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The Efficacy of Online Shaming as a Modality for Social Control: A Survey amongst UiTM Law Students

Nurul Shuhada Suhaimi[a]*, Anida Mahmood[b], Nur Asma Yahya[c],
Fazlin Mohamed Zain[d], Haswira Nor Mohamad Hashim[e]
*Corresponding Author
[a]Faculty of Law, UiTM Shah Alam, Selangor, Malaysia, nurulshuhadasuhaimi@gmail.com
[b]Faculty of Law, UiTM Shah Alam, Selangor, Malaysia, anidafuu@gmail.com
[c]Faculty of Law, UiTM Shah Alam, Selangor, Malaysia, nurasma031@salam.uitm.edu.my
[d]Faculty of Law, UiTM Shah Alam, Selangor, Malaysia, fazlin.mz@gmail.com
[e]Faculty of Law, UiTM Shah Alam, Selangor, Malaysia, haswira648@salam.uitm.edu.my

ABSTRACT

This paper aims to examine the efficacy of online shaming as a modality for social control. Social control refers to the processes of regulating individual or group behaviour in a society, to encourage conformity and obedience. To achieve this aim, a survey amongst 320 UiTM law students was conducted. A self-developed survey questionnaires with five point-Likert scale was used as instrument for data collection. A cross-sectional data was collected from the survey population. The findings of the survey help to provide an insight on the efficacy of online shaming as a modality for social control. The research provides a beneficial input to the policy makers on the worthiness of considering online shaming as formal sanction. The survey reveals that online shaming is open to abuse where it has been used as a platform to shame, to exact revenge, to intimidate and to condemn people or wrongdoers. This paper concludes that the efficacy of online shaming as a modality for social control is answered in negative, thus not suitable to be regulated as a formal sanction.
Keywords: Online Shaming, Social Control, Efficacy, Positive Effects, Sanction, UiTM Law Students

INTRODUCTION

Online shaming emerged from the internet community response to the anti-social behaviours that may not necessarily require police action (Ho, 2015). The internet provides an avenue for enforcement of customs, values and behaviours and empowers the public to act upon any violation or to right injustices by publishing them online with the intention of shaming the offenders (Klonick, 2016). Online shaming frequently involves the publication of private information of a person on the internet (called doxing) to intimidate the person. Other than doxing, other types of online shaming include teen-shaming, slut-shaming, revenge porn, negative reviews and 'name & shame' commonly

used by the government to punish publicise tax evasion, environmental violations and minor crimes like littering (Carson, 2015). Among Malaysian Muslims, 'hijab-shaming' is among the most common type of online shaming (Nurulsyahirah, 2015).

Due to its widespread use and popularity, online shaming has fast become an important part of a new type of surveillance known as 'sousveillance' i.e. watch from below, where the practice of surveillance is inversed (Mann, Nolan and Wellman, 2003). In the context of online shaming, the surveillance is conducted by the online community and not by the authority. Judging by its objectives and functions, online shaming is both an act of internet vigilantism which is a mode of informal regulation within online communities as well as a form of cyber social control (Wehmhoener (2010), Phillips and Miltner (2012)).

Online shaming is a new terrain yet to be explored, as it was from 2010 onwards that literatures on shaming have begun to focus on online shaming. However, discussions mainly revolved around the legal consequences (Louis, Liaw 2015) and the negative implications of using online shaming as a modality for social control, since it is disproportionate to the offence and inherently cruel (Goldman, 2015; Moukalled, 2015); gives rise to culture of humiliation (Schulten, 2015; Regaudie, 2016; Cheung, 2014); and open to abuse as it lacks procedures (Skoric, 2010). Due to its rampant abuse, scholars such as Fagbenle (2013) and Dewey (2015) equate online shaming to cyber-bullying. Despite the negativity, several scholars treat online shaming as a form of internet vigilantism (Wehmhoener, 2010) and a tool for justice and equality as it empowers women (Kaplan, 2015; Regaudie, 2016), helps the marginalised group to get attention (Dewey, 2016); and provide recourse in the absence of a meaningful legal solution (Philips & Milner, 2012).

Literature review discovers a gap in the study of online shaming in relation to its efficacy as a modality for social control. Assessing its efficacy is deemed important, as any consideration for online shaming as a modality for social control should reflect evidence-based practices. The research provides a beneficial input to the policy makers on the worthiness of considering online shaming as formal sanction and if so, the regulations that should be put in place. The finding also helps to create awareness among public as to what extent online shaming promotes social order. Despite its focus on Malaysia, the research is not only beneficial to Malaysia, but also to the world at large as online shaming is a universal phenomenon.

