

eBay Ethics

Simulating Civility Today, for the 'Digital Democracies' of Tomorrow

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Abstract / In their efforts to construct a stable and secure digital marketplace *eBay* designers may have also created a workable template for an efficient neo-liberal social enclave. At one level, the business ethic on the internet's largest auction site has the appearance and feel of honest, timely commodity exchange. With all the panoptic controls now in place, it is difficult to do otherwise, lest one risk being banned from *eBay* altogether. This article describes the key features of *eBay*'s user interface and argues that particularly in digital contexts, top-down (i.e. corporate, quasi-governmental, administrative) entities can very effectively enhance their abilities to rationalize and control an otherwise seemingly democratic, bottom-up, and peer-to-peer situation. The study also highlights important relationships between the concepts of citizen, consumer, and socio-political actor today, and speculates into the significance these various roles might play in a full-fledged *digital democracy* of tomorrow.

Key Words / media environment, ecology, panopticon, McLuhan, tetrad, socio-technical system

Not everything that counts can be counted, and not everything that can be counted counts

A. Einstein

[h]uman . . . is an adjective and its use as a noun is in itself regrettable

W. Burroughs

Introduction

A host of new digital communication media now constitute social environments for millions of people. These environments are often highly complex systems that can seem ecological, even biological in nature. As with any natural ecological system, human-made media ecologies enable and constrain the entities that operate in or through them in various ways by affording certain behaviors, and limiting others according to the specifics of their structure, layout and general design features. Consider a lake, a river basin, a skyscraper, a subway system, an interstate highway, a bicycle path, a laptop computer or

website. In every case, these systems carry particular biases, logics, and built-in predispositions that suggest and even prompt certain ways of experiencing, acting, and thinking about self and world. As James Carey (1989) succinctly put it, technologies have 'teleological insight'. That is to say, while not always singular, nor rigidly deterministic, every tool has certain ends 'in mind'.

A glance at the massive technological apparatus that is *eBay* reveals a secure, stable, and highly efficient marketplace that allows hundreds of millions of people around the world to turn just about anything into extra cash. *eBay's* remarkable success as a commodity exchange hub is closely linked to the site's self-described civility. However, the sublimation of control on the world's largest consumer transaction site also holds great consequence for social spheres traditionally conceived to be outside the realm of commerce, as the interfaces, systems, logics and functions that enable *eBayers* to do what they do begin to diffuse elsewhere. The following is an abbreviated report of how *eBay's* environment detects, encodes, defines and directs its users.

Some History

In 1651 Thomas Hobbes conceived of an orderly human society – the *Leviathan* (see edition Hobbes, 1950) – as a self-organizing system possessing a life and intelligence all its own. George Dyson, writing in *Darwin among the Machines* (1997) draws out the contemporary significance of Hobbes' early notion of cybernetics or self-governing systems. Hobbes stated that '[h]uman society, taken as a whole, constituted a new form of life' and went on to suggest that 'every joynt and member is moved to performe his duty' (in Dyson, 1997: 3). From this, Hobbes maintained, the *salus populi* or people's safety would be assured. Foreshadowing Jeremy Bentham's insights on the panopticon about a century later, Hobbes' thinking was that a healthy balance of internal and external surveillance – the policing of both self and other – would most reliably ensure peace and prosperity. Like the high-pitched détente sustained throughout the Cold War, the threat of effective penalty, if not mutually assured destruction, was seen to be a reliable instrument for maintaining modes of life.

Hobbes' *Leviathan*, Bentham's panopticon, and later Foucault's (1973) analysis of sexuality and the categorization of medical conditions together chart a history of emergent social control mechanisms. The fuller implications of various *socio-technical systems* described by Mumford (1934), Heidegger (1977 [1949]), Ellul (1964) and Latour (1995 [1988]) illustrate how the tandem technologies of *definition* and *categorization* can often be tyrannical in their capacity to direct and constrain the thoughts and actions of individuals and collectives alike. In what follows, it becomes clear how *eBay* functions quite efficiently as a socio-technical system.

