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**Loyalty Cards, Shopping Practices, Consumer Surveillance and issues of
Data Protection**

abstract:

The article focuses on consumer surveillance by way of looking at loyalty cards and their role within shopping practices. Starting from the premise that shopping constitutes a social and cultural practice within which loyalty cards are used, I will argue that discussions about consumer surveillance regarding data retention etc. do not resonate with the narratives that exist around loyalty cards. Discussing the results of a qualitative study, I will show how loyalty cards are embedded in shopping practices and serve as a narrative means to construct, establish and maintain trusted relationships between businesses and consumers. On this basis, I will show why discourses of data protection regarding loyalty cards are of limited reach only.

1. Introduction

„It is easier to agree to the offering of personal information when the data-collection process is automatic and hassle free and when we are compensated.“ In this statement Gary Marx (2006, 40) stresses a very important aspect of consumer surveillance and its inherent mechanics of seduction and data collection. At the same time Marx is missing an important point in that he seemingly makes no differentiation between consumption on one side and consumer surveillance on the other. While the latter is all about personal information and data collection, the former is not. Consumption, I will argue, is a practice and loyalty an integral part of it, and this is one reason why there is little if at all any place for concerns about data collections or indeed protection. Loyalty is about home, about belonging, about family.

While Marx's arguments sound reasonable and very true indeed looking from a surveillance point of view, conducting an analysis of consumer surveillance without focusing on the consumers themselves means to tell only one side of the story. However, consumer surveillance has a lot to do with what the consumer does and how he or she does it, but not taking into account how consumers actually rationalise their consumption behaviours and more, how they situate themselves in it and tell about it, will always leave us with a sociological approach enacted through the discourses of data collection or personal information economy. From such a perspective consumers are mainly viewed as data giving subjects and much less as active participants in self-chosen and self-shaped practices that among other things provide them with agency and constitute them as active consumers and eventually subjects. The problem of data collection and the political economy of consumption as an aspect of social formation takes centre stage, not the consumers themselves.

Therefore I would like to argue for an approach that looks at the actual practices of consumption and the consumers' narratives of shopping. The focus on shopping originates

on the idea that it constitutes an every day practice in which aspects such as consumer loyalty and the use of technologies for consumer control are taking place. It even can be used as a means to uncover (cf. Miller 1998, 4) other aspects that are not necessarily about shopping, but are relevant in regards to social relations, matters of trust or eventually issues of the sharing of personal information in a consumer context. Shopping is used as the field and site where consumer surveillance practices are carried out and may potentially be negotiated or even resisted. The consumer as an acting subject is the centre of the study's attention. The narratives around shopping and one of its technologies and artefacts, i.e. loyalty cards, are then taken as the prime material for the analysis. Loyalty cards seem to be a germane subject to combine the two aspects, i.e. consumer surveillance and consumer's shopping practices, as they create the crucial interface between the two spheres within the bigger context of consumption as social formation.

Although it is obvious why loyalty cards are issued to customers, and why the marketing departments of retailers believe such a customer relation technology to be a successful tool, namely the gathering of data - consumers use the cards in their daily shopping practices and hence embed them into their daily lives, potentially stripping away the brand marketing and consumer loyalty aspects that the shops and corporations thought of. This is why I approached the subject from the perspective of the consumers themselves, their practices, and their narratives of shopping of which loyalty cards are a part. In this article I will explore the possible reasons for this and further how loyalty cards are embedded into the everyday practices of shopping and the establishment of social relations.

It should be noted that the relation between consumers towards loyalty cards is highly contradictory. As Pridmore notes, consumers are increasingly aware and concerned about corporate gathering of personal information, they nevertheless participate at relatively high rates in programmes designed to extract this information (cf. Pridmore 2008, 159 & 182; similar arguments are made by Turow 2006, 292ff). This statement relates to some of the findings in my study about consumers and their shopping practices, which is the basis of the following arguments and the analysis of this article. But precisely because this contradiction exists, it is more than apt to ask why this is the case and how it may be explained. With this endeavour I will try to make a contribution that goes beyond the so far undertaken research into the field of consumer surveillance, data collection and shopping or consumption, that has neither focused on consumers as actors, nor on shopping/ consumption as a (socially or culturally shaped) practice. My empirical research on loyalty cards will be the focus of my attention for the arguments in this article.

