Toward a Framework for Internet Accountability

MARKLE FOUNDATION

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FOREWORD

The Internet has become an increasingly significant part of the lives of Americans. It is giving people unprecedented direct access to information, building new communities of interest, increasing economic productivity, promoting economic and social development in remote areas, and enhancing global understanding. Because the influence of the Internet is broad, the policy choices that affect its growth and operations are increasingly important to us all. The emerging debates center on issues such as privacy and data protection, intellectual property rights, competition, protection of children, taxation, and cybercrime, as well as less discussed matters like domain names and open source code. These debates are challenging business to consider self-regulation and government to consider its role in developing uses and protecting users of the Internet. Just as important are the choices being made about the architecture of the Internet and how the design of the code itself can affect policy choices.

The rapid pace with which policy is being considered and developed will only continue. For this reason, it is critical to broaden the discussion about what role government, business and the non-profit sectors have in policymaking and to include the public itself. Only by so doing will future policies be perceived as legitimate and therefore be sustainable. To contribute to this effort, the Markle Foundation commissioned this study which examines how the public and experts view who should be accountable for governing the Internet, and who should be accountable for protecting users and addressing their needs. We hope to aid the understanding of the many decision-makers who are now faced with new responsibilities, challenges and opportunities that come with the rise of the networked world.

The Need for an Inclusive and Informed Public Debate

The far ranging consequences of these decisions require an informed debate. Today, too much of the decision-making takes place far removed from broad public representation or scrutiny, and we are only beginning to understand the full range of affected interests. It is particularly important to open and widen the debate now, at a time when important decisions about policy and business models are being made that will influence the long-term development of the Internet.

As a contribution to the debate about Internet policymaking, the Markle Foundation commissioned Greenberg Quinlan Rosner Research to conduct a major public opinion research effort to expand our understanding of the views of both the general public and Internet experts on how the Internet should be governed; what protections they believe they have and should have on-line; whether rules are needed; if so, what those rules should be and who should set them; and the ways in which they believe the Internet's operation might be made more responsive to the public's needs and preferences. The research explores both the similarities and differences in expert and public opinion in order to highlight the values and preconceptions that each group holds as the policy debates get underway.

Because the public's experience with the Internet is fairly recent, its views on many of these issues are still at a formative stage. In fact, as the research shows, the American people themselves

recognize their own limitations in helping make sound decisions in an area that is technically complex and fast changing. But the research also reveals that the public holds quite nuanced views of how decisions about the Internet should be made, and that they want to participate in shaping appropriate solutions.

Of course, public opinion is not the only or even the decisive factor in setting Internet policies for the future. But in a democracy – and especially for a medium that can have such far-ranging consequences for our civic as well as our private lives – the public views take on particular significance. Broad public acceptance is crucial to sustainable and legitimate policies, and therefore we believe the results of this research effort can and should inform the on-going debate.

Designing Internet Policy for the Twenty-First Century: Messages from the Research

As the findings of the report make clear, the public is enthusiastic about the value of the Internet, particularly as a powerful source of information and ideas. The American people have an overwhelmingly positive attitude toward the medium, and recognize its ability to empower, provide information, and spur economic growth.

At the same time, the public and the experts we surveyed also believe policies are needed and they perceive real risks. They express a range of concerns about on-line interactions; concerns that stem to a significant degree from the more impersonal and intangible character of the Internet and the unmediated access to information it provides. The result is a low level of trust. The public and the experts are looking for more reliable and predictable means of preventing and solving problems on-line – and they want to know who and where to go when problems occur. They also want real enforcement muscle for protection.

It is striking, though, that the public does not point to any single solution, but rather has a more textured view about the various roles that different actors might play in both creating rules and solving problems. They appreciate that the choices to be made are not necessarily as black-and-white as self-regulation or government regulation. For instance, while the desire for enforcement of rules on-line draws many people toward government, the public repeatedly cites a model from the commercial sector that is responsive to problems and has the enforcement "teeth" they are looking for – the ability of credit card companies to investigate on-line problems and stop payment. And, perhaps most important, the public suggests the need for inclusive, pluralistic models of governance where policy is set with the involvement of industry, government, and also non-profit organizations.

These messages point to a framework, or a set of "design criteria," which can help shape policy solutions that meet the public's expectations and hopes for the Internet. The research suggests that, while the public is open to a variety of different approaches to Internet issues, they are most likely to support outcomes that meet these guiding principles:

- ***Decision-making processes should permit the participation of a broad range of interests.*** The research makes clear that Americans value the role that industry, government and non-profit organizations each bring to policymaking and therefore are more likely to

accept decisions that are the product of the involvement and shared responsibility of each of these stakeholders.

- ***Decision-making must be open to public participation.*** Regardless of whether the decision-making processes are in the private or public sectors, the American people have a clear expectation that they have a role to play – and that transparency and capacity-building for public advocacy are important requirements for meaningful participation.

- ***Solutions must be enforceable and must be enforced.*** Although the public is open to a variety of approaches to addressing its concerns, from government to self-regulation to the use of private intermediaries in the model of a credit card company, there is a clear need for mechanisms to ensure that once the rules are made, they will be enforced.

- ***The locus of responsibility must be clearly identified – and should provide a feedback mechanism.*** Decentralization has been the hallmark of the Internet's development, and an important element of its strength. Yet Americans want someone to call when something goes wrong or when they have a question. Whether it is a company ombudsman, or a trade association web site when a company's privacy policy is confusing, or a government hotline when fraud has occurred – the public seeks new mechanisms to make the Internet more responsive to its needs and its worries.

- ***Public education is essential.*** The public's concerns about its own lack of control on the Internet may be influenced by lack of awareness as well as existing deficiencies. The research shows a gap between experts and the public on their understanding of the public's rights and recourses available on the Internet. Mechanisms to promote responsiveness will be of little value if the public does not know about them.

- ***Policies should be sensitive to the need to protect the free flow of information.*** The public appreciates the many contributions the Internet makes to our lives, particularly as a source of information. It wants what it sees as the abuses and risks to be addressed and recognizes that trade-offs may be necessary – but in a way that minimizes the harm to what the public values in the Internet.

Implementing Lessons Learned

We hope that an understanding of the public's views on these questions will be helpful to policy makers and public officials as they consider where government policy or legislation may be needed; to non-profit organizations that engage in monitoring, advocacy or policy development; to business or technical self-regulatory organizations as they develop their roles; to the media as they cover the debates surrounding these issues; to companies and professionals who are designing infrastructure, hardware and software, or using the Internet for their businesses; and to members of the public themselves, as they seek to understand how their fellow citizens view this new medium.

This report furthers the Markle Foundation's commitment to fostering an environment where many voices can be heard and sound policies can be made. Recently, Markle has sponsored a number of

initiatives that reflect this perspective. Through our Internet Governance Project, for example, we have worked with members of the business, technical and public interest communities to enhance the public participation, transparency and accountability of newly formed Internet governance bodies such as the Internet Corporation for Assigned Names and Numbers (ICANN). As part of this effort, Markle supported the first-ever global Internet election for ICANN Board members representing the public at large, and a follow-up global study to review that election process. Additionally, working with non-profit organizations, governments and businesses in the United States and abroad, Markle helped create another non-traditional venue for policy discussions, the Digital Opportunity Task Force, a unique public-private forum established by the G8 Heads of State to address the challenges of harnessing information and communication technology as a tool for development in poor countries of the world.

In our efforts to bring new voices into the policy debate, we sponsor the Markle Fellows at the Programme in Comparative Media Law and Policy at Oxford University, United Kingdom, which fosters international understanding of Internet policy issues and aims to create geographical inclusiveness in the policy dialogue, and the Internet Clinical Advocacy Project, which is creating clinics at major U.S. law schools to encourage law students and advocates to develop new models for public-interest legal practice related to the Internet. The Markle-Ford Foundation ICANN Travel Fund, administered by the Salzburg Seminar, enables representatives from non-profit organizations and academic institutions to attend ICANN meetings and more meaningfully participate in these policymaking sessions.

We are also working with the Center for Democracy and Technology and other non-profit organizations and academics to enhance the ability to represent the public interest in Internet policy, including in traditional governmental venues, business self-regulatory organizations, and the private and quasi-public bodies that set technical standards for the Internet.

In the coming months, we will continue to expand these efforts. Through our Information Technologies for Better Health program, Markle will undertake initiatives with a broad range of interested parties that can lead to greater consumer confidence in on-line health information and services. We also intend to work with other foundations and non-profit organizations, international agencies, Members of Congress, the Executive Branch, state and local governments, industry, and academic experts to translate the principles identified in this survey into concrete actions in a range of policy areas.

The Markle Foundation is committed to enhancing the voices of the many stakeholders impacted by the Internet policies of today and tomorrow. It is critical that we all look for ways to broaden and strengthen this dialogue and the decisions made. We hope that this study is a useful resource in that process.

Zoë Baird
President
Markle Foundation

EXECUTIVE SUMMARY

Toward a Framework for Internet Accountability

TOWARD A FRAMEWORK FOR INTERNET ACCOUNTABILITY

EXECUTIVE SUMMARY

- One of the most extensive studies of its kind ever conducted finds that Americans are extremely enthusiastic about the Internet, particularly as a powerful new source of information. They express a desire for new forms of public, private, and non-profit governance of the Internet in order to give them more protection and control when they go on-line. The study, conducted over more than a year, was based on a combination of telephone and on-line surveys with the public; a telephone survey and one-on-one interviews with Internet experts; traditional focus groups with various segments of the public; and on-line focus groups with teens and rural Americans.

The Internet: Popular, and More about Information than Commerce

- The Internet is extraordinarily popular with the American public, with 63 percent giving it favorable ratings, including fully 83 percent of the nearly two thirds who now go on-line. There are major differences in the views of the Internet between the 63 percent of the public that has gone on-line and the 37 percent that has not gone on-line.

- Interestingly, once one controls for Internet use, there is almost no change in favorability ratings for the Internet according to age. Indeed, the rating among Internet users age 65 and older is the same as for those ages 18-29, a high 80 degrees. This finding suggests that, when it comes to the Internet, familiarity breeds contentment – even for older Internet users who are going on-line for the first time much later in life. Thus, the notion that the Internet is a medium for the young is wrong; it is a medium that appeals to the vast majority of those who use it – no matter what their age.

- The public likes the Internet, in large part, because they view it as useful. Over three fourths of public Internet users (79 percent) and more than nine tenths of Internet experts (92 percent) say "the Internet makes my life easier," rather than "the Internet does not help me much." Significantly, the vast majority of both public and expert respondents who say the Internet makes their lives easier agrees with this statement strongly.

- By far, the leading metaphor for the Internet, in the public's mind, is not "a shopping mall" or "banking and investment office," but rather "a library." Despite the popular depiction of the Internet as a channel for commerce, the public mostly views it as a source of information, and these uses appear to explain its popularity much more than its utility as a way to shop, bank, or invest.

- Although the downturn in the dot-com economy has somewhat reduced the public's view of the Internet as "an engine of growth," it has not reduced the overall popularity of the Internet or altered its dominant image for the public as a source of information. A re-testing of key

questions regarding the Internet's popularity and images in June 2001 found no significant change in the favorability rating of the Internet relative to the previous year, and no change in the dominant view of the Internet as being more like a library than other possible metaphors.

Concerns about Accountability

- Despite the Internet's popularity, the public, along with Internet experts, believes current governance institutions could do more to reflect the public interest, ensure accountability, and address on-line problems – from privacy concerns, to worries about pornography and violence, to questions about the quality and cost of Internet connections. Nearly half of the public, 47 percent, sees the Internet as a "source of worry." Nearly half of all Internet experts, 47 percent, say that existing institutions that make rules regarding the Internet are doing a just fair or poor job of reflecting the public's interest.

- People are also concerned about the accuracy of information on the Internet. By a strong 70-23 percent margin, most respondents say, "you have to question the truthfulness of most things you read on the Internet" (as opposed to, "you can trust most things you read on the Internet"). While many participants in our focus groups note that they bring a similar skepticism to bear on information they find in the off-line world, the need for means to filter out unwanted on-line content and verify on-line information comes up repeatedly in the groups.

- Americans have doubts about whether they are able to hold other people accountable for their actions and words on-line, or to hold accountable those who make the rules that govern the Internet. The public is split on whether they see the Internet as "accountable to the public." Many of the groups with the most favorable views of the Internet, and who go on-line the most, also are least likely to view it as a medium that allows them to hold others on-line accountable. Moreover, while the overall popularity of the Internet has not changed over the past year, there has been a decline in the share of the public that views the Internet as a medium that permits accountability, from a 46-46 percent split a year ago, to a 42-47 percent minority now believing that the Internet is "accountable to the public."

- The public is concerned about accountability on-line, in part, because they believe they have fewer rights and protections when they use the Internet than in comparable off-line activities. A 54-36 percent majority disagrees with the notion that they have the same rights and protections on-line as when they are not on the Internet. For example, by margins of greater than 2-to-1, the public is more worried about both government and private companies collecting information about them when they are on-line, compared to when they are engaged in off-line activity.

- This is one of the areas where there is a notable difference between the public and Internet experts. The experts we surveyed say by a 51-44 percent majority that people *do* have the same rights and protections on-line. In our in-depth interviews with Internet experts, however, a more subtle set of views emerges. Many of the experts say the reason the public feels it has fewer rights or protections on-line has less to do with the formal legal and procedural rights people have, and more to do with the limitations that the Internet places on people's abilities

to protect themselves. For example, some of them note, if a consumer goes into a local store, they can look at the neighborhood, the interior of the shop, and the store owners to get a sense of whether they trust the proprietors. It is harder to get such cues on-line. Other experts state that while rights and protections are basically the same on- and off-line, the sheer size and scope of the Internet increases the chances for mischief.

- The public seems baffled about who to turn to if they encounter problems on the Internet. Well over half, 59 percent, say they do not know who they would turn to if they had a problem on-line.

- Much of the public is also concerned about accountability on-line because they see the Internet as "impossible to govern." A 49 percent plurality of the public, and a 53 percent majority of those who go on-line, say this phrase describes the Internet well. In the focus groups, most participants say they know of few if any formal rules that govern the Internet. Even more, they see the Internet as an "intangible" space, which makes it difficult to subject it to rules that might ensure accountability to the public.

- Despite the strong sense among many Americans that the Internet is currently ungovernable, a large share of the public is looking for ways to have more protection and control. Nearly half, 48 percent, agree that "the Internet will always be a risky place where people have to watch out for their own interests"; but about the same share, 49 percent, chooses the alternative statement, "people have to watch out for themselves, but with additional laws and protections the Internet could be a much safer place."

Toward a Pluralistic Model of Governance

- The public, which is just starting to develop an understanding of how the Internet is or can be governed, believes a wide range of sectors, institutions, and individuals should all have a role. *In this sense, the public appears to be looking for a pluralistic model of Internet governance; they see specific strengths, but also drawbacks, to the involvement of the government, the private sector, and non-profit organizations.*

- The public feels that the average person should have some kind of a voice in crafting rules for the Internet, yet most also feel that they do not know enough to make a meaningful contribution. A 55 percent majority gives positive ratings to the notion that the public at large should have a voice in setting rules for the governance of the Internet. Yet a 53 percent majority – including 53 percent of Internet users – also says that most people do not know enough to play a part in development of such rules.

- In addition to wanting a role for itself, the public thinks a wide range of viewpoints and competencies need to be brought to bear in governing the Internet. When asked to suggest the members of a hypothetical national commission that would make rules for the Internet, focus group participants suggest an extraordinarily broad scope of names and groups, including Oprah Winfrey, Bill Gates, the Federal Trade Commission, and Interpol.

- In many ways, the public is wary of government getting involved in setting rules for the Internet. When the public is asked who they prefer to make rules for governing the Internet – private corporations and non-profit groups on one hand, or the government on the other – they express a clear preference for the former. By a 60-37 percent margin, the public says that "rules for governing the Internet should mostly be developed and enforced by organizations other than the government, such as Internet-related companies and non-profit groups" (as opposed to, "rules for governing the Internet should be mostly developed and enforced by the government").

- Despite these reservations about government involvement, however, the public ultimately believes that government can give them the on-line protection and control they seek. By a 2-to-1 margin, 64-32 percent, the public says that "government should develop rules to protect people when they are on the Internet, even if it requires some regulation of the Internet." This figure has only slightly changed over the past year. When internet experts are asked who should play the leading role in addressing a range of on-line problems, on all but one of the areas ("improving Internet connections and ease of downloading"), they say that the government, rather than the private sector or non-profit groups, should play the leading role.

- The public's openness to government involvement also extends to taxation of on-line commerce – an area in which one might expect some of the greatest resistance to a government role. By a strong 60-34 percent margin, the public rejects the idea that on-line commerce should be exempt from taxation. Even many of those who might be expected to resist such taxation actually favor it, including 56 percent of all Internet users, 53 percent of all Republican Internet users and 60 percent of all Internet users with incomes of $100,000 or more. The downturn in the dot-com economy in recent months has not significantly changed the balance of public opinion on this question.

- The public is eager to see Internet-related elements of the private sector involved in formulating rules for the Internet – especially the industry's "technology experts." Yet the public wants others involved as well because it has strong doubts about the ability of Internet-related businesses and individuals to regulate themselves. By a 58-35 percent majority, the public says it does not trust businesses and individuals on-line to regulate their own behavior – surprisingly, a slightly *stronger* level of doubt than the public holds about self-regulation for industries in general.

- The public responds very favorably to the idea of non-profit organizations having a role in developing rules for the governance of the Internet. *Fully 70 percent of the public assigns a positive score to this idea – a stronger rating than it gives to the idea of private or public sector groups or individuals having such a role.* The public believes that such groups are more efficient than the government, but also less self-interested than private companies. They worry, however, that such groups do not seem to answer to anyone, and may therefore lack accountability.

- The area of privacy provides an important illustration of the public's views on the roles they want government, industry, and non-profits to play. Concern about privacy is high among both the public and Internet experts. They tend to favor a role for government that empowers

individuals to make their own choices – such as "opt-in" requirements for websites. The public is skeptical of the ability of websites to regulate their own behavior through privacy policy statements, yet they respond favorably to the involvement of non-profits, such as by acting as a "trust agent" to vouch for the accuracy, reliability, or safety of website practices or offerings.

Looking for New Mechanisms, Institutions, and Action

- In addition to wanting a wide range of actors and sectors involved in the governance of the Internet, the public is looking for mechanisms that can enable them to have greater accountability from people and businesses on-line. In particular, the public is looking for mechanisms that will enable them to reach a real person, at a real place, with real powers to solve their on-line problems.

- In addition, our in-depth interviews with Internet experts point to a series of deficits that these experts believe undercut the effectiveness of many existing institutions involved in the governance of the Internet. Their comments suggest the need to remedy a "triple deficit" – a "democracy deficit," because many industry consortia and non-profit groups are not sufficiently accountable to the public; an "expertise deficit," because government and non-profit groups often lack the technical prowess to go toe-to-toe with the private sector's technology experts; and an "agility deficit," because government, in particular, tends to move at such a slow pace that it runs far behind the dizzying changes that characterize the Internet's actual operation.

- The public and Internet experts both point to the need for efforts that try to give Internet users – especially young people – more of a sense of on-line individual responsibility. They argue that rules alone cannot provide the sense of accountability on the Internet that many people seek.

- Ultimately, much of the public and the expert community doubts the ability of the nation's leaders in government and industry to develop rules and systems for ensuring more on-line accountability in the absence of some disaster that focuses public attention on these problems. They point to an "oil spill" model, in which action only occurs after a major problem. The challenge for public and private leaders is to develop better ways to give the public a sense of accountability *before* a major on-line disaster occurs that could imperil the substantial benefits the Internet now provides.

INTRODUCTION

INTRODUCTION

This report explores the views of the American public and experts about the Internet, with a particular focus on its governance and accountability. It examines how Americans view the Internet, how they believe it is governed, what rules they think should govern it, what protections they believe they have and should have on-line, and the ways in which they believe the Internet's operation might be made more responsive to their needs and preferences.

Some may argue that the public's views about the Internet, especially its governance, are too vague and ill-informed to be useful. As public opinion researchers, we disagree. To be sure, most people are not Internet experts, and the various debates regarding the Internet's governance – full of new words and phrases like "Carnivore," "opt-in," and "ICANN" – are just beginning to reach the newspapers, the floors of Congress, and dinner table discussions. That means that most people's views are still at a formative stage. Yet that is precisely why Markle decided to conduct this research now. They wanted to describe the values, preconceptions, and initial reactions that the public brings to these debates as they develop.

We recognize that many of the views we are measuring here are not yet deeply informed or strongly held, and we expect many of them may change over time. Yet policy makers and practitioners must bring the public along as they develop new technologies and consider new rules for the Internet. To do that they must understand what the public believes at the outset. So we are, in effect, providing a baseline for future research. We also suggest which of these views is likely to change in response to external events, such as the downturn in technology stocks, dot-com companies, and the American economy in general.

Our study finds that the Internet is tremendously popular – and this is one of its great strengths as a medium – but it also shows that the public has real concerns about being able to hold other people on-line accountable for their words and actions, and about being able to hold accountable those who shape the governance of the Internet. Addressing those concerns is important to preserving the popularity of this powerful medium.

This report is based on one of the broadest programs ever undertaken to explore American public opinion regarding the Internet. The research effort, which spanned more than a year, aimed to examine questions about Internet governance and accountability from a wide variety of perspectives. It therefore used a variety of research techniques:

- A national telephone survey of 2,393 randomly-selected adults, conducted from October 2-23, 2000. This general population survey is subject to a sampling error margin of +/-2.0 percentage points (at a confidence level of 95 in 100).

- A re-testing of several of the key questions from this first survey, as part of a June 11-13, 2001 survey, based on 1,000 telephone interviews of likely voters*. This re-testing is subject to a sampling margin of +/- 3.1 percentage points (at a confidence level of 95 in 100).

* The data from these likely voters were weighted to conform to the same demographic profile of the general population tested in the earlier survey, in order to ensure comparability.

- A telephone survey of 200 randomly-selected Internet experts, conducted from October 2-23, 2000. The sample was drawn from "The Complete Marquis Who's Who on CD-ROM," by compiling a list of individuals provided under the occupational categories of Internet, computer, and technology. These categories included, but were not limited to: computer engineers, computer programmers, software developers, computer educators, computer scientists, computer consultants, Internet specialists, Internet executives, Internet publishers, computer analysts, Internet service providers, computer security professionals, web designers, and software engineers residing in the United States*. The experts' survey is subject to a sampling error margin of +/-6.9 percentage points (at a confidence level of 95 in 100).

- A national on-line survey of 1,049 adults, plus an oversample of 315 teenagers (ages 15-17), conducted from October 28-November 3, 2000. The survey of adults is subject to a sampling error of +/- 3.0 percentage points (at a confidence level of 95 in 100), and the survey of teenagers is subject to a sampling error of +/- 5.5 percentage points (at a confidence level of 95 in 100). The survey was conducted through Knowledge Networks, a surveying company that maintains a statistically valid sample of the American public and surveys them using Web-TV technology that it provides to participants in the sample. This sampling approach eliminates sources of bias (such as non-random distribution of people on-line, and self-selection by those who choose to answer the survey) usually found in on-line surveys.

- Ten two-hour focus groups, conducted from May 30-June 6, 2000. The composition of the groups, outlined below, was designed to reflect a range of demographic groups, as well as a mix of Internet users and non-users. Excerpts from these groups quoted in this report were drawn from transcripts based on tape recordings of the groups.