Methods and Questions

This study is based upon ethnographic analysis of user content archived on *eBay*, as well as personal commentaries obtained via participant observation and depth interview data collected during the spring and fall of 2006. The core questions guiding the investigation include: How is the self/person negotiated and maintained on *eBay*? What is the nature of the relationship to specific others and to the collective? What does successful

interaction look like and how is it structured? How are 'violations' dealt with? And how might behaviors adapted to this online environment contribute to an alteration in the way people think about themselves, each other and wider worlds on and offline?

Marshall McLuhan's 'tetrads' or 'laws of media' approach is applied to help make sense of the *eBay* environment. McLuhan's approach characterizes and even makes tentative predictions with regard to how virtually any technology potentially enhances, reverses, retrieves from the past, and/or obsolesces particular features of human experience (cf. McLuhan and McLuhan, 1988). In its 'reversal' quadrant the tetrad reveals how, through a collection of procedures and rituals that are highly prescriptive on *eBay*, the structurally determined social construction of self results in a very specific kind of inhabitant that is counter-intuitive and quite unexpected. *eBay* frames, formats and presents not only its products, but also its users in quite systematic ways. Indeed, we will discover that it is the users who become the product-qua-content on *eBay*.

On the Mechanics and Media Logic of *eBay*

eBay hosts peer-to-peer interaction sustained through a highly formalized feedback mechanism centered around the exchange of goods that is bound, almost gravitation-like, by the network effect of hundreds of millions of daily users. At first pass, these processes appear to be working symbiotically with and through *eBay* users who dutifully and often enthusiastically sustain a self-regulating social control system that explicitly models and patterns successful behavior. To be sure, *eBayers* take their *rules* very seriously, and the resultant social patterning on the site fosters an eccentric and highly self-conscious kind of socio- and political consciousness. This, in turn, appears to engender a 'culture of consent', which may be particularly susceptible to hegemonic control. Indeed, *eBay's* feedback system keeps tabs on virtually all activity that occurs in reference to auctions, payments, the shipping and handling of goods, and the fulfillment of transactions.

Consequently, and perhaps more than anywhere else, *eBayers* appear consistent in thought, word, and deed, predictable actors in the world of online exchange. All becomes artifice as people find themselves acting, or *acting out* in a kind of perpetual campaign mode during their interactions with others. Human interaction – ideally based on something akin to Buber's (1977) *I-thou*/subject-subject relationship, or Schutz's (1972) *We* relationship – quickly reduces to a kind of mechanistic, almost purely functional, task-oriented, *I-it*/subject-object relation.

Rosanne Stone (1995) lodged an early critique of cybersociality by describing a 'legible body' that comes to represent the standard denizen of the Web. Stone predicted what has come to pass: the emergence of 'fiduciary subjects' that have value primarily due to their ability to engender public confidence. Of course, digital communication technologies did not bring this situation into being. Some of the first record-keeping devices included marked bones, rocks and animal skins to tabulate the number of kills a hunter amassed in a season. Notched and cleaved wooden sticks could be mated back together to ensure proper repayments on loans to and from the king. Human beings have, in other words, been developing means of extending, tracking and tagging the weight and measure of personhood beyond the body for thousands of years.

Today we establish, gain and lose credibility through a wide variety of methods and mechanisms including: toll fare transponders, merchant discount cards and other point-of purchase technologies, credit cards and credit reports, legal documents, street and email addresses, personal web pages, online profiles, and telephone numbers. The list seems endless. In the midst of all this, our hyper-legible digital selves become devices that can certainly liberate us in unprecedented ways by reducing the time it takes to get on and off the interstate, or shop, or correspond with friends and family. But these new personas can also prove to be useful means of revealing some of the more subtle, but nonetheless deterministic aspects of our physical and symbolic environments.

Tyranny of Text: Subverting the Subjective

A textual mode of representation can be almost tyrannical in its capacity to configure consciousness of self and other. McLuhan, in a rare one-on-one published interview, suggests how this might work.