Online Shaming and Social Control
Shaming inflicts a painful emotional terrain of embarrassment, unworthiness, defeat, alienation or a strong sense of guilt for failure to reach an expected standard imposed either by society or by oneself. At the same time, shaming people makes them feel condemned and disgraced, especially when it is done publically. (Massaro 1997). Shaming has long been used as a sanction to publicise, stigmatise and debase someone's reputation. Through shaming, citizens publicly and self-consciously draw attention to the bad dispositions or actions of an offender, as a way of punishing him for having those dispositions or engaging in those actions (Kahan, 2006). Both legal jurists and sociologists recognised shaming as a coercive power which attempts to repress deviance or undesirable behavior (Posner, 2015). Sociologists also categorised shaming as a form of sanction which the public members collectively mete out to people who deviate from social norms (Dewey, 2015).

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Social control refers to the processes of regulating individual or group behaviour in a society, to encourage conformity and obedience (Anonymous, 2009). Social control is the foundations of order within society and is a form of pressure which society exerts for the purpose of regulating human behaviour or maintaining order (Sampson, 1986). It is also a collective term for usage, technique and device whereby society brings its members into conformity with the accepted standard of behaviour through measures, suggestions, persuasion, restraint and coercion (Pujari, 2016). In the presence of social control, there are laws and social values which should be followed by members of all societies. To ensure compliance and social order, social control applies the 'carrot and stick' principle, whereby conformity and compliance to laws and social norms will be rewarded (positive sanctions); while violation or deviation will attract punishment (negative sanctions).

Within the realm of social control, shaming is classified as a 'negative sanction' for individuals and institutions, ranging from the family, to peers, and to organisations such as the state, religious organisations, schools, and the work place to punish or express disapproval for violation of norms or other anti-social and deviant behaviour (Carmichael, 2012). Shaming is available officially to state or local authorities as a formal sanction and unofficially to the community as an informal social sanction (Bechtel, 1991). Despite its role as a form of sanction, shaming is a tool that the society use not only for social control, but also for other reasons such as to exact revenge, to make a joke or to make one feel superior (Philips and Miltner, 2012). Due to its diverse functions, shaming serves as a powerful tool that is susceptible to abuse.

Mondal (2016) pointed out that, regardless of their differences, both formal and informal social control share the similar function of maintaining social order, with the objectives among others:

 i. To regulate the individual behaviour in accordance to the society's expectation
 ii. To secure member's conformity in accordance to the society's standard and rules
 iii. To bring recalcitrant and deviant members back into conformity
 iv. To force compliance/obedience among members
 v. To avoid conflict among the members
 vi. To establish unity and solidarity among the members
 vii. To maintain equilibrium and stability in the society
 viii. To ensure the continuity of the society
 ix. To help proper socialization of the individual
 x. To check disintegration of social values among members

Despite widespread exploitation of online shaming as an informal form of social control, there is no conclusive evidence on its efficacy as a modality for social control, since there is yet an empirical study conducted to assess the same. Moosa (2014) argues that while online shaming is a convenient method of social control, its efficacy is nevertheless questionable. Scholars are divided over the issue of efficacy, with some are optimistic (Goldman, 2015); Klonick, 2015; Moukalled, 2015) while others

are rather sceptical (Allen, 2014; Ho, 2015). In Malaysia, it was reported that public members are still debating on the efficacy of public shaming since several local councils plan to shame the litterbugs who mess the city (Borneo Post, 2016).

While online shaming has been accepted as one of the modalities for social control (Little, 2012), online shaming in Malaysia is still classified as informal sanction as currently it is not part of a government endorsed shaming sanctions like imprisonment or community service. Online shaming is largely enforced by Malaysian online community through social media applications, open forums, online news portals and blogs (Klonick, 2015). Being an informal sanction, online shaming addresses transgressions of norms and other social values which is a subjective judgment by large and does not rely on laws to indicate when an offence deserves a punishment (Skoric, 2010). Therefore, unlike formal sanction, the type of violations and deviant behaviours that would attract online shaming varies between societies and the severity of shaming is also not fixed and uncertain at best.

Divided opinions among scholars, absence of conclusive evidence and gap in current research, require further assessment on the efficacy of online shaming as a modality for social control, which becomes the aim of this research. In this research, efficacy is defined as the ability to achieve a desired or intended result and the capacity for beneficial effects. The efficacy of online shaming is measured by its ability to achieve its aims/functions as sanctioning agent and its capacity to bring about beneficial effects to the objectives of social control. Its efficacy is impaired if online shaming as sanctioning agent is subjected to abuse or if online shaming undermines social order, which is the main aim of social control. Assessing its efficacy is deemed important, as any consideration for online shaming as a modality for social control should reflect evidence-based practices. As such, this paper will assess the extent and ability of which online shaming fulfils and promotes its objectives and functions as a modality for social control.