- Omaha, Nebraska:
  - Group 1: Women, Internet users, ages 40-55.
  - Group 2: Mixed gender, Internet non-users, ages 18-24.
- Atlanta, Georgia:
  - Group 1: Mixed gender, Internet users, ages 65-75.
  - Group 2: Mixed gender, Internet non-users, ages 18-24.
  - Group 3: Men, Internet users, ages 40-55.
- Scottsdale, Arizona:
  - Group 1: Mixed gender, Internet users, ages 65-75.
  - Group 2: Mixed gender, Internet non-users, ages 40-55.
  - Group 3: Men, Internet users, ages 35-45.
- Syosset, New York:
  - Group 1: Women, Internet users, 25-35.
  - Group 2: Mixed gender, Internet non-users, ages 25-35.

- Two one-hour, on-line focus groups, conducted on June 15, 2000. One group consisted of teenagers (ages 15-17), and the other group consisted of mixed gender adults residing in rural areas in the United States.

* There are other ways that one might define the universe of "Internet experts" from which to draw a sample, and it will be useful for other research efforts in the future to try other approaches.

- Fifteen, 45-minute, confidential, in-depth, one-on-one interviews, conducted between May 30-June 6, 2000 with a variety of prominent individuals who are actively involved with the Internet. These experts included Internet and computer entrepreneurs, academics, non-profit policy advocates, technology experts, regulators, and computer security specialists. The participants were recruited from a list compiled out of discussions with a broad range of experts on the computer industry, the Internet, privacy, and communications law. Excerpts from these interviews quoted in this report were based on transcripts of tape recordings of the interviews. In order to honor our pledge to protect the confidentiality of the participants, we have limited information that might suggest their identity.

In addition, the project has benefited greatly from the on-going input of a circle of Internet policy experts who commented on the design at various stages of this project. A subset of this circle became an Advisory Board to the project (see list of members in Appendix A), and reviewed the research instruments and research findings. As we express our gratitude to all of them, we want to underscore that participation in no way represents an endorsement of the research design or conclusions of this study.

As we interpret the results of this broad research program, we offer several caveats. First, we deliberately limited the scope of the research, with an emphasis on questions that focus on Internet governance and accountability. Some of the research focuses on privacy, because many privacy issues, such as cookies or identity theft, lie at the center of current debates about Internet governance. Yet a great deal of research already has been done regarding on-line privacy issues, and we did not want to replicate that work. Rather we focused most of our inquiry on some questions that mostly have not been asked before, regarding how people view the Internet, and how they believe the public interest should be taken into account in the Internet's operation.

Second, we limited the scope of the research to the United States. When we talk about "people" in this report, it should be read as shorthand for "people in the United States." We and Markle appreciate that the issues we explore here are, of course, global in nature, and we expect that views on these questions may differ in significant and important ways across countries and cultures. Markle chose to focus on the United States, not because it is the only body of public opinion that counts, but rather as a starting point for this inquiry. We and Markle hope that other researchers will join us in applying these kinds of questions to publics in other countries as well.

Third, we would stress that the qualitative elements of this research are inherently subjective. For instance, we cannot make great claims that the list of "Internet experts" with whom we conducted in-depth interviews is genuinely representative, although we selected what we believe is a good cross-section of vantage points. Similarly, our twelve focus groups were recruited to represent a variety of interesting and important groupings, from young professionals who regularly go on-line, to older Americans who do not. Yet the profiles we selected are hardly random or exhaustive. Qualitative research ultimately relies on making interpretations about what people said, and highlighting a small number of quotations from hundreds of pages of transcripts. For those who want to draw their own conclusions, we have posted all our focus group and interview transcripts, as well as the complete survey instruments and responses on-line at *www.markle.org*. The

only editing we have done on the transcripts is to omit some information from some of the expert interviews, in order to protect the anonymity of our respondents, as we promised them.

Fourth, as with any body of opinion research, this study reflects a series of snapshots taken at particular points in time. Some of the views we measure and report in this study may well be changing, and we hope others will join us in tracking the evolution of opinion on many of these questions. Our June 2001 re-testing of some key questions is intended to assess the impact of the downturn of technology and dot-com companies over the past year. But there will undoubtedly be other events that shape and change opinion regarding the Internet, and we look forward to future research that assesses their impact on the kinds of questions we explore in this report.

Finally, we have consciously not spent much space trying to define many of the key terms in this study, since – as in much opinion research – the definitions that matter most are the ones in the minds of our survey and focus group participants as they answer our questions. That is, we often asked their views about such concepts as "privacy," "Internet governance," or "accountability" without providing a definition – just as one often asks survey respondents whether, say, the President is doing a good job on the economy, without defining what one means by "the economy." When respondents answer, some will think of jobs while others think of the stock market, but it does not diminish the value of the question. Our research – especially the qualitative research – gives important insights into what the public has in mind when they discuss many of the key concepts related to the Internet, as we discuss throughout the report, but in some cases we will need to leave these definitional questions to future research efforts.

In setting out our conclusions, we want to express our deep appreciation to a large number of people who helped to frame and refine our inquiry. In addition to our Advisory Board members, a number of people made invaluable contributions to this project. At Greenberg Quinlan Rosner Research: President Alan J. Quinlan and Vice President Anna Greenberg provided methodological guidance; Senior Analysts Pamela Hunter and Meredith Gilfeather helped frame the inquiry; and Analysts Molly Levinson and Michael Olander shepherded the management of project from start to finish, making contributions along the way to the analysis, writing, and graphic presentation. We would also like to thank Michael Young, Anna Rubio and their team at Edelman Public Relations Worldwide for the graphics and production of the final report.

Finally, we are also grateful to the Markle Foundation and its President, Zoë Baird, for their leadership in commissioning this study, and for helping to shape the inquiry and to deepen our thinking throughout the project. We want to acknowledge the particular contributions at Markle from Jim Steinberg, Julia Moffett, Andrew Shapiro, Stefaan Verhulst, Linda Ricci, Nancy Green, and Karen Kornbluh.

Stanley Greenberg, Chairman
Jeremy Rosner, Senior Vice President
Robert Boorstin, Vice President
June 2001

CHAPTER 1

The Public's Images and Values Regarding the Internet

The Public's Images and Values Regarding the Internet

It is just unbelievable what you can find on the Internet. It is just fantastic.

Senior citizen Internet user, Scottsdale, Arizona

The starting point for a discussion of Internet accountability is the public's image of the Internet itself. One of the reasons that questions of Internet governance deserve attention is that this has become a popular medium in both senses of the word: used by the public, and liked by the public. (See Sidebar, "Profile of Internet Use in America.") The Internet's broad use and popularity lies at the heart of its economic and social value. In order to protect and enhance that value, it is important to understand how the public views and understands the Internet. What values do they bring to bear that frame their expectations and anxieties about the Internet? To what do they compare this new medium in their minds? Do they mostly see the Internet as a source of information or a place of commerce? Do people who use the Internet view it differently than those who do not? Before we can evaluate questions about accountability – how to hold people accountable for what they do on-line, and how to hold accountable those who make the rules for the Internet – we first need to know how people view this new medium.

Positive View of Internet, Framed by Values

The American public's view of the Internet is framed by a basic tension. While the public has a highly favorable view of the Internet, it also sees this new medium as a source of concern and worry. Both the public's enthusiasm and its wariness about the Internet spring, in turn, from a set of strongly held values.

The research reveals that the public's view of the Internet is strikingly positive, especially among the nearly two thirds of American adults (63 percent) who go on-line. In our public survey, we test the image of a number of organizations and public figures using a thermometer scale based on a rating from 0 degrees (a very cold, negative image) to 100 degrees (a very warm, positive image). The public's rating for "the Internet" is 70 degrees, with nearly two thirds of the public (63 percent) giving the Internet "warm" ratings (51 to 100 degrees), and only 10 percent giving it "cool" ratings (0 to 49 degrees). (See Figure 1.) Although the list of people and organizations we rated is hardly exhaustive, it is notable that this rating for the Internet was higher than for any of the others, including such popular institutions as the Better Business Bureau (68 degrees), Microsoft (66 degrees), and the FBI (63 degrees).

In our survey of Internet experts, the Internet also emerges with the highest rating, an even stronger 83 degrees. Fully 43 percent of the public and 66 percent of the experts have a *strongly* positive view of the Internet, giving it ratings between 75 and 100 degrees.

Other research confirms this popularity of the Internet with the American public. Seventy eight percent of respondents in a June 2000 Gallup poll thought that the economic changes brought about by the Internet are "good for the country." In a survey conducted in August 2000 for the Council For Excellence In Government, 41 percent of respondents said they thought the Internet had a "very positive effect" on their life. In a poll conducted for Shell Oil last September, 60 percent of respondents said the Internet "has helped bring people closer together" (as opposed to, "has

Profile of Internet Use in America

Nearly two-thirds of the public, 63 percent, now goes on-line, according to our survey of the adult public. This figure testifies to the explosive growth of the medium. According to the E-Commerce Privacy Survey, a survey of the American public conducted by Louis Harris and Associates, Inc. and Dr. Alan F. Westin, the figure in 1998 was only 39 percent.

	Total Public	Internet Users	Internet Non-Users
Men	48	49	46
Women	52	51	54
White	77	77	78
Black	11	6	8
Hispanic	6	3	4
Asian	1	2	1
Other	2	8	6
18-29	18	22	12
30-39	20	24	14
40-49	22	24	19
50-64	24	23	27
64+	13	5	25

This broad group differs somewhat from the public at large. While Internet users look like the rest of America in terms of race, ethnicity, and gender, they tend to be much younger. Almost half (46 percent) of Internet users are under the age of 40, compared to just over a quarter (26 percent) of Internet non-users. Conversely, over half (52 percent) of Internet non-users are 50 years or older, compared to only 28 percent of those on-line.

Because they are younger, on average, Internet users are much more likely to have children; 43 percent of Internet users have children under 18 living at home, while only 29 percent of Internet non-users do. Only 24 percent of the Internet non-users say their children use the Internet, compared to 65 percent of on-line respondents.

	All	Internet Users	Internet Non-Users
Kids	38	43	29
No Kids	61	56	70
Kids go on-line	53	65	24
Kids don't go on-line	46	35	75

Internet users tend to be better educated on average than their offline counterparts, and have higher incomes. While nearly half (48 percent) of Internet users have a college degree, less than half that number of Internet non-users (20 percent) have graduated from college. On the other hand, a solid majority

	Total	Internet Users	Internet Non-Users
High School or less	34	22	56
Post high school	27	29	23
College graduate	38	48	20
Under $30K	24	17	38
$30K to $50K	20	20	21
$50K to $75 K	18	20	13
$75K to $100K	10	12	5
$100K and over	9	13	2

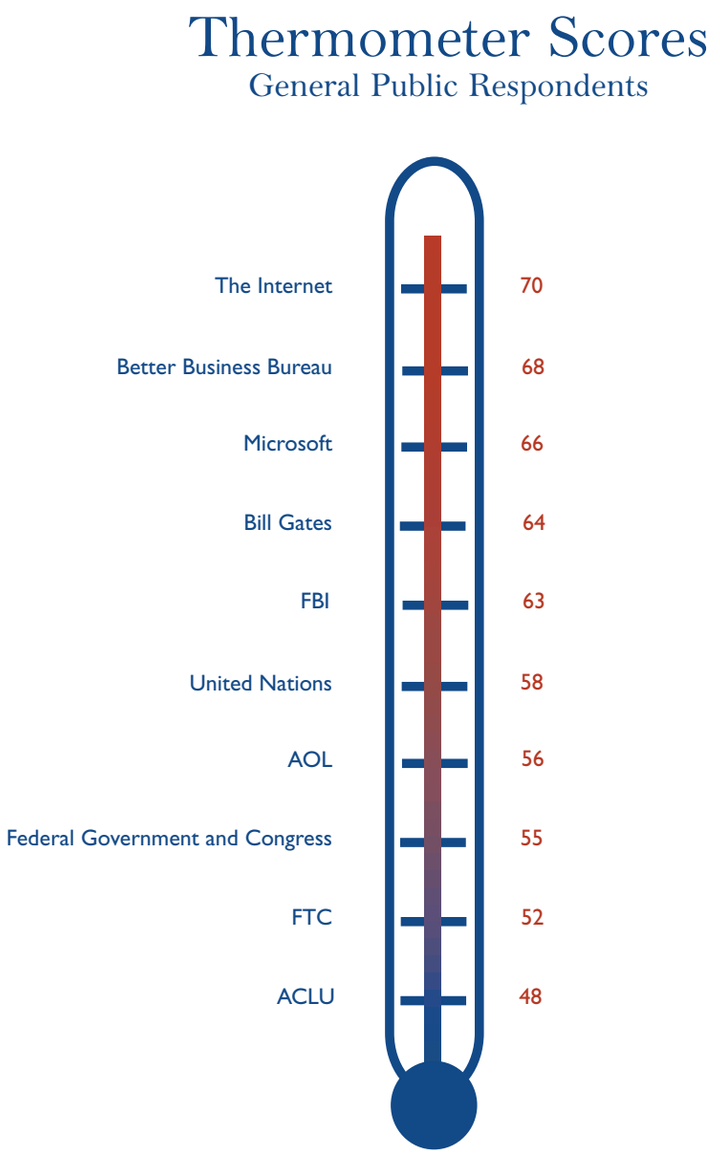
– 56 percent – of Internet non-users has a high school education or less, compared to only 22 percent of Internet users. A plurality of Internet non-users, 38 percent, report a household income of $30,000 or less. Only 17 percent of Internet users fall in the same income bracket. The other end of the income scale is even more telling. While a quarter of Internet users (25 percent) report a household income of $75,000 and over, only 7 percent of Internet non-users do. Roughly half of that population of Internet users, 13 percent overall, make $100,000 a year or more, compared to only 2 percent of Internet non-users.

Internet non-users are also less apt to make use of other kinds of electronic technology in their everyday lives. Of Internet non-users, half (50 percent) have never used an automatic teller machine (ATM), as compared to only one quarter (26 percent) of Internet users.

	Total	Internet Users	Internet Non-users
Use ATM	63	71	48
Don't use ATM	34	26	50

The 63 percent who do go on-line have used the Internet for widely varying purposes. Nearly all send or receive email or instant messages (92 percent), or use the Internet to research subjects of interest to them (93 percent). Only about one in four (26 percent), however, have ever purchased something on-line, and about the same number say they "often" or "sometimes" shop or bid on items on the Internet (27 percent), or trade stocks or do personal banking on-line (26 percent). There is another "civic circle" of Internet use, defined by the 25 percent who often or sometimes work with others on issues affecting their communities. Interestingly, most of those in the civic circle report never shopping or banking and investing on-line. Finally, there is the "chat room circle," accounting for just 16 percent of the on-line public – a group that is dominated by the young, with fully 43 percent of them under the age of 30 (compared to 22 percent of the adult population).

FIGURE 1



helped push people apart") and 31 percent of respondents said their relationships with friends and family had been "strengthened a lot" by their use of the Internet.

The downturn in the dot-com economy and other developments over recent months appears to have dampened the public's view of specific technology businesses, but not of the Internet itself. When we re-tested many of our questions in June 2001, the average thermometer rating for AOL had dropped 4 degrees, to 52 degrees, but the average rating for "the Internet" had remained steady at 70 degrees.

Feelings about the Internet vary depending on many factors, such as income and Internet usage. Upper-income individuals tend to feel more positively about the Internet; the average rating for the

Internet among those with an annual household income of under $30,000 is 65 degrees, while for those with incomes over $75,000 it is 76 degrees.

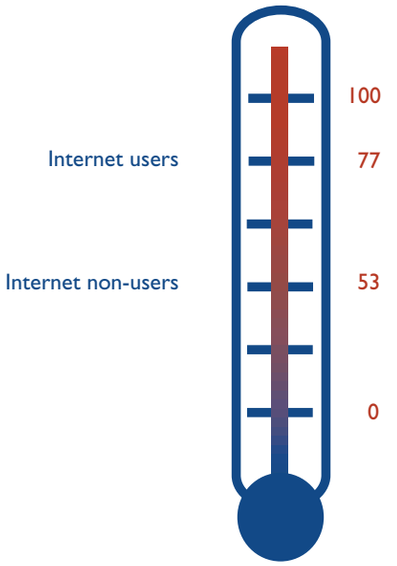
An even more powerful variable is Internet use itself. Among the 63 percent who report going on-line, the average thermometer score for the Internet is a remarkable 77 degrees, with fully 83 percent giving a warm rating, including over half, 57 percent, who give the Internet a very warm rating of 75-100 degrees. By comparison, the average rating among Internet non-users is only 53 degrees. (See Figure 2.)

Moreover, people feel more positively about the Internet the more hours they spend on-line, and the longer it is since they first went on-line. Among those who are on-line 1-4 hours per week, the average rating for the Internet is 73 degrees, while for those who are on-line 10 hours or more, the rating is 80 degrees. Among those who have been on-line less than one year, the average rating is 72 degrees, but for those who have been on-line more than one year, it is 78 degrees. All of these correlations suggest that the Internet could become an even more popular part of the social landscape over time, as more people go on-line and gain experience using the Internet.

Interestingly, once one controls for Internet use, there is almost no change in favorability ratings for the Internet according to age. Indeed, the rating among Internet users age 65 and older is the same as for those ages 18-29, a high 80 degrees. This finding suggests that, when it comes to the Internet, familiarity breeds contentment – even for older Internet users who are going on-line for the first time much later in life. Thus, the notion that the Internet is a medium for the young is wrong; it is a medium that appeals to the vast majority of those who use it – no matter their age.

FIGURE 2

Ratings for the Internet: Internet users vs. Internet non-users



Comments from our public focus groups convey the sense of optimism and excitement that the public already attaches to the Internet:

> *Opens up the whole world.* [Senior men and women, Omaha, Internet non-users]
>
> *There's so much potential.* [Middle aged men, Scottsdale, Internet users]
>
> *You can find pretty much anything that you would ever want. You are no longer limited to a geographic region. You can get anything you want from anywhere in the world. Whether it be information or tangible items.* [Young men and women, Atlanta, Internet users]
>
> *Easier and easier.* [Senior men and women, Omaha, Internet non-users]
>
> *Love it.* [Senior men and women, Scottsdale, Internet users]

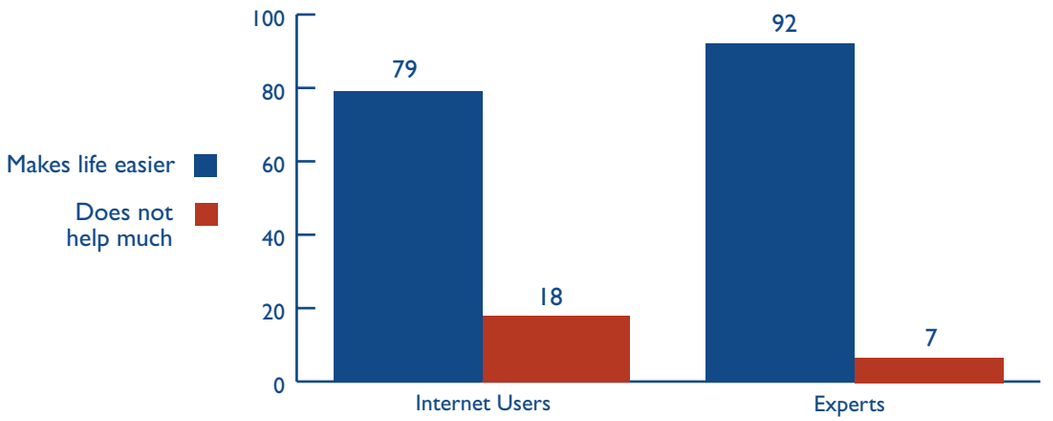
The public likes the Internet, in large part, because they view it as useful. Over three fourths of public Internet users (79 percent) and more than nine tenths of Internet experts (92 percent) say "the Internet makes my life easier," rather than "the Internet does not help me much." Significantly, the vast majority of both public and expert respondents who say the Internet makes their lives easier agree with this statement *strongly.* (See Figure 3.)

The American public's enthusiasm for the Internet also flows from their values. The Internet is a medium that fits well with the country's faith in progress, economic opportunity, and free speech.

FIGURE 3

Internet: Makes My Life Easier

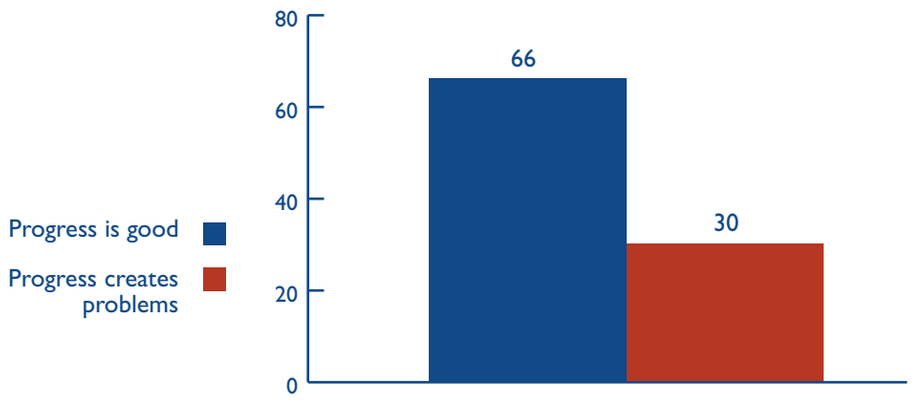
General Public Internet Users; Experts



"The Internet makes my life easier," versus, "The Internet does not help me much."

FIGURE 4

Progress As A Value



"Progress is good," versus, "Progress creates as many problems as it solves."

Americans place a high value on progress. About two thirds of the American public (66 percent) believes that "progress is good," rather than "progress creates as many problems as it solves." (See Figure 4.) This is a broad-based national belief, with roughly the same two thirds sharing this view among Internet users and Internet non-users (67 and 63 percent, respectively), among both the public and Internet experts (66 and 71 percent), and among teens and senior citizens alike (67 and 63 percent). This view not only creates a positive backdrop of values for the Internet's development, but also gives many Americans hesitation about taking actions that might impede or slow the Internet's development.

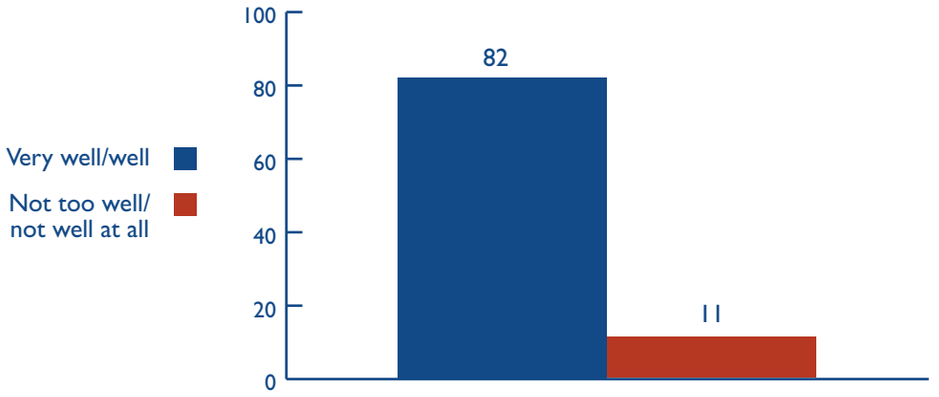
There is also a broad belief that the Internet has become an engine for the kind of growth and opportunity that has marked recent years. In our July 2000 survey, fully 82 percent of the public sees the Internet as "an engine of economic growth," compared to only 11 percent who do not. (See Figure 5.) The downturn in the technology economy has dampened that view; by June 2001 the figure had slipped 7 points to 75 percent. But even with the economic downturn, the vast majority of the public continues to see the Internet as a driver of prosperity.