We confront a basic paradox whenever we discuss personal freedom in literate and tribal cultures. Literate mechanical society separated the individual from the group in space, engendering privacy; in thought, engendering point of view; and in work, engendering specialism – thus forging all the values associated with individualism. But at the same time, print technology has homogenized man, creating mass militarism, mass mind and mass uniformity; print gave man private habits of individualism and a public role of absolute conformity. (McLuhan, 1969)

The textual format carries most of the symbolic load on eBay, where percentages and one-line qualitative comments form the backbone of the eBay user interface that constitutes user profiles. One notable feature of the self-inscriptions on eBay is their openness to mass exposure. However, MySpace, Facebook, and YouTube all represent test beds that are revealing some of the psychological, social and political reverberations this strange new kind of public legibility plays in our lives (cf. Federman, 2003). Now consider a typical user feedback profile on eBay (Figure 1).

Every participant in the study reported a kind of hyper self-consciousness forged during interactions that seems rooted in the system’s highly constrained format. The short verbal descriptions of sellers and buyers, and the numbers eBay’s computers align with those descriptions always seemed to be, as one person said, ‘in your face’. Yet beneath the sunny syntax often churns a maelstrom of dissatisfaction and deceit. Contrary to the argument laid out by Turkle (1995), there is nothing therapeutic about this increasingly common aspect of *life on the screen*. To the contrary, these eBay experiences bolster a

FIGURE 1
Typical eBay feedback commentary (retrieved August 2006)

model great, shipment fast and safe, thanks for everything	Buyer cur (66 ★)	Jul-27-06 19:37	230008810468
Good buyer, prompt payment, highly recommended.	Seller ba (3112 ★)	Jul-16-06 17:04	140007758453
Top bloke to deal with, very friendly and fast, smooth transaction AAA+++	Buyer sq (154 ★)	Jul-05-06 15:52	6066441206
Excellent transaction, fast postage and well packed, very happy.A+++	Buyer sq (154 ★)	Jul-05-06 15:47	6066442791
paid same day as invoiced and EXCELLENTcommunications - HIGHLY recommended !!!!	Seller sei (1086 ★)	Jun-25-06 20:01	6063404744
Pleasure to deal with. Prompt and Professional. Recommended!	Seller au (44599 ★)	Jun-15-06 21:27	6060162010

sentiment offered in the epilogue to Neil Postman's prescient *Amusing Ourselves to Death*: 'In the Huxleyan prophecy, Big Brother does not watch us, by his choice. We watch him by ours. There is no need for wardens or gates, or Ministries of Truth' (1985: 155).

Participants suggest how their individual will, their inner thoughts and opinions can be erased by the formal logic of the system that represents an emerging social code limiting content to very brief, and often highly conventionalized accolades. This facilitates a generally positive mood on the site. Most of it in fact, as Ned, a 40-year-old engineer put it, reads 'like the ravings of a perpetually happy person'. Pre-auction, conversely, one is prompted to describe items accurately and in great detail from an objective vantage as well as make clear one's own persona as a stable, rational player in the auction game.

The way *eBay* is structured, the site ends up functioning a bit like Adam Smith's free market on steroids, with a tincture of anti-depressant injected for good measure. Now, from a business standpoint it works very well for all parties who maintain active membership. However, strangers and itinerants beware, as Trish, a 45-year-old college professor and music and film fanatic suggests, 'to be accepted on *eBay* you have to be more than a regular. You have to sort of live there'. Jarrett (in Hillis et al., 2006), notes how 'this is clearly a more liberalized Panopticon than Bentham's model, but not only in that it denies the centralization of power in an appointed elite. It is also more liberal in that it effects its disciplining, not in the form of coercion by an external force, but disguised as an exercise of free will and autonomous, responsabilized activity' (pp. 116–17). No doubt, the air of autonomy and responsible activity Jarrett notes is apparent in most corners of *eBay*.

