

CHAPTER 5

MECHANISMS TO IMPROVE ACCOUNTABILITY
FOR PROBLEMS ENCOUNTERED ON-LINE

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As the previous chapter suggests, the public wants a wide range of actors and sectors to play a role in the governance of the Internet. There is also a desire, however, for new mechanisms that might provide people with better ways to fix the problems they encounter on-line – such as by reaching real people, at a real place, with real power to take action.

MECHANISMS: A REAL PERSON, A REAL PLACE, AND REAL ENFORCEMENT

A large segment of the public is looking for more control and accountability when it goes on-line, and is not sure how to find it. As they encounter retailers and content providers on-line, they are looking for procedures and on-line entities that can help them resolve their Internet-related problems more effectively. Above all they are looking for help from a real human being, the

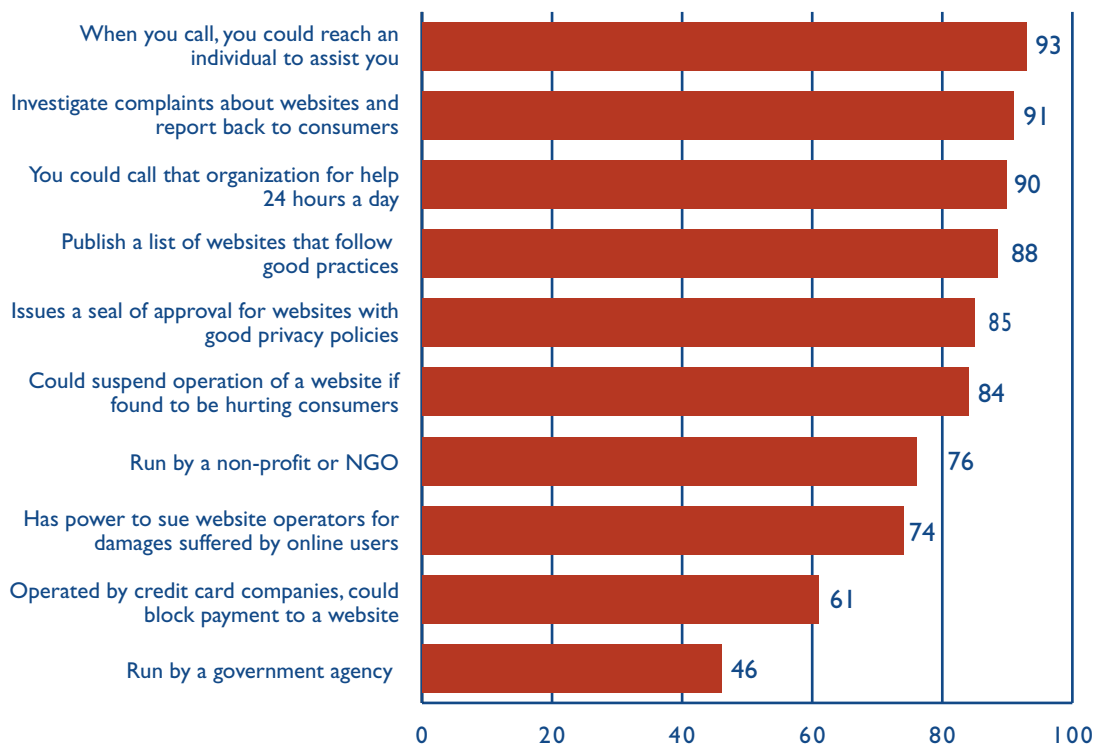
The Internet – it’s not human contact. If you take something back [to a store], you are actually sitting there talking to someone. Here, they don’t know if you’re telling the truth or if you’re lying. There is no contact with anybody.

Young men and women, Omaha, Internet non-users

FIGURE 1

Organizational Qualities

Percent saying this capability is very or somewhat important



“Now imagine that new organizations are being established to help individuals and consumers who experience various types of problems while they are on the Internet, such as privacy or consumer protection problems, not simply problems with your computer or its software. I am going to read you a series of features the new organization might have. For each one, tell me if it is an important feature for an organization to have in order to meet your needs regarding the Internet.”

involvement of organizations with a real physical location, and a role for groups that have the ability to take binding action when problems occur.

