

Why the about Face(book)?

by The St. Louis Post-Dispatch

Anyone who spends time online has at least a vague sense of the "service agreements" to which he routinely consents — dense documents filled with legal fine print that make up the "terms of service" for Web services or online groups.

Most people spend zero time reading the fine print. They typically click "accept" and move ahead without a second thought.

But last week, denizens of Facebook — one of the world's most popular online social networking groups — said "not so fast." Within a matter of hours, using Facebook's own site, they coalesced and pushed back. Remarkably, their outrage over what they perceived as a blatant privacy violation by Facebook operators caused Facebook to roll back the new terms.

The incident offers useful lessons in self-control and collective action in the digital age.

For the uninitiated, Facebook is a site on which millions of people and groups maintain what's effectively a combination bulletin board, photo album, scrapbook, phone tree and newsletter that they share with friends. The site originally catered to college students, but it no longer is just for kids.

Anyone over the age of 13 can become a Facebook member, build a "page" and avail himself of its services free of charge — but only after accepting terms of the service agreement.

Among the terms is one giving Facebook's proprietors "an irrevocable, perpetual, non-exclusive, transferable, fully paid, worldwide license (with right to sublicense)" on everything a member posts on his page. You post a picture of yourself and your cat, for instance, and Facebook can do whatever it wants with the picture.

The terms of service said that the "license granted above will automatically expire" when members remove content from their page. But Facebook recently quietly removed that clause, meaning Facebook unilaterally claimed the right to use the material in perpetuity. So even if you took down the picture or quit the site, Facebook still could use the picture (or other information) it had stored in its servers.

Things didn't stay quiet for long. The Consumerist — a consumer protection blog — put out word that Facebook was making a data grab. A virtual riot ensued as media outlets, old and new, picked up the story. Privacy advocates readied a complaint to be filed with the Federal Trade Commission.

Ironically, the real leverage came when consumer unhappiness showed signs of becoming a Facebook-driven movement. A new Facebook group "People Against the new Terms of Service" grew to nearly 90,000 strong.

Facebook's owners "a consortium of millionaire investors led by founder Mark Zuckerberg" caved. The site reinstated the original terms of service, offering face-saving mumbo jumbo about how "it was never our intention to confuse people or make them uneasy about sharing on Facebook."

Parents should remind their kids "or maybe kids should remind their parents" that in the computer age, the only real guarantee of privacy is never to put anything in a computer you'd be afraid for someone else to see. There are too many ways for information to be copied and shared to be assured that someone, somewhere, doesn't have it. But that someone shouldn't be the people you do business with.

Facebook was hoisted on its own e-petard. By leveraging new media to organize a stampede, users struck fear into the heart of sharp operators at a multi-billion dollar enterprise. Sharp operators, take heed.

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