2. Loyalty cards, public discourse and consumer surveillance

Public Discourses about loyalty cards can be roughly placed in two categories - those that warn of its „dataveillance“ potential and the insecurities connected to them; and those that praise the benefits and advantages for the consumer. The latter are clearly arguments and discourses of a marketing industry that wants to sell the products of any given retailer or company, from grocery stores to airlines, from gas stations to expedition outfitters. Academic engagement with this technology and its material artefacts can likewise be put into two categories: loyalty cards and their role as surveillance practices on one side and marketing research on the other. The latter however takes on many perspectives and is not restricted to market research as such, but equally engages in a variety of interesting approaches that resonate with other findings concerning shopping as a social practice.

Consumer protection or advocate groups and data protection activists have a generally critical perspective towards loyalty cards. They argue that companies collect too much data of consumers, which can be used in a variety of ways, including illegal ways to produce profiles of behaviour, mobility, preferences or personal attitudes. Brochures advocating cautious uses of one's personal data, criticise data collection policies of companies and point at security holes in database systems, e.g. regarding online banking systems or other. Their research focuses on the data collection and protection policies of companies and the value of the promised and advertised benefits and bargains that come with loyalty cards - something that is inherent in them and represents the crux of this technology in the first place. Their aim is to protect the consumer as a person and as the holder of his/hers personal information and want to raise awareness in general. The range of their advice and the followed strategies vary considerably - from educational forms of advice for safer consumption, to lobbying for better laws and the safety of personal information, to open activism, rallying and radical political engagement. especially given the few recent major data scandals that came to light and made the public aware of possible data insecurities (in Germany: German Rail, Payback, Deutsche Telekom among others, but surely in other countries as well). Many examples can be found on consumer advocates and data protection groups' websites and leaflets. What these groups and activists centre around is the consumer's rights and the more general rights of citizens to retain the right of informational self-determination - although laws and the philosophies of data protection differ in detail from country to country (cf. Greenleaf & Rule 2008). The consumer as an active and consenting participant that may regard shopping and consumption practices as something different than the possibility to be skimmed for its personal information does never occur in these discourses, the many manuals and advices issued by them. The question is, whether they are not aware of shopping and consumption being something else than an economic process, in which it is important to look for the best deal? Or, whether this aspect of shopping does simply not play a role when it comes to data protection and the possible rip off regarding the offered benefits and bargains connected to a loyalty card?

Quite to the contrary, the marketing machines of loyalty card schemes and many companies are painting a highly positive picture of their beneficial schemes. Advertising for loyalty cards circles around the promised economical advantages, life style issues and the aspects of belonging to some greater community of common users or even a family (IKEA). Data protection is not an issue that is dealt with up front, nothing that is used to attract consumers to choose a particular loyalty card. Although many slogans may be easily identified as crude slogans of advertisement by consumers, the marketing brains focus on entirely different aspects of consumption than do consumer protection groups (on advertisement cf. also Turow 2006). When being criticised for weak data protection policies, companies most often do engage in debates and many times also respond in a positive manner concerning the importance of data protection and their cautious attitudes towards the issue. The active consumer however is only a reality as long as he/she is consuming and more important coming back for more. Brand/shop/company loyalty - with or without a particular artefact- is of prime interest to any retailer or company. Although the marketing people are closer to the realities of shopping as represented in narratives by the study's participants, than are the consumer groups and data protection activists, their ultimate goal is to get the customer into the shop and leave with a big bag full of goods. Thus, the consumer becomes a customer and a customer must be known in its behaviour as well as predicted (and at best steered) in its consumption. And getting to know the customer means gathering data about him or her. So by way of loyalty, through offering a sense of belonging and other strategies based on the knowledge about consumers in

general (cf. Pridmore 2008, 85f), strategies have been developed to get to know every particular customer a little better.

Loyalty cards are intended to build on relations that may exist towards a company or brand, in order to generate more in depth knowledge to further optimise the retailing process and eventually the company's profit (cf. Turow 2006, 293). Although this might sound banal, I will show how these strategies may resonate with particular narratives of shopping in general and loyalty cards in particular. From these short descriptions of existing public and marketing discourses it becomes clear that virtually the two have not much in common and are rather antagonistic. Data protection policies may at best become part of a marketing strategy, but not necessarily an intrinsically important issue for companies. Seen from such a perspective, it is easy to see why loyalty cards are situated at the interface of consumption and surveillance, in which they can be considered as a consumption control technology. This however would mean, not to account for a consumer's perspective, which is my aim and, as I will argue, will contribute to the understanding of the importance of practices when analysing surveillance technologies and strategies. Such an undertaking will be best achieved with an approach that is rooted in the cultural anthropology of technology, paying attention to social practices and the consumers' narratives of technology use (cf. Hengartner 2009).