Moreover, the public sees the economic benefits as broad-based. By a 50-45 percent margin, the public believes that the "the growth in high-technology companies, such as computer and dot-com companies, benefits everyone" (as opposed to, "…only benefits some people.") There is real intensity here, with over half of those who hold this belief – 28 of the 50 percent – believing it *strongly*. The view is even more robust with the experts we surveyed, who take this position by a 71-28 percent margin. (See Figure 6.) Interestingly, the recent downturn in the technology sector of technology-based businesses has not much affected this view. Our re-testing of this question in June 2001 finds that almost the same share, 49 percent, see the growth of high-technology companies as bringing broad benefits.

An exception to this view comes from Americans who do not go on-line. Whereas a 56-41 percent majority of Internet users agrees "the growth of high technology companies, such as computer and dot-com companies, benefits everyone," a 42-50 percent majority of Internet non-users says the

FIGURE 5

Internet: Engine of Economic Growth



"I am going to read some words that might be used to describe the Internet. For each word, please tell me whether it describes the Internet very well, well, not too well, or not well at all: an engine of economic growth."

growth in a dot-economy "only benefits some people." Focus groups with the members of the public who do not go on-line suggest that these Americans feel left behind by a hi-tech economy. As one young non-user in Omaha says: "Some people have jobs, 'e-com' or 'e-business,' or whatever you want to call it. They can sit home and do their job off the Internet. They can work their job through that. Maybe they build web pages or something. Stay in bed longer."

Americans also are enthusiastic about the Internet because it strikes them as linked to another deeply held value, that of free speech. Throughout the focus groups we conducted with the public, participants talk about the importance of the Internet in terms of a forum for unrestricted expression. As a younger man in Scottsdale notes, "The Internet is supposed to be freedom of expression, whether it is perverse, crazy, ridiculous." A young woman in Syosset, New York, echoes the same point, "It's freedoms of speech, the press, in terms of what you write and create."

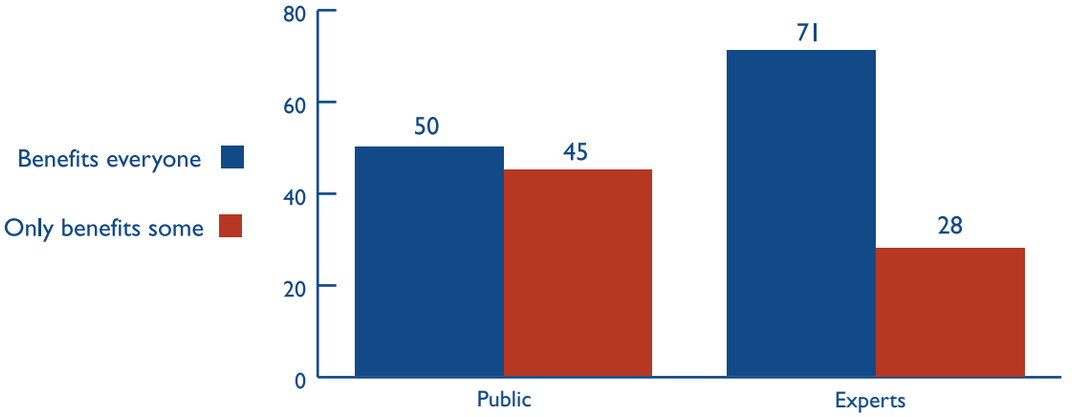
Our focus group research suggests that this view of the Internet as a refuge for free speech seems especially strong among teens. The teens in our research see it as the kind of place – unlike their own schools or dinner tables – where they can say almost anything. As one of the participants in our on-line focus group with teens says, "The beauty of the Internet is that it's the last 'free' area in the world." (See Sidebar, "Teens on the Internet.")

Worries about the Internet

Although the American public mostly views the Internet in positive terms, a significant number are also worried about this new medium. Nearly half, 45 percent, including 41 percent of Internet users, say that the phrase "a source of worry" describes the Internet very well or well. (See Figure 7.)

FIGURE 6

Internet Economy: Benefits Some or All



"The growth in high-technology companies, such as computer and dot-com companies, benefits everyone," versus, "The growth in high technology companies, such as computer and dot-com companies, only benefits some people."

The intensity of such worries is strikingly lower among Internet users – only 14 percent of them say this phrase describes the Internet very well, as opposed to 26 percent of Internet non-users. Yet there are clearly concerns even among those who have on-line experience.

The public's concerns cover a wide range and are well known. They center on protecting children from pornography and on-line violence, and on privacy of information. When asked to select their two biggest concerns from a list of ten options, about half of all respondents (49 percent) choose "pornography and violence on the Internet," and nearly as many (46 percent) select "protecting children on the Internet." There is a big drop-off to the next items, but all three of the next most selected choices touch on privacy and security of information: "privacy of information on the Internet" (34 percent), "fraud on the Internet" (22 percent), and "computer hacking and viruses" (19 percent). (See Figure 8.)

In an open-ended format, the responses tilt even more strongly toward privacy. In our Internet-based survey (see the Introduction for details), when asked to describe the top three things that concern them about the Internet, nearly two thirds of all respondents (65 percent) mention something about the privacy of personal information. Another 29 percent cite pornography and the potential for children to access adult material on-line.

The focus groups bolster this impression – that people have a range of serious concerns about the Internet, despite their general enthusiasm for this new medium:

> *I wish they could have the web for educational purposes, but no sex stuff and all that stuff.* [Middle aged women, Omaha, Internet users]

> Information, tons of information that affects every aspect of your job, travel. I can't think of a subject it doesn't affect.
>
> *Middle aged men, Atlanta, Users*

Teens on the Internet

The Internet has come to complement, if not supplant, the primary teen accessory of old: the telephone. Teens are somewhat more likely to use email and instant messaging than adults, and the share of teens that "often" go to chat rooms is five times the share for adults, 17 percent compared to 3 percent.

Even more than for adults, American teens feel the Internet is about information and communication rather than commerce. In our on-line focus group with teens, most participants say their favorite thing about the Internet revolves around "being able to talk to other people:"

Talking with my friends.

It helps me stay in touch with my friends.

Meeting new people.

In unique ways, teens feel empowered by the Internet. They feel the Internet acts as an equalizer between themselves and the adult world. They cherish the Internet's anonymity: they feel less likely to be judged when they are on-line. They prize the freedom it offers: to explore, to be who they want to be, and to be taken seriously at the same time. Teens talk about their on-line world as an authority-free zone that contrasts sharply to the rest of teen life, where there are curfews, homework, teachers, and parents.

The beauty of the Internet is that it's the last "free" area in the world.

There are millions of us, and since age disappears on the Internet, we have just as much strength as an adult.

People seem to respond to what I say more sincerely. It's easier sometimes to express myself. That and I'm shy off the Internet. Plus online, my age doesn't matter as much.

This romance with the freedom they experience on-line makes many teens "cybertarians" – on-line libertarians – who embrace the idea that the Internet is a place of few laws and little regulation. For these teens, the Internet *is* like the Wild West. The teens we interviewed are loath to introduce additional laws and regulations that may inhibit their freedom. When asked if there should be "more rules or laws" on the Internet, teen participants respond with unequivocal rejections.

Definitely not.

Less, if anything.

It's [the Internet] not centralized now, which is the beauty of it.

Keep [the Internet] as anarchistic as possible (like now).

For teens in our on-line focus group, the concepts "Internet" and "regulation" clash horribly. They treat even a thought experiment about "Internet police who would look out for people online" with scorn.

When asked if they could support such a concept, focus group participants reply with vigor.

People seem to respond to what I say more sincerely. It's easier sometimes to express myself. That and I'm shy off the Internet. Plus online, my age doesn't matter as much.

Teenager

NONONO!!!!!

Internet police? That would be a target for hackers all over the world…

No! Keep away from me coppers!

Not even to "help" me.

Teens appear to distrust the private sector at least as much as government when it comes to the Internet. By a 65-33 percent margin, more of them say that "industries generally need to be regulated by the government," rather than "industries can generally be trusted to regulate themselves."

Because the Internet has become such a fixture in their lives, teens have strong feelings about the need for more accountability on the Internet. They mostly want to leave in place an architecture that they view as free and fluid.

Many teens appear to understand there are dangers on-line. They are wary of strangers on-line – in some cases even more so than adults. They are more than twice as likely as adults – 15 percent versus 7 percent – to be concerned about "contact with dangerous people."

But they prefer to deal with such dangers on their own, and feel (rightly or wrongly) that they are able to do so. For many teens, accountability comes down to the individual.

They apply this attitude to more mundane dangers. We asked the teens in our on-line group: who would be responsible if they based a history paper on what turned out to be a phony source on the Internet (in this case, a fake site about American history named georgewashington.com)? Their responses suggest that they rely on themselves to determine what is accurate and what is not.

Well, there is no way to know for sure about the sources of something from the web.

I should have had more than once source.

It's my job, not Big Brother's.

Man, that'd suck. Mental note: do not use Georgewashington.com in the future.

Teens are aware that some degree of surveillance is the price they pay for being on-line. They feel that the Internet is predicated on information exchange – among individuals, among groups, and among businesses. Far from being a cause for alarm, they view the fact that they are marketed to and occasionally prodded for personal data simply as the price of doing business.

I think that if somebody really wanted to, they could "watch" me on-line, but I can't see any reason for them to. Other than greedy suits.

If you're getting information then you should expect that someone will try to get information from you, kind of like Napster.

Anyway, it's not like they're reading stuff on your personal computer, they're just tracking you.

Well, there is no way to know for sure about the sources of something from the web.

Teenager

I think that if somebody really wanted to, they could "watch" me on-line, but I can't see any reason for them to. Other than greedy suits.

Teenager

The fact that teens see data mining, profiling and other information gathering as a fact of life on the Internet leads to one of the more interesting disjunctions between teens and their elders from the survey research. Both teens and adults are asked whether people should be allowed to share copyrighted works free of charge. A 60-36 percent majority of adults say no, agreeing that "artists deserve to be paid for their work." An almost equal 59-37 percent of teen respondents say yes, agreeing instead that the free sharing of artistic work "maximizes freedom and communication without really hurting anyone."

Although teens have a strong cybertarian bent, this is not to say that they prefer a version of "Lord of the Flies" on the Internet where chaos is the order of the day and the mighty rule. Indeed, many teens are attracted to the Internet because they can build a community of sorts on-line. For example, in our on-line survey with teens, we tested the "Kidz Privacy" site posted by the Federal Trade Commission. Teen respondents were more comfortable with the idea of a governmental institution acting as a resource rather than a lawmaker or "Internet cop."

It makes kids more aware that there could be danger on the Internet also.

I think the idea is good, but the government shouldn't step in with a privacy law.

Informing the public about new laws? Definitely good.

When asked in the survey whether the FTC site was an appropriate kind of thing for the government to be doing, both teens and adults agree. A majority of adults, 54 percent, and a plurality of teens, 44 percent, think it is "very appropriate" for the government to be operating such a site. Another 27 percent of adults and 31 percent of teens deem it "somewhat appropriate."

Yet the fact that the government has posted some general guidelines concerning Internet safety does not significantly alter their view of on-line life. Teens still feel that it falls to the individuals to educate themselves, or for parents to take responsibility for looking after the safety of their children.

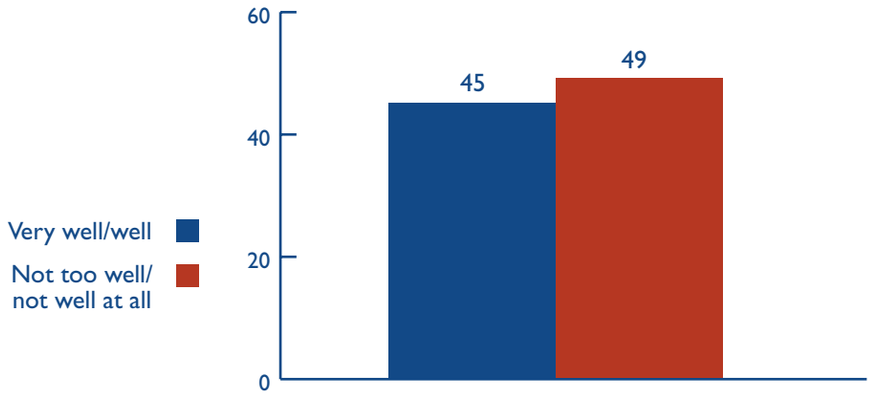
It's the job of parents to control what a kid does.

The government shouldn't be controlling what parents should.

There isn't a sure way to control whether or not kids consult their parents about the stuff, etc. It's a parent's job and the gov't can't really control that.

FIGURE 7

Internet: Source of Worry



"I am going to read some words that might be used to describe the Internet. For each word, please tell me whether it describes the Internet very well, well, not too well, or not well at all: a source of worry."

[On chat rooms] We adults never know what is going on. It could be a child molester. So I think a chat room should be monitored. [Young men and women, Atlanta, Internet users]

My son had his identity stolen… He and his wife talked to him, this other guy and his wife, in Illinois or somewhere else, who had taken all his identity, and nobody would prosecute. The police do not cross the state boundaries. There is no follow up on this. There is nothing you can do about some of these things that happen. And that's where we need to have some help. [Senior men and women, Scottsdale, Internet users]

I know right now, you can get on the Internet and type in your name and they will show you exactly where you live, with a map to your home. That is so scary. [Young men and women, Omaha, Internet non-users]

They could find out your bank account. [Senior men and women, Omaha, Internet non-users]

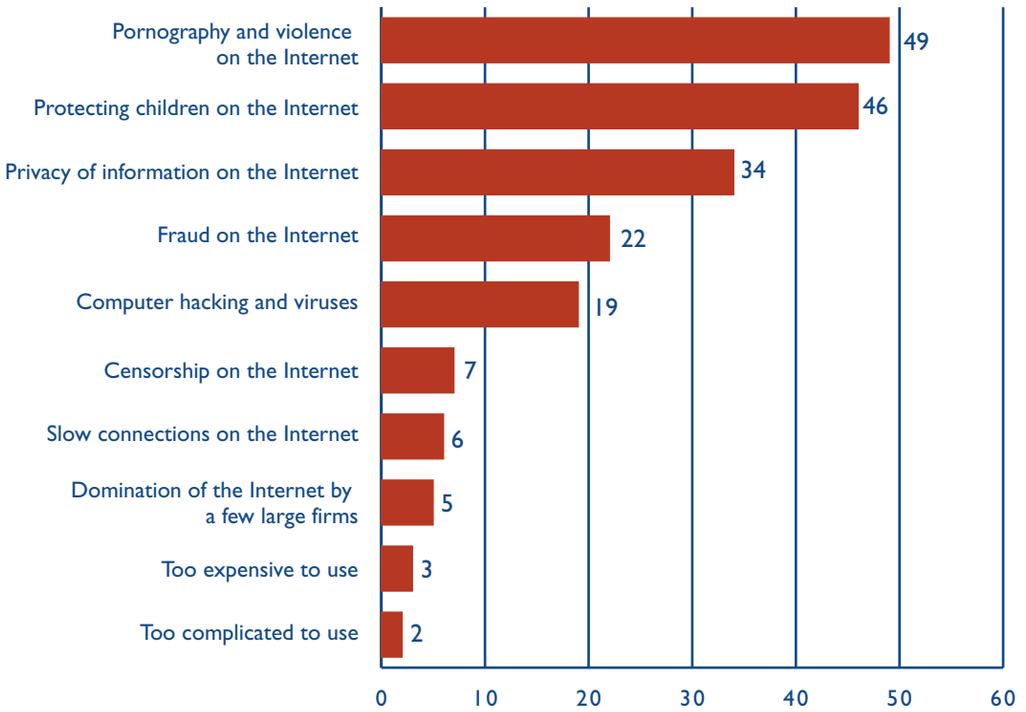
You can't control it. I wish somebody could do something. [Senior men and women, Omaha, Internet non-users]

These worries, like the public's positive feelings about the Internet, derive from strongly held values, such as a concern for the well-being of children. The public also holds strong values concerning privacy. A 58-38 percent majority of the public says "my right to privacy is relatively absolute" (as opposed to, "sometimes my right to privacy must be balanced against the needs of society as a whole"). (See Figure 9.) There is great intensity behind this value as well, with 44 of the 58 percent saying they feel this way strongly. Privacy is a complex notion, and encompasses everything from wanting to protect

FIGURE 8

Concerns About the Internet

General Public



"I am going to read you a list of concerns some people may have about the Internet. Please tell me which TWO of these are your biggest concerns."

one's financial or health information, to simply wanting to be left alone. As we will see later in this study, all of these come into play in the public's feelings about the Internet.

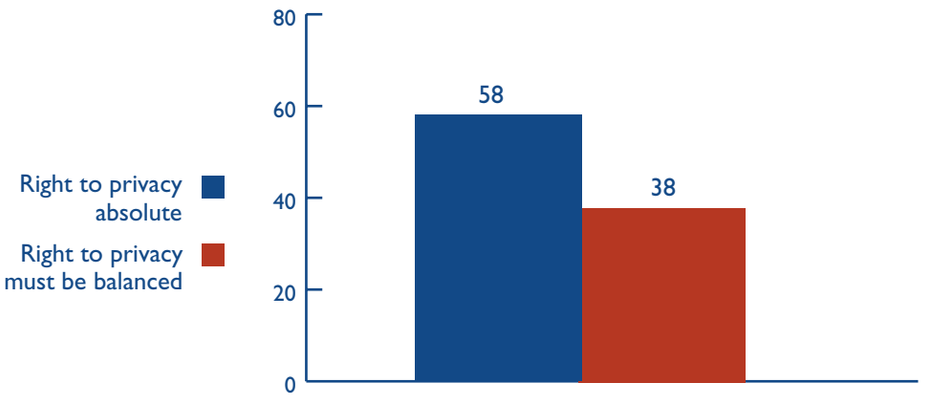
Understanding and tracking the extent and intensity of such worries about the Internet is important for those who will craft the rules that govern this medium in the years to come. Internet users and non-users alike find the Internet to be an attractive, useful medium, yet their worries suggest they are eager to find ways to make the Internet safer for themselves and their families. We return to this challenge in later chapters.

Internet as Information

Beyond the public's appreciation and apprehension over the Internet, there is a broader question about how they understand the Internet – the images and metaphors they bring to bear in thinking about its uses and role in society. The question is important, because it has implications for how the public thinks the medium should be governed.

FIGURE 9

Privacy as a Value



"My right to privacy is relatively absolute," versus,"Sometimes my right to privacy must be balanced against the needs of society as a whole."

In much of popular discussion, the dominant image of the Internet has been as a medium for commerce. Yet the primary image of the Internet for the public is as a source of information.

To be sure, the commercial uses of the Internet are important to the public. Over a quarter of those who have gone on-line have used the Internet to shop (27 percent say they do this "often" or "sometimes") or bank and invest (26 percent).

Yet, despite the popularity of the Internet's commercial uses, and despite the attention that has been focused on the Internet as a marketplace for goods and services, the public's image of the Internet does not primarily revolve around commerce. Rather, the public equates the Internet with *information*. The information people find on-line often may be related to commerce – such as comparative information on products – yet they mostly think of the Internet as the place they go to learn, not the place they go to shop.

When Internet users are asked in an open-ended format what the best thing is about the Internet, well over half, 61 percent, give answers that center around information, knowledge, or research. Only 5 percent talk about shopping, banking, investment or other commercial activities; another 1 percent mentions entertainment. (See Figure 10.)

We present respondents in the public survey with a list of words and phrases that people might use to describe the Internet, and ask them if the concepts describe the Internet very well, well, not too well, or not well at all. The strongest reaction of the six phrases presented is on "informative": 91 percent of the public says the word describes the Internet very well or well, with the lion's share (63 percent) saying "very well." Only 4 percent say the word describes the Internet not too well or not well at all. (See Figure 11.) Although the share that sees the Internet as

My son had his identity stolen… He and his wife talked to him, this other guy and his wife, in Illinois or somewhere else, who had taken all his identity, and nobody would prosecute. The police do not cross the state boundaries. There is no follow up on this. There is nothing you can do about some of these things that happen. And that's where we need to have some help.

Senior men and women, Scottsdale, Internet users

"informative" declined slightly by June 2001, to 88 percent, it still remains the attribute that the public associates most strongly with the Internet.

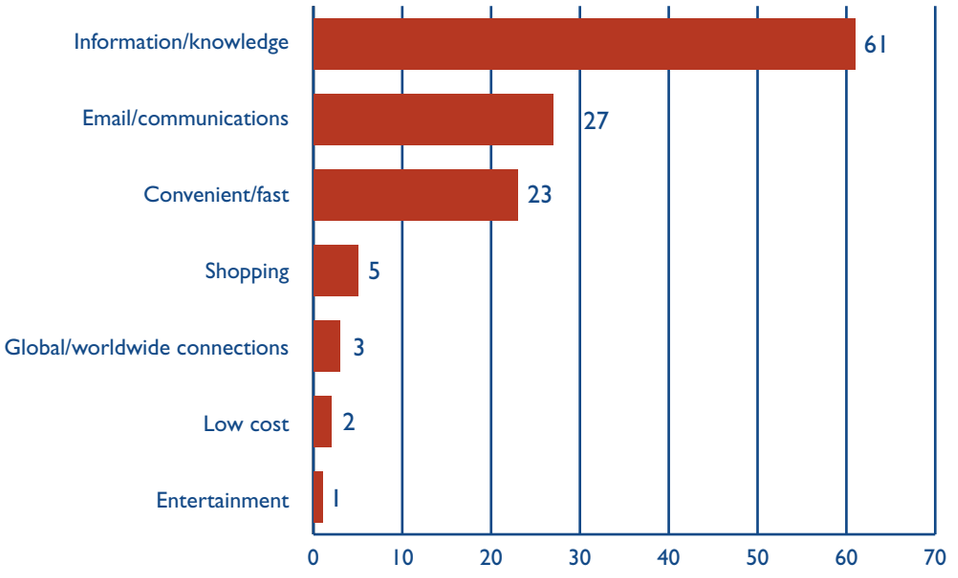
We see the same emphasis on information when we explore the images that the public associates with the Internet. We ask public respondents to choose among seven metaphors for the Internet that are commonly cited. Relatively few choose the two metaphors that involve commercial activity – only 14 percent select "a shopping mall," and only another 3 percent say the Internet is like "a banking and investment office." The dominant image, instead, is of the Internet as "a library" – a source of information. Nearly half the public, 45 percent, chooses this metaphor, and another 7 percent say the Internet is most like another source of information and knowledge, "a school." The image of a library is dominant even among the minority of Internet users who shop or bank on-line. (See Figure 12.) A re-test of this question in June 2001 found no statistically significant change in the results, with 43 percent of the public choosing the "library" analogy, while the "school" analogy stayed at 7 percent.

Interestingly, only 8 percent of the public chooses a metaphor that is often cited in the Internet policy literature and in our in-depth interviews with Internet experts – the idea of the Internet as "the wild west." Far more, 15 percent, say the Internet is like "a highway" – an image that connotes speed, openness, and access, but also some degree of rules and orderliness.