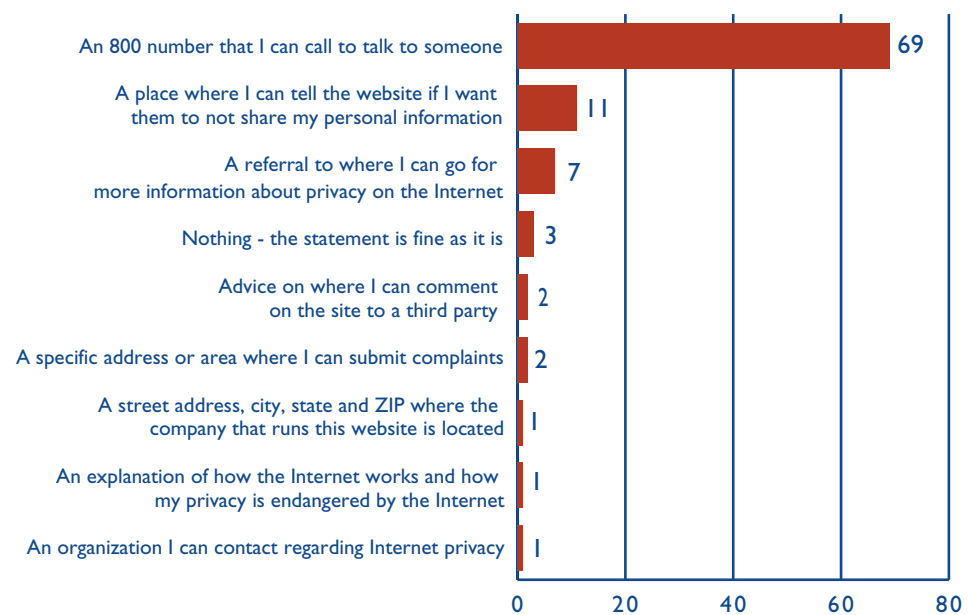
A real person. First, the public appears frustrated by its inability to locate a human face or voice when it tries to address problems it experiences on-line. We ask public respondents about the qualities they would want for new institutions that play a role in solving problems they have on the Internet. The strongest response among the ten characteristics we tested comes in response to: “when you call the organization, you could reach an individual to assist you.” Fully 93 percent of the public says this is an important characteristic for groups working to resolve on-line problems, including 78 percent who say it is very important. (See Figure 1.)

More than any of the other characteristics we tested, this one elicits notably stronger support from members of the public who are currently on-line. The on-line public is 9 points more likely than their non-user counterparts to say that it is very important to have institutions with “face” (81 percent compared to 72 percent).

Similarly, in our on-line survey of the public, after we show respondents a sample privacy policy statement (as described in the sidebar on Privacy), we ask them what they felt was missing from the statement. By far the largest response to this question was that they wanted a “1-800” number where they could talk to someone to get more information. (See Figure 2.)

FIGURE 2

Privacy Policy Elements On-line Respondents



“What do you think should be included in this privacy statement that currently isn't included?”

Comments from our focus groups hint at the frustration the public now feels in response to a faceless array of companies and organizations involved in running the Internet, and the greater comfort they draw from the presence of a real person in the off-line world. These feelings apply to a broad range of Internet experiences – from trying to return on-line purchases, to obtaining medical information.

