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## Youth and surveillance in the Facebook era: Policy interventions and social implications



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### ABSTRACT

Facebook's meteoric rise—from a small Harvard-based website that began in 2004, to a global digital platform with a membership of 1.2 billion people a decade later—has made it one of the most profitable and high-profile corporations in today's contemporary digital culture. Its aggressive marketing and data collection practices, however, have placed Facebook at the center of public policy debates over consumer privacy in the Big Data era. This paper explores those controversial practices, focusing especially on their effects on youth.

More than 80% of teens use social media, which have become an essential arena for personal and social development, and which may well be altering some of young peoples' behavior patterns. But except for a handful of studies (mostly published in marketing journals) the growing body of academic literature on social media and youth has ignored the role of marketplace forces. Yet economic imperatives and powerful e-commerce business models are fueling the growth of these new platforms, shaping their structures and operations, and both responding to and influencing user behaviors.

The driving force behind the growth of social media—and, indeed, all digital media—is a complex set of data collection, tracking, and targeting systems that monitor and monetize individual users' behaviors as well as their interactions with friends and acquaintances. Facebook's marketing, data collection, tracking, and targeting operations are specially attuned to key aspects of adolescent development, both tapping into young peoples' needs and taking advantage of their unique vulnerabilities. Because of adolescents' emotional volatility and their tendency to act impulsively, they are more vulnerable than adults to such techniques as real-time bidding, location targeting (especially when the user is near a point of purchase), and “dynamic creative” ads tailored to their individual profile and behavioral patterns.

Given the unique role that digital media play in the lives of young people, new strategies will be required to ensure that their privacy is enshrined as a fundamental right. One way to accomplish this is to develop a set of “Fair Information and Marketing Principles for Children and Teens,” drawn from the long-established and well-recognized Fair Information Privacy Practices. These principles should take into account the unique needs and vulnerabilities of youth, and be designed to balance the ability of young people to participate fully in the contemporary media culture—as producers, consumers, and citizens—with the governmental and industry obligation to ensure they are not subjected

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to unfair, manipulative, and deceptive data collection and marketing practices. In order to achieve these goals, advocacy organizations, educators, parents, scholars, and youth need to work together as part of a broad, social movement, making privacy for children and youth part of the larger policy agenda on behalf of all consumers and citizens.

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## 1. Introduction

In 2013, the social media giant [Facebook](#) reached a major settlement with a California court ([Kravets, 2012](#)). The class-action lawsuit, filed on behalf of several teenagers and their parents, charged that Facebook's "Sponsored Stories" advertising platform invaded the teen's privacy by converting their actions regarding brands on the social network—e.g., status updates, check-ins, and "likes"—into paid ads targeted to their friends. The suit alleged that this practice violated California's Civil Code against "appropriating the names, photographs, likenesses and identities" of underage youth for commercial purposes without parental consent ([Fraleigh et al., 2014](#)). In addition to a multi-million-dollar payout, Facebook announced a proposed change to its "Statement of Rights and Responsibilities" and "Data Use Policy." Rather than stopping the practice of Sponsored Stories, it incorporated new language that automatically granted Facebook "permission to use your name, profile picture, content, and information in connection with commercial, sponsored or related content (such as a brand you like) served or enhanced by us" ([Facebook, 2013a](#)). The announcement sparked a protest from U.S. consumer watchdog and privacy groups, who immediately filed a complaint with the [Federal Trade Commission](#) urging the agency to reject the company's proposal on the basis that these changes would violate the terms of a 2011 Consent Decree requiring greater privacy protections and oversight ([Center for Digital Democracy, 2013](#)). Child advocates were particularly upset over a new clause pertaining to Facebook's teen users: "If you are under the age of eighteen (18), or under any other applicable age of majority, you represent that at least one of your parents or legal guardians has also agreed to the terms of this section (and the use of your name, profile picture, content, and information) on your behalf" ([Rotenberg et al., 2013](#)). In the face of public and government pressures, the company later deleted the controversial clause pertaining to teens, but kept the default approval allowing members' personal information to be used for commercial purposes ([Facebook, 2013a](#); [Goel, 2013](#); [Guynn, 2013](#)).