METHOD
The research is designed as a descriptive study which employs quantitative research method involving survey. A self-developed survey questionnaires with five point-Likert scale was used as instrument for data collection. The population for the survey comprised of 1780 undergraduate and post-graduate students who were registered to UiTM Law Faculty as at 30th September 2016. A stratified sampling is used whereby the relevant stratum is the student's academic level i.e. Bachelor, Advance Diploma, Master and Doctorate. Sample size is determined by using Krejcie and Morgan table (1970) whereby for finite population of 1800, the required sample size is 317 with 95% confidence level and margin of error at 0.05. To avoid sample selection bias, a stratified sampling is used whereby the relevant stratum is the student's academic level i.e. Bachelor, Advance Diploma, Master and Doctorate. Based on proportionate stratified sampling equation, the sampling fractions are as follows:

TABLE 1: Sampling Data

ACADEMIC LEVELS	LAYER SIZE	SAMPLING FRACTION
BACHELOR DEGREE	1387	247
ADVANCE DIPLOMA	76	13
MASTER DEGREE	289	51
DOCTORATE	23	6
TOTAL POPULATION	**1780**	**320**

A self-administered survey questionnaire was distributed by hand using random sampling techniques between 1 October 2016 to 1 April 2017. A total of 320 completed questionnaires were collected from the respondents. Based on data derived from the survey, the efficacy of online shaming as a modality for social control was analysed. Data analysis was conducted using SPSS v. 24 as a statistical tool for quantitative data analysis. The efficacy of online shaming is measured by its ability to achieve its aims/functions as sanctioning agent and its capacity to bring about beneficial effects to the objectives of social control (Hereinafter referred to as "the Positive Effects"). The efficacy of online shaming is impaired if online shaming as a sanctioning agent is subjected to abuse or if online shaming undermines social order. (Hereinafter referred to as "the Negative Effects"). The efficacy level is determined by finding the difference between the total score of the Positive Effects and the total score of the Negative Effects of online shaming (Hereinafter referred to as "the Scoring Margin"), each with a maximum potential score of 100.

Table 2: Scoring Margin for Efficacy level

BAND	LEVEL OF EFFICACY	SCORING MARGINS
BAND 6	Very High	81-100
BAND 5	High	61-80
BAND 4	Moderate	41-60
BAND 3	Low	21-40
BAND 2	Poor	1 – 20
BAND 1	Nil	Less than 1

RESULTS AND DISCUSSION

Figure 1: Scoring Margins for Efficacy Level of Online Shaming amongst UiTM Law Students
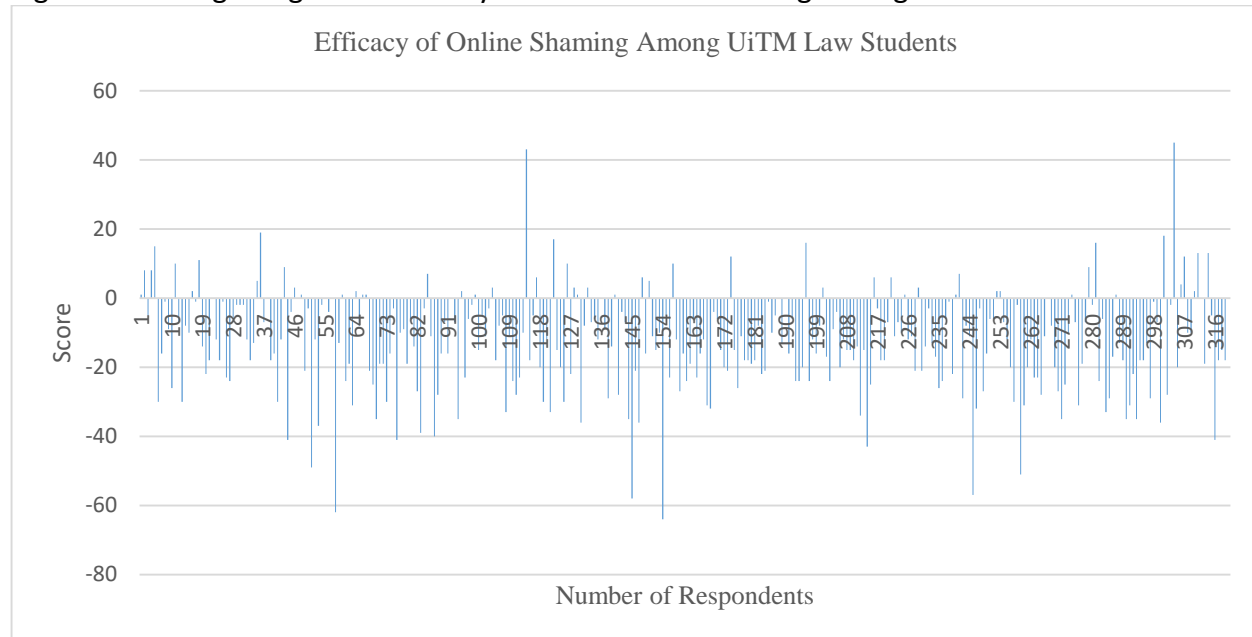