Academic discourses

Similar to the public discourses, it is also possible to distinguish between different forms of academic research concerning loyalty cards. Not in order to show that different disciplines take different approaches towards a particular field, social phenomenon or technical artefact. But because such differences are connected to those that I have been highlighting in the paragraphs above and which can be summed up as „surveillance vs. marketing“. Pridmore has written the so far most comprehensive study on loyalty cards as a tool of consumer surveillance (cf. Pridmore 2008), in which he concentrates on the cards' role in a personal information economy or the informational capitalism (cf. Wall 2006, 340). He also discusses the relevant surveillance literature on consumer surveillance, in which the acts of shopping and a perspective of loyalty cards within a field of everyday practice do not play a role at all. The concentration is on the data, its collection and uses as well as on the panoptic consequences brought about by the omniscient corporations. Much less attention is directed towards the appropriation of the technology by the consumer and further meanings that may come along with the material artefact.

Turow analyses loyalty cards as part of the strategy to „crack the consumers code“, to get to know how they think and ultimately to discriminate good customers against those that are deemed not important. Data is the key to achieve these goals (cf. Turow 2006, 292f; also Marx 2006a) and advertising is a powerful means to steer the future in which data is used without people's consent (Turow 2008) This is important on the account that loyalty programmes imply a connection between marketing practices and consumer spending as a cultural circuit „*that maintains significant social implications for the processing of consumer data in the personal information economy*“ (Pridmore 2008, 13). Such a „cultural circuit“ enables to connect a study that focuses on the everyday practices of shopping, in which loyalty cards are used, with the those discourses of consumer surveillance that are mainly sociological approaches towards consumption. concentrating on aspects of commodification and the larger system of capitalist reification and consumption as social formation (cf. among others Shields 1992; Bauman 2007 & 2009; Schrage 2009). In this context most if not all surveillance literature on consumption is placed. I do not want at all to argue that this is misleading, but to introduce research that wants to take a closer look

at the sites and practices where shopping is taking place (cf. Miller 2003, 73), where and how loyalty cards are being used and what this might imply for consumer surveillance and the communication of data protection and consumer surveillance issues.

But loyalty cards are not only subject to research on its potential controlling and profiling qualities. Marketing and business literature focuses very much on the concept of loyalty and its critical implications. Although much of the literature does not show an interest in what the consumer as a customer actually does and how they themselves may interpret loyalty, there are some approaches that give at least an indication that marketers have understood aspects of an everyday practices such as shopping as some examples show. Gómez, Arranz & Cillán for instance look at how loyalty programmes affect different kinds of loyalty, i.e. behavioural and affective (2006; also Lim & Razzaque 1997). Rundle-Thiele conceives loyalty as a relational construct that helps to establish a reciprocal relationship eventually setting a brand apart (2006; also Prus 1987 in an ethnographic study concerned with the development of loyalty as a social relation; also Arvidsson on brands 2005). Others ask if loyalty programmes are actually increasing customer loyalty or not. Rosenbaum, Ostrom & Kuntze integrate a notion of community into their research, again something that goes beyond the mere economical rationale of marketing. Beckett & Nayak (2008) are again stressing the fact that loyalty cards are about knowledge about the consumer, but also about collaboration between the consumer and the retailer, which may lead to „*new marketing opportunities and greater loyalty*“ (Beckett & Nayak 2008, 306). His argument is that loyalty cards can achieve what is not possible through traditional mass marketing. In many cases the strategies behind loyalty marketing can be recapitulated as being about „*rewarding repeat purchase behaviour and, through communication acts to stimulate Loyalty trends for the further repeat purchase*“ (cf. Capizzi & Ferguson 2005, 80). Eventually all loyalty programmes are about the close linkage between a business and its customers and hence the collection of data, to classify and sort them by categories as can for instance be shown in a „*guideline to successful loyalty cards*“ that was published in an industry magazine and partly edited by the University of Münster's Institute for Marketing (Krafft & Klingsporn 2007). But as Beckett & Nayak argue „*the significance of CRM lies not only in its individualization of marketing and the objectivization of the consumer, but also in its attempt to subjectivize the consumer through the construction of forms of identity with which consumers are encouraged to identify. The emphasis here is not one of the individual being governed by producers, but individuals governing themselves through association with forms of identity promoted by producers*“ (2008, 300). They see a CRM (customer-relation-management) assemblage emerging, consisting of information communication technology, databases and software, loyalty cards and e-mail, which seems to be capable of far greater levels of individual identification and classification than currently possible. I would like to extend this assemblage and add the practice of shopping to it, in which the above aspects are situated and which is the setting for the data collection, the loyalty cards and the establishment of loyalty in the first place.

