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# IT Policy Office

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## Thoughts on Facebook

### INTRODUCTION

Facebook, like much of the Internet, is a great innovation! It offers you an opportunity to interact with an extraordinarily expansive universe of new people. You can sculpt your on-line identity and learn more about how the Internet and its various programs work to create new relationships and communities. For the entrepreneurially minded, it might be an introduction into business as you think of how to "market" yourself. Individuals with particular social identities or hobbies, say as a Christian gay person or someone who likes a narrow range of military on-line games, can use it to find friends with common interests. Facebook is a cool tool.

People make the technology, not only in the fundamental sense of discovery and invention, but also in the sense that they make it happen and that they contour it in ways that reflect our basic humanity. Our basic humanity is for better or for worse, however. It is vulnerable to context, circumstance and interpretation. And so it is important to remember that Facebook is malleable and creates as many obligations as it does opportunities for expression. Below are five concepts to keep in mind when you use Facebook, if not other programs of personal creativity such as chat rooms or MySpace, on the Internet.

### FIVE THINGS TO THINK ABOUT WHEN USING FACEBOOK

#### I. Invincibility

A long time ago, well before the advent of Facebook, there was a student at an it-shall-go-unnamed university who used a chat room to post some facts about the size of his penis. What a surprise when he went for his first job interview, all nicely tailored in a new suit and armed with a good G.P.A. He was rejected. Fortunate for him, there was a friendly alumnus on the search committee who told him the reason. The HR person on the hiring committee had looked him up on the Internet and found the boasting posting! Frantically, the student called the university officials asking them to remove it. Alas, they could not help him, because a commercial ISP was the domain of the posted information. In time, the student learned

about the labyrinthine procedure in which he had to engage in order to have the posting removed. It never occurred to him that a relatively harmless boast could cause him so much trouble.

This example is just one of many. Other examples from around the country include students whose posted pictures of themselves partying bolstered the administration's case when the underage students were charged with alcohol abuse; a student who applied to be a resident advisor but was rejected because staff reviewing applications found material the student had posted on Facebook sites inappropriate; or the students reprimanded for extreme and possibly libelous statements that they made about a professor on their Facebook postings.

**THOUGHT:** Think about not only your marketability today as a cool guy or girl in your college social circle, but who you might want to be in five or ten years when posting an "identity" on the Internet. Remember, just because it is a new technology does not absolve you of the responsibility to use it in legal and appropriate ways — including taking into account your obligations regarding proper conduct as a citizen of the university.

## II. Caching

In the days before Google became the dominant search engine for the Internet, ISPs that sported chat rooms had policies regarding caching information. Nowadays, Google is the main corporate entity with which one deals when it comes to cached information. To date, Google has tended to be good about removing material within a certain number of days pursuant to a proper request. But let's take a step back and see what caching means.

Caching, in effect, means that if you post something on Facebook, let's say for a day or two, just to be funny or to make a point, even if you take it down or change it, it remains accessible to the rest of the world on the Internet anyway.

Take a moment to think about how you want to "brand" yourself on the Internet. Almost everyone is more complex of a person than a single label can explain, but for most people it takes time and effort, if not real friendship, to get to know people's complexities. Don't give people an excuse to think of you in a single dimensional way. Instead of trying just to fit into a single group, think about yourself as an interesting person with depth of personality and character. What you put out on Facebook about yourself should be an invitation to the rest of the world to get to know you better.

Then consider what it takes to get something removed from Google. You must go through their policy process<sup>1</sup> for removing information from their caching technology. Not only is that a lot of bureaucracy, but also you should know that while Google is the dominant search engine on the Internet today, it might not be tomorrow. Moreover, other search engines operate currently on the Internet and so it is not just Google whom you might have to contact in order to remove a page.<sup>2</sup>

<sup>1</sup> Google offers a [Privacy questions / Removing information from Google's search results](#) page, as well as [removal information for webmasters](#).

<sup>2</sup> You may also want to check whether the material has been stored in the [Internet Archive's](#) Wayback Machine.

**THOUGHT:** Think about how much you would be willing to have to go through the bureaucracies of at least three to five search engine companies to remove cached material before you post something about yourself on-line.

## III. CU IT Policy: Freedom: No monitoring the network for content

Cornell University is very proud of its policy against monitoring the network for content as a practice. That policy has put the university in good light not merely as a response to content industries that have requested that we monitor in order to enforce their intellectual property rights, but more important as a statement about its role in higher education as research university. Because Cornell is a private not for profit entity, it is not required to observe the First Amendment on free speech. No bother, because as research institution it prizes free inquiry, and free speech is a prerequisite to that exercise. Thus, for Cornell University, free speech is a part of our values as an important center for research, teaching and outreach internationally.