This incident is only one in a long series of controversies over Facebook's marketing and data collection practices that have placed it at the center of public policy debates over consumer privacy in the Big Data era ([boyd, 2008](#); [Hull, Lipford, & Latulipe, 2011](#)). Facebook's meteoric rise—from a small Harvard-based website that began in 2004, to a global digital platform with a membership of 1.2 billion people a decade later—has made it one of the most profitable and high-profile corporations in today's contemporary digital culture ([Goel, 2014](#)). In its first decade of operation, the social network has been and continues to be at the forefront of innovation in the e-commerce business, developing and putting into place a series of increasingly sophisticated software applications, marketing tools, and user interfaces—all designed to maximize its ability to generate revenue by mining the interests, profiles, and behaviors of its users. As it has rolled out many of its innovations, the company has raised repeated privacy concerns—triggering consumer boycotts, regulatory actions, Congressional hearings, and lawsuits ([Isidore, 2013](#); [Johnson & Hirsch, 2009](#); [Wheaton, 2007](#)). In its ongoing tug-of-war with advocates, policy makers, and users, a familiar pattern has emerged: Facebook pushes the privacy envelope with a new practice or change in policy, sparking a public backlash; to assuage its critics, the company responds by appearing to dial back on the controversial technique, with CEO Mark Zuckerberg directly reaching out to users with explanations, occasional apologies, and promises to safeguard members' privacy. But often the contentious practice reemerges shortly thereafter in a slightly altered form (Electronic Privacy Information Center; [Facebook, 2013c](#); [Schwartz, 2012](#); [Zuckerberg, 2006, 2011](#)).

Facebook is an influential leader in the rapidly growing social media ecosystem, which now includes dozens of players such as Twitter, LinkedIn, Google+, Pinterest, Instagram, YouTube, and Foursquare, to name only a few ([Berthold, 2013](#); [Freid, 2014](#)). Though people of all ages are participating in social media, young people are among the most avid users. Ninety-five percent of U.S. youth ages 12–17 are online, outpacing adults in terms of adopting the technology ([Madden, Lenhart, Duggan, Cortesi, & Gasser, 2013](#)). More than 80% of teens use social media, compared to 72% of users overall ([Lepi, 2014](#)). Social media have become an essential arena for personal and social development, and may well be altering some of young peoples' behavior patterns ([Ahn, 2011](#); [boyd, 2007, 2014](#); [Subrahmanyam & Šmahel, 2012](#); [Watkins, 2009c](#); [Yong Zhao, Wei Qui, & Naiyi Xie, 2012](#)). The affordances of online social networks are particularly attuned to the adolescent experience, and the dramatic rise in social media's popularity has spawned a number of academic studies focused on how key developmental tasks are addressed through engagement with social media ([Bennett, 2007](#); [Bennett, Wells, & Freelon, 2011](#); [boyd, 2007, 2014](#); [Greenfield, Gross, Subrahmanyam, Suzuki, & Tynes, 2006](#); [Patchin & Hinduja, 2010](#); [Subrahmanyam, 2008](#); [Watkins, 2009a](#); [Bennett, 2007](#)).

Except for a handful of studies, mostly published in marketing journals, the growing body of academic literature on social media and youth has virtually ignored the role of marketplace forces ([Khang, Ki, & Ye, 2012](#); [Miyazaki, Stanaland, & Lwin, 2009](#); [Shrum, Lowery, & Liu, 2009](#); [Wang, Yu, & Wei, 2012](#); [Wartella, Rideout, & Robb, 2009](#); [Watkins, 2009b](#)). Yet economic imperatives and powerful e-commerce business models are fueling the growth of these new platforms, shaping their

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