3. Narrations of shopping

Although consumption and consumer surveillance is the overarching theme of this article, I do not want to discuss consumption as such, but understand the role and meaning of loyalty cards as a consumer control technology through the field of its use, i.e. the everyday practice of (often mundane) acts of shopping. Acknowledging that consumption has wider implications and can also be viewed different perspectives, most prominent as social formation within a capitalist system of commodification and economic exchange, lifestyle and the production of identity (cf. among many others Slater 1997; Hellmann

2005; Bauman 2009; Schrage 2009), I will however concentrate on shopping as a means to uncover (cf. Miller 1998, 4) in this case the implications of loyalty cards and indeed issues of loyalty, trust and social relations.

To understand the use and contradictory narratives around loyalty cards it seems necessary to understand the practice in which this technology is used, namely shopping, be it mundane everyday or leisure shopping. I am building on approaches introduced and discussed by Miller (1998, 2003) Miller & Slater (2007) that argue for a study of consumption as an everyday practice in its own terms and as a way to reconstruct everyday life as a sphere of practice and agency (cf. Miller & Slater 2007, 8f). I am not subscribing to a particular definition of practice for this case, but will loosely connect to Warde's discussion on consumption and the theories of practices, who argues for practice as a routinised type of behaviour consisting of various elements. They are co-ordinated, but also require performances for their existence. Consumption for him is a process whereby agents engage in appropriation and appreciation of goods, services information or other, hence consumption is part of every practice, not a practice itself (cf. Warde 2005, 133ff). In talking about shopping people would talk about this practice and reveal narratives that would also explain the uses of loyalty cards and the lines of argumentation that are employed to either support or reject this technology for their very personal use. Methodologically the material was gathered in group interviews and evolving around the themes of shopping, discounts and finally loyalty cards, the latter were not identified as being part of the interview beforehand. As it turned out, interviewing groups of persons about their everyday shopping practices, consumption habits and the use (or non use) of the artefact loyalty card, yielded very interesting answers that are worth reflecting on. Especially as the subject of shopping was indeed only a means to uncover other aspects of everyday social, cultural life and how one relates to a world that was not theirs to make in the first place (cf. Miller & Slater 2007, 6). What I did find was a multiplicity of narrations on shopping that were highly contradictory and often not even about shopping at all, but circled around issues of family, gender, social relations, politics, partnership, trust or loyalty, often more than one at a time. Money, shopping habits, goods, gifts and other issues inherent to shopping were stated as well, but not exclusively and not primarily.

Although we gathered many narrations on shopping, it seems hard to categorise them into distinct narratives of shopping, with which shoppers and their habits and particular practices could be classified and eventually set in relation to their use of loyalty cards. Such an endeavour will probably be possible, but I have doubts that the multiplicity of shopping narrations and the contradictions will be equally transparent, as the latter seem to be one of the foremost features of shopping practices. As much as shopping constitutes an everyday practice, the everyday lives of people appear within the narrations about this practice. A couple of interview statements may highlight this. On the basis of their analysis I will argue how the identified streams of argumentation concerning loyalty cards are deeply rooted in those narrations and therefore their use constitutes a cultural practice that disregards a personal information economy for the most part. Hence there is little room for concerns about data protection and consumer surveillance.

One important narrative figure that is featured in these interviews is that of social relations in general and partner relations in particular. Three quotations from different interviews give three different examples and accounts of this narrative figure.