This suggests that the unique perspectives of individuals, even whole interpretive communities, can be effectively neutralized on *eBay*, where a subject position grounded in the here-and-now very often becomes a liability. In its place, a kind of default homogeneous global outlook is assumed that has one eye on developing feedback commentary and the other on *eBay*'s official clock. Traditionally, cultural mores, regional values, even differences in geography, weather and climate can set local perceptions and create default understandings regarding descriptors like 'excellent'. Yet such things obsolesce early in a game where Meyrowitz's *no sense of place* finds a place. Like *eBay*'s prescription to adhere to its 'official time' when doing business, one must also become attuned to its official geography of nowhere. On *eBay*, through some of the mechanisms just described, users are obligated to think more objectively, more universally, and outside of our own experience in very systematic ways. This leveling or broadening (some have said *democratizing*) effect of electronic media also happens to be a key feature of globalization. It provides the impetus for a substantial part of McLuhan's *global village* idea, through which he assumed we would all eventually gain access to each other's business.

Yet we begin to recognize some important differences between the kind of global village now emerging in places like *eBay*, and the *McLuhanesque* version that has gathered attention in the popular press over the past decade. McLuhan predicted a smoothing over of human personas represented via screens. A small renaissance of the written word seems to be occurring online in the form of blogging that may be challenging some of this, but the current status of the word as the primary means of symbolization in a media environment like *eBay* (primarily in the form of lengthy item descriptions) problematizes anew McLuhan's characterization of personalities represented on screens as generally cool and indistinct.

Indeed, the auction site presents its users with a rather profound manifestation of the 'catch 22'. First: the challenges a seller (in particular) has in becoming acquainted with the perceptions and perspectives common to the different locales represented by other players involved. Second: the problem of simultaneously maintaining what is expected by *eBay* to be a consistent, stable actor. Of course, these are hardly parallel enterprises. Meyrowitz (2005) elaborates on the problem this 'glocalizing' effect creates for the individual still generally rooted in one physical locale. What happens to us – our perception of self, and other – when our embodied, socially embedded experience loses its role as the basic context through which we gain a sense of who we are? What happens when physical locale reduces to a kind of staging ground for our actions online?

Richard Sennett's (1998) suggestion that modern, itinerant lifestyles and the attendant inability to gain a relatively consistent sense of self might help explain some of this. Along with Goffman (1959, 1967), and Mead (1934), Sennett sees the consistent interaction of persons in face-to-face encounters as the primary way we come to not only know others, but also ourselves (see also Bavelas et al., 1997; Berger et al., 1973). Something is certainly lost when we no longer have the embodied *other* there to check, in a sense, our own behavior. What is more, the ability to substantially remake the self in a move from one geographical locale (and/or social place) to the next may become a thing of the past given the personal histories maintained on place like *eBay* in the form of always on, always visible user profiles.

An interesting irony and tension therefore emerges between a lagging, stable, modern conception of self, and the fluid, postmodern theory of identity often characterized in much popular writing as something endemic to the internet. Certainly, as Turkle opined, '[a] more fluid sense of self [online] allows a greater capacity for acknowledging diversity' (1995: 261). However, a hyper-stable persona may now be surfacing as the pre-eminent being, the successful self in the context of online life.¹

The Happy Hegemony: Content as *Content*

eBay feedback is a generally positive (if often half-hearted) history of the activities of parties involved.² A cursory glance through virtually any feedback profile reveals the nature of this prattle. As Ned, the engineer, implies, and as *eBay* itself tries to make clear with its feedback advice, the system generally elevates the feedback scores and pushes the positive. Feedback on the site thus constitutes a form of viral advertising and promotion that accumulates around its users in a manner largely beyond their control. This is one way *eBayers* become the content of their medium.

McLuhan (1951, 1964) drawing out his alternative to the standard psychological interpretation of advertising, suggested advertisements form an environmental surround that subtly guides the formation of consciousness and community. 'Ideally, advertising aims at the goal of a programmed harmony among all human impulses and aspirations and endeavors . . . When all production and all consumption are brought into a pre-established harmony with all desire and all effort, then advertising will have liquidated itself by its own success' (1964: 227). Functioning like kind of tacit advertising, *eBay's* feedback mechanism provides the social lubricant for getting things done. It forms the background of our everyday experience – part of the basic ecology – and becomes the

important cultural content which, for many users is at least as consequential as closing the deal.