[The difference between registering to vote in a mall vs. registering online] I think it's just the human contact, you're seeing a face that you're giving information to. It's probably some old lady that looks to me that you can trust her. You see things like your Grandma. [Young men and women, Omaha, Internet non-users]

[Ordering from a catalog vs. ordering online] Probably psychologically, you're getting a little more of a trust factor. They can still be ripping you off. But since you're hearing someone's voice, it's probably a little less serious. It's just not some mainframe computer you're talking to. [Young men and women, Omaha, Internet non-users]

If you buy it at a store, you can just take it back to the store and you are there in person. But over the Internet, you have to find someone to mail it back to. [Middle aged women, Omaha, Internet users]

[Catalog shopping] You're actually talking to someone, someone is there. [Young men and women, Omaha, Internet non-users]

Much of this desire to connect with a real person clearly derives from the public's commercial uses of the Internet – their desire to talk to someone if they have problems with an on-line retailer, for example. Yet the research suggests that this desire to be able to reach a real person also applies to other aspects of the Internet where the public might encounter problems, including government Internet sites or complaints about dangerous on-line content.

A real place. The second thing the public is looking for in the institutions that play a role in overseeing resolving problems on the Internet is some sense of physical place. In our focus groups, some participants are put off by what we described in Chapter Two as the “intangible” nature of the Internet. They worry that on-line organizations lack physical boundaries, and that their personal information is therefore more likely to be disseminated or accessed in ways they would find objectionable. They also are frustrated that on-line organizations often lack a physical location that they can call, write, email, or visit in order to process their problems.

One sign of the desire for “a real place” is the strong response in the public survey to the idea of institutions that people could call for help 24-hours a day. The public ranks this as the second most attractive characteristic, with 90 percent saying it is important, including 68 percent who say it is very important. The comments of our focus group participants reinforce this sense that the public is looking for institutions with a physical existence.

[Why do you feel less comfortable buying on-line?] [The Internet site] is open to the world. The catalog is just open to the company. [Senior men and women, Omaha, Internet non-users]

[sample website for CDZone] I don't like the idea that there is no contact information. No email, phone number...If there is not a phone number and I can't call to talk to someone, I will never order anything on that web site. [Young men and women, Atlanta, Internet users]

There's no telephone number. It is just "www" and all that. You can't get in touch with them. [Senior men and women, Omaha, Internet non-users]

Real authority to act: the example of credit card companies. The public also seems to want institutions that have real authority to act – or as some research participants put it, the ability to act with “teeth.” For the public, the next most important attributes of institutions involved with resolving on-line problems involve the ability to take decisive action regarding the public’s complaints. One is the ability to “investigate complaints about websites and report back to consumers”; a remarkable 91 percent of the public says this is an important characteristic, including 67 percent who say it is very important. The other is the ability to “suspend the operation of a website if it was found to be hurting consumers or other on-line users.” Nearly as many, 84 percent, say this capacity is important, including 63 percent who say it is very important.

Functions that are more passive, such as listing websites that follow good privacy practices, or providing seals of approval to such sites, also produce a consistently very strong favorable reaction, but somewhat less so than capabilities that involve stronger sanctions. The ability of an organization to publish a list of good sites is important for 88 percent of the public, including 61 percent who say it is very important. The ability to give a seal of approval is important to 85 percent, including 52 percent who say it is very important.

Of course, some actions with “teeth” may need to be limited so they do not conflict with other values. Yet the desire for actions with enforcement authority draws many members of the public, along with experts, toward the government as a source of rules for the Internet. As one of the Internet experts we interviewed concludes: “I just don’t think of the government as being very efficient or anything. But they are the ones that ultimately have the teeth.”

Government is not the only institution with “teeth,” however. One of the models for an organization with teeth comes from the heart of the private sector: credit card companies. Across nearly all the focus groups, participants repeatedly bring up their credit card companies as institutions they trust and appreciate, especially for their ability to investigate on-line problems and stop payment in cases of disputes. Their favorable comments should be instructive for any practitioners or policy makers trying to fashion effective institutions.