„This is a good thing (*responding to an earlier statement by another interview participant*). My husband has to stop there every time and then, it is a little sad, but they have a small cafe there and I buy him a newspaper. I drop him there, he can go to the toilet and I get a time

when I have to be back and then I am off shopping“ (Interview 4, person a, line 23, *all quotes my translation*)

Contradictory to this statement, the same women is trying to avoid company when going shopping:

„...only alone!. When a women friend asks: „do you want to go shopping?“ I am trying to block it off. I just do not like going with someone tailing me and then they look here and there. I am a maverick and have to do it on my own (4-a-53)

Another women says she loves to accompany friends on shopping tours:

Very often I am the company for girls friends when they shop, as a consultant. I love to spend the money of others (11-b-163)

The last example is also about a relation, however one that does not have to be present.

I was shopping today, but no groceries, but for my son. I go to Frankfurt for two days. I bought a St. Nicholas present for the wee boy. And well, groceries, I buy daily at *Penny's* (5-a-82)

The last quote would fall into what Miller calls *shopping as love-making*, i.e. shopping with the concern for others, loved ones. In this case her son, who lives in Frankfurt and whom she does not often see. The women was interviewed with few others in a Hamburg soup kitchen and help centre for homeless or socially needy persons. Her account concerning her son was very intimate and reflected more of her personal life circumstances than about her shopping habits. The other quote refers to social relations between people (or the avoidance of them in particular situations) and also bring up the issue of gender regarding shopping and partner relations, which were echoed as well as modified in other interviews. Going shopping or going to buy something involves more than the simple transaction of money for goods. Talking about it, highlights these more than the others. Shopping is about situating oneself in relation to others and providing a (narrative) context in which this can take place. This context can be about a partnership (like above), it may be about a particular (imaginary) space or about particularly qualified relations, e.g. trust or other reciprocal exchanges.

A further striking narrative figure was that of community and reciprocal trust and mutual reliability. The essence here is described with the term „knowing someone, some place, been known by someone, one's retailer and so forth.

That shop is a slightly more expensive, but I can come always come back, when I have a problem. You always get a qualified advice there. And they fix things. And he is consulting you. He asked, if I would use the phone a lot and then he advised me, and I thought, well I might spend 2 Euro more per month, but that is just as well then. (10-b-253)

I go consciously into „my“ shops - because I find this quite beautiful, if someone recognises me and it is exactly this corner shop effect, as if that shop alone makes you happy, or satisfied, because you get the feeling that you are included in a way. You simply do not have have an overstressed till girl at the cash register. (11-a-539)

It is quite exciting to go there, and there is this long queue. It starts around 5 pm and mostly I am there 20 minutes before that. There are a few other people and then you talk a while with

them. They cannot sell the bread cheaper any earlier than 5. And some people you know already and then you talk like in a village. (4-a-3)

Advice, knowing and been known, the imaginary place of the village with all its connotation, community and a mutual understanding of belonging seem to be stressed here and in many other statement. Narrations about shopping are narrations about social and cultural life, but also about social changes, when someone is complaining that „*good advice is rare these days*“. Shopping seems to mirror everyday live practices and can be *fun* too. Some persons said that shopping is something they *relish*, while others find it rather tedious, however that may also change with the kind of shopping that is talked about. Often more than one subject is addressed at one time and different themes are connected to each other. These few examples show how shopping is used to negotiate and discuss various aspects of everyday life. Issues such as gender, partnership and social relations in general were equally important as that of community; other narrative figures were about the fun of shopping, shopping as love-making (cf. Miller 1998), i.e. to see shopping not as something selfish, but as directed towards others (care, gifts, devotion); also critique was stated, e.g. when talking about the available monetary means for shopping one person said that he would only buy as much as he needs, *but other people would throw away too much stuff, while many people in the world had nothing to eat*. As undifferentiated as this statement may be, it raises critique and situates shopping in a wider context of consumption and the consumerist capitalism, while being very personal and about personal shopping habits and practices at the same time.

Without taking the analysis of shopping much further, the point I am making here is, that shopping as an everyday practice is equally used as a narrative vehicle for everyday life and negotiations of its various aspects. Of this particular everyday practice loyalty cards are a part. They are used for and during shopping. So I assume that argumentations for or against loyalty cards as well as the narrative figures that evolve around them are connected to those of shopping.

4. Loyalty cards: streams of argumentation

When asking my interview partners about loyalty cards, I did also ask for the reasons why they possess them (or don't), which generated a couple of distinctive streams of argumentation, i.e. narratives about loyalty cards along which it was possible to categorise the statements. These streams of argumentation were indeed relating to narrative figures of shopping practices, situating the CRM technology right in the centre of shopping as a practice that is embedded in cultural and social life. Moreover it seems that loyalty cards have many of the social as well as the culturally formed relations inscribed into it. In some way it can be said that loyalty cards are part of these relations, or even make them and are not only their result. When it comes to the subject of data protection, the interviews also yielded interesting results that can be used to discuss the problem of communicating data collecting as consumer surveillance to the consumers. This analysis will also contribute to answering the question why such communication is a problematic issue - at least concerning the issue and practice of shopping.

