty-five Internet users went to MySpace.com. Compare this to Google.com where three of ten Internet users visited at Google's peak in January 2006 and eBay.com where one in twenty-five Internet users visited in February 2006. Reach is a key indicator for sites such as Google.com and MySpace.com who base their existence on advertisers who are paying for page views.

A social networking site (SNS) is an Internet site based upon a traditional social network. One can join a SNS and meet friends of friends analogous to going to a friend's house for a dinner party. Some SNS's are used to meet new friends or establish romantic relationships while other SNS's can be used to network among business peers (McDowell, 2006). According to the MySpace.com Terms of Use (ToU) agreement (2006), "MySpace.com is a social networking service that allows Members to create unique personal profiles online in order to find and communicate with old and new friends." Therefore, MySpace.com would fit into the social category of social networking sites.

MySpace.com is in the public's eye for a multitude of reasons, some positive and some not. The following is a list of where

this pop-culture site of cyberspace has appeared in popular media, along with the general theme of the article.

- Wired Magazine July 2006 – The future of MySpace.com as a colossal marketing machine as forecast by News Corp.'s \$580 million purchase of MySpace.com

(Reiss, 2006)

- Playboy June 2006 – The red hot girls of MySpace.com pictorial

(Playboy, 2006)

- Newsweek April 24, 2006 – Police surfing MySpace.com seeking clues to crimes

(Romano, 2006)

- Newsweek July 17, 2006 – MySpace.com the new hang-out for music groupies

(Picking, 2006)

- eWeek May 22, 2006 – MySpace.com exhibited the most growth and is ranked to top social networking site in April 2006

(Feeling, 2006)

- Many newspaper articles concerning privacy, cyber-stalking, the MySpace generation, persecution based upon MySpace.com personal profile content
- Many cartoons about MySpace and its effect on society

In all, there has been quite a bit of interest and talk about MySpace.com in recent months. With over 70 million registered users (roughly one quarter of the United States population – most of the users posited to be in the younger generations) the interest will not wane anytime soon.

Users of MySpace.com can be divided into two categories – logged in users and other users (not logged in or no MySpace.com account). Depending on a user's status, different options are available. A brief list outlining these options is given below:

Not logged in

- Search MySpace.com

- View profiles
- View friends
- View friends comments
- Browse

Logged in

- Create a profile
- View pictures
- View videos
- Invite friends
- Upload pictures and video
- Write blogs

(MySpace.com, 2006a)

While seemingly innocuous, not logged in users have included university administrators, police officers and special investigators, potential employers and others seeking information on people who might have an account on MySpace.com. (Glazer, 2006; Romano, 2006; Valdez, 2006)

One area of potential concern could be viewing a user's profile which can be done without creating an account. The template for creating a profile on MySpace.com includes the following (potentially contentious) items which can be selected or left off

Marital status:

- Swinger
- In a relationship
- Single
- Divorced
- Married

Sexual orientation:

- Bi
- Gay/Lesbian
- Straight
- Not sure

Smoker:

- yes
- no

Drinker:

- yes
- no

Religion:

- Agnostic
- Atheist
- Buddhist
- Catholic
- Christian
- Hindu
- Jewish
- Mormon
- Muslim
- Protestant
- Scientologist
- Taoist
- Wiccan

(MySpace.com, 2006b)

While friends do not care about many of these facets of life, potential employers might be interested in covertly assessing their potential hires via their MySpace.com profiles. This was the contention in the United States Military’s “don’t ask, don’t tell” policy of 1993, concerning military personnel who are gay. (Human, 2004) In addition, MySpace.com postings include pictures, videos and friends comments/messages. Some areas require a user to be logged in, but with free accounts, those seeking information need only provide some personal information to proceed.

An ethical issue can arise when potential employers view this “public” information and make hiring decisions based upon the information content. Other individuals in positions of power (professors, doctors, lawyers, police or immigration officers) could use this information to make pre-judgments about individuals without ever meeting them. This type of information could also lead to discriminatory or preferential treatment depending on the power figure’s position. As an example, should men only hire “swingers” or single females as subordinates? Should professors sway grades based upon a student’s personal life choices?