FIGURE 10

On-line Benefits

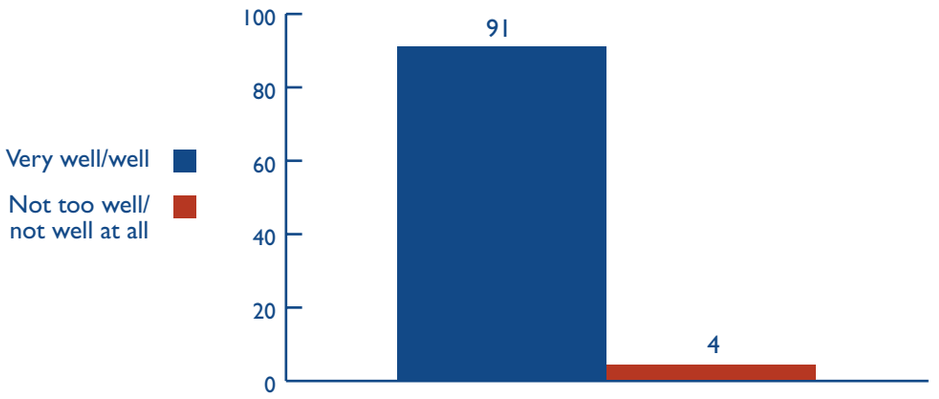
General Public Respondents Use the Internet



"What is the best thing about the Internet?"

FIGURE 11

Internet: Informative



"I am going to read some words that might be used to describe the Internet. For each word, please tell me whether it describes the Internet very well, well, not too well, or not well at all: informative."

Lots of information. I don't have to go to the library any more.

Young women, Syosset, Internet users

The tendency to see the Internet as a source of information is strongly related to on-line experience. Among Internet users, over half, 52 percent, choose "a library" as the best metaphor for the Internet, while only a third, 33 percent, do so among Internet non-users. At the same time, Internet non-users are slightly more likely than Internet users to see the Internet as a shopping mall (17 percent among Internet non-users, compared to 12 percent for Internet users), or as a banking and investment office (5 percent for Internet non-users, compared to 1 percent for Internet users). Similarly, Internet users are 15 points more likely to say that "informative" describes the Internet very well or well – 97 percent of those who have gone on-line, compared to 82 percent of those who have not.

Perceptions of the Internet as a source of information continue to rise the more people have exposure to the Internet. Internet users who go on-line 10 hours or more weekly are more likely than more infrequent Internet users to agree strongly that the Internet is "informative," and to say that the best thing about going on-line is the flow of information. Even more striking, among Internet *non-users,* those whose children go on-line are fully 16 points more likely to agree strongly that the Internet is "informative," compared to Internet non-users without children, or Internet non-users whose children do not go on-line.

These findings suggest that Internet non-users may be picking up a caricature image of the Internet from the media, with its emphasis on commercial applications. The on-line public, by contrast, is developing a very different image for itself, based on an experience-based discovery that the Internet has much more to do with information.

Comments in the public focus groups reinforce the conclusion that the public is highly focused on the Internet as, above all, a source of information. When asked what pops into their head when they think of "the Internet," some participants cite "commerce" or "jobs." But there is more

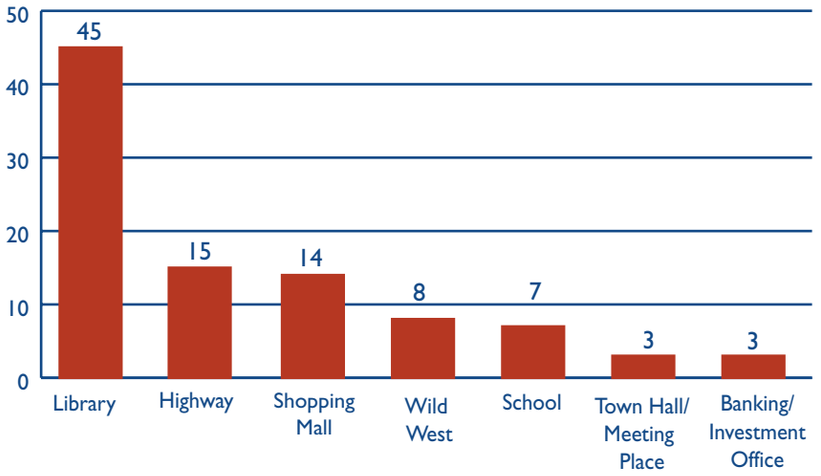
A lot of the Internet is not just selling product. It's posting information.

Middle aged men, Scottsdale, Internet users

FIGURE 12

Images of the Internet

General Public



"Some people have compared the Internet to other places that they are familiar with. In your opinion, which one of the following is the Internet most like?"

focus, especially among those who go on-line, with the Internet as an instant and boundless source of information.

> *Information, tons of information that affects every aspect of your job, travel. I can't think of a subject it doesn't affect. [Middle aged men, Atlanta, Internet users]*

> *You get information almost instantaneously. It's more real time as opposed to prior to [the] Internet or prior to computers, [when] you were being forced to dial a phone number, and if it's after business hours you were just stuck until then next day.* [Middle aged men, Atlanta, Internet users]

> *Can get all sorts of information instantly.* [Teen, Online]

> *Communication with family and friends, a great resource for information, and instant access to a lot of daily tasks.* [Adult, Online]

> *Lots of the Internet is not just selling product. It's posting information.* [Middle aged men, Scottsdale, Internet users]

Indeed, some participants say that one of the drawbacks of the Internet is "information overload." As one middle aged man in Atlanta says, "the negative to me is really the flip of the positive, which is easy access to information, retailing and that kind of thing. There's almost no end to that. You find yourself doing comparison shopping on a new camera or whatever. And long after it's helpful

The New Global Library

The research suggests that the public has come to see the Internet as the new global library – a place to learn, search for information, or obtain needed reference materials. The public's most favored way of conceptualizing the Internet is as a "library" (picked by 45 percent). Fully 91 percent view the Internet as "informative."

Now that some colleges and universities are offering courses on-line this image of the Internet as a place for research and learning may increase further. Comments from our focus group participants clearly invoke this image:

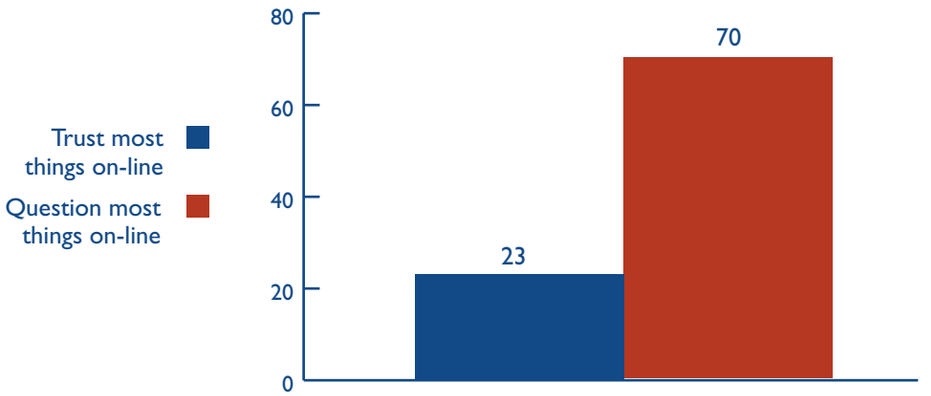
> *It's an encyclopedia.* [Middle aged women, Omaha, Internet users]
>
> *Lots of information. I don't have to go to the library anymore.* [Young women, Syosset, Internet users]

to you, you're still out there looking." A younger man in Scottsdale, Arizona adds: "If you don't know exactly where the information is, you can come across some 8-year-old's report on something, and it is absolutely a waste of your time." Some complain about another form of information overload – unsolicited and unwanted emails. As a young Internet user in Atlanta complains, "I have, like, 356 emails from 356 people I do not know. I tried to read them all. It's not working."

People are concerned not only by the volume of information on the Internet, but also by its accuracy. By a strong 70-23 percent margin, most respondents say, "you have to question the truthfulness of most things you read on the Internet" (as opposed to, "you can trust most things you read on the Internet"). While many participants in our focus groups note they bring a similar skepticism

FIGURE 13

Ability to Trust What You Read on the Internet



"You can trust most things you read on the Internet," versus, "You have to question the truthfulness of most things you read on the Internet."

to bear on information they find in the off-line world, the need for means to filter out unwanted on-line content and verify on-line information comes up repeatedly in the groups. (See Figure 13.)

Experts, as well as the public, focus overwhelmingly on information as the defining characteristic of the Internet. When asked in an open-ended format to name three words that best describe the Internet, fully half (50 percent) say "information" or "knowledge." The next most common response, "email," comes in 18 points lower, at 32 percent. Only 5 percent offer words related to commerce, such as "money," "wealth," or "commercial."

This finding – that the public views the Internet mostly as a source of information – is particularly important when it comes to thinking about how to protect a broad range of interests on-line. Our focus groups suggest that the public closely associates values regarding speech and expression freedoms with their image of the Internet as an information medium. As noted earlier, our focus groups suggest that although society treats speech and expression differently from commerce, the Internet's association with speech and expression does not mean that the public wants *no* rules for the Internet. As we will see in the following chapters, the public appears to be looking for approaches to the governance of the Internet that provide a greater sense of on-line protection and control in ways that respect speech values, and which do not impede the open flow of information, which they see as one of the Internet's great strengths.

CHAPTER 2

Concerns About Accountability

Concerns About Accountability

When I first started with the Internet, the problems that you incur, and there is really nobody available to help you out of it.

Middle aged men, Internet users, Atlanta

The American public believes the Internet is a good thing, but doubts whether it is a medium that provides ways to hold people accountable – for the accuracy of on-line information, for the delivery of products and services promised on-line, or for solving other problems they encounter on-line. A solid majority of the public does not know who it would turn to if it had a problem on-line. Indeed, the public believes it has fewer rights and protections when it goes on-line than it does when it is doing things in the off-line world.

The public also doubts that it has any way to hold accountable the people who develop the rules that govern the Internet. Most of the public believes that the Internet is unregulated – and a plurality suspects it may even be ungovernable. Despite these doubts, large segments of the public nonetheless feel that more accountability is both possible and necessary.

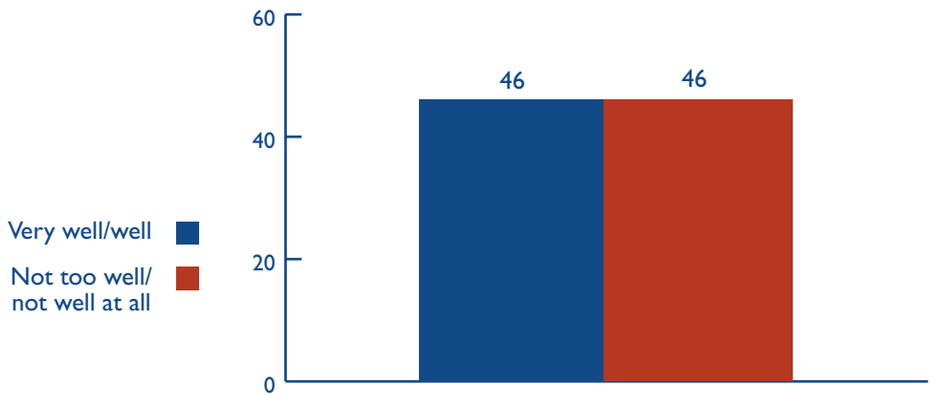
Perceptions about Accountability

Despite its enthusiasm for the Internet, the public has strong doubts about whether the Internet is a medium that fosters or even permits accountability – between on-line consumers and retailers; between on-line readers and content providers; or between Internet users and those who make the rules that govern the Internet. The public is evenly divided, 46-46 percent, on whether the phrase "accountable to the public" describes the Internet well. (See Figure 1.) The share of the public that views the Internet as accountable has remained relatively steady over the past year, moving down slightly to a 42-47 percent minority in our June 2001 re-test.

Interestingly, those Americans who go on-line more or feel most favorably about the Internet are not more likely to feel that the Internet is a medium that permits accountability. Virtually

FIGURE 1

Internet: Accountable to the Public



"I am going to read some words that might be used to describe the Internet. For each word, please tell me whether it describes the Internet very well, well, not too well, or not well at all: accountable to the public."

equal shares of Internet users and Internet non-users – 46 percent and 45 percent, respectively – consider the Internet a medium that is "accountable to the public," even though Internet users feel much more favorably toward the Internet. Even though those who go on-line more than 4 hours per week feel most favorably about the Internet, they are actually slightly less likely than those who only go on-line a few hours a week to say that the Internet is a medium that enables accountability (although the difference is not statistically significant).

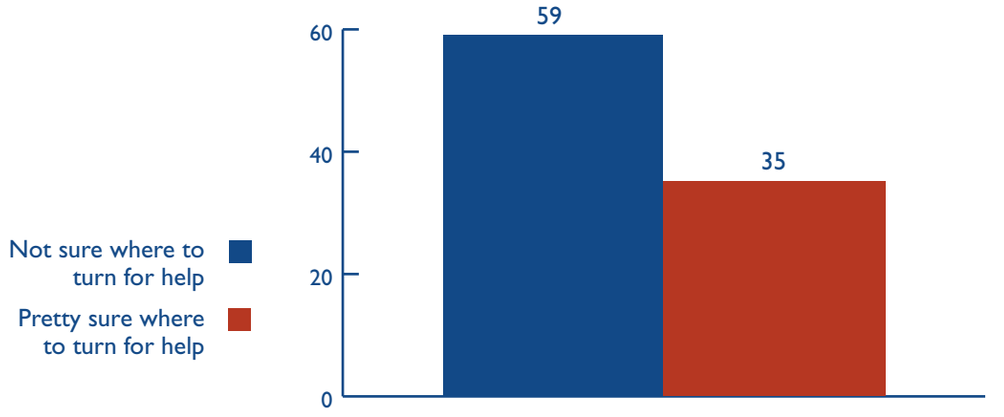
Similarly, older Internet users, who tend to have some of the most positive feelings about the Internet, tend to have the greatest doubts about whether the Internet is a medium that permits accountability. Upper income Internet users (over $100,000 annual income) give the highest ratings to the Internet among all income groups, but are the least likely to associate the Internet with accountability. Indeed, a 54 percent majority of this group says "accountable to the public" describes the Internet not too well or not well at all.

The survey provides a tangible measure of the lack of accountability that many people evidently feel when they are on the Internet. By a 59-35 percent margin, a majority of the public says, "if I had a problem on-line, such as a consumer complaint or privacy problem, I am not sure who I would turn to for help" (as opposed to, "If I had a problem on-line, such as a consumer complaint or privacy problem, I have a pretty good idea of who I would turn to for help"). Among this 59 percent, most (40 percent) feel this way strongly. (See Figure 2.)

All this suggests a central paradox: the more people get to know the Internet, the more they like it. Yet the more they get to know the Internet, the more they also come to feel that it is not a medium where they get problems solved or hold others accountable for their actions or information.

FIGURE 2

Turn to For Help



"If I had a problem on-line, I am not sure who I would turn to for help," versus, "If I had a problem on-line, I have a pretty good idea who I would turn to for help."

Rights and Protections On-line

The public is worried about on-line accountability, in part, because they feel they have fewer rights and protections when they go on the Internet than when they act in the off-line world. A 54-36 percent majority disagrees with the statement that "you have the same rights and protections when you are on the Internet as you have when you are not on the Internet" (and chooses instead, "there is a real difference in the rights and protections you have on the Internet and those you have in other aspects of your life"). (See Figure 3.) This view, as with the skepticism about whether the Internet is a medium that permits accountability, is nearly the same among both Internet users and Internet non-users (54 and 52 percent, respectively).

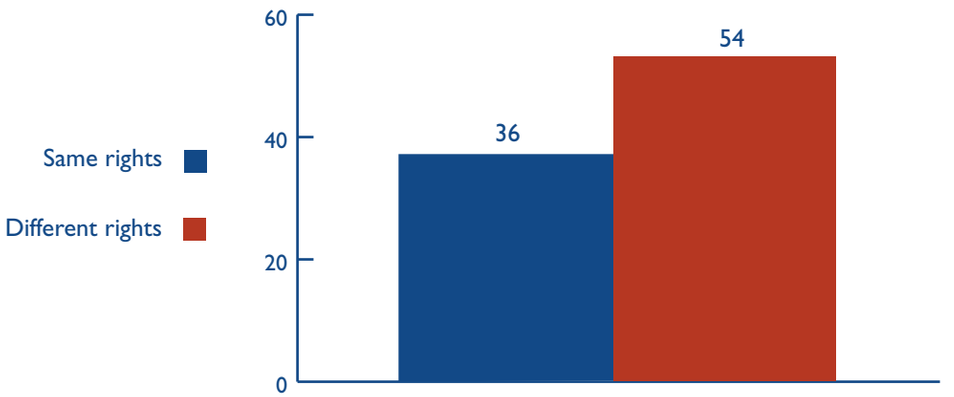
A younger Internet non-user in Omaha puts it this way: "I don't think [you have the same protections on-line]. It's a lot harder to put up a business in a shopping mall and then close it down the next day because your stuff wasn't legit. I would be a lot easier to do it on the Internet, though."

Young Internet users, who tend to be quite bullish on the Internet, are especially likely to feel that their protections on-line are not the same as off-line. A 57 percent majority of Internet users ages 18-29 believes this, and (in our Internet-based survey) 62 percent of teenagers 15-17. (See Figure 4.)

This is one of the areas where there is a notable difference between the public and Internet experts. The experts we surveyed say by a 51-44 percent majority that people do have the same rights and protections on-line. In our in-depth interviews with Internet experts, however, a more subtle set of views emerges. On one hand, most of the experts assert that people's legal rights are essentially the same on-line as off-line (although several, particularly those associated with non-profit advocacy

FIGURE 3

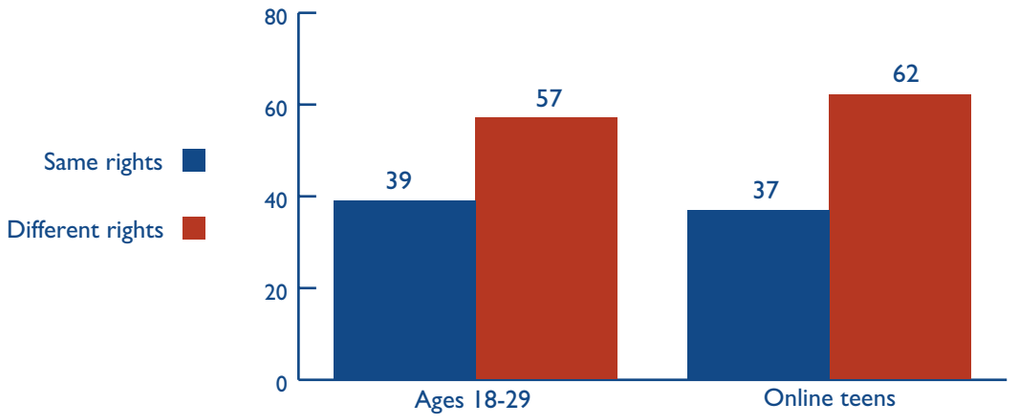
Internet Accountability: Rights and Protections



"You have the same rights and protections when you are on the Internet as you have when you are not on the Internet," versus, "There is a real difference in the rights and protections you have on the Internet and those you have in other aspects of your life."

FIGURE 4

Rights and Protections: Young Internet Users



"You have the same rights and protections when you're on the Internet as you have when you're not on the Internet," versus, "There is a real difference in the rights and protections you have on the Internet and those you have in other aspects of your life."

organizations, disagree). As one non-governmental Internet regulatory expert associated with the development of the Internet argued in an in-depth interview: "Rules of behavior are just as valid in the Internet environment as they are off-line. Fraud is fraud, whether it's on the net or on the telephone, in the postal service or by word of mouth. Stealing is stealing. Harassment is harassment."

Yet they believe the *protections* the public has are more limited. Many of the experts say the reason for this has less to do with the formal legal and procedural rights people have on-line, and more to do with the limitations that the Internet places on people's abilities to protect themselves. For example, some of them note, if a consumer goes into a local store, they can look at the neighborhood, the interior of the shop, and the store owners to get a sense of whether they trust the proprietors. It is harder to get such cues on-line. Other experts state that while rights and protections are basically the same on- and off-line, the size and scope of the Internet increases the chances for mischief.

> *Basically, in the physical world…, I'm willing to trust a little mom and pop business that is trying to make a living. Because I can get a sense of who is behind it, or what this business is like, based on just the physical environment, etc. What the people look like, if they look friendly, etc. And on the net you don't have that. There's not many clues that you can use to build trust basically. And this is a problem for sellers as well as for buyers.* [Technology Academic]

> *I think they have the same legal rights, but they're not aware of how they can use the technology to protect themselves.* [Privacy Journalist]

Potentially the opportunity for malicious mischief is larger; but I think it's the same opportunities for malicious mischief. [Internet Corporation Senior Executive]

They have less protection on-line. And part of that is because they're overly trusting on the Internet. In a way that they would not be in off line commerce… I think people are more likely to take up an offer or to purchase something, anything from a direct email to e-Bay that they would never be willing to participate in off-line commerce. [Media and the Internet Expert]

I think they have the same legal rights, but they're not aware of how they can use the technology to protect themselves.

Privacy Journalist

Comparisons Between the On-line and Off-line Worlds

In the focus groups, many participants acknowledge that many of the problems that concern them on-line confront them in the off-line world as well. They note that junk mail, privacy risks, bad information, and consumer fraud abound beyond the Internet.

The interesting thing to me about this [is] people [are] concerned about this but yet handing your credit card to an 18-year-old waiter or waitress. [Middle aged men, Atlanta, Internet users]

I'm more worried about the guy that gets $5.50 [an hour] at the Gap that has my credit card. [Middle aged men, Scottsdale, Internet users]

It could be you or I that made up this web site giving out medical information. However, when you go into a doctor for the first time, you don't know how good he is, either. [Senior men and women, Scottsdale, Internet users]

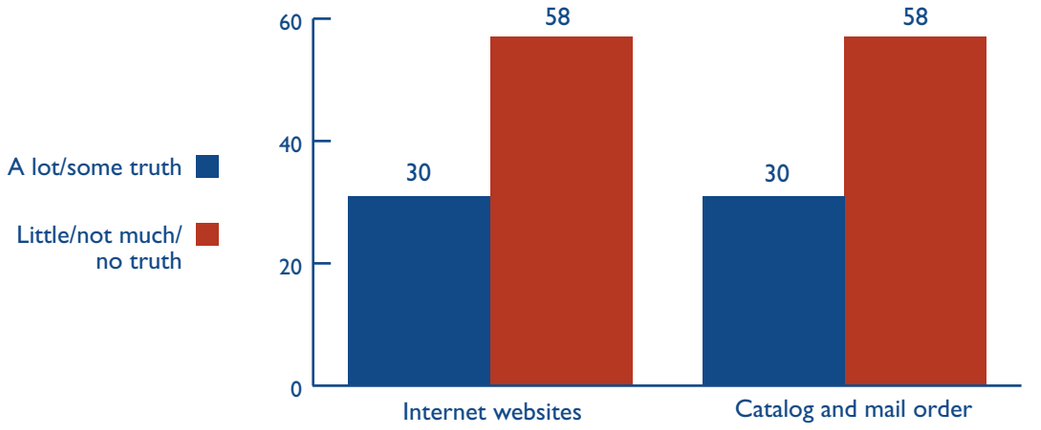
The public survey confirms this sense that both the Internet and the off-line world create vulnerabilities for consumers' private information. For example, a 58-30 percent majority of the public rejects the notion that Internet websites are "not allowed to share or sell information about what goods and services you have purchased at that site." And by an identical 58-30 percent margin, the public says that "mail order companies are not allowed to share or sell information about what goods you have purchased through their catalogues." In other words, in this area, consumers sense the same degree of vulnerability on-line and off-line. (See Figure 5.)

