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Chapter 39

Privacy and Security Issues in E-Commerce

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| A. Security Vulnerabilities in
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Privacy—the control over one’s personal data—and security—the attempted access to data by unauthorized others—are two critical concerns in the “new economy”. Consumers are concerned about their personal data leaking unexpectedly or uncontrollably, and e-commerce sites fear the financial losses associated with bad publicity, unauthorized access, and break-ins. This chapter discusses the business, social, and economic issues surrounding both privacy and security. This chapter also surveys the technologies that can be incorporated or have been proposed for both. © 2003, Elsevier Science (USA).

Computer security The effort to control the use, confidentiality, and authenticity of electronic data and to guarantee the availability and authorized use of computers, networks, peripherals, and other electronic resources.

Digital signature A cryptographic tag that only one author can calculate; the tag can be combined with any kind of data that the author might create (e.g., financial, entertainment, medical), and the tag's validity can be checked by anyone who can access the data.

Platform for privacy preferences (P3P) A labeling protocol that describes a Web site's uses for personal data (including clickstream data). Users can also describe their data dissemination preferences.

Privacy The ability of an individual to control the terms under which her personal information is acquired and used.

Privacy-enhancing technologies (PETs) Technology-based solutions that attempt to defeat or neutralize surveillance or tracking technologies.

Public key infrastructure (PKI) A flexible encryption key distribution system in which every participant carries two cryptographic keys, one for encryption (called the private key) and one for decryption (called the public key).

Symmetric key system A key system in which the same key is used for both encryption and decryption, so the key must always be guarded as a secret.

I. INTRODUCTION

Privacy—the control over one's personal data—and security—the attempted access to data by unauthorized others—are two critical problems for both e-commerce consumers and sites alike. Without either, consumers will not visit or shop at a site, nor can sites function effectively without considering both. This chapter reviews the current state of the art and the relevance for privacy and security, respectively. We examine privacy from social-psychological, organizational, technical, regulatory, and economic perspectives. We then examine security from technical, social and organizational, and economic perspectives.

II. PRIVACY

Privacy is a serious issue in electronic commerce, no matter what source one examines. Fisher (2001) reported that "Forty-one percent of Web buyers surveyed last year by Forrester Research of Cambridge, Mass., said

they have contacted a site to be taken off their databases because they felt that the organization used their information unwisely.” A *Business Week*–Harris Poll found that over 40% of on-line shoppers were very concerned over the use of personal information, and 57% wanted some sort of laws regulating how personal information is collected and used (Harris Poll, 2000). Similarly, Culnan (2000) argued that privacy concerns were a critical reason why people do not go on-line and provide false information on-line.

Why this concern about privacy? The answer is simple. As of 1998, the Federal Trade Commission (FTC) found that the majority of on-line businesses “had failed to adopt even the most fundamental elements of fair information practices” (Culnan, 2000). Indeed, relatively few consumers believe that they have very much control over how personal information revealed on-line is used or sold by businesses (Culnan and Armstrong, 1999). The combination of current business practices, consumer fears, and media pressure has combined to make privacy a potent problem for electronic commerce.

Tackling privacy, however, is no easy matter. If nothing else, privacy discussions often turn heated very quickly. Some people consider privacy to be a fundamental right, whereas others consider it to be a tradable commodity. Detailed arguments about the historical progression of privacy can be found, for example, in Davies (1997) and Etzioni (1999). (Even these historical accounts have sharply differing viewpoints. For example, Etzioni argues that privacy is societally illegitimate or not feasible, whereas Davies argues that it has become a squandered right.) For the purposes of this chapter, we will explore the potential space of privacy concerns, not privileging any particular viewpoint. In our view, both consumers and businesses may have legitimate viewpoints, sometimes conflicting. This is in the nature of most societal issues. We also restrict ourselves to the privacy issues that accrue in electronic commerce; we omit, for example, the issues emerging from vehicle tracking chips, the wholesale monitoring of telephone and other communication mechanisms, and image recognition from public cameras [see Froomkin (2000) for other examples].

Culnan (2000), following Westin, defines privacy as “the ability of an individual to control the terms under which their [*sic*] personal information is acquired and used.” An individual’s privacy, as such, is always in an inherent state of tension, because it must be defined in conjunction with the capabilities of others to transact business and even to control their own privacy. As Clarke (1999) noted, privacy may have to be traded off in certain transactions, such as to access credit or to maintain the quality of health care. Indeed, societal needs may also transcend an individual’s privacy concerns, as in the case of public health.

Nonetheless, individuals as e-commerce consumers, even with its inherent trade-offs, still wish to control their personal information. Goffman (1961) noted that people must control their presentation of self, their face, to others. People need to be able to control what others think of them and find it disconcerting when they cannot. Even more, people find it disconcerting when the rules of everyday conduct appear to change, as they can with new technologies. In these situations, people may feel that they have been treated unfairly or that they have not received proper notice (Culnan, 2000).