Cyberspace has increased the overlap between personal and professional life. In the past, before information became publicly available, we had Figure 2 where there was a small region in the intersection of the two components of life.

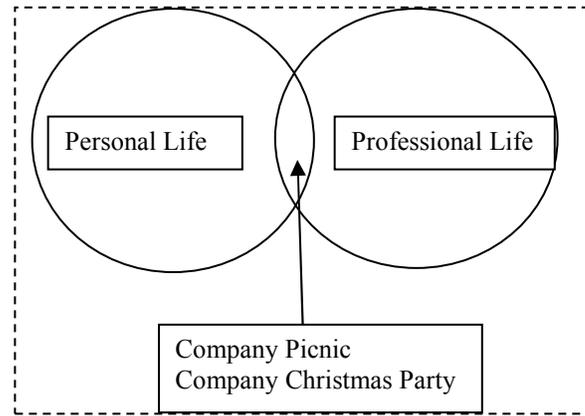


Figure 2

The intersection of personal and professional lives in the 20th century

In the information age, this intersection has grown to encompass different elements of life that individuals and corporations are posting online. It is instructive to Google one’s name and observe the types of information that are readily available about oneself. Figure 3 highlights the widening of this intersecting region.

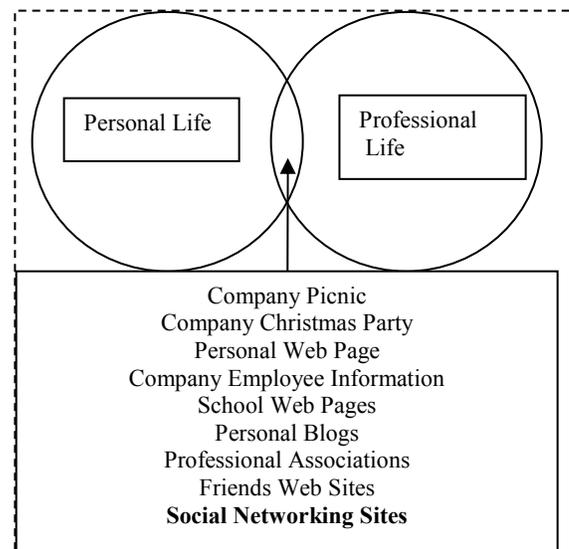


Figure 3

The intersection of personal and professional lives in the 21st century

While more information is available, is its use ethical? Potential employers cannot query prospective employees about their personal lives, so should they query cyberspace? As mentioned, a parallel argument has been put into place by the US military with their "don't ask, don't tell" policy concerning gay service personnel. In this way, the military is adhering to a separation of personal and private life via their social contract.

4. RISKS OF PERSONAL INFORMATION ONLINE

Putting personal information online can be risky business. In particular, three police officers in Lexington, Kentucky, were recently suspended because their MySpace.com comments included derogatory remarks about gays and mentally disabled individuals (Rhodes, 2006). A teenager in Chicago was arrested for spray-painting graffiti on a church because authorities were able to track his moniker via his MySpace.com account (Glazer, 2006). In a college setting, a student senator was relieved of her duties due to a picture of underage alcohol consumption that appeared on her facebook.com account (Cook, 2006). While interesting and current, the idea of being prosecuted for what you do online is not new. Prosecution is dependent upon the social contract in place and the breaking of that contract as the examples above illustrate. Table 1 gives a breakdown of some of the consequences of violating the SCT that the named person was living under.