Yet the on-line public nevertheless is generally more concerned about these problems on the Internet than in their off-line lives. This is true even for activities that they acknowledge to be quite common off-line, such as junk mail and the buying and selling of mail lists. By a 44-37 percent margin, Internet users say they are more concerned about "receiving unsolicited mail or advertisements" on-line than off-line. And by an even stronger margin, 46-27 percent, they say they are more concerned about "businesses selling my name as part of a list" on-line than off-line. (See Figure 6.)

In other words, the problems of the on-line and off-line worlds may be similar – unsolicited mail, consumer fraud, and the like – but even Internet users feel these problems are somehow more troubling on-line. The public's demands for protection, therefore, may well be stronger for the on-line manifestations of these problems, even if there is little functional difference with corresponding off-line concerns.

FIGURE 5

Information Privacy: e-Commerce vs. Mail Order

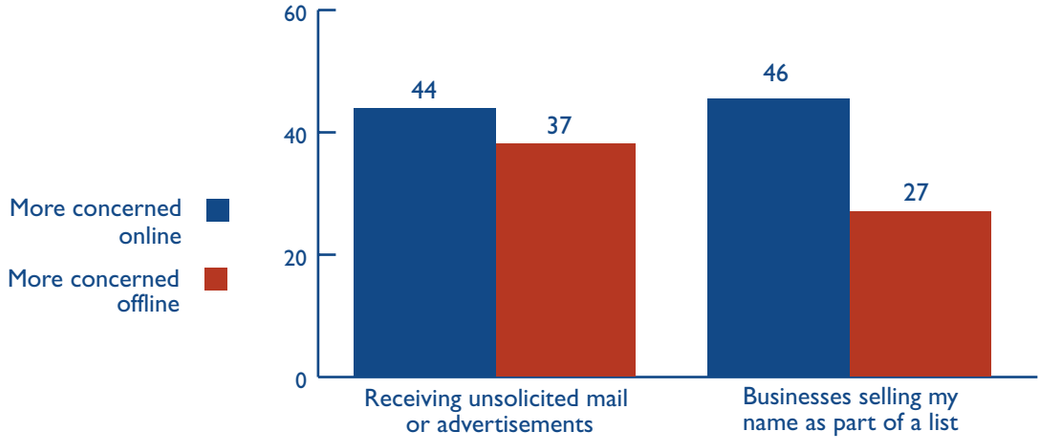


"Internet websites are not allowed to share or sell information about what goods and services you have purchased at the site," and, "Catalog and mail order companies are not allowed to share or sell information about what goods you have purchased through their catalogs."

FIGURE 6

e-Commerce and Privacy

Internet Users



"Please tell me whether you are more concerned about this happening on the Internet or more concerned about this happening off of the Internet."

The stronger concern about on-line problems is most striking when it comes to privacy. By more than a 3-to-1 margin, 63-19 percent, the public says it is more concerned about "companies collecting information about me and my activities" on-line than off-line. (See Figure 7.) The margin is nearly as strong, 54-26 percent, regarding "*government* collecting information about me and my activities." Given the concerns that we explore later about the government's role on the Internet, it is striking that privacy concerns regarding private businesses are even greater than those for the government.

A partial exception to this pattern regards the use of credit cards on-line. By a narrow 49-45 percent plurality, respondents in the public survey agree that "using my credit card to buy something on the Internet is as safe as using it to buy something out of a catalog over the phone." Yet by a 53-42 percent margin, they still view on-line credit card purchases as riskier than credit card purchases in a store. (See Figure 8.) As we discuss in Chapter 5, the public appears to have a special regard for the protections that credit cards afford them, and so it is not surprising that this is one area where on-line activity does not seem much riskier than comparable activities in the bricks-and-mortar world.

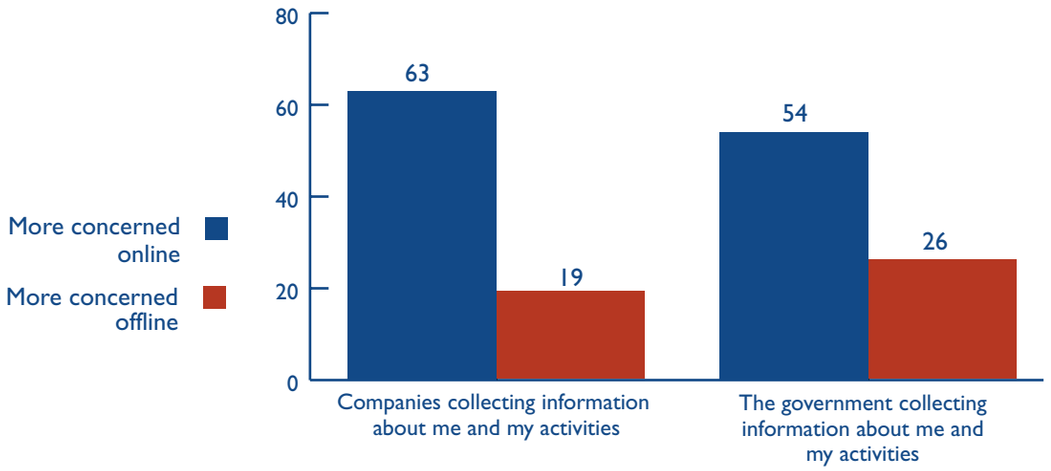
Unregulated and Ungovernable

While Americans have significant concerns about on-line activities and accountability, a substantial share of them also appear to question whether much can be done about it. This is a major part of their concern about achieving real accountability on-line.

The public holds a strong sense that there are few, if any, rules on-line. A 58-34 percent majority says the word "unregulated" describes the Internet very well or well. This view is even stronger among Internet users (65 percent). Moreover, a large share of Americans feel that the Internet is not

FIGURE 7

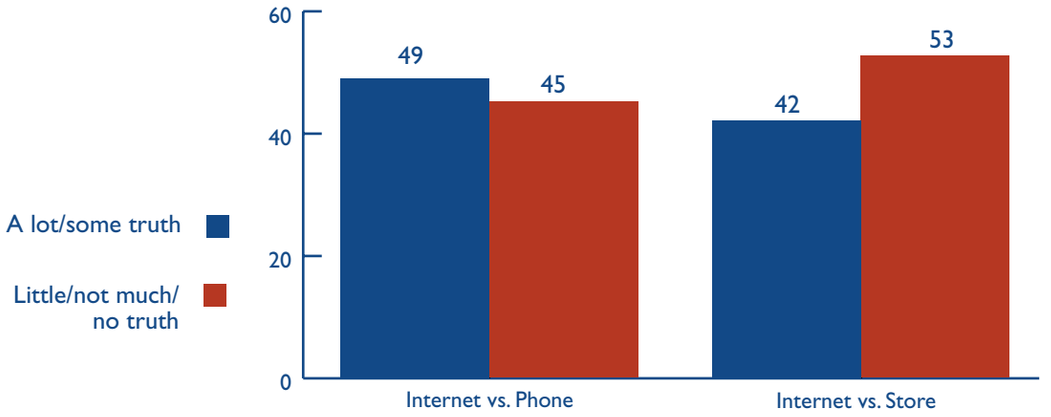
Privacy: Business and Government



"Please tell me whether you are more concerned about this happening on the Internet or more concerned about this happening off of the Internet."

FIGURE 8

Credit Cards



"Using my credit card to buy something on the Internet is as safe as using it to buy something out of a catalog over the phone," and "Using my credit card to buy something on the Internet is as safe as using it to buy something in a store."

only unregulated now, but "impossible to govern," with a 49-42 percent plurality saying this phrase describes the Internet very well or well. (See Figure 9.) Among those who go on-line, a stronger 53-43 percent majority believes the Internet is impossible to govern. Our re-testing of this question in June 2001 found an even stronger balance on this question, with a 56-31 percent majority viewing the Internet as "impossible to govern."

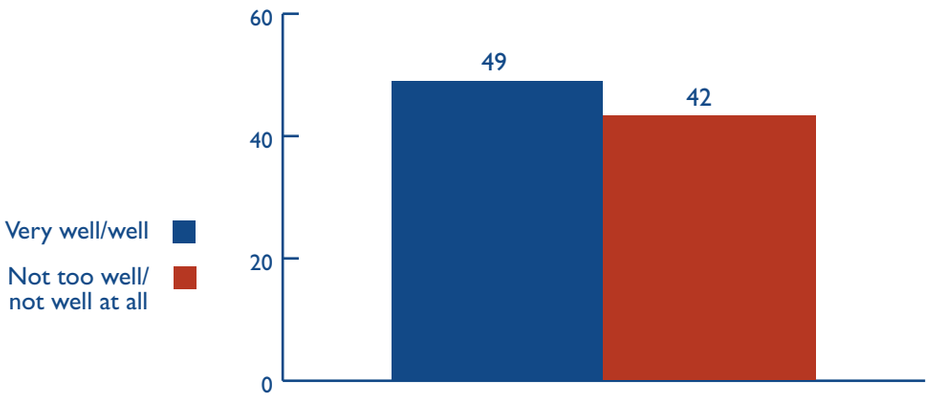
The focus groups reinforce this impression, although they also reveal that the public has a rich and subtle sense of what "rules" and "accountability" may mean on-line. When pressed, some participants are able to name a range of rules and norms that might come into play on-line. Some mention legal restrictions on content, such as copyright laws. A few express a sense that a person would somehow run into the law if they threatened the President on-line. Others cite restrictions or procedures imposed by an Internet service provider (ISP) or website, such as the need to get an address before going on-line. Some talk about the invisible rules of market behavior, or the rules parents place on their children's on-line activities. A few talk about real or perceived rules of format or etiquette – such as typing all in capital letters. Some Internet non-users assume there may be rules, but without much sense of what they would be.

> *I think that if you do type something like "President" and "bomb" there are rules, because you are going to have a knock on your door.* [Middle aged men, Scottsdale, Internet users]

> *Rules that you can't hack, if you know how, you can't hack into certain companies and web sites and access information and stuff like that. They'll track you down, somehow. You'll be arrested for doing that.* [Young men and women, Omaha, Internet non-users]

FIGURE 9

Internet: Impossible to Govern



"I am going to read some words that might be used to describe the Internet. For each word, please tell me whether it describes the Internet very well, well, not too well, or not well at all: impossible to govern."

[Are there any rules on the Internet?] Sure there are. You have to sign up with the company to get an address and get on to the Internet. So that's a rule. You just can't go and magically appear on the Internet without going through some company. [Senior men and women, Scottsdale, Internet users]

There's rules based on the specifics of the site, perhaps. Like with an eBay, you have to meet certain criteria. [Middle aged men, Scottsdale, Internet users]

Your web master. If you're in a chat room saying things that you shouldn't be saying, that anybody can read, he can come in and cut you off. [Middle aged men, Atlanta, Internet users]

I don't know everything about the FCC; there probably are some rules and regulations that they're trying to cover with this. [Senior men and women, Scottsdale, Internet non-users]

[Are there any rules on the Internet?] Market rules. If you make a site and nobody is interested, it dies. [Middle aged men, Scottsdale, Internet users]

There's etiquette. [Middle aged men, Atlanta, Internet users]

Type all in caps. [Middle aged women, Omaha, Internet users]

Yet for the most part, focus group participants describe the Internet as a place where there are few formal rules regarding content, commercial practices, or individual behavior – or at least few additional rules beyond those that apply to the off-line world as well.

There is no control on it. There is no controlling body. Obviously, there are groups establishing addressing, etc. That is by no means controlling.

Middle aged men, Atlanta, Internet users

[Are there any rules on the Internet?] Never heard of any. [Young men and women, Omaha, Internet non-users]

I don't think there are any regulations or anything. [Young women, Syosset, Internet users]

There is no control on it. There is no controlling body. Obviously, there are groups establishing addressing, etc. That is by no means controlling. [Middle aged men, Atlanta, Internet users]

The government doesn't control it. [Senior men and women, Omaha, Internet non-users]

I think they are trying to come up with things, but at this point I don' t think there are any type of legalities. [Middle aged women, Omaha, Internet users]

Government has very little control, I think. If you want, you can put anything you want onto the Internet, as long as it isn't there very long. [Young men and women, Omaha, Internet non-users]

From anywhere you want, and anywhere in the world, you can put anything you want on the Internet, because that is the way it is designed. And it is open to every person. [Young men and women, Atlanta, Internet users]

If you're not breaking a law, I think you can do practically anything you want on the Internet. [Senior men and women, Scottsdale, Internet users]

It's hard to keep surveillance over. [Young men and women, Omaha, Internet non-users]

Part of the reason that the public sees the Internet as unregulated or ungovernable is that the medium seems "intangible" and disembodied to them. It is a system that does not have a front office and does not seem to exist in physical space. It is hard for many people to imagine that one can craft or enforce rules for such an amorphous system:

It was created by the military, but no one oversees it as a whole. It's not tangible. [Young men and women, Atlanta, Internet users]

The Internet is not actually something tangible. All it is, basically, is a link for computers to communicate. I mean, it's not like someone could fall into the Internet. It is not something that you can see or something that you can feel. [Young men and women, Atlanta, Internet users]

This thing is beyond any boundaries at all. [Senior men and women, Scottsdale, Internet users]

I don't know where the controls, where the line between whether it can be controlled should cease, I guess, or start. [Senior men and women, Scottsdale, Internet users]

In part, many Americans applaud the unruliness of the Internet – the feeling that it is free, unrestricted, and maybe even impossible to restrict. Among the segments of the public we interviewed, teen Internet users particularly tend to feel this way:

*I think we have too many rules and regulations now. I think it would be wonderful to have something that is totally free, you can voice your opinion, you can do what you want, and you don't have to be afraid that someone will clamp down on you, that you'll be arrested for something. Obviously, I don't want pornography, but there are chips you can put in to not have it on your computer. [*Senior men and women, Omaha, Internet non-users]

That's one of the good things about the Internet, that it's not controlled. [Internet medical site owner]

The beauty of the Internet is that it's the last "free" area in the world. [On-line teen]

Keep it as anarchistic as possible (like now). [On-line teen]

Yet there is also a real sense of helplessness for many Americans associated with the perception that the Internet cannot be governed – especially when something happens on-line that leaves Internet users feeling threatened, cheated, or helpless. One middle-aged Internet non-user in Scottsdale says he feels as if the public is "just all out in the middle of the ocean floundering, with no place to go for help."

Looking for Protection and Control

Despite the strong sense among many Americans that the Internet is currently ungovernable, a large share of the public is looking for ways to have more protection and control. Nearly half, 48 percent, agree that "the Internet will always be a risky place where people have to watch out for their own interests"; but about the same share, 49 percent, chooses the alternative statement, "people have to watch out for themselves, but with additional laws and protections the Internet could be a much safer place."

Even more striking, the public feels that greater protection of individuals and consumers on-line is likely to outweigh the costs – even if those protections take the form of government regulation. In one of the most important findings from this study, nearly two thirds of the public, 64 percent, say that *"the government should develop rules to protect people when they are on the Internet, even if it requires some regulation of the Internet."* Only 32 percent selects the competing statement, "the government should avoid creating new rules about the Internet because it will make the Internet less free and productive." (See Figure 10.) While the desire for more rules on-line is somewhat lower among those who use the Internet, there is still a strong 59 percent majority of Internet users who prefer more rules, even if it requires some degree of regulation.

> That's one of the good things about the Internet, that it's not controlled.
>
> *Internet medical site owner*

Our June 2001 survey finds no significant change in the public's views on this question, with a 57-35 percent majority continuing to believe that the government should develop rules to protect people on-line, even if it requires some regulation of the Internet.

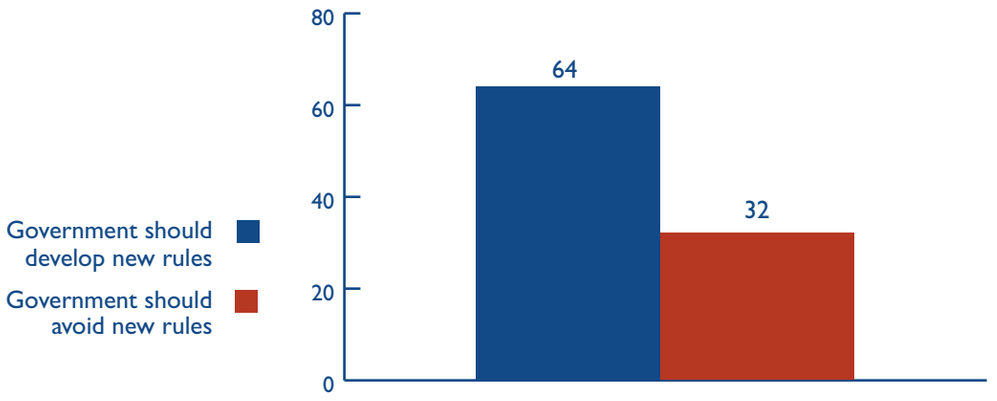
As we note below – and as the public understands – not all rules regarding the Internet come from the government, and rules and mechanisms that seek to improve accountability may be even more popular if they come from non-profit groups, industry groups, and other non-governmental sources. But this fact suggests that the 64 percent figure just cited may be an underestimate, if anything, of the share that want greater ability on-line to hold others accountable.

The public is looking not only for protection by others, such as the government, but for a greater ability to protect themselves. They want an ability to control their own on-line experience, and the uses that others might make of what they do on-line.

The desire for control also emerges from the public's reaction to the central policy question of whether Internet users should have the choice to "opt-in" (actively indicate that they give permission for on-line information to be tracked and used) or "opt-out" (actively indicate that they do not want their on-line information to be tracked and used, say for commercial purposes). By a strong 58-37 percent margin, the public prefers the opt-in regime. (See Figure 11.) This preference emerges after the public has heard a pair of descriptions of both the opt-in and opt-out approaches, and it is notable that an opt-in approach gets such clear strong support, given the strong arguments presented on each side:

FIGURE 10

Internet Regulation



"The government should avoid creating new rules about the Internet because it will make the Internet less free and productive," versus, "The government should develop rules to protect people when they are on the Internet, even if it requires some regulation of the Internet."

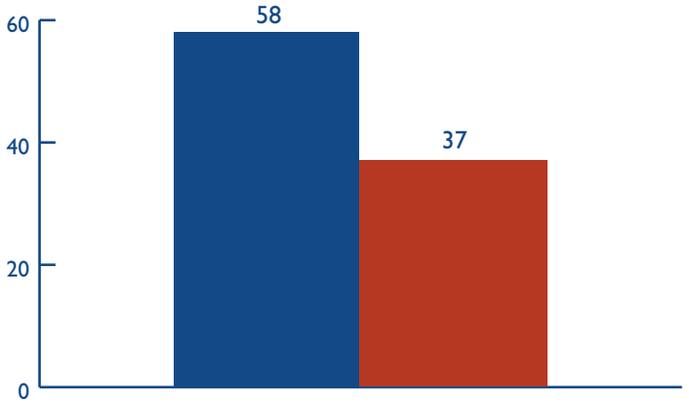
Some people say that companies on the Internet should not be allowed to collect information about where you go and what you buy on the Internet without first getting your explicit permission. They say Internet companies, left on their own, won't do enough to protect privacy, because they stand to gain from collecting and selling such information.

Others say that by collecting information about Internet usage, Internet companies can provide consumers with information better suited to their individual needs. They say that a government ban on collecting such information would limit the speed and growth of the Internet marketplace. Instead, they propose that consumers be given the option to check a box that would keep such information private.

These descriptions of the opt-in and opt-out approaches are generic and somewhat simplified in order to keep the basic choice clear. They do not reflect many of the nuances that have been considered in recent policy debates, such as linking an opt-in or opt-out approach to specific *kinds* of data, such as medical information. While further research would be necessary to determine the impact of such refinements on the public's views, the preference for a generic opt-in approach is strong enough to be notable.

FIGURE 11

Opt-in vs. Opt-out



"Some people say that companies on the Internet should not be allowed to collect information about where you go and what you buy on the Internet without first getting your explicit permission. They say Internet companies, left on their own, won't do enough to protect privacy, because they stand to gain from collecting and selling such information."

"Other people say that by collecting information about Internet usage, Internet companies can provide consumers with services better suited to their individual needs. They say that a government ban on collecting such information would limit the speed and growth of the Internet marketplace. Instead, they propose that consumers be given the option to check a box that would keep such information private."

Indeed, there is even more intensity behind this generic preference than the overall numbers indicate. While only about half of those who prefer opt-out hold this preference strongly (20 of the 37 percent), the vast majority of those who prefer opt-in feel strongly about their position (41 of the 58 percent).

The strength of the public's preference on this question underscores the basic conclusion. The public perceives that the Internet, although useful, is not yet a medium that enables them to hold others accountable when they go on-line. While they appreciate the freedom the Internet offers, they feel more at-risk on-line than off-line. They are uncertain about whether this new medium can be governed, but to the extent it can, they have a clear preference for more protection and control.

CHAPTER 3

Toward a Pluralistic Model of Governance

Toward a Pluralistic Model of Governance

> Who should make the rules on the Internet? Good question.
>
> *Middle-aged women, Internet users, Omaha, Nebraska*

The American people, on balance, appear to want a greater sense of accountability, control, and protection when they go on-line. Yet the public has a range of conflicting feelings about who should have a voice in formulating rules or operating procedures for the Internet, and what kinds of institutions and organizations should be involved in putting them into effect.

Members of the public want to have a greater voice themselves, yet worry that they are too inexpert to help make rules for the Internet. Many of them want government to provide more online protections, but much of the public has worries about the impact government will have on the Internet. They believe Internet-related corporations have the necessary expertise, but they worry about these industries pursuing their self-interest at the public's expense. They favor the involvement of non-profit organizations, but wonder who will ultimately keep a watch over these independent groups.

In short, the public is starting to grapple with the same kinds of tradeoffs that characterize questions of governance in other aspects of public policy. As they do, existing institutions for Internet governance, such as the Internet Corporation for Assigned Names and Numbers (ICANN), receive decidedly mixed reviews from both experts and the public. Ultimately, the public appears to be searching for a pluralistic model of governance for the Internet, in which a range of public and private actors help to craft the norms and rules that guide on-line activity.

The Public's Voice

One of the many puzzles for the public when it comes to Internet governance revolves around the question of how they can influence the rules that shape on-line activity. Given that they are unsure about what on-line rules exist, it is not surprising that most of the public is also unsure about how to influence the development of such rules.

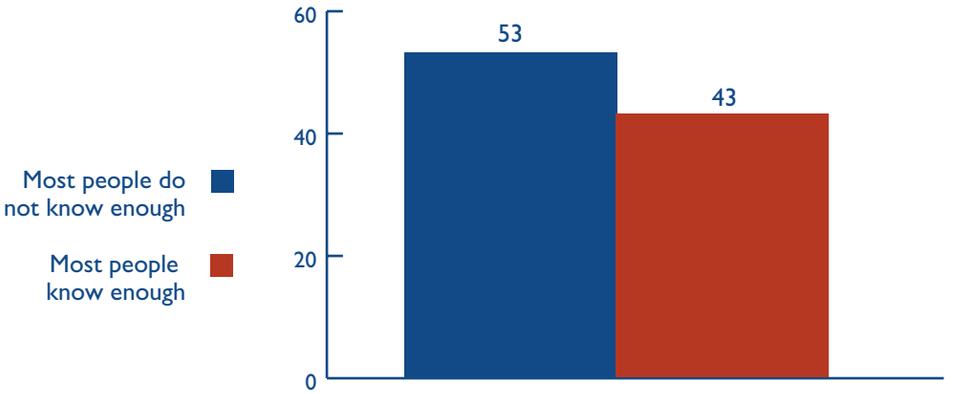
In the focus groups, some participants speculate that they could influence the rules that govern the Internet by voting, by writing to their congressperson or local public official, or perhaps even by speaking out on a talk show. One older Internet user in Arizona says, "you could holler like hell." But the general sense is that they would not know whom to contact.

