

Information Flows in Online Social Networks: Promises, Threats and Some Solutions

Education, Culture and the Knowledge Economy
University of Toronto, June 2008

Dr. Tal Z. Zarsky
Faculty of Law - HCLT
University of Haifa

Premise

- Online social networks are a unique phenomenon, which generates important data flows. They rely on new and old online dynamics.
- These data flows lead to important benefits to users in their various capacities.
- These flows (and their benefits) are coming under attack from other countering forces – and the outcome is not clear.
- What is the role of the law? Should it facilitate the governance of social networks?
- Law is always there (as opposed to a somewhat naïve conception of the web). Our position on several inescapable legal issues will impact the discourse within social networks.
 - Privacy is an especially “sticky” matter – as in different contexts – we reach different policy recommendations. It is also a countering social value we must balance against the various benefits mentioned.

To Get There...

- Understanding our Prime motivation: Promoting and facilitating the *benefits of an efficient and rich information flow within online social networks.*
 - Online Social Networks: MySpace, Twitter, Facebook...and also “Folksonomies” – such as digg.com, slashdot.com Karma, Virtual Worlds, Wikis, Social Software.
 - Technological foundations – broadband, stronger computing power, etc.
 - *Rely on platforms, user motivation, and a system of accreditation.*
 - *Too a great degree – relies on the power of search engines.*
 - *What are the outer limits – P2P? The net as a whole?*
- *Effective and rich flow:* unclear – many participants (?), volume of data, strength of ties, data that is both of a high quality and reliable.
- *Benefits:* some vague (promoting discourse and thus free speech and democratic objectives), others more concrete (generating new forms of content, alternative distribution platforms, consumer-related information flows). All of these will have important implications as to the role of law in other contexts.

Benefits Under Attack

- Key factors in achieving the mentioned flow (beyond having a neutral technical and physical infrastructure in place):
 - User motivation – could be compromised by *free riding*, and lack of interest.
 - Data must be accredited and of high quality – but much of the data is not precise or just wrong.
- Social forces and technological measures (aided by market incentives) assist in overcoming these challenges.
 - At some points – these forces and measures raise privacy concerns.

Benefits under Attack (2)

- Challenges grow when the stakes rise – powerful entities are pressured to manipulate the data flows so that their outcomes meet their own interest.
- They can do so by “attacking” platform reliability and neutrality (will not discuss) and undermining user motivation (**examples**).
- Furthermore, they can do so by directly tampering with the data flow (while hoping to do undetected) (**examples**).
- Social norms and technological tools (especially data mining algorithms) try and cope – yet it is not clear if they would succeed.
- Again, some of these actions are related to the existing privacy laws (the ability to anonymously game the system) and stem from the internet’s unique traits.

A Role for Law

- Given the importance of the outcomes of data flows – we must openly examine and decide upon the balance between promoting motivation, data quality and other objectives.
 - Currently not addressing an important layer of discussion re: infrastructure neutrality and regulation.

Motivation & the Law

- Laws can generate a “chilling effect” on motivation:
 - By generating liability (liable, privacy, copyright).
 - By compromising privacy (identifying offline persona)
 - *Note:* privacy is a complex notion – at times *more* identifying information strengthens motivation.
- Limiting the reach of law to protect specific contributors – especially those whom make small yet important contributions
- Distinguish between disputes within and outside the social networks’ realm (upholding the EULA to keep internal disputes out of courts; Example: Ebay) and where there are no negative externalities.

The Role of Law – Promoting Accreditation

- The *possible* role of law:
 - Governments aggressively pursuing “sock puppeteers”
 - Governments aggressively tracking user identity (or allowing entities to engage in these actions) so to allow identifying malicious participants
 - can only a constant link to the offline persona, assure an untainted dataflow? → bringing us back to privacy (and conflicting with our previous conclusion).
 - Interesting work in the field of computer science is trying to figure out whether the objectives pointed out conflict.

Thank you for your attention!

tzarsky@law.haifa.ac.il