<u>Person</u> Mu Zimei	
"Crime" Blogger with an active and interesting sex life.	How Discovered All of China went to read blog.
Punishment Lost job at magazine, propaganda department ordered news blackout of site	Currently Has been hired by Bokee.com to promote blogging.
<u>Person</u> Zhao Jing AKA An Ti	
"Crime" Blogger who discussed local newspaper strike.	How Discovered Chinese authorities read blog.
Punishment Blog shut down by Mi-	Currently Served as a jury member in

crosoft (had been previously filtered). Note: MSN Spaces is maintained on servers in the USA.	Germany (only Chinese member) for a blog competition.
<u>Person</u> Shi Tao	
"Crime" Posted a government gag order to an overseas dissident web site.	How Discovered Government read article, Yahoo handed over electronic records
Punishment Sentenced to 10 years in prison in 2004.	Currently Still in prison.
<u>Person</u> Li Zhi	
"Crime" Cyberdissident.	How Discovered Government read article, Yahoo handed over electronic records
Punishment Sentenced to 8 years in prison.	Currently Still in prison.
<u>Person</u> Hossein Derakhshan	
"Crime" Hanging out in New York longer than his visa allowed.	How Discovered Googled by US border patrol agents who then read his blog.
Punishment Denied entry into the USA.	Currently Back in Canada (where he is a citizen).
<u>Person</u> Erin Lasday	
"Crime" Picture of Erin drinking posted on herfacebook.com site. Tarnished the reputation of the associated student government.	How Discovered Spotted by a fellow student/student government official.
Punishment Write a letter of apology, attend alcohol awareness classes. No compliance = no senate seat.	Currently Gave up politics. I support Erin Lasday group on facebook.com is formed without Erin's knowledge.

Table 1

Internet "crimes"

(Internet sex, 2003; Barboza and Zeller, 2006; Reporters, 2005; Reporters, 2006; Derakhshan, 2005; Cook, 2006)

While these crimes are not all equal and punishments vary, the table illustrates where a society, along with its SCT, can

punish individuals for seemingly innocuous Internet activities. Possible scenarios and open questions that Table 1 illustrates will be addressed in the conclusion.

5. SOCIAL CONTRACT THEORY AND MYSPACE.COM

It is necessary for the social networking site, MySpace.com to have a Social Contract. This contract establishes the rules by which users must adhere to participate in posting and viewing in this online society. The contract outlines acceptable behavior, posting rules and gives a mechanism by which these rules will be enforced. On the SNS MySpace.com, the social contract is summarized in the Terms of Use (ToU) document. The ToU document for MySpace.com outlines "the legally binding terms for your use of the MySpace services" (MySpace.com, 2006b). Two points need to be examined from the ToU document. These are:

- Members create unique personal profiles online in order to find and communicate with old and new friends.
- MySpace is for the personal use of Members only and may not be used in connection with any commercial endeavors.

These statements point to the personal use of MySpace.com, and away from using it as an information-gathering device. The ToU document clearly implies that MySpace.com is a site to meet new friends and/or renew old friendships. It is not an information-gathering site nor is it to be used as a means to an end, as a Kantian perspective would yield. In fact, "using any information obtained from the MySpace Services in order to harass, abuse or **harm** another person" (MySpace, 2006, p. 6) is an activity that is prohibited and/or illegal on the MySpace.com site. From this, one can infer that using the information gained on MySpace.com in a negative manner (hiring decisions, grade decisions, promotion criteria) is a violation of the social contract one enters into when viewing the information contained on MySpace.com. This social contract points to the appropriate (ethical) use of the information contained on MySpace.com and necessitates a re-arrangement of Figure 3. This proposed re-arrangement is illustrated in Figure 4 and

highlights the separation of personal and professional information necessary for cyberspace as it is becoming entwined into our day-to-day existence in the 21st century.