I am sure you have all heard that with freedom comes responsibility. Facebook is an excellent example of that adage. No official at Cornell is going to monitor your posting and make suggestions to you about it, good or bad, either way. Most entering freshmen are young adults and we treat you that way. It is time for you to be away from your families and make your own decisions about who you want to be. This is not because Cornell University does not care, its officials care deeply about you and your development. It is just that we all believe you are of an age and maturity that it is time you learned about freedom and responsibility for yourself. It also means, however, that it is up to you to set your own limits and create your own identity and to be responsible for the consequences, given that you live in the real world of rules, judicial discipline, employers with their own interests as well as other people who, like it or not, will make judgments about what they see.

#### **IV. CU IT Policy: Responsibility: No limiting authorized viewers from your site on Facebook or other Internet expressions of your identity.**

Here is the responsibility part: no one is going to limit those people who are authorized to use the Internet or view Facebook postings from seeing what you post on-line. The Internet is an open, unlimited international community (that is why it is such an exciting innovation!). Facebook is open generally to .edu addresses and specifically to anyone with a Cornell NetID address. That authorization includes faculty and staff — as well as alumni. Such people might be members of your family, your parent's neighbors, the local bank manager where you want to get a loan for a new car, your insurance agent, an advertising industry in NYC with whom you might want a summer internship, or a law firm where you want to work your second summer of law school — anyone, world wide! Thus, if you are applying for a job as a resident advisor there is nothing keeping the residence hall staff from looking you up. Got JAed for alcohol abuse? The JA can look you up as well. Trying to get a deal on car insurance? Who knows, maybe that little Geico went to Cornell! Do you really want him seeing a photograph of you bombed out of your mind? In other words, there is nothing to keep just about anyone from looking you up. On Facebook, you have absolutely no expectation of privacy.

You also might want to take a moment and reflect on the physical safety of this tool when posting information about yourself. No expectation of privacy combined with the full range of humanity represented in these forums means that you may be exposing yourself to someone who may not have the same values, assumptions about appropriate behavior or may even have a mental defect or disease which could put you at risk as a victim of criminal behavior. Very likely you would not place a placard in the front of your house or dorm describing intimate details of your personal life, private sexual matters, detailed comings and goings or anything else that someone less careful and competent than you might construe as an invitation for communication or even harassment and stalking that could prove dangerous. Use physical space as your guide. What you wouldn't put on a poster on your dorm room door you might want to think two or three times about posting on-line.

**THOUGHT:** With the freedom to post what you want comes the responsibility to do so in your interests not only for today, but also for who and what you want to be tomorrow. And also think of your personal safety. Cyberspace can have the effect of creating an illusion of intimacy that could prove dangerous for you in reality. Use the manners and mores of behavior in physical space both in how you present yourself and how you interpret other people on-line as a guide.

#### **V. The Law**

Most of the time when we talk about Facebook it is a very individual matter. There is yet another angle to consider: the privacy of others. "Privacy" is a complicated matter in American law. It evokes everything from the right to family planning through Fourth Amendment search and seizure to torts, or civil rights, "to be let alone" in our person.

Watch what you say! If you post an alleged fact about someone that proves incorrect, you may be liable for damages under either defamation or libel. Moreover, if you post photographs or information about someone that can be construed to be an "invasion of their privacy" (say while they were sleeping in their own bed), or "false light" (say suggesting that they are of one sexual persuasion when they are of another), or "misappropriation of likeness" (a claim usually reserved for celebrities, but then again we have them here at Cornell too!) then you may be liable for a tort under the broad rubric of "privacy."

**THOUGHT:** Think not only about what identity you create for yourself online, but also how you represent others. At the very least, be sure that you take their feelings into account. You would not want to find yourself as a defendant in a tort case that alleged you invaded their privacy.

## CONCLUSION

Facebook, along with much of the Internet, is a great innovation that allows users to express their humanity and an opportunity to create new communities. As such it represents a forum in which one can make choices about their identity, at least insofar as one chooses to represent themselves publicly. That freedom does not suggest that one can do so with impunity, however. Because we live in a society in which expression is judged in legal, policy and even personal ways, it is important to remember the consequences of that expression no matter how ephemeral or fun in the moment it might seem to be.

This essay offers some things to contemplate when using Facebook, all of which can be summed up easily in a "Golden Rule." Don't say anything about someone else that you would not want said about yourself. And be gentle with yourself too! What might seem fun or spontaneous at 18, given caching technologies, might prove to be a liability to an on-going sense of your identity over the longer course of history. Have fun and make productive use of these new, exciting technologies, but remember that technology does not absolve one of responsibility. Behind every device, behind every new program, behind every technology is a law, a social norm, a business practice that warrants thoughtful consideration.

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April, 2006

Last modified: June 23, 2006  
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