The identified streams of argumentation are quite different, however, I will not present them as a hierarchy. While some are more important than others, some are complementary and dependent, yet others virtually exclusive. I will lay out and discuss the streams of argumentation and argue how they constitute a practice that is also about

everyday life, social relations and wider cultural practices. The different streams that I identified are:

- *bonuses / points* - arguments broaching explicitly or relating to the offered benefits, both negatively and positively.
- *deal / profits* - following on the former, this streams puts the profitable aspects in the centre of the arguments given.
- *trust* - is about arguments that speak about the relation and feelings towards a particular business, mostly in a positive manner.
- *shopping habits* - explain the shopping habits, including the somewhat rationale „I always buy there“ and explains a precondition for trust.
- *compulsion / obligation, indebtedness* - mostly used as a negative argument, which raises concerns about obligations that are no legal precondition of using such a card
- *family* - narration in which family and friends are mentioned, either as benefactors of points or bonuses or because they play a role when using the card, e.g. shopping together or for someone.
- *fun* - Either fun with the card or fun while shopping and using the card, including a passion for collecting points, miles etc.
- *scepticism/data protection* - arguments that raise concerns about data protection issue in relation to loyalty cards. Often these arguments are the background for other streams.
- *refusal / denial* - collects heterogeneous statements that express denial that is not based on data or obligation issues.
- *materiality* - sometimes the card itself is made the subject of the argument, i.e. the card appears as an artefact and not simply as part of a practice.

None of these streams are used exclusively, however those persons that refuse loyalty cards tend not to speak about the profits or the fun factors. The first four streams - points, profits, trust and shopping habits - are the most used ones. It becomes instantly clear that economical thinking is not neither the only, nor the overarching argument. Shopping habits and trust are closely related, as many users own loyalty cards of store „X,Y or Z“, because that is where they go shopping anyway. And they are going to that particular shop because they trust it. Hence a loyal relation that already existed through shopping patterns in an everyday practice is acknowledged, confirmed or even sealed with a card. Loyalty is rewarded by the store/company with benefits, but also the consumer is rewarding the store with its trust and commitment for their good services. Some of the arguments brought forward within the trust-stream indicate that this about a social relation, with a mutual engagement:

At *Douglas'* I get a 5 Euro voucher at my birthday, I like that, they are really investing in me. (11-b-656)

Or consumer express a form of affiliation to a company that one would normally find in a social relation or be about other issues than a company-customer relation.

Of course, *Budni!* That is a question of honour!. (1-b-218)

At *Budni's*, I can agree with that (10-a-309)

Each of the identifies streams is highlighting a particular issue and feature that also can be found within practices of shopping - sometimes these are supported or contradicted by

others - often in narrations by the same persons. The arguments within the stream of „bonuses/benefits“ are clearly about the promised benefits - the compensation in Marx's argument - but also reveal the persons' knowledge of the particular features of different cards. This stream is linked to the second one on „profits“, the one gathering the arguments that are directed towards the economical purpose. The arguments circle around something being „worth it“ or someone „making a profit“ or even some undefined „expected promises“. These two streams of argumentations relate to the more functional features of loyalty cards. Trust and shopping habits refer to more social aspects of shopping, e.g. the establishment of a (mutual) relation towards another entity similar to that of another person. With that loyalty cards and their use are placed within the practice of shopping rendering to something wider than a purely rational and economical exchange. Particularly interesting in this regard is the stream of „compulsion / obligation, indebtedness“, which consists of exclusively negative statements, e.g. why a person does not own a loyalty card.