No doubt *eBayers* work hard and are willing to pay for this new kind of street cred. For Adin, the grad student, the price of a good feedback rating is 'forty or fifty dollars . . . I won't argue and fight below that, I'll just pay . . . it is very important'. Trish, the professor, thought 10 or 15 dollars was her limit. And Andy, a 46-year-old film buff, figured '[h]ey at this point I've got too much invested as a seller. If someone told me they didn't receive a \$100 item and I even had all the records indicating that the delivery was made to their front porch, I probably wouldn't risk it. I'd refund their money'. Now, whether Andy's theory ever cashes out in practice, his impression of himself (and his subservience to the system within which he operates) is notable. We begin, then, to see how the logics of thought and action engendered by *eBay's* environment can become adaptive or advantageous to activity inside that domain.

The Sinister Side of the Good Citizen

Next, we should consider some of the ways interaction on the site may actually be disadvantageous to individuals, social groups, and the wider ecology, as patterns of interaction on the site as well as so much of the material by-product of that interaction bleeds elsewhere. As templates for civic behavior, the interaction now flourishing on *eBay* could probably never be sustainable in a wider context that aspires toward anything other than commodity exchange as its core activity. If we can say that *eBay* has created a good and stable society in its own domain, this assessment loses some of its force when we consider both the individual and broader social manifestations that can emerge from these underlying patterns of engagement. Given this, we might do well to begin conceiving of any medium or media system as an environment offering *procedural templates* that can be highly consequential to both thought and behavior.

Commenting on the insistent accretion of emptiness that is advertising, Baudrillard (1998) captured something profound about our modern society. He suggested that culture becomes an advertisement for itself, constantly reaffirming its own existence and legitimacy. Baudrillard seems to allude to Carey's (1989) ritual form of communication and together they describe well what is happening on *eBay*. With the invisible network effect in full effect, *eBay* is an environment that makes continued participation itself a warrant for virtually any prohibition, limitation, restraint, user co-optation or governmental co-operation its administrators deem fit. And in the face of such mass and inertia, user boycotts and strikes simply do not work. Ironically, with all of the subterfuge, it is the *eBay* members who take on the burden of work persuading each other that the site and all of its environs is safe, fair, equitable – and, increasingly, indispensable to their lives.

Loosed, then, from the ethical moorings most intrinsic to contexts of socially embedded, physical embodied interaction, a troubling pattern emerges. Individuals tend to mislay their subject position, along with most of their personal drive, intuition and instinct that have been tempered over time by the tacit cultural codes the vast majority of us live by. A new communicative concept emerges, and with it a shadowy ethic that is captured succinctly in the *snipe*.

Sniping is a term that describes various, often 'underhanded' methods of achieving the winning bid. Sniping has become an industry unto itself, with books, manuals,

websites and specialized software devoted to the sure-fire snipe. The whole enterprise betrays an underlying enmity among and between buyers. I have been sniped by humans and bots, and I managed to win a snowboard by manually sniping an item out from under another bidder. Sure, no one really gets hurt, but the activity is vicious pure and simple. *eBay* and the sniping craze has spawned hundreds of books, products and services with titles, names and catch phrases like: '*eBay Hacks*', '*Stomp Your Competition on eBay*', '*Powersnipe*', '*Auction Sentry*', and '*eBay: Top 100 Simplified Tips & Tricks*'.