You are still protected [on-line] because of the credit card. If something goes wrong, and you don't get your merchandise, you can call your credit card company. They would stop the billing. If you lost it, if someone else used your credit card, then you are only liable for \$50. [Senior men and women, Omaha, Internet non-users]

If you buy it [on-line] on a credit card, there's your back-up right there. [Middle aged men, Scottsdale, Internet users]

All of this suggests a need for new approaches that can help solve the public's on-line problems in a personal, approachable, case-by-case, and effective way. Credit card companies clearly have filled a part of this need, with their ability to track down specific complaints about on-line purchases and, where necessary, block payment. But the much of the public currently feels it has no good place to turn when they encounter many other kinds of on-line problems – from unauthorized use of private information, to incomprehensible privacy statements, to technical problems with Internet use. There is an opportunity for all three sectors – business, government, and non-profit – to fill this vacuum.

TIMETABLE FOR ACTION: PRO-ACTIVE OR “OIL SPILL”?

The final question, for much of the public and experts, is how and when the changes in Internet accountability they desire will occur. Many of them are, frankly, skeptical that the public, private, and non-profit sectors will move pro-actively to bring about the improvements in on-line accountability that they feel are necessary. Many have started to look to themselves – to a greater sense of individual responsibility – to address on-line problems that seem beyond the reach of institutions. (See Sidebar, “The Need for Individual Responsibility On-Line”)

THE NEED FOR INDIVIDUAL RESPONSIBILITY ON-LINE

In discussions about how to improve on-line governance, there is one area on which many Internet experts and members of the public agree. Many in both camps repeatedly focused on the role of individual behavior, and the need for individuals to assume a new code of on-line responsibility.

Much of this discussion, particularly from the public, is framed as a question of “manners” or “etiquette.” Young people are taught how to behave in their social interactions, these participants note, so why shouldn't they be taught more about how to behave on-line? As the operator of an Internet medical site notes: “I think it's unfortunate, from what I've seen, the majority of people who take part in chat rooms unfortunately seem they have no home training. And it's very unfortunate because there are a lot of people who would like to have some really good conversations.”

The experts make essentially the same point, but frame it more as a question of governance. They note that many rule-based systems in our society depend enormously on private training and responsibility. For example, several of them note, the police can enforce traffic laws, but we would never let our teenaged children get behind the wheel until they had substantial training on how to behave on the road.

My son is 12, he's been having computer classes in school, a very good school system. They never talk about how you behave in chat rooms. They've never given them any warnings about giving out your name an address. They've focused totally on skills, and never on judgment. And I think that is probably the key... We're missing a gut [sense] about this thing. Most 6 year olds will appreciate a speed limit and the reason for it. And it wouldn't make them not want to drive a car. We don't have anything that resembles that on the Internet. [Regulation Expert]

When we hand our kids the keys [for driving a car], in addition to a lot of sweating, we teach them assiduously how to defend themselves, and we also pound into their brains that they have a responsibility not to hurt other people, and there will be dire consequences if they do... By contrast, we hand our kids computers and basically say, have a good time. I think we are beginning to understand that we have to protect our kids before they go on-line. You can teach them to defend themselves, not to give information, not to get into chat rooms with people who make them feel yucky; those sorts of things. I don't know a lot of parents who spend time talking to their kids about not using the technology. [Government Official]

There may be a real opening for efforts that focus on defining and imparting behavioral standards that will make the Internet a safer and more enjoyable space. It is conceivable that this effort could come from the public, private, or non-profit sectors, or some combination of them. In the surveys we conducted, we did not quantitatively test the receptivity of the public and the experts to this set of ideas; frankly, we were struck by the frequency with which this emphasis on individual responsibility was raised spontaneously in our focus groups and in-depth interviews. Future research may want to test the public's views on these questions. We suspect, however, based on our qualitative research, that these ideas may be not only substantively important, but also quite popular

Ultimately, most of the experts expect that major changes in rules and institutions for on-line accountability are unlikely to change until some kind of disaster occurs. They offer a range of metaphors for this dynamic. One notes how environmental rules only occur after oil spills. Another draws a comparison to the airline industry, and says that both government and the industry tend to make changes in design and air traffic control rules after a deadly crash.

The challenge for all those with a stake in the future of the Internet – government, industry, non-profits, and the public itself – is to take action to create greater on-line accountability before an on-line disaster occurs that could imperil the substantial benefits the Internet now provides.

APPENDIX A

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