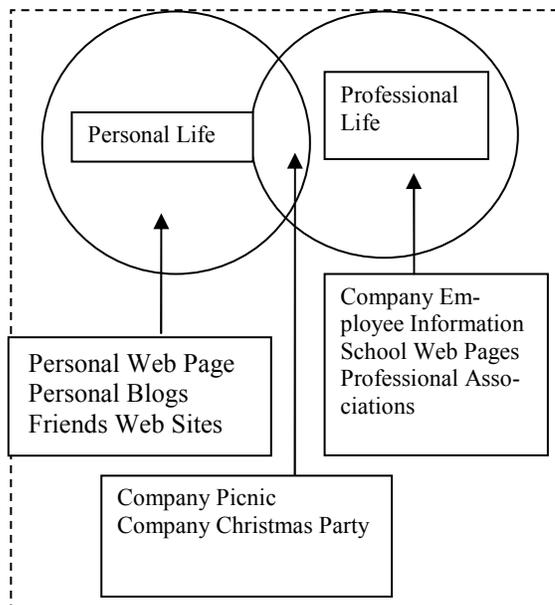


Figure 4

Separation of information

One element that is not apparent in the Figures above is evolution. As Locke pointed out, the rules of engagement must change and be adapted to society as it changes (Keeley, 1988). This is evidenced in the MySpace.com arena where their ToU policies and safety tips are updated as new misuses of private information are encountered. Social contracts must be kept up to date so that order is maintained in our cyber societies.

The second major component to SCT is the assignment of an agency to enforce the rules set down by the contract. In the case of MySpace.com, this is a joint venture between the operators of the site and the members of the site. The operators may, in their discretion, reject, refuse or remove any posting that they deem unacceptable. Members, users who are signed in using an account password, can also help to police the site by reporting postings that violate the provisions in the ToU document. This could include reporting inappropriate pictures or content on a member's

MySpace.com page. Thus, there is shared enforcement of the ToU on the site.

6. POSSIBLE CONSEQUENCES AND EXTRAPOLATIONS

If information that we post can and will be used against us, will we continue to post? Will the "tragedy of the commons" (Hardin, 1968) reign down upon cyberspace and quash peoples' desire to engage in social networking sites as individuals glean more and more information from supposedly personal sites? Will it become a no technical solution problem, where posting becomes generic and stale due to fears of information misuse? Will the SNS become a thing of the past after their incredible rise to popularity?

In the previous sections, it has been shown that information gathered on the Web can be used against the poster or the subject(s) of the posting. The future of SNS could be bleak if this "use of private information" trend continues and expands. By browsing in MySpace.com (while logged in or not) it is daunting how many individuals will post pictures and text about underage drinking, drug use and sexual behavior. If this information can be used by the police to issue tickets for speeding, minor in possession, drinking and driving, drug use and violations of laws still on the books concerning sexual behavior, what would be the consequences? Can offenders be tried and sentenced based upon their MySpace.com posting? Will the sentence be delivered via e-mail and the offender required to appear at the local jail to serve their time? How does this align with the fifth amendment of the US Constitution and the right to remain silent if speaking could incriminate oneself?

7. CONCLUSION

MySpace.com is on the move. There are MySpace sites in Ireland, Australia and the United Kingdom. In Australia and the UK, MySpace is ranked number seven for page views (Alexa, 2006) while it holds down number twenty-one in Ireland. However, Bebo.com (a high school and college social networking site in Ireland) is ranked at number five (Alexa, 2006), illustrating the popularity of social network sites. All indicators point to the success and growth, world-

wide, of social networking sites. As this information is placed on the Internet, appropriate uses of this information needs to be posted as well, in the form of a social contract for the SNS communities.

As has been illustrated, individuals with a Web presence can be the target of discrimination and/or persecution due to their postings – their beliefs. Travelers are exposed to border agents and other officials in the country (or state) to which they are traveling. Some of the scenarios presented below may seem far fetched, but a closer look at Table 1 reveals that they are currently being practiced in the USA and abroad.

- Individual denied entry to China based on pro-democracy statements on their web site, MySpace.com account or their travel blog.
- Individual denied entry into Canada after border agents find pro-gun statements on their web space.
- Individual persecuted or harassed due to their sexual orientation after routine traffic stop and Web search reveals different sexual identity than is considered "normal" in location of traffic stop.
- Individual imprisoned after border guard google reveals pictures of them partaking in illegal activities in country.

Persecution and discrimination due to religious beliefs, sexual orientation, gender or marital status are not new to any society. What is new is how one can now find this type of information due to social networking sites such as MySpace.com. Who should access and use this information has been debated in this paper and scenarios for misuse or abuse posited. The social contract that is entered into when using these sites clearly states (for the model case of MySpace.com) that users should be seeking friends and should do no harm with the information. Thus, potential employers and other individuals wishing to move beyond the professional arena and seek out personal information on individuals would be violating the social contract of social networking sites.

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