Moreover, most of the public doubts that they know enough to have something meaningful to say. By a 53-43 percent margin, the public says, "most people do not know enough about the Internet to have a meaningful say about the laws and rules that govern it" (as opposed to, "even without much technical knowledge, most people know enough to have a say about the laws and rules that govern the Internet"). (See Figure 1.) The result is virtually the same between those who go on-line (53-45 percent), and those who do not (53-40 percent). A few participants in the focus groups worry that if the public becomes directly involved in making rules for the Internet, their lack of expertise "will screw things up," as one younger group member in Atlanta put it. An older Internet user in Scottsdale, Arizona worries, "I think it's just too complicated for me to work into it. Your younger generation could do a lot."

Interestingly, a 53 percent majority of Internet experts shares this view of the public's lack of competence to participate in the medium's governance. One result of this perception, for these

FIGURE 1

Knowledge and Laws



"Most people do not know enough about the Internet to have a meaningful say about the laws and rules that govern it," versus, "Even without much technical knowledge, most people know enough to have a say about the laws and rules that govern the Internet."

"We should, the people."

Younger Internet non-user, Syosset, New York

experts, is that they often say that they tend to discount the public's opinions as they work on developing rules for the Internet, and instead rely on their own judgment about what is good for the public. As one director of a non-profit that focuses on Internet policy says, "I don't respect necessarily what the public wants. So I would make the decisions more on what I think the public needs." Another says: "I consider what an educated public would want. As I said, I think there are many in the public who think we should have no regulation. But if they understood the issues are more complex, they would understand that they would want some consumer protections. So I take that into account."

Yet, despite these doubts about its own lack of expertise, the public strongly feels it should have a voice in such matters. In the public survey, we ask respondents to rate on a scale from 0 to 10 how much of a role different types of people and organizations should have in making rules about the Internet. Out of 10 groups rated, the third highest is "people like you," which receives an average rating of 6.3, with over half, 55 percent, providing a positive rating, between 6 and 10. (See Figure 2.) The rating does not vary significantly between Internet users and non-users, and actually is slightly higher among those in both categories with less education. The only groups that earn a stronger rating are non-profit organizations (with an average rating of 7.1), and technology experts (6.6). We discuss both of these groups below.

In our focus groups, we ask participants to imagine that a commission is being established to create rules for the Internet, and we ask them what kinds of people should be named as members. We discuss many of the results below, but one thread that runs through many of their answers is the desire to include the voices of average Americans:

Joe Average. [Young men and women, Atlanta, Internet users]

You need somebody on the street. It is the average person who uses the Internet. [Young men and women, Atlanta, Internet users]

It's our Internet. [Senior men and women, Scottsdale, Internet users]

We should have a say. [Young men and women, Syosset, Internet non-users]

I think the government should take charge, but it gets a little touchy.

Internet users, Syosset, New York

Focus group participants feel that they currently have some input into the operation of the Internet. But it is mostly limited to "negative" or "passive" actions – such as choosing not to patronize a bad website, or deciding not to place personal information on the Internet, or by leaving a trail of cookies that web marketers can use to tailor the information they send. This kind of free market approach to influencing the Internet is one that many Internet experts endorse in their interviews with us.

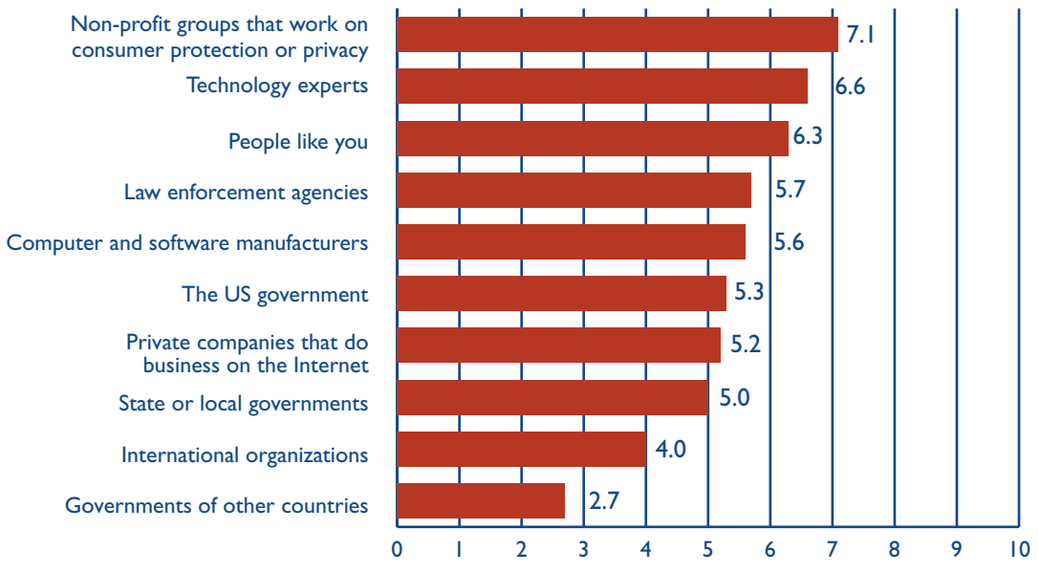
[Do you play any role in deciding how the Internet is run?] Yes. By the virtue of information that you place in it. If you don't place all your business in it, then you don't have to be so concerned about who is going to get access to what. [Middle aged men, Atlanta, Internet users]

If I go on the Internet, and it seems most of the time I'm looking at sports, cookies will pick that up. And if I have a banner Internet service, something like that, I'm going to see a lot of stuff that relates to sports. And that's not by accident. So my mere usage

FIGURE 2

Influence

Mean Scores



"Now, I'd like you to rate what kind of role the following people and organizations should have in making rules about the Internet. For each one, please rate them on a scale from zero to ten, with zero meaning that group should have no role in making rules about the Internet, and ten meaning that group or person should have a very large role in making rules about the Internet."

of the Internet brings about stuff that I'm interested in. [Middle aged men, Atlanta, Internet users]

If I don't like the way they're running it, I'll just walk away from it. [Senior men and women, Scottsdale, Internet users]

The public does play a role in that, because this is competition, this is the way the market works, and the public demands better service. And that demand for better service is what switches people over to cable modems, and DSL servers, T1 lines. And that's a good thing. And that's what is going to push the Internet along to really evolving the medium, the vast seamless medium that the public wants. [Software Expert]

But most Americans seem to be looking for a different way of imposing accountability than what political scientists would call the levers of "exit" and "loyalty." Most seem to be looking for some real form of "voice." As one middle aged Internet user in Scottsdale, Arizona says, "I think we need to speak up a little more. Not in an angry way. Let them know."

Searching for a Pluralistic Model of Governance

In addition to wanting to have their own voices heard in the process of Internet governance, the public wants a wide range of other voices to be heard as well. When we ask participants in our focus groups whom they would trust to be on a national commission charged with developing rules for the Internet, they offer a broad spectrum of suggestions. The names they cite cover a broad scope, including Oprah Winfrey, Bill Gates, the Pope, the FTC, and Interpol. (See Sidebar, "Who Would the Public Want on a National Internet Commission.")

At first glance, some might be tempted to interpret the breadth of this list as a sign of public confusion, or at least a sign that our focus group participants did not answer the question in a completely serious way. Yet their answers provide serious insights. First, their answers suggest that the public sees the need to bring a broad array of competencies to bear on the question of Internet governance – from technology to law enforcement to ethics to diplomacy to political advocacy for the average person. Second, the public's answers here suggest that many of them are not altogether comfortable that any of the existing institutions is ideally suited to the task. That is, they sense a mismatch between the scope and skills of existing institutions and the range of questions that one must address to make rules for the Internet.

The diverse list that the public provides on this question is one of many signs that suggest they are looking for an approach of institutional pluralism for the governance of the Internet – *a governance model in which many actors and institutions play a role, including some that may not currently exist.* The public's desire for such an approach flows out of a series of conflicting impulses: a feeling that the public should have a voice, but that they do not have enough expertise to be the only voice; a desire for the kind of protection and accountability that government can provide, but a fear that government may be too intrusive and heavy-handed; an inclination to trust the expertise of those in Internet-related industries, but a suspicion that industry may not have the public's interests at heart; an inclination to involve non-profit and global institutions, but also a concern that these institutions may lack desired enforcement powers and means of accountability.

Who Would the Public Want on a National Internet Commission?

We asked participants in our focus groups what people and professions they would pick for a new national commission charged with establishing rules for the Internet. Here is a sampling of their suggestions, along with some of the comments they offered about such a commission:

Bill Gates

Steve Jobs

Microsoft

AOL

"Bill Gates's best lawyer"

Ex-hackers

Oprah Winfrey ("She has a lot of pull. She has a loud voice with good morals")

Rosie O'Donnell

Kurt Vonnegut

Colin Powell

Sam Nunn

"A former statesman"

Ralph Nader

Civil libertarians

Teachers

Janet Reno

The CIA

The FBI

The FTC

The FCC

The Department of Defense

Interpol

The Pope

Theologians

"I would pick just regular folks"

"My friends – a lawyer, a medical doctor, a teacher, a geologist"

"We need people on the technical side and people on the moral side"

"We don't want viruses, but we don't want censorship"

"Do we want law and order or do we want Wide Open West?"

"Who is paying for [the commission]?"

"Do they have the right to do anything about the problem?"

"We'll have so many people we won't be able to do anything"

The public does play a role in that, because this is competition, this is the way the market works, and the public demands better service. And that demand for better service is what switches people over to cable modems, and DSL servers, T1 lines. And that's a good thing. And that's what is going to push the Internet along to really evolving the medium, the vast seamless medium that the public wants.

Software Expert

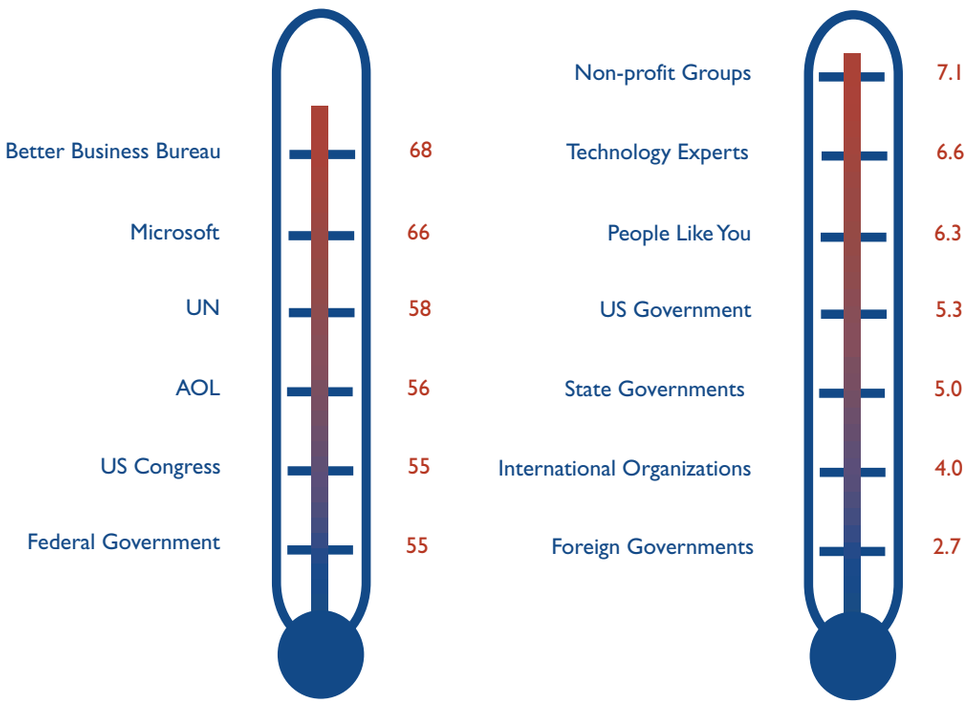
Ambivalence about the Role of Government

The most charged and complex question for the public, in many ways, revolves around the role that government should play in setting rules for the Internet. On one hand, the public has a strong wariness about the government in general, and about the impact it has, or might have, on the Internet. On the other, the public is looking for protection, as noted in Chapter Two, and they tend to believe that government is more accountable and may have stronger enforcement powers than most other available institutions.

Wariness of the government. In general, the public has lukewarm feelings about U.S. government. They give both "the federal government" and "the U.S. Congress" average thermometer ratings of 55 degrees – lower than those they give to AOL, Microsoft, the Better Business Bureau, or the United Nations. When asked to rate the role the U.S. government should have in making rules for the Internet, they give an average score of 5.3, lower than any of the people or groups

FIGURE 3

Wariness of the Government



The thermometer scale is based on a rating from zero degrees (a very cold, negative image) to one hundred degrees (a very warm, positive image) with a rating of fifty meaning no feeling either way.

A rating of what kind of role the following should have in making rules about the Internet. On a scale from zero to ten, with zero meaning that groups or person should have no role in making rules about the Internet, and ten meaning that group or person should have a very large role in making rules about the Internet.

tested, except for state governments (5.0), international organizations (4.0), and the governments of other countries (2.7). (See Figure 3.) We discuss the implications of these last two ratings below.

When the public is asked who they prefer to make rules for governing the Internet – private corporations and non-profit groups on the one hand, or government on the other – they express a clear preference for the former. By a 60-37 percent margin, the public says that "rules for governing the Internet should mostly be developed and enforced by organizations other than the government, such as Internet-related companies and non-profit groups" (as opposed to, "rules for governing the Internet should be mostly developed and enforced by the government"). (See Figure 4.)

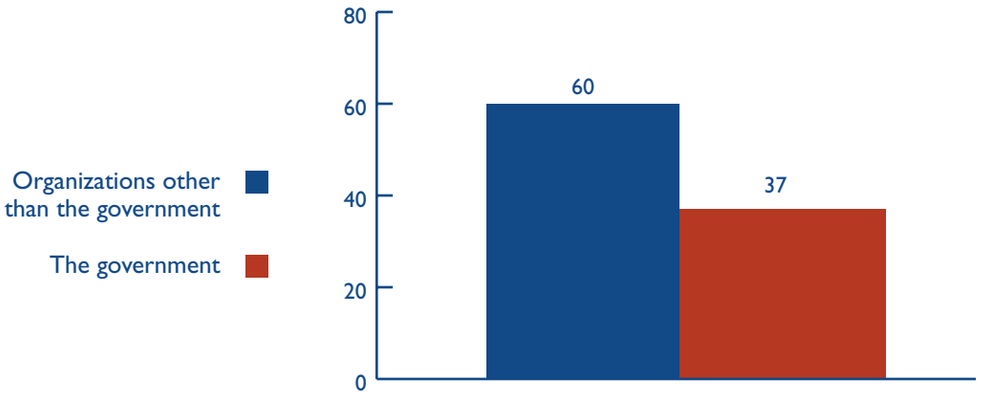
Similarly, when the public survey asks respondents to rate the importance of various characteristics of organizations that might play a role in the governance of the Internet, the lowest rating out of ten characteristics tested goes to an organization that is "run by a government agency." By a 49-46 percent plurality, more of the public says this quality is only a little important or not important, rather than somewhat or very important.

The public focus groups show many strands of motivation behind this wariness of government. There are worries that government will over-regulate the Internet, and thus interfere with free speech or the medium's business potential. Others worry about taxation of on-line activity. Still others are concerned that government involvement will lead to "big brother" monitoring of the public's on-line activity.

> *If you go ahead and make a government commission to oversee it, then, first of all, they are probably going to want to tax it to pay for the committee.* [Young men and women, Atlanta, Internet users]

FIGURE 4

Rule Makers



"Rules for governing the Internet should mostly be developed and enforced by organizations other than the government, such as Internet-related companies and non-profit groups," versus, "Rules for governing the Internet should be mostly developed and enforced by the government."

I think it's good that the government doesn't get involved in it. Because they start putting all sorts of regulations and restrictions on your free speech and everything like that. But on the other hand, it's what we're concerned with. Who's going to monitor that? [Young men and women, Syosset, Internet non-users]

[Who would you rather have make rules for the Internet, government or private companies?] Private companies. Government would be too much like Big Brother. [On-line teens]

I just do not trust the government to do much of anything. [Rural on-line focus group]

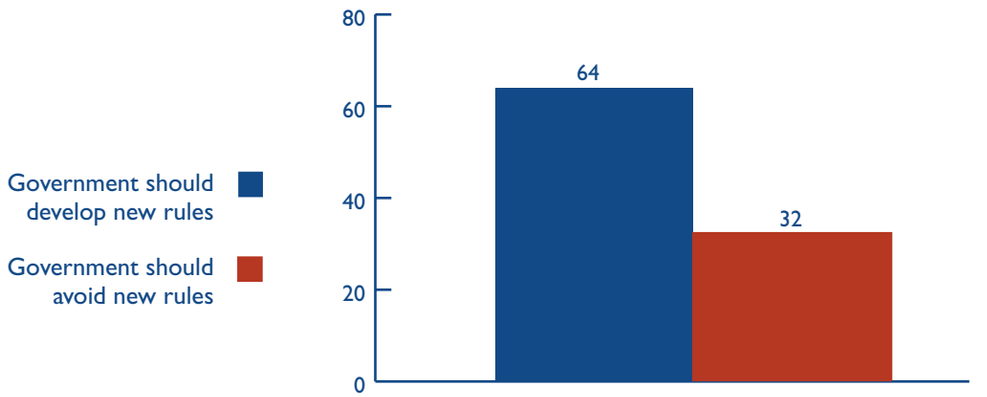
Yet an operational preference for government action. Yet as the public focuses more on the question of Internet governance, many, if not a majority, express a desire for more protection, and a feeling that government may be their best shield. As noted earlier, *by a 64-32 percent margin, nearly two thirds of the public says that "government should develop rules to protect people when they are on the Internet, even if it requires some regulation of the Internet."* (See Figure 5.)

There appears to be particular interest among the public for the involvement of parts of the government that can protect them with real clout, particularly on questions of law enforcement. While the public's rating for the role they want the U.S. government to play in making rules for the Internet is only 5.3, the score they assign to "law enforcement agencies, such as the FBI" is nearly half a point higher, at 5.7. This difference also emerges in the thermometer scores for the FBI (63 degrees) compared to those for the federal government as a whole (54 degrees).

The receptiveness to the involvement of law enforcement agencies is notable. They are, after all, the parts of government with the greatest ability to intrude on people's lives. Given the attention

FIGURE 5

Internet Regulation



"The government should avoid creating new rules about the Internet because it will make the Internet less free and productive," versus, "The government should develop rules to protect people when they are on the Internet, even if it requires some regulation of the Internet."

around the time of this survey to the FBI's Carnivore software – a program that enables the FBI to intercept a flow of an individual's e-mails through their Internet Service Provider – it is striking that the public does not express more reservations about calling in the agency that operates this software. Part of the explanation is the trust the public places in law enforcement agencies, including the FBI. But part of the explanation also may be the public's desire for the involvement of organizations with "teeth," a concept we return to in the final chapter.

Among the experts, the preference for government involvement becomes even stronger as the focus moves from the question of Internet governance in the abstract to specific Internet problems. Even though the experts split 47-46 percent on whether government should develop new rules for the Internet, strong majorities favor government to play the leading role on most specific issues tested. The expert survey sets out seven areas in which there has been discussion of possible regulation or governance of on-line activity, and asks whether the government, private companies, or non-profit groups that work on Internet-related issues should address the problem. On five of the seven, clear majorities indicate a preference for having the government, rather than companies or non-profit groups, address the problem:

- The experts prefer government to address the problem of "combatting theft of credit card information on the Internet" by 66 percent, compared to 23 percent for private companies and 4 percent for non-profit groups – a finding that underscores support for the government's law-enforcement role regarding the Internet.

- Among these three sectors, 58 percent prefer government to deal with "protecting children on the Internet," compared to 24 percent for non-profit groups and 9 percent for private companies.

- Over half, 57 percent, prefer government to deal with "computer hacking and viruses," compared to 24 percent for private companies and 10 percent for non-profits.

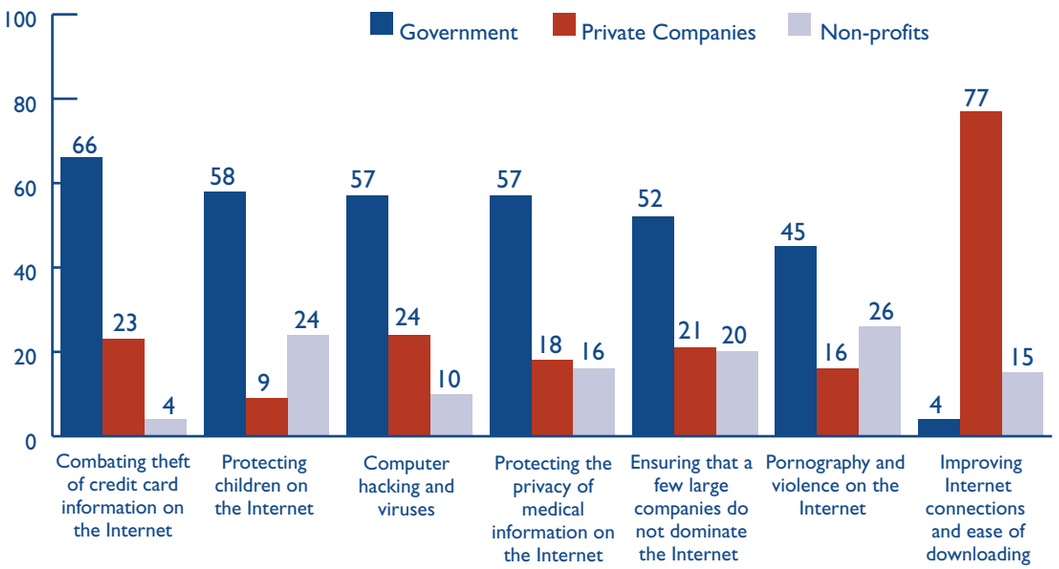
- The same share, 57 percent, prefers government to deal with "protecting the privacy of medical information on the Internet," compared to 18 percent for private companies and 16 percent for non-profits.

- A 52 percent majority prefers government to deal with "ensuring that a few large companies do not dominate the Internet," compared with 21 percent for private companies and 20 percent for non-profits.

In one other area, pornography and violence on the Internet, a strong plurality prefers government action – 45 percent for government taking the lead, compared to 26 percent for non-profits and 16 percent for private companies. On only one of the seven issues – a mostly technical question, "improving Internet connections and ease of downloading" – do the experts say private companies rather than government should take the lead. On this issue, 77 percent look to private companies to address the issue, and 15 percent look to non-profits, while only 4 percent look to government. (See Figure 6.)

FIGURE 6

Experts, on Which Sector Should Address Problems



"Now I'm going to read you a list of problems that some people talk about regarding the Internet. For each one, please tell me whether it would be better to have that problem addressed by the government, by private companies, or by non-profit groups that work on Internet-related issues."

The research suggests a number of reasons for this operational preference for government action. First, many people feel a higher level of trust with the government than other institutions, partly due to its law enforcement role, but also because it is seen as the primary "rule maker" in society.