I do not want to be compelled to go shopping there, because of the card, even if I do not go there most of the time (9-a-966)

You feel obligated to buy there (12-a-551)

... then you must buy there because of the bonus points (12-b-552)

One statement that was not used in a negative way nevertheless used the narrative of obligation when talking about going shopping somewhere else (in this case a car wash):

I can become unfaithful/disloyal when going to *Mr. Wash* instead (11-b-616)

I find it interesting that arguments used to explain the denial of loyalty cards do so because of a feared obligation that seems to be established through loyalty cards. Although there are no positive statements that make use of „obligation“ or „compulsion“ as an integral feature of loyalty cards, I would argue that this is a major feature, and hence situating the artefact in the centre of a mutual relation that is enacted in the practice of shopping or is indeed is the practice itself. The loyalty card is not longer an add-on to the practice but the embodiment of the relations within shopping and thus about the everyday life itself. Arguments that broach the issue of „family“ connect to the shopping-as-love-making-argument by Miller (cf. 1998), because the loyalty card is seen as a way to reach out and involve more people than the actual user, be it children, spouses, parents of others considered to be family. This again situates loyalty cards in a context where trust and intimacy is important. At this point one might say that giving away one's data is all about intimacy. But when loyalty cards are the seal or acknowledgement of an „intimate“ relation, the sharing of „intimate“ data is not longer of particular concern, but exactly what is done among the partners in such a trusted and established relation. Data protection and the awareness of possible misuses of the data are addressed, but they do not form a very dominant nor strong stream of argumentation among the persons interviewed. Also does scepticism not necessarily lead to the denial of a loyalty card (only in some). In other cases it rather seems like a rational evaluation of risk. However, it becomes visible from the interviews that those persons being sceptical about loyalty cards because of data protection issues, are less likely to have a relation towards a company that is build on trust, and are also more „rational“ in their shopping practices. But they constitute a minority among in my sample.

5. Loyal consumers: misunderstandings and communication gaps

From the above analysis it becomes clear that consumer surveillance actually happens within a field of practice that has very little to do with this data and with being aware of this data (a point that was stretched in the analyses by Marx and others), however the issue of trust is a major aspect in the relation. I am not questioning the goals and work of consumer advocates and data protection commissioners, but I am afraid that much of the communications on data protection is lost to consumers, simply because it is of no concern when it comes to shopping and thus using a loyalty card. When speaking about privacy education and if this could help consumers, Pamela Jones Harbour from the US Federal Trade Commission makes a good point as to why consumers and data protection are two issues on two different platforms: *„Behavioural advertising as a practice is largely invisible and unknown to consumers. Consumer value the free benefits of content that advertisements supports but they may not understand the role that data collection plays in providing that benefit“ (2008)*. She goes on to explain findings that see trust as being of fundamental importance in the relationship between businesses and consumers, who are both embracing transparency and consumer autonomy alike. Although she addresses the same problem as I, she puts the problem of data protection to a lack of knowledge and the form of (behavioural) advertisement, while I would argue that shopping is simply not about data and even not primarily about economics.

Many of the persons I interviewed had some knowledge about data protection in relation to loyalty cards, but mainly seeing it in regards to additional advertisement and not concerning possible profiles or consumer surveillance as such. It seems that there is a contradiction here between what people say when explicitly asked about data and data protection issues and when talking about loyalty cards within shopping practices. It is an interesting contradiction and one that seems to *volatilise* for the time being when it comes to the every day practice of shopping and thus using loyalty cards with that practice.

On the contrary when asking about online banking and banking issues in particular, the interviewees' knowledge is different and their caution much higher. That may have to do with the fact that banking has a lot to do with secrecy, highly intimate information, whose disclosure is something that is neither talked about to anyone strange, nor very openly to friends or family, cultural differences certainly apply. Bank issues have a lot to do with trust, but much less with building relationships or situating oneself in relation to others and within the wider system of consumption (identity formation, style, resistance etc.), as it is done through shopping.

So there is exists a communication gap between the concerns raised by consumer advocates and data protection activists and commissioners and the ways in which loyalty cards are embedded into practices of shopping, which in itself has a lot to do with trust, but neither with data collection, nor with control or surveillance at all. Awareness for data protection concerns is so far operating on different level and not addressing features of shopping practices. If the (highly important) message want to be heard, it has to account for the fact that shopping is about so much else than the economical benefit or the possible control of someone's groceries, its whereabouts or habits. To be a loyal consumer is valued not only by businesses, but also by consumers. Marketeers have understood this and are addressing consumers as customers accordingly. It is of no surprise that loyalty cards are given names such as *„WeloveyouCard“* (Yves Rocher). Love as a strong form of loyalty gives them a feeling of autonomy, of belonging, of mutual trust by establishing a relation. Sustainable communication of concerns about consumer surveillance has to operate on this level and within this practice, or it will be lost.

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