With all of this comes increased difficulty in discriminating between ethical and unethical rule systems on the one hand, and practically advantageous or disadvantageous rule systems on the other. All, in short, becomes a matter of local functionality. When the key prescriptions for action flow top-down, a tendency toward consent develops out of sheer necessity. And over time, when prescriptions come from the system, from everywhere, or as in this case, from apparently nowhere in particular, a tendency toward a kind of passive consent is predictable. Consent, in short, becomes not merely a way of thinking, but a matter of continued survival. And so, for the authorities involved, a very wide range of policies and behaviors become possible, acceptable, and ultimately justifiable within the bounds of that local system. In numerous totalitarian situations throughout history and around the globe this meant little more than continued subsistence, even mere existence for the unfortunate many. On *eBay*, this means continued bidding and buying according to the rules and codes and patterned activities now in place – activities that are progressively being appended to notions of the good life.

There are a few analogues worth mentioning. On 11 September 2001 an opportunity arose for the Bush administration to greatly expand its agenda at home and abroad. The bet was that Americans would relinquish some concern over freedom of action, privacy, and civil rights in exchange for security. Surveillance and control in the name of stability and safety – that was the wager made in Washington. And it delivered in spades. With the establishment of the Department of Homeland Security as well as widespread alterations to municipal (especially mass-transit), as well as telecommunication security rules and regulations, a popular acceptance grew around the notion that *if you aren't doing anything wrong then you have nothing to be concerned about*. An old trope found new life as localized pockets of resistance to the new initiatives soon quelled in the midst of a nationalistic fervor reminiscent of the kind of insidious social cohesion sustained from the beginning of the Second World War through the McCarthy era. And like much of the operative communication on *eBay*, the submission of *hearsay* was codified as a valid way to proceed with the Military Commission's Act passing late one night in October 2006 to a government asleep at the wheel and a public largely unaware of the implications. With the signing of the Foreign Intelligence Surveillance Act in July 2008, which includes retroactive immunity for any telecommunications companies that helped the federal government spy on Americans in suspected terrorism cases, the intentional structure of the system now appears complete. In all three cases, we see the formal institutionalization of what essentially amounts to gossip and innuendo as a means of censoring individuals, determining the right or wrongness of specific behaviors, justifying incarceration, and ultimately enforcing corrective action. This same *modus operandi* looms at the core of *eBay's* ethic.

Conclusion: Programming Panopticism

'Everything that human beings are doing to make it easier to operate computer networks is at the same time, but for different reasons, making it easier for computer networks to operate human beings' (Dyson, 1996: 10). Echoing many of the caveats Norbert Wiener lodges in his book, first published in 1948, *Cybernetics: Or Control and Communication in the Animal and the Machine* (Wiener, 1961), Dyson offers a distinctly media ecological argument, pointing out that '[s]ymbiosis operates by way of positive rewards. The benefits of telecommunications are so attractive that we are eager to share our world with these machines' (Dyson, 1996). Systems like eBay indeed facilitate the control of humans and encourage a willingness to submit to that control.

Now a top-down social organism without a central node or localized command and control center to speak of, fixes hitherto human subjects like Gutenberg's press stamped out its primordial font types in progressively widening patterns of dissemination. And these processes conjure more than just a biological metaphor. They are unmistakably organismic and ultimately ecological in their emergent morphological patterning, as they move from the fringes of society in toward the center of our personal and professional lives.

Endnotes

- 1 The terms 'modern' and 'stable' in no way imply the existence of an authentic self or core identity elsewhere. Rather, they merely point to the emergence of a highly functional self, adapted to the specific requirements of many emerging digital domains like the eBay interface within which users operate – itself a highly rationalized, stable, consistent environment.
- 2 For being so quantified (number of sales, feedback ratings and quotients), eBay's rating system only provides three options: positive, negative, and neutral. In the end this is a pretty unsophisticated meter. It is akin, as Adin opined, to saying: 'I'm more happy than unhappy, therefore I must be happy'. For many Americans this was the quandary they found themselves in when the president asked, in 2004, if we were better off at that point (rather than four years previously). A systematic oversimplification and distillation of personal affect results. However, not all online commodity-based communities are the same in this regard. For instance, Amazon's marketplace offers a 1–5 rating system. If still certainly constraining, this is slightly better in terms of representing personal impression. As of May 2008 eBay no longer allows its users to post negative or neutral feedback. This development is certainly in keeping with the underlying logic of the system.

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