> *I guess it always comes to believe that you always rely on the government. They're supposedly doing the right thing, not all the time, so it makes you feel a little bit at ease knowing that they're overseeing that.* [Young men and women, Omaha, Internet non-users]

> *You see the word "federal" here, I feel a little safer. I can't exactly say why, but I do.* [Young men and women, Syosset, Internet non-users]

> *I think the federal government should do it because they make all the other rules, too.* [Young men and women, Omaha, Internet non-users]

The flip side of this coin is a belief among many that government, unlike industry, is not out to advance a narrow set of interests. As one younger woman, an Internet user from Syosset, New York, notes, "I think if anybody is going to step up to the plate and start to do some type of regulation on the Internet, it is going to have to be the government and Congress, because the private sector and the companies have such diverse agendas. They are just never going to agree on…what is proper and improper. It is going to have to be someone that supposedly acts in all of our best interests anyway."

Some others, who say they would prefer Internet problems to be addressed by industry-self regulation, feel that industry failed to act quickly enough, and so now believe the federal government must step in. As a younger man, an Internet user in Scottsdale says, "I would rather see the private industry do it themselves instead of having government have to do it. But private industry hasn't done it, and that is why the government is trying to get this to happen."

The most fundamental reason that many people prefer government over non-government rule-making for the Internet is one that cuts to the heart of issues about accountability: our focus groups suggest that they feel that government is elected by the people, where as companies and non-profits are not. This is by far the most cited argument as well among those experts we interviewed who expressed a faith in government as the body to lead the governance of the Internet.

> *The elected officials regulate the government. And you elect them. You didn't elect Bill Gates.* [Middle aged men, Atlanta, Internet users]

> *The best choice of a very poor set of choices is Congress, because at least they are responsible for somebody. They are responsible for the public. NGOs, ICANN, tend not to have responsibilities. Nothing I can do about it. I cannot elect them. I can't do hardly anything.* [Government Official]

> *As much as people express distrust of government…, I trust government, Congress the most. Not the executive branch, but Congress. The reason being, is, it is the system over these thousands of years evolved to do this job. Yes, it smells bad. Yes, it is subject to influence. But, you know what, it's got all these safeguards built into it. It's got strong review. It at least has elections. All those other [organizations]…, the primary interest is … protecting the privacy of individuals or consumers or whomever they're trying to protect. Or it has built-in instability, such as the organization that creates the rules also enforces the rules. As in the case of ICANN. Or it simply doesn't understand how to be inclusive of the broad interests of society which is like W3C. You don't need a technocracy here.* [Technology Company Senior Manager]

Interestingly, the public's openness to government involvement with the Internet also extends to taxation – an area in which one might expect some of the greatest resistance to a government role. By a strong 60-34 percent margin, the public rejects the idea that on-line commerce should be exempt from taxation. (See Figure 7.) Even many of those who might be expected to resist such taxation actually favor it (See Sidebar, "Taxation of Online Commerce."). Our re-testing of this question in June 2001 found no significant difference in the result, with a 59-32 percent majority still believing that on-line commerce should not be exempt from taxation. This finding suggests that the public is resistant to the proposition of what might be called "Internet exceptionalism" – treatment of the Internet according to more favorable rules than are used to govern similar aspects of off-line life.

Yet, there is a tremendous tension here. On one hand, the public ultimately places the greatest trust in government as the institution it wants to provide on-line protection and set the framework for Internet governance. On the other hand, the public has reservations about the government's role, and also does not feel it has a way to reach out to government bodies when it runs into on-line

> I guess it always comes to believe that you always rely on the government. They're supposedly doing the right thing, not all the time, so it makes you feel a little bit at ease knowing that they're overseeing that.
>
> *Young men and women, Omaha, Internet non-users*

problems. Earlier we noted that 59 percent of the public does not know whom they would call if they had a problem on-line. Among the 35 percent who *do* know who they would call, most cite answers from the *private sector*; 36 percent say AOL or some other ISP, or the computer manufacturer; only 13 percent say they would call someone in the public sector, such as the police or state government.

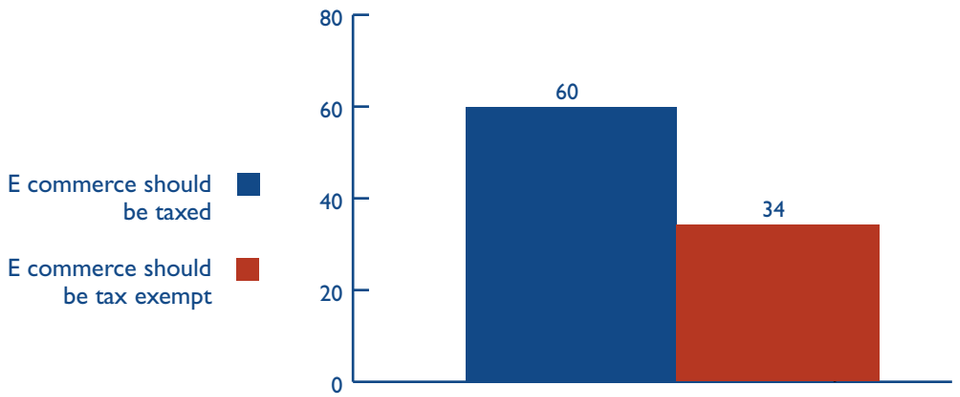
There is a sense here that, on the question of on-line protection, Americans view their public servants and institutions as absent from the scene, even though they would ultimately prefer government to play a role. At a time when government is doing more through the Internet – from letting taxpayers file their returns on-line or even voting on-line in some cases – few Americans seem to feel the government protecting their on-line interests in the right ways, or in ways they can see and understand.

In the focus groups, the public seems especially receptive to a role for government if the public sector approaches the Internet with some sensitivity to the fact that the Internet revolves around information, and is more like speech than commerce. Only a few participants in our research call for a heavy government crack-down on bad behavior on the Internet – like the middle-aged man in Atlanta who concluded: "All these questions of control come down to regimentation and discipline. If it takes cyber police to do it, you have cyber police."

More of them wanted government to play a role in which it helps give the public more on-line control, and empowers individuals to be better able to protect their own interests. For example, our focus group participants responded very favorably to information about an FTC web site that helps parents be better informed about how their children can use the Internet safely. These comments suggest an approach that balances the public's distrust of government with its desire for

FIGURE 7

On-line Taxation



"On-line commerce should be exempt from sales tax, in order to stimulate the growth of the Internet," versus, "On-line commerce should be subject to the same taxes as other commerce, so that Internet businesses do not have an artificial advantage over other businesses."

Taxation of On-line Commerce

A 60 percent majority of the American public believes that on-line commerce should be taxed the same as comparable off-line sales. This view is surprisingly robust, even among groups that might be expected to oppose taxation of on-line activity. For example, this majority support for taxing on-line commerce the same as off-line commerce includes:

- 56 percent of all Internet users
- 53 percent of all Republican Internet users
- 60 percent of all Internet users with incomes of $100,000 or more

Among the relatively small share of the public that shops on-line (27 percent) or banks or invests on-line (26 percent), opinion is more divided; yet even among these individuals, who tend to be more upscale and Republican, there is still not majority support for making on-line commerce tax exempt. Rather, this group splits 49-47 percent on this question, leaning against on-line taxation.

government to provide more protection: that is, the public is especially receptive to public sector interventions that increase the ability of Internet users themselves to have more control over what they do on-line.

> *[FTC site] Because it is not really controlling it [the Internet], it is just telling you how to be cautious of it. It's not like telling you what you are doing. It's just saying these are the things you should be aware of.* [Young men and women, Atlanta, Internet users]

> *It puts the control in the hands of the users. We decide what we see, and not someone else, not Big Brother, so I think it is a good idea. I think it is a positive action on the part of the government.* [Young men and women, Atlanta, Internet users]

> *I'm actually surprised that [the FTC is] behind this. Pleasantly surprised.* [Middle aged men, Atlanta, Internet users]

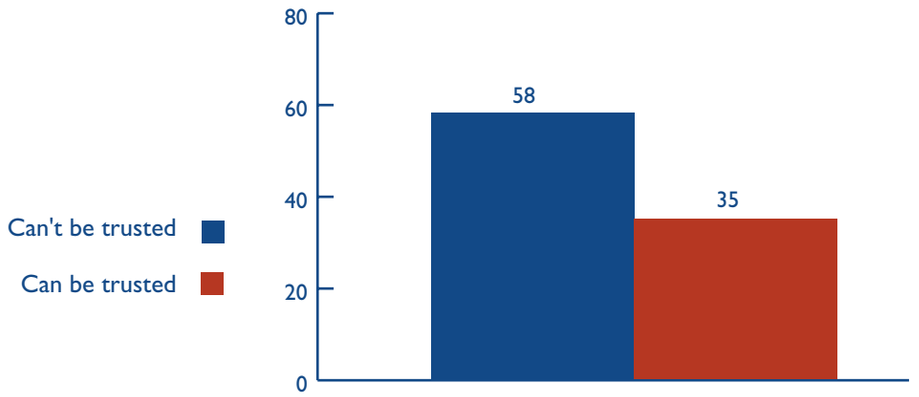
There is a final point about the public's view of the appropriate role of government. In general, those who have not yet gone on-line tend to place much more trust in government to provide the protection they seek. Those who are not yet using the Internet are 12 points more likely to say that government should develop new rules to protect people on-line, even if it means more regulation (71 percent, compared to 59 percent for those currently on-line). They are 13 points more in favor of taxation of on-line commerce (69 percent, compared to 56 percent for those already on-line). They are 10 points less likely to trust self-regulation of Internet activity (29 percent, compared to 39 percent of those on-line) – even though they have about the same level of faith in self-regulation as Internet users when it comes to industries in general. (See Figure 8.)

It should be federal, but it goes not just across the United States. This is worldwide. That can be people in Turkey. How do you regulate that?

Middle aged women, Omaha, Internet users

FIGURE 8

Trust In Self Regulation



"Businesses and people on the Internet can't be trusted to regulate themselves," versus,"I trust businesses and individuals on the Internet to make their own rules and follow them."

The desire of the Internet non-users for greater protection is also clear in the way they view anonymity on-line. For most on-line users, including nearly all of the experts we surveyed, anonymity is essential to what the Internet is all about. A 61 percent majority of on-line users, and a 66 percent majority of experts, says that "people should be able to put information on the Internet or visit chat rooms without revealing their real name, in order to protect their privacy" (as opposed to: "people should be required to disclose their real name when they are on the Internet so you can steer clear of false information and dangerous people"). Yet among Internet non-users, a 52 percent majority favors requiring disclosure of people's real names, in order to provide more protection. This is one of the clearest differences between the on-line public and the rest of the public in the entire body of research.

On a wide range of issues – anonymity, regulation of content, privacy, and others – it may be that as more of the public goes on-line, there will be more Americans using the Internet who want government to do more to guide its operation. Alternatively, it may be that the act of using the Internet itself changes people's views about regulation. That is, it may be that once people use the Internet, they are less likely to feel that there are on-line dangers that require regulation, and more likely to be wary of government interfering with a good thing. The current research cannot determine which way the causality works; it may be a little of both. Yet given the growth in the on-line public and the distinctive views of those who are not yet on-line, it may be that the balance of opinion regarding governance, and government's role in it, may shift in the coming years.

What Level of Government: The Global Quandary

Even among those who want the government to play a role in creating stronger rules and protections on-line, there is a question about *which* government. Most participants in the focus groups feel that state and local governments have too limited a jurisdiction to play a role in making rules

for something as broad-reaching as the Internet. They lean toward the federal government instead. As a middle-aged woman in Omaha concluded, "I'm talking about the federal government because the Internet is so big. I don't see how a county or a city could control the Internet situation in somebody's home."

Yet, particularly in the focus groups, this insight quickly leads to a sense that the federal government may itself have too limited a reach, given that the Internet is a global creature. Many participants begin to speculate that perhaps some kind of global institution is needed – as a couple of young men who are Internet users in Scottsdale, Arizona put it, a "United Nations of the Internet," or an "FCC of the world." Yet focus group participants are immediately struck by the political and regulatory challenge of setting world-wide rules.

> *It should be federal, but it goes not just across the United States. This is worldwide. That can be people in Turkey. How do you regulate that?* [Middle aged women, Omaha, Internet users]

> *How could the government set rules for a website in Australia?* [Middle aged men, Scottsdale, Internet users]

> *The implication of the president appointing [a commission to work on Internet rules] is that this is a U.S. based commission. Which to me seems to fly in the face of logic of how you would control the Internet. Which is obviously an international based organization.* [Middle aged men, Atlanta, Internet users]

The implication of the President appointing [a commission to work on Internet rules] is that this is a U.S. based commission. Which to me seems to fly in the face of logic of how you would control the Internet. Which is obviously an international based organization.

Middle aged men, Atlanta, Internet users

Moreover, the inquiry expressed in the focus groups that international governance of the Internet might be needed is quite at odds with what appears to be the public reaction in the survey. The public is fairly wary of involving foreign governments and international organizations in having a say in their own Internet use. Although the public gives the United Nations a positive thermometer rating of 58 degrees – higher than the scores they give to their country's own government and Congress (55 degrees for both) – they nonetheless are skeptical about involving international organizations and foreign governments in crafting the rules that will apply to their own Internet use.

When we ask respondents in the public survey to rate on a scale from 0 to 10 the role that various groups should have in making rules about the Internet, by far the two lowest scores go to "international organizations" (4.0) and "governments of other countries" (2.7). Nearly half the public, 47 percent, gives negative ratings (0-4 points) regarding the role of international organizations, and two thirds (67 percent) gives negative ratings regarding the role of foreign governments, with a full 55 percent giving very negative ratings (0-2 points). The ratings are significantly better among younger respondents, but not significantly different among Internet users and non-users.

This antipathy toward global participation in Internet governance surfaces only slightly in our focus groups. One participant in our on-line focus group with individuals in rural communities said, "Sorry, this isn't P.C., but countries are still autonomous, and to have a world standard dictating would take away too much of the freedoms our ancestors fought for." Although few other focus group participants raised the issue, the quantitative results suggest that the idea of rule-making

I think that private industry would have more of what the community wants than the government. It would be more comfortable to the people to choose a company and let them make the rules.

Young women, Syosset, Internet users

by international institutions might engender public resistance – possibly as other countries try to assert jurisdiction over the activities of American on-line businesses, such as in the recent French court case involving Yahoo!'s sale of Nazi-related items.

Among the experts we interviewed, there is less ambivalence: many feel that more needs to be done to ensure that rules for the Internet are developed and implemented on a global scale. Even though these individuals tend to be familar with ICANN and other international forums for addressing the Internet, they also tend to feel that more is needed.

> *The other profound issue is that we have to figure out a way to make policy in an entirely global environment... The environment that you're dealing with is not U.S., it is borderless.* [Government Official]

> *The Internet is a global system, so I think that we need some international organization to oversee certain specific areas of the Internet such as the architecture, protocols, such as privacy.* [Technology Policy Expert]

Companies and Self-Regulation

As the public thinks about Internet governance, they tend to see an indispensable role for companies with some link to on-line activity – ISPs, computer and software manufacturers, and companies that do business on-line – and to the technology experts who work for those companies. Yet there is a real worry about whether these companies can be trusted to regulate themselves and put the public's interest ahead of their own private, financial interests.

As we saw above, when we ask our focus groups to suggest members for a hypothetical new national commission to set rules for the Internet, participants in nearly all the groups call for the involvement of private sector executives or companies – Bill Gates, Steve Jobs, AOL, and "technology experts." The focus groups make clear that the public sees a strong role for private companies, especially those, like ISPs, that seem to the public to play a role in "running" the Internet. Many participants take comfort that the market makes such private sector actors strongly accountable to the consuming public.

> *I think that private industry would have more of what the community wants than the government. It would be more comfortable to the people to choose a company and let them make the rules.* [Young women, Syosset, Internet users]

> *If there is a group of them that police each other, that might take care of a lot of problems, where they can catch another one doing something wrong quicker than the local police or federal government trying to zoom in on one guy.* [Senior men and women, Scottsdale, Internet non-users]

> *I think the private companies would be best. If you leave it in the hands of the non-profit organizations, there are really no checks on them to what they can do. If you leave it in the hands of the companies, the consumers will almost be the deciding*

vote of what goes and what doesn't, because the company is in business to make money. [Young men and women, Omaha, Internet non-users]

Similarly, when we ask respondents in the public survey to rate the role that various groups should have on a scale from 0 to 10, they give strong marks to many parts of the private sector. They react especially favorably to "technology experts," giving them an average score of 6.6, with nearly two thirds (63 percent) giving them a positive mark of 6-10. This latter figure is fully 19 points higher than the share that gave positive marks for "the U.S. government." The strong score for "technology experts" may reflect the sentiment expressed in the focus groups – that governance of this highly technical field requires tremendous expertise, which government itself tends to lack.

Interestingly, the scores for Internet-related *companies* are significantly lower. The average score for participation in rule-making by "computer and software manufacturers, like Gateway or Microsoft" is 5.6, a full point lower than for "technology experts," with fewer than half, 46 percent, giving them positive scores. The rating for "private companies that do business on the Internet" is even lower, 5.2, with only 39 percent of the public giving above-average scores to their role in Internet governance. Indeed, the scores for companies that do business on-line are even lower than those for the U.S. government (5.3, and 44 percent).

Internet experts hold an even dimmer view of many of these companies than the public. The experts give AOL an average thermometer score that is 6 degrees lower than the average score from the public (50, compared to 56 degrees). Their score for Microsoft is 8 degrees lower, and 9 degrees lower for Bill Gates.

Although the public seems insistent on having at least portions of the private sector involved in Internet governance, *they show a real resistance to the idea of complete self-regulation on issues related to the Internet.* By a 58-35 percent margin, the public says that "businesses and people on the Internet can't be trusted to regulate themselves" (as opposed to "I trust businesses and individuals on the Internet to make their own rules and follow them"). Respondents who have gone on-line show slightly more support for self-regulation than those who have not, but even a solid 56-39 percent majority of the on-line public opposes self-regulation.

Given the relatively positive image of the Internet and Internet-related businesses, one might expect the public to show greater support for self-regulation on-line than in other areas of business. The research reveals this is not true. Instead, there is actually slightly less support for industry self-regulation on-line than in other areas of business. The 58-35 percent margin just cited against self-regulation for businesses and individuals on-line is marginally greater than the 52-39 percent margin who say that "industries generally need to be regulated by the government" (as opposed to, "industries can generally be trusted to regulate themselves"). The wordings in the two questions are not strictly parallel; yet it is still striking to find such a strong resistance to self-regulation in the realm of the Internet.

There is stronger support for self-regulation among Internet experts. Nearly half of the experts, 45 percent, say they trust businesses and individuals on-line to make their own rules and follow them, compared to 35 percent among the public. Yet the plurality of experts, 49 percent, still take the opposite position *against* self-regulation.

There is a vigorous self-regulation that can work if government sets standards and exposes the bad guys, and gives incentives to good guys, and insists that trade associations develop standards. All that.

Privacy Journalist

The Internet experts we interviewed in-depth divide into two camps. Several, particularly those associated with non-profit groups, strongly distrust self-regulation within the Internet industry. One declares it "a joke." Others were more supportive, although in a qualified way. Some supported self-regulation *for now*, on the grounds that Internet-related industries are at too formative and fast-changing a stage for government regulation to be effective. Several others endorsed a "hybrid" form of self-regulation, in which government would set goals or provide incentives, but not directly enforce rules.

> *In principle, I think it's reasonable for the FTC to have some oversight. In practice, I am concerned that it may be a bit early in the life of the Internet to really understand both what is technically feasible and what is a reasonable compromise.* [Internet Corporation Senior Executive]

> *The Internet…, it's the equivalent of about an 11, 12 year old child at this point. It is in its, quote, first generation of development. It's nearing the end of that first generation. And we're soon going to see really an evolvement from a technological point of view… Self-regulation I think, by far, is the most efficient and the most effective way to help develop the Internet into a medium that can reach its full potential.* [Software Expert]

> *There is a vigorous self-regulation that can work if government sets standards and exposes the bad guys, and gives incentives to good guys, and insists that trade associations develop standards. All that.* [Privacy Journalist]

Part of the resistance to self-regulation comes from a suspicion among many of the public and experts alike that Internet-related companies and trade associations will place their own self-interests ahead of the public good. In the strongest form, some members of the public expressed deep skepticism about industry in general, like this middle-aged man in Atlanta: "The history of industry is they will poison to kill people if they can get away with it. Fight them off tooth and nail through the Supreme Court." In a one-on-one interview, an Internet corporation senior executive said, "it is not clear to me that regulation has ever done much to combat pornography and some of the other stuff that goes on. There certainly is a sense that it's less regulated than the world at large."

Non-Profit Organizations

When it comes to governance of the Internet, many Americans appear to be looking for a third option beyond government regulation or industry self-regulation. As one of the participants in our on-line focus group with rural residents says, "If you go with government, then they will always find ways to mess everything up. If you go with private [companies], then they will find ways to focus the attention to them only. Maybe [we want] neither."

This attitude makes a large share of Americans receptive to a significant role for non-profit organizations in the governance of the Internet. When we ask the public to rate the role they want various kinds of groups to play in making rules for the Internet, by far the strongest scores go to "non-profit groups that work on consumer protection or privacy." On a scale from 0 to 10, the public rates the role they would like these groups to have at 7.1 – a full half point higher than any other of the 10

groups tested. Fully 70 percent of the public assigns a score of 6-10, with over half, 51 percent, assigning a very strong score of 8-10.

There is a similar reaction when we ask respondents to rate the importance of various attributes that organizations might have that would be involved in providing help to Internet users. Over three fourths of the public, 76 percent, says that it would be very or somewhat important for the organization to be run by a non-profit organization. By contrast, less than half, 46 percent, say it is very or somewhat important for the organization to be run by a government agency.

Many people seem to feel that non-profits lack the disadvantages of both the public and private sectors. They see these organizations as less bureaucratic than government, and less profit-driven than business.

> *Probably the non-profit, because they don't really have anything to gain from it. They are just trying to help other people.* [Young men and women, Omaha, Internet non-users]

> *Non-profit is good. No one is making money off of it. They are doing it to do the right thing.* [Young men and women, Syosset, Internet non-users]

Many of the Internet experts we interviewed were also enthusiastic about the role of non-profit organizations; this included several who were associated with such organizations, but also some who were not. Some of them focused on the ability of non-profits to play the role of what might be called "trust agents" – independent voices that can vouch for the accuracy or safety of various sites or materials on-line. Others focused on the need for an independent voice in the rule-making process, which could be an advocate for the public interest. As one of them said: "Our world is so technology oriented today. If everybody was publicly educated about all the technologies that affect them, they wouldn't have time to do anything else in their life. For example, I don't know how airplanes work in detail. I trust some advocacy group that there is proper maintenance done. I shouldn't say the Internet is different than that."

Yet the public also has some doubts about non-profit organizations. Some are uncomfortable with non-profit organizations having a major role in Internet governance because they think of such groups as being religious, or as being run by elderly volunteers. Others see some of the non-profit organizations we tested as not being truly disinterested, but rather as having their own private agendas.