Besides “privacy,” a number of terms, such as notice, choice, identification, digital persona, authentication, anonymity, pseudonymity, and trust, are used in privacy discussions. However, because of space limitations, we cannot hope to carefully define each. See Clarke (1999) for a useful introduction. Note, however, that there is a vigorous research debate surrounding many of these concepts.

A. SOCIAL AND BUSINESS ISSUES

Why is privacy of concern to e-commerce? We believe this concern stems from a new technical environment for consumers and businesses, the resulting data flow with substantial benefits to businesses and consumers, consumer concerns in this new environment, and regulatory attempts to govern this environment. It is important to understand each one of these and to understand the trade-offs. Privacy as a business issue is extremely sensitive to changes in the surrounding context. Changes in people’s expectations (such as when they become accustomed to data transfer in commercial settings) or in regulatory governance (such as new laws, governmental regulations, or even case law in the United States) can dramatically alter business issues and possibilities.

Following is an overview of the research and business issues. This will include the consumers’ concerns, technical issues, and regulatory attempts to ameliorate privacy concerns. In this examination, our attempt is not to predict what will happen or should happen, but to present issues to guide further research and business activity.

Clearly, there are many business opportunities in the changing technical environment. The use of digital systems allows data to be captured at a much greater rate and scope than previously; e-commerce sites potentially could collect an immense amount of data about personal preferences, shopping patterns, patterns of information search and use, and the like about consumers, especially if aggregated across sites. Not only is it easier than ever to collect the data, it is also much easier to search these data (Dhillon

and Moores, 2001). New computational techniques allow data mining for buying patterns and other personal trends. These data can be used to personalize a customer's e-commerce experience, augment an organization's customer support, or improve a customer's specific e-site experience. The data are valuable for reuse, for example, in finding potential sales to existing customers. In addition, the data are also valuable to aggregators (who may look for other personal trends and patterns) or for other types of resale. Indeed, reuse and resale are simultaneously both potential opportunities and potential problems. "Ironically, the same practices that provide value to organizations and their customers also raise privacy concerns" (Culnan and Armstrong, 1999).

From the viewpoint of customers, many e-commerce sites have done foolish things with their customers' data (Fisher, 2001). Consumers' opinions on this have been confirmed by media stories of particularly egregious privacy failures and public relations nightmares. Broadly speaking, consumers are merely confirmed in their opinions by the media. As mentioned, few consumers trust companies to keep their data private. In one survey, 92% of respondents indicated that, even when companies promised to keep personal data private, they would not actually do so (Light, 2001).

Culnan and Armstrong (1999) make the argument that consumers have two kinds of privacy concerns. First, they are concerned over unauthorized access to personal data because of security breaches (see following discussion) or the lack of internal controls. Second, consumers are concerned about the risk of secondary use: the reuse of their personal data for unrelated purposes without their consent. This includes sharing data with third parties who were not part of the transaction in which the consumer related his personal data. It also includes the aggregation of a consumers' transaction data and other personal data to create a profile. Smith *et al.* (1996) raise two additional concerns based on Delphi studies: general concerns about personal data being collected and concerns over one's inability to correct any errors.

Beyond the research literature describing a general anxiety (and its extent), there is some research literature providing more detail. A persistent finding, over several decades, is that it is fruitful to consider U.S. consumers not as a general block but as consisting of three groups (Westin, 1991): privacy fundamentalists, the pragmatic majority, and the marginally concerned. These groupings have been consistent across studies [e.g., Ackerman *et al.* (1999), Spiekermann *et al.* (2001)]. [Spiekermann *et al.* (2001) divided the pragmatics into those who were concerned with revealing their identity and those who were more concerned about making their personal profiles available.] In Ackerman *et al.* (1999), these groups were

17%, 56%, and 27% of the sample, respectively. Spiekermann *et al.* (2001) noted a larger group of privacy fundamentalists and fewer marginally concerned in Germany. The groups differ significantly in their privacy preferences and attitudes. The marginally concerned group is mostly indifferent to privacy concerns; privacy fundamentalists, on the other hand, are quite uncompromising about their privacy. The majority of the U.S. population, however, is concerned about its privacy, but is willing to trade personal data for some benefit (e.g., customer service). Nonetheless, consumers still want adequate measures to protect their information from inappropriate sale, accidental leakage or loss, and deliberate attack (Dhillon and Moores, 2001). In Ackerman *et al.* (1999), the concerns of pragmatists were often significantly reduced by the presence of privacy protection measures such as privacy laws or privacy policies on Web sites.

Another interesting finding, also quite persistent, is that there is a large gap between most people's stated preferences and their actual behavior (Ackerman *et al.*, 1999; Spiekermann *et al.*, 2001). Although this is often the case in social studies (Bernard, 2000), it is of particular interest here. It is not yet known, however, whether this gap is permanent, in that it is unlikely to change, or is the symptom of people's frustration with current technologies.

B. TECHNOLOGIES FOR PRIVACY

The next consideration is technology. A number of technologies have altered the current privacy debates. Clarke (2001) divides the technologies in question into four groups. Clarke argues that there are technologies used for surveillance, technologies for forming agreