



# Whither Social Media Governance?

**Virgilio A.F. Almeida** • *Federal University of Minas Gerais, Brazil*

**Danilo Doneda** • *Rio de Janeiro State University*

**Yasodara Córdova** • *Brazilian W3C*

Although social network platforms such as Facebook, YouTube, and Twitter have their own rules, certain ethical aspects demand governance to guarantee compliance with human rights. This article explores what could impact social networks' governance, drawing attention to possible solutions.

Many social media platforms catch users' attention by delivering convenience, engagement with other people, and easier access to content via interfaces and filters, among other utilities. Consequently, much of the communication that could happen in public spaces ends up taking place in these private platforms. In this article, we analyze the profile of social media governance and the main issues it raises.

According to De Nardis and Hack, social media are platforms that provide “three specific technological affordances: 1. the intermediation of user-generated content; 2. the possibility of interactivity among users and direct engagement with content; and 3. the ability for an individual to articulate network connections with other users.”<sup>1</sup> This is the case for platforms such as Facebook, Twitter, YouTube, Yelp, Instagram, Snapchat, GitHub, and others. These platforms, though, aren't mere technical tools. When dealing with decisions regarding control of flows of information, platforms project elements of their intended business model. Business rules aren't those of public spaces, but rather of controlled spaces, where the possibilities of individual expression and creativity are often limited not only by technical constraints but by design choices made by the platform itself, reflecting views from the platform controllers and developers.

From a regulatory perspective, preserving such intermediaries from liability rules has often been seen as important to ensure free speech.<sup>1,2</sup> However, their crescent tendency to prescribe

limits and shapes for the communication among their users calls for attention – and this is more important as these platforms present themselves as surrogates to the public space. Therefore, beyond the notion of platform liability, it is mandatory to be clear about their potential harm to public spaces.

There are fundamental differences between the physical and the virtual spaces, which are akin to the differences between a public and a controlled physical space. In a physical space, submission to the rules is usually subjected to physical presence. In the virtual environment, the pervasiveness of the presence is conditioned by social networking platforms' technical attributes. In virtual spaces, users have their “fragments” submitted to the same rules of governance that they're exposed to when “present.” It means that the content, which belongs to the individual's representation spectrum, can be everlasting and spread as fragments of the presence – people can leave a social network, but their content can remain as a flag, or a “piece” of the user. This ubiquity conferred to connected platforms is conditioned using fragments in the code itself. This promotes linking the user content through social Web spaces. For instance, Facebook's Open Graph Protocol (see <http://ogp.me/>) works by centralizing the “user fragments” with linked data technologies, allowing the user to spread fragments of information that are under Facebook's rules, but virtually located in other social platforms.

### Factors Impacting Social Media Governance

Social media platforms are (almost all) privately built and aim to operate globally. Their governance is based on an array of elements that literature tries to identify, such as rules of operation or code, laws, terms of use, and social norms (see Figure 1).

The *rules of operation* comprehend basically the technical factors in which the fundamental design options in a given platform will find their expression. It includes code but goes further, encompassing also interfaces, back ends, data modeling, and so on.

*Laws* refer to laws and regulations set forth by a public authority. Regulatory frameworks can significantly vary among countries, thus causing problems to a unique platform to adapt to all of them. Although they are not explicit regulations, social norms or codes of conduct are somewhat important because they can constrain, release, or even promote the ideas of communities with specific characteristics in a social network. The sociological concept of social norms is also relevant in the sense that communities can impose sanctions for those who don't comply with a given behavior – and, at the other end, can induce certain types of it, even “positive” behavior.

Furthermore, there are the *terms of use* or, broadly speaking, the contractual clauses that govern the platform's use. These are the kinds of “norms” that private companies can choose to apply to their particular relationships with users. Usually, the main issue is that the clauses in the terms of use often aren't freely negotiated between parties and tend to be overly imposed, due to the virtual impossibility of bargaining.

### Rules of Operation: Technical Aspects of Interactions

The difference between social networks can be established by the types of content they share and focus on. Each

media type defines a set of different patterns of interaction. These interactions have a direct impact on users' constraints and possibilities. Furthermore, as the linked data technologies advance, the Web goes social and “... users can not only participate in the co-creation of value, but also leave their own identity into the system and are persuaded to keep using it.”<sup>3</sup>

Text, image, audio, and video have distinct characteristics in data packaging, storage and availability, and they have different impacts on the platforms. For text, the most common restrictions imposed are the amount of input text permitted at the format of input boxes and the number of threads allowed in nested responses. The permission to post trackbacks and comments also unleashes chances that a platform will be used to attend social networking requisites, including them in the scope of public spaces. The question of who is responsible for comments left in pages of online news, for instance, or illegal content distributed in a personal blog as a link, are questions being baked while the platforms become more linked and open to social interaction.

Image and video uploads are subject to control by sophisticated algorithms for copyright detection. Although this is a solution for determining revenue on copyrighted content shared through online social networking, it's related to business models rather than ethics or human rights. Textual content, noticeably, doesn't receive the same attention. Usually, offensive content posted in comments, for instance, can take a long time to be removed.

At GitHub, for example, there's social interaction directly at the code or in the message commits, apart from traditional spaces. The interface for searching, reading, and reacting to this content is restricted to people with skills and knowledge to operate systems like Git or Mercurial. Hence, content that populates some task-oriented social networks<sup>4</sup> might be

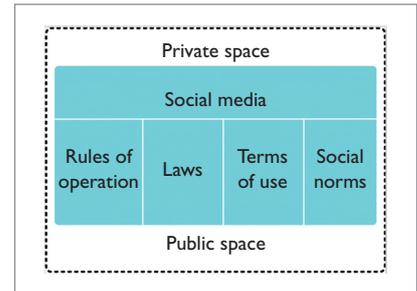


Figure 1. Factors that influence social media governance.

under a completely different set of governance rules than other social networking platforms. Furthermore, it's worth observing the possible changes that blockchain-based systems can bring to the rules of governance at social networking spaces.

Platforms that don't restrict user's expressions (such as Tumblr) are frequently accustomed to civil unrest in comparison with other platforms.<sup>5</sup>

### Conflicts

We can point out examples related to information filtering and Internet censorship, freedom of speech, and privacy that may arise from the action of social media platforms on limiting users' rights that could eventually be avoided in public spaces.

One potential cause of harm to identity, freedom of speech, and privacy rights are the so-called “real name policies” adopted by some social media platforms. By imposing users' registration only by using the real person's identification, these platforms can limit the way some people represent substantial traces of their personality and identity, as is the case for some members of the lesbian, gay, bisexual, and transgender (LGBT) community who sometimes present themselves with preferred names. Using a person's legal name is also directly linked to the issue of free speech, as the mandatory association of a person's communications with her legal name can hurt the possibility of anonymous speech, which is a

substantial part of the legislation for general free speech rights for many governing entities.

Privacy implications of social media platforms' actions abound, and we can briefly mention the limits on the exercise of informational auto determination that's often present in contractual clauses (terms of use or privacy policies) in which the user, in exchange for the use of a certain service, agrees to the use of his or her personal information in ways he or she might not be comfortable with – because even negotiation on these terms is utterly impossible. Akin to these contractual choices are several privacy choices built into the platforms' design, such as the way *privacy controls* (that is, commands that can be used to choose the level of dissemination desired for a bit of personal information) are made available to the user. Usually, privacy choices are related to the way your personal information will be shown publicly or to a certain class of users. Indeed, more sophisticated privacy controls are actually being discussed, as the notion of the individual exercising “granular consent” over his or her personal information in a given platform is present in the document of recent developments for the Internet of Things.<sup>6</sup>

It's still extremely hard to predict all the possible conflicts that could happen in a social network as a public space. As platforms continue to evolve globally, new issues related to governance may arise. With the increase of convergence between social media platforms and their use as public space for expression, along with other

activities such as payments, learning, or unimaginable ones, a global framework for governance might be desirable. Many social media issues raise questions about the governance structures and how existing structures will adapt to handle new issues that are related to the growing public impact of social media.

The opportunity to build global multistakeholder mechanisms that deal with human rights, such as freedom of expression, ethics, privacy, and data protection rules in global social media should be explored. Multistakeholder governance bodies – involving representatives of civil society, academia, private sector, and governments – could be a promising alternative to social media governance, for they have worked well for several other issues related to the evolution of the Internet and cyberspace governance. □

### References

1. L. DeNardis and A.M. Hackl, “Internet Governance by Social Media Platforms,” *Telecomm. Policy*, vol. 39, no. 9, 2015.
2. M. Mueller, “Hyper-Transparency and Social Control: Social Media as Magnets for Regulation,” *Telecomm. Policy*, vol. 39, no. 9, 2015; doi:10.1016/j.telpol.2015.05.001.
3. M. Oermann, M. Lose, and J.-H. Schmidt, “Approaching Social Media Governance,” *HIIG Discussion Paper Series*, discussion paper no. 2014-05.
4. J. Xu et al., “Civil Unrest Prediction: A Tumblr-Based Exploration,” *Social Computing, Behavioral-Cultural Modeling and Prediction*, Springer, 2014, pp. 403–411.
5. Oduor, Michael, and Harri Oinas-Kukkonen. “A System's Self-referential Persuasion: Understanding the Role of Persuasive User Experiences in Committing Social Web Users,” *Persuasive Technology*, Springer, 2015, pp. 241–252.
6. Article 29 Data Protection Working Party, *Opinion 8/2014 on the on Recent Developments on the Internet of Things*, Directive 95/46/EC of the European Parliament, 16 Sept. 2014; [http://ec.europa.eu/justice/data-protection/article-29/documentation/opinion-recommendation/files/2014/wp223\\_en.pdf](http://ec.europa.eu/justice/data-protection/article-29/documentation/opinion-recommendation/files/2014/wp223_en.pdf).

**Virgilio A.F. Almeida** is a professor in the Computer Science Department at the Federal University of Minas Gerais (UFMG), Brazil, and currently a visiting professor at Harvard University. His research interests include large-scale distributed systems, the Internet, social computing, and cyber policies. Almeida has a PhD in computer science from Vanderbilt University. He's the chairman of the Brazilian Internet Steering Committee (CGL.br). Contact him at [virgilio@dcc.ufmg.br](mailto:virgilio@dcc.ufmg.br).

**Danilo Doneda** is a professor of civil law at the Law School of the Rio de Janeiro State University (UERJ). His research interests include private law and regulation, privacy, and data protection. Doneda has a PhD in civil law from UERJ. Contact him at [danilo@doneda.net](mailto:danilo@doneda.net).

**Yasodara Córdova** is a Web Specialist at the Brazilian W3C office and at the Center of Studies for Web Technologies. Her work focuses on researching and applying the technological aspects of the Web in the social field. Córdova has an MBA in strategic management. Contact her at [yaso@nic.br](mailto:yaso@nic.br).

**cn** Selected CS articles and columns are also available for free at <http://ComputingNow.computer.org>.