> *A lot of non-profit organizations, you have the old lady on there that still wants to do things the old-fashioned way. And it's like what she was saying, you might have that person on there that is not going to agree with anything. Nothing is going to go.* [Young men and women, Atlanta, Internet users]

> *No, because every time I think of non-profit, I think of religion.* [Senior men and women, Scottsdale, Internet users]

> *I don't see where the Better Business Bureau is that great, and the AMA is politically oriented and they certainly have their opinion about certain things and not*

others. They're not always totally honest about things. [Senior men and women, Scottsdale, Internet users]

The dominant concern about non-profits, however, comes back to the question of accountability. Many members of the public, as well as many of the experts we interviewed, worry that non-profit organizations lack the accountability that comes with Congress and other political leaders whom the public can vote out of office.

It is helpful to examine how these views about accountability on the Internet – especially the conflicting impulses about which groups and institutions should craft on-line rules – play out in one particular area: privacy. (See Sidebar, "Privacy as a Case Study on Accountability.") Privacy is not the only area in which these questions arise, but it is uniquely important. As we note in Chapter Two, both the general public and Internet experts have special concerns about privacy on the Internet. Further, much of the current debate about potential self-regulation or legislation focuses on this area.

Privacy as a Case Study on Accountability

Concern over privacy emerges throughout our research. When asked to name their top concerns on the Internet, the third most-selected option is "privacy of information on the Internet" (34 percent). Internet experts are, if anything, even more focused on the problem. When we ask the experts we surveyed to name "the biggest challenge facing the Internet," the top category of responses, cited by 33 percent, involves issues of privacy and freedom on-line. Strong values drive these worries, with a 58-38 percent majority of the public saying their right to privacy is "relatively absolute."

In our focus groups, participants stress their worries about the unintended or unauthorized release of their personal information on their finances, their families, their health, their on-line purchases, and their on-line viewing habits. As one of the participants in our on-line focus group with rural adults says, "I try and use all that I can to save my privacy… Cookies are everywhere, and everything you do is traced without your permission anyway. But then, even the state licensing departments, the banks, the Feds, sell all of your info anyway… There is no such thing as privacy anymore."

These concerns turn to anger in the face of actual cases in which industry appears to mislead the public and use personal information for private gain. We test five negative stories about the Internet to determine which of them provokes the greatest concern among the public and experts. By far, the strongest reaction comes in response to this information, which involves both not only privacy and but also broken promises to consumers and protection of children, "Recently some e-companies that were going bankrupt tried to sell personal information about their on-line customers, including children, even though they had earlier promised their customers in their privacy statement that they would never do so." This statement raises serious concerns among nearly the entire public – 92 percent –

including 72 percent who say it raises very serious concerns. It is also the most provocative information for the experts; the comparable figures for this group are 91 and 59 percent.

The second strongest public reaction also comes in response to information that touches on how the private sector makes use of consumer information, "Most websites place a small file in your computer, called a cookie, that makes it possible for Internet businesses to keep track of all the websites you have visited." This information leads 67 percent of the public to have serious concerns, including 37 percent who say it raises very serious concerns. Interestingly, the level of concern is virtually the same among those who are and are not currently on-line, even though one might have expected that this information would come as "news" to more of those who are currently not on-line.

These strong concerns over privacy suggest that the public and Internet experts share a desire for more protection and accountability in this area. Yet the specific concerns they have, and the remedies they seem to favor, underscore the desire for a pluralistic approach to Internet governance, with something more than simply private sector self-regulation, yet with a role for other actors than the government.

The case of privacy statements: qualms about industry self-regulation. The research suggests that the public appears to want the private sector involved in making rules for the Internet, but has real doubts about Internet-related businesses regulating themselves. That tension is especially clear within the arena of privacy.

Consider the case of the privacy statements many web-sites display. This is one form of self-regulation. Yet these statements do not appear to be an effective form of reassurance for many Internet users. For one thing, much of the public does not appear to read on-line privacy statements. Fully 41 percent of respondents in our public survey say they never or hardly ever read these statements. Even among the experts, 40 percent never or hardly ever read the statements.

Another 31 percent of the public and 37 percent of the experts say they read privacy statements "sometimes." Yet comments from our in-depth interviews with experts and in our focus groups – where we display on-screen privacy statements – suggest this "sometimes" really means "rarely." Indeed, in our in-depth interviews with experts, even some who had written the privacy statements for their own dot-com companies say they almost never read the privacy statements posted by other sites.

> *They are just basically legal documents on the system. And who isn't going to say yes? I agree so you can move on. [Middle aged men, Atlanta, Internet users]*
>
> *I don't pay a lot of attention to the privacy notices on the web, partly because I don't trust them, partly because I don't understand them… They are almost incomprehensible. [Technology Policy Expert]*
>
> *I don't read them. Does anyone? [Technology Academic]*

Even beyond the unwillingness to wade through legalistic language, there are real concerns about the private sector's promises. In our on-line survey of the public, and in our focus groups, we provided participants with a list of eight words that might describe their reactions to a model privacy policy statement, and asked them to select the two that best described their reactions to it. The top three reactions were all negative: "raises doubts," picked by 33 percent; "too long," chosen by 28 percent; and "complicated," selected by 27 percent. Over a third said it made no difference in their likeliness to use the website, and another 23 percent said it would actually make them less likely to use the site. Only 33 percent said it would make them more likely to use the site.

The public's skepticism about privacy statements becomes clear when we ask respondents to explain what kinds of protections the statement did or did not provide. A strong 77 percent majority of those who read a sample privacy policy say they view it as "just a guideline set out by the company that it doesn't have to adhere to." A 73 percent majority says that even after reading the statement, "I am still not certain if this website will sell my name or not." Nearly two thirds, 62 percent, say they would feel less comfortable using their credit card at this site after reading the privacy statement. And a 58 percent majority says that the statement, "seems like a legal document that only protects the website" (rather than, it "protects both my rights and the rights of the company that runs the website").

There is, in sum, a feeling that companies (and other website sponsors) ultimately are more likely to be guided by their private financial and institutional interests than constrained by the pledges they place in their privacy statements. The financial interests seem real, while the promises seem empty. As a woman in Omaha notes: "I'm just a doubting Thomas. Anybody can write anything."

A desire for a role for government. The area of privacy also sheds light on the public's preferences for the government's role – their wariness about government, but also their belief that government is uniquely accountable. When focus group respondents are shown a website for the Federal Election Commission, many demonstrate a greater willingness to provide personal information in order to register at the site. They attribute this comfort to a sense that the government is more likely to protect their interests.

> *I guess it always comes to the belief that you always rely on the government. They're supposedly doing the right thing, not all the time, so it makes you feel a little bit at ease knowing that they're overseeing that. [Young men and women, Omaha, Internet non-users]*

> *All the commissions and stuff, federal, they make the person feel safer in certain situations. And you see the word federal here, I feel a little safer. I can't say why, but I do. [Middle aged men, Scottsdale, Internet users]*

Among the experts, there is an expectation that the government's role will need to increase in order to provide the privacy protections that the public is currently demanding. Although the view is not universal, the experts we interviewed tend to believe that news about data mining, experiences with privacy violations and identity theft, and frustrations with privacy statements will all lead to demands for greater government action.

> *We need a protector. I do sense that the public – I hear in many, many conversations, and I talk about privacy a lot, something should be done… Why doesn't the government make a law? There should be a law. That's always the solution people go to. They don't go, "why don't these companies have policies?" [Regulation Expert]*

> *Ultimately, I think a U.S. federal law coming out of Congress that's well thought out. See, the worry is that Congress will pass something quickly that is either too narrow or careless that will have to be implemented… Nobody trusts Congress or the government. But I think that is where it needs to be. [Internet Policy Academic]*

A role for non-profit organizations: "trust agents". The area of privacy also reinforces many of the general conclusions about the public's favorable image of non-profit organizations, along with its concerns about whether such groups are accountable to the public. In our focus groups and on-line public survey, we explored this idea by testing the public's reaction to a seal that one non-profit organization provides for websites that offer and abide by privacy policies. As noted earlier, this is a way in which non-profit organizations can serve as a "trust agent" – an independent voice that vouches for the reliability, trust, safety, or some other attribute of on-line information or sites.

For example, when we display a website with the symbol of one such trust agent, Trust-e*, during our on-line survey, most respondents, 84 percent, immediately afterward say they recall seeing the symbol. Whereas the public's reaction to privacy statements in general is mixed or even negative, their reaction to the Trust-e seal is strongly positive. Fully 70 percent of the public say the Trust-e symbol makes them feel better about using the website, compared to only 27 percent who say it does not. Even among teens, who tend to be skeptical about on-line assurances, 68 percent say it makes them feel better about using that website.

The positive reaction is driven by the notion of a non-profit organization playing the role of a trust agent, rather than by the reputation of Trust-e itself, as virtually none of the participants in our public focus groups had previously heard of Trust-e. Yet once we describe the group and its processes, the response is similarly warm. As one older Internet non-user in Scottsdale says, "I like the Trust-e, because it was non-profit, privately organized, non-government connected, that kind of thing."

Yet, as we note in Chapter Three, the public also tends to raise questions about the accountability of such non-profit groups, and these questions apply to Trust-e. For example, in our focus groups, participants asked who runs Trust-e, and to whom it reports. The lesson is clear: for non-profits to gain public acceptance as they play a role in the governance of the Internet, they need to show that they are accountable to the public in some way.

* Trust-e is a non-profit organization established in July, 1996 to establish "branded symbols of trust on the Internet similar to UL Labs or Good Housekeeping seals of approval." Trust-e allows websites to display its seal if they follow certain conditions regarding their privacy policies.

CHAPTER 4

MAKING GOVERNANCE INSTITUTIONS MORE ACCOUNTABLE

Making Governance Institutions More Accountable

Our qualitative, one-on-one interviews with Internet experts brought out a number of insights about how to achieve more accountability over those involved in the Internet's governance. In particular, these experts suggest the need to remedy what they see as a triple deficit in some of the existing Internet governance arrangements: a lack of democratic accountability; a lack of expertise in the government and non-profit sector; and a lack of speed and agility to match the pace of technological change.

> What I would like to see is a real representative task force... something that had government representatives, industry representatives, real public advocates, not a token.
>
> *Regulation Expert*

Remedying a Triple Deficit

The Internet experts we interviewed start from the perspective that institutions involved in the governance of the Internet need to be strengthened. In our survey, the experts split evenly on the question of whether existing institutions are safeguarding the public interest when it comes to the development of the Internet. Nearly half, 49 percent, say these institutions are doing an excellent or good job, but nearly as many, 47 percent say they are doing an only fair or poor job. The share that give the current institutions a "poor" rating is more than twice as high as those who give them an "excellent" rating – 13 percent, compared to only 5 percent.

Across the in-depth interviews we conducted with them, the Internet experts focus on several problems with existing institutions involved with governing the Internet, such as the Internet Corporation for Assigned Names and Numbers (ICANN) and the World Wide Web Consortium (W3C). (See Sidebar, "ICANN and W3C – Little Known, with Worries about Accountability"). They point, in particular, to three "deficits" that tend to afflict these institutions: a democracy deficit, an expertise deficit, and an agility deficit.

The democracy deficit. One of the chief complaints that Internet experts have with many of the non-governmental institutions involved in governing the Internet – either industry coalitions or non-profit organizations – is that they are not democratically accountable. There are some exceptions; for example, by a 52-14 percent margin, the experts say that W3C "does a pretty good job of providing a forum for all public voices" (as opposed to, it is "too dominated by industry and private interests"). Yet more of their comments focus on the public's inability to place democratic checks on such institutions.

> *I think the public interest is not being reflected right now in decision making. That needs to come through.* [Technology Policy Expert]
>
> *Well, ICANN, W3C, all the organizations can go so far. But at some point, they need to make contact with somebody who represents the public.* [Government Official]

The "democracy deficit" points to the need for institutions involved in Internet governance to have stronger linkages to the public interest. The recent addition of at large, public representatives to the board of ICANN is an attempt to address this deficit[1]. Another may be providing some form of government review of standards adopted by bodies such as W3C.

[1] The NAIS (NGO and Academic ICANN Study), supported by the Markle Foundation and designed to review the At Large Election, indicates indeed that the 2000 election was widely seen as the first step towards public participation and representation in ICANN despite technological and geo-political challenges to its process. See http://www.naisproject.org.

The expertise deficit. A second problem that experts cite is the difficulty of many existing institutions, especially public sector bodies and non-profits, to keep pace with the expertise the private sector brings to bear in developing the technology of the Internet. Many of the experts see the private sector as being able to afford so many more engineers, programmers, and other specialists that it simply leaves the public and non-profit sectors in the dust. One Internet expert complains about "government by anecdote" – a tendency of the government to make rules based on scattered complaints and information, rather than on a sound technological basis.

> *One big problem with the regulatory process and the way they split down now is that to deal with the Internet, you have to have a set of talents. You have to understand the technology. You have to understand the law. You have to understand economics. And you have to understand national policy and business, everything. There is no [regulatory] organization that has those.* [Government Official]

> *The public interest really needs some better funding resources to get technical expertise. Because these issues are highly complex and changing every day… [Industry has] six engineers on their side and hundreds of people who can come in and get out many detailed reasons about why they can't accomplish an objective. And then you have a public's advocate, who generally has a suspicion that an engineer working for a company who is opposed to a policy is probably going to come up with a technical reason why that policy is not do-able. You're at a huge disadvantage.* [Media and the Internet Expert]

As these comments suggest, there may be an opportunity for government and foundations to place more emphasis on funding the capacity for greater technological expertise within the public and non-profit sectors. It may even be in the self-interest of the private sector to support such efforts.

The agility deficit. A final and related problem is the difficulty that government, in particular, has in acting fast enough to keep pace with the dizzying pace of technological changes online. The problem here is partly one of expertise, but it also stems from many of the very aspects that give the government democratic legitimacy – checks and balances and requirements for public comment and other aspects of procedural due process. Many of the experts we interviewed cite the federal government's case against Microsoft as Exhibit A: by the time the case is resolved, they say the Internet likely will have moved beyond many of the issues at the heart of the case.

As we noted earlier, many experts who have reservations about involving the government in Internet rule-making say it may be appropriate at some point in the future, but not now when the Internet is in its "youth," and changing so quickly. The comments from our interviews with Internet experts make clear that they are eager to find ways that the government's involvement can be timely and agile.

By the time Congress gets around to noticing the phenomenon that needs to be addressed [on the Internet], the phenomenon has probably passed or mutated. It's like a virus, I think it can mutate faster than we can develop. [Internet Corporation Senior Executive]

It would be nice, from a policy perspective, to have a little bit more lead-time on technology developments as they come down the pike. The answer to that is: lots of luck. But in the policy arena, for example, the speed with which this all comes down the pike creates regulatory problems… It means developing a regulatory approach that is nimble enough to deal with the pace of change. [Government Official]

These comments suggest that to the extent government institutions take on regulatory responsibilities for on-line issues they may need to create mechanisms for action that can move at (nearly) the same speed as the Internet. For example, these institutions may require particularly lean and expert staffing, expedited rule-making procedures or public-private cooperation.

Finally, many experts say that current institutions often fall short because they lack the same global scope that the Internet itself possesses. We noted in Chapter Three that the public appears to be ambivalent about expanding the scope of Internet rules to a global scale and involving foreign and international entities. The experts show little of this ambivalence. These are individuals who tend to be familiar with ICANN, and other international forums for addressing the Internet, yet they also tend to feel that more is needed.

The other profound issue is that we have to figure out a way to make policy in an entirely global environment... The environment that you're dealing with is not U.S., it is borderless. [Government Official]

The Internet is a global system, so I think that we need some international organization to oversee certain specific areas of the Internet such as the architecture, protocols, such as privacy. [Technology Policy Expert]

ICANN and W3C – Little Known, with Worries about Accountability

At a time when the public is looking for new institutions that can help shape how the Internet operates – especially institutions that mix the public, private, and non-profit sectors – most people are surprised to learn that some such institutions already exist. Generally, the public (and many experts) have never heard of the Internet Corporation for Assigned Names and Numbers (ICANN)*, or the World Wide Web Consortium (W3C)*. As they learn about these groups, the public tends to be supportive of the roles they are designed to play, but worried about whether such institutions will be accountable to the public interest.

Not surprisingly, both ICANN and W3C are virtually unknown to the public. In our focus groups with both Internet users and Internet non-users, not a single person was familiar with ICANN, and not one mentioned W3C.

More surprisingly, even with Internet experts these institutions are relatively unknown as well. In the survey of Internet and computer experts, only six in ten (63 percent) can identify W3C and only half (49 percent) can identify ICANN. Even among the in-depth, one-on-one interviews of highly ranked Internet insiders, a few of those interviewed said they had little if any awareness of the existence of ICANN. One Internet corporation senior executive noted, "I don't know very much about ICANN"; another, a medical Internet site owner asked, "What is ICANN again?"

Among the experts who have heard of these two groups, the reviews are fairly positive. In our in-depth interviews, several of the experts say that that ICANN and W3C are either doing a good job, or trying their best in what is inherently a pioneering effort. One Internet policy academic, for example, calls ICANN a "noble experiment."

Ultimately, W3C emerges with the better reviews. In the expert survey, those who could identify W3C give it an average of 74 degrees, on a 0 to 100 degree scale (with 0 indicating a very cold feeling and 100 indicating a very warm feeling). ICANN's rating is still positive, but 10 degrees cooler, at 64.

*ICANN was created in 1998 as a non-profit corporation and given responsibility for allocating Internet addresses, protocol parameters, and managing the domain name system and root server system – functions previously performed by U.S. Government. ICANN was designed to centralize many of the technical management functions that had previously taken place in an ad hoc, or simply haphazard manner. The Board of ICANN is composed of nineteen Directors: nine At-Large Directors, nine selected by ICANN's three supporting organizations, and President/CEO (ex officio). Five of the current At-Large Directors were selected according to a vote of Internet users worldwide in October 2000.

*W3C is a non-profit organization created by industry leaders in 1994 to develop common protocols that promote the technical evolution of the Web. W3C is composed of more than 500 organizations from around the world, and operates under three principles: first, "Universal Access," the notion that the Web should be accessible to all; second "Semantic Web," seeking a set of rules that permit each user to make the best use of Web resources; third, "Web of Trust," the notion that the Web's development should proceed with careful consideration for the novel legal, commercial, and social issues raised by this technology. W3C has developed over twenty technical specifications for the Web's infrastructure since its inception, including development of HTML, the computer language used to author universally viewable web content.

The public, too, tends to have some positive reactions to ICANN when it is described to them in our focus groups. One participant likens ICANN to a deputy in the Wild West – someone who can bring order to an untamed and sometimes dangerous environment. Another participant, in Atlanta, said ICANN sounds like "the post office of the Internet" and thus seemed potentially useful but thoroughly non-threatening.

Yet there are also misgivings about whether these institutions are really accountable to the public. In the expert survey, a 52-14 percent majority says that "The World Wide Web Consortium is doing a pretty good job of providing a forum for all public voices" (as opposed to, "…is too dominated by industry and private interests"). But they are nearly evenly split on ICANN, with 30 percent saying "ICANN considers the public interest when making its decisions and rules", but with another 25 percent saying "the public's interests are not adequately taken into account by ICANN." (As the numbers suggest, a large share of experts in both cases do not know enough about the institutions to provide an answer.)

Several of the experts express their accountability concerns in blunt terms. Consider the following comments, when we ask Internet experts what institutions they would not trust to play a role in making rules for the Internet.

> *I would say, the top of my list is private industry. The second on my list is ICANN… Basically anybody with no accountability.* [Media and the Internet Expert]

> *Well definitely not W3C. No, I don't trust anyone. As much as people express distrust of government, of that list, I trust government, Congress the most. All those [other organizations] that you read off tend to be, or has either the primary interest is the state from protecting the privacy of individuals or consumers or whomever they're trying to protect. Or it has built in instability such as the organization that creates the rules also enforces the rules. As in the case of ICANN. Or it simply doesn't understand how to be inclusive of the broad interests of society, which is like W3C. You don't need technocracy here.* [Technology Company Senior Manager]

> *I don't trust ICANN. I don't trust W3C.* [Technology Policy Expert]

Similarly, in focus groups of Internet users and Internet non-users, participants were asked to respond to a short description of ICANN. The statement read: "[ICANN] is a non-profit, private sector corporation formed by a broad coalition of the Internet's business, technical, academic, and user communities to assume responsibility for Internet address allocation, domain names, system management, and system management functions previously performed under U.S. government supervision." We asked whether this sounded like a group they would want developing rules for the Internet. Several said the description made them uneasy, and that they were suspicious of any

> By the time Congress gets around to noticing the phenomenon that needs to be addressed [on the Internet], the phenomenon has probably passed or mutated. It's like a virus, I think it can mutate faster than we can develop.
>
> *Internet Corporation Senior Executive*

group governing the Internet with ties to private industry that might use its position for private gain.

> *I don't like the word "private sector" because to me, private sector, that means business. They could be doing other things than what they are saying.* [Middle aged men, Atlanta, Internet users]

> *What's in it for them? I don't know. And there has to be something in it for them or they're not going to go through all this.* [Senior men and women, Scottsdale, Internet users]

> *I'm concerned about their agenda. Even though this is a non-profit, I could see outside influences determining that the Internet businesses are on this commission, that they could be easily swayed.* [Middle aged men, Scottsdale, Internet users]

These reactions suggest that efforts to improve the accountability of ICANN, W3C, and similar bodies – such as through inclusion of public representatives – should resonate well with the public, and even with experts in the field. Ultimately, both the public and the expert community seem to favor the idea of governance ideas originating with these kinds of expert bodies, but want their decisions to face some kind of review that ensures accountability to democratic actors and institutions.

CHAPTER 5

MECHANISMS TO IMPROVE ACCOUNTABILITY FOR PROBLEMS ENCOUNTERED ON-LINE

Mechanisms to Improve Accountability for Problems Encountered On-Line

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

"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 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.)

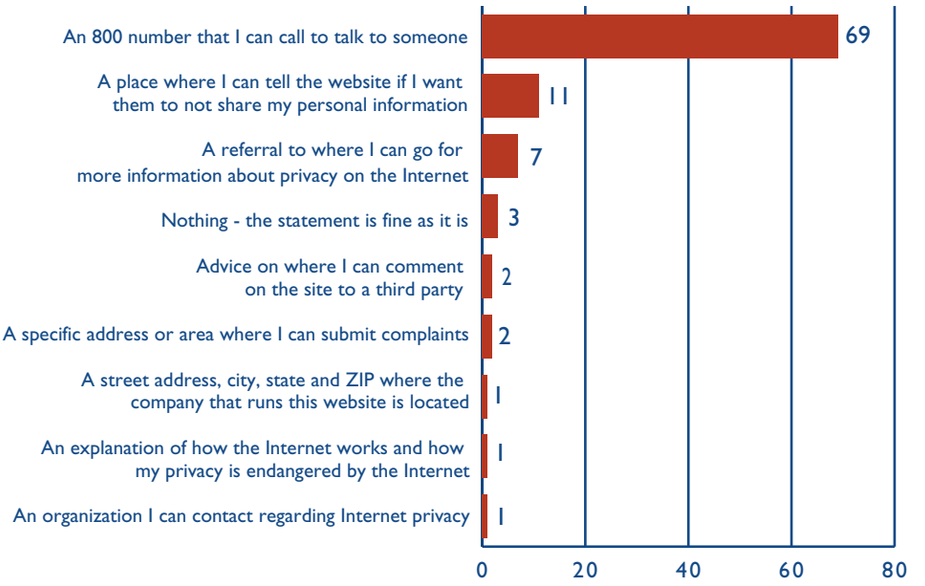
More than any of the other characteristics we tested, this one elicits notably stronger support from members of the public who are currently on-line. The on-line public is 9 points more likely than their non-user counterparts to say that it is very important to have institutions with "face" (81 percent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

APPENDIX A

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