

Digital Life: Want to change Facebook's terms of service? Get 50 million people to agree

March 12 2009, By Walin Wong

Comments on the Web are often immature or wildly misinformed. It was a pleasant surprise, then, to see Facebook members providing reasonable and articulate feedback in the social-networking's site new civic experiment.

Last week, [Facebook](#) unveiled a system where [members](#) can collaborate on a "Statement of Rights and Responsibilities." This document is meant to replace Facebook's terms of use, which was the subject of controversy last month when the site quietly altered language in its service agreement.

Under fire from privacy advocates and members, Facebook rolled back the changes and introduced what executives touted as a more community-based way to run the site.

The comment period for the new statement of rights and responsibilities, as well as a separate list of "Facebook Principles," closes at the end of March. Members can post their comments in virtual town halls by joining Facebook groups for each of the documents.

As I read through pages of polite back-and-forth between members in the virtual town halls, I wondered whether the tempest over the terms of use had given birth to some kind of republican utopia.

Here's the rub: Under the proposal, amendments to the document would be put to a vote if more than 7,000 [users](#) comment on a change. The results will be binding only if more than 30 percent of "all active registered users" cast a ballot.

Facebook defines "active" users as those who have visited the site in the past 30 days.

Finding 7,000 users to comment on a major change shouldn't be difficult. The group for the Statement of Rights and Responsibilities already has close to 10,000 members. What's fishy to me is the 30 percent bar for any vote to be binding.

Facebook has 175 million active users, and Chief Executive Mark Zuckerberg said last week that he hopes to surpass 200 million by year's end. Using the 175 million figure, a 30 percent voter-participation rate would require 52.5 million members to take action. This struck me as an extraordinarily high bar, and I wasn't the only skeptical one.

"Have 50 million people EVER participated in something on Facebook that wasn't opt-in or a really addictive game?" asked one member on the comment board.

Another member thought 30 percent "is more than fair," given how quickly word spreads on Facebook.

In an e-mail, a Facebook spokesman said the site chose the 30 percent threshold "because we wanted to make sure that a binding vote actually represented a reasonable number of users. Also, we didn't want issues to be decided by a vocal minority."

He also assured that the voting process will just take "a couple of clicks."

I agree that Facebook shouldn't be held hostage by a "vocal minority," especially given that the brouhaha over the terms of use grew out of a media-driven frenzy rather than hordes of members noticing the changes on their own.

I also am in favor of Facebook giving members a bigger say in how their content is stored and used.

But with a 30 percent voter-turnout rate, the site seems to be ensuring it never has to implement any user-suggested changes.

The real question is "if the needs of the company can be balanced with the needs of the users in a way that makes everyone happy," said Amanda Lenhart, senior research specialist at the Pew Internet & American Life Project. "Generally in these kinds of situations, the lawyers win."

Now that sounds like the America I know. I'll keep looking for that republican utopia.

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