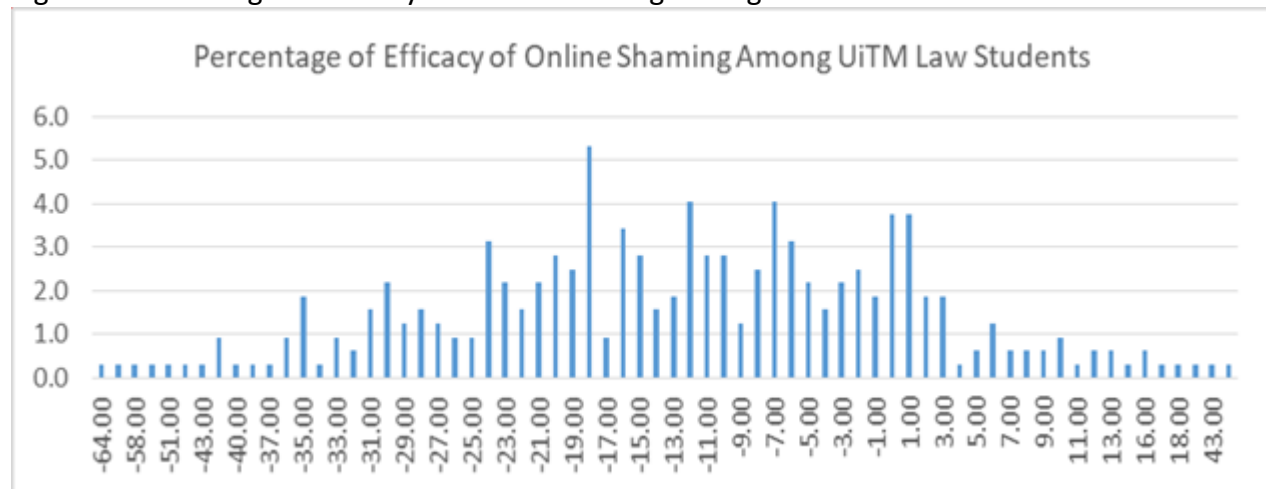Figure 2: Percentage of Efficacy of Online Shaming amongst UiTM Law Students

Figure 1 and Figure 2 show the level and percentage of scoring margins for efficacy of online shaming for 320 respondents surveyed.

Based on the survey conducted, the highest scoring margin is 45, equivalent to Band 4. The score was recorded from one respondent. The lowest scoring margin is -64, equivalent to Band 1. The most frequent scoring margin is -19 which recorded 5.5% response rate. Over 70% of respondents reported scoring margin between -1 to -64. It follows that, the scoring margin above 1, equivalent to Band 2 was recorded from less than 30% of the respondents.

From the above analysis, this paper finds that online shaming has a very low level of efficacy as a modality for social control. Therefore, online shaming is not suitable to be used as tool to promote social control. The survey results also indicate that, instead of functioning as an instrument of social control, online shaming undermines social order, as it was exploited for humiliating, harming, degrading and punishing the wrongdoer. Since online shaming fails to promote the objectives of social control, the act of online shaming is not expected to produce positive effects.

CONCLUSION
Based on the above discussions, it can be deduced that the efficacy of online shaming as a modality for social control is answered in negative. Hence, online shaming is not an appropriate mode of informal social sanction. The prevalent culture of online shaming does not produce the positive effect as hoped in regulating the societal behaviour. Conversely, online shaming nurture harassment and bullying within the society. The arbitrary and unpredictable nature of online shaming unfairly punish the offender in the process of asserting social to control. Thus, online shaming though recognized as an informal sanction, in effect in brings more harm than good. The findings of this research are consistent with the previous studies conducted by Goldman (2015), Moukalled (2015), Schulten, (2015), Cheung (2014), Skoric (2010), Fagbenle (2013) and Dewey (2015). Though the findings are limited to a small segment of population in Malaysia, they provide useful insight to the policy makers on the urgent need to regulate online shaming as a formal sanction. Due to the limitation of this research in terms of scope of population, future research is needed to extend these findings to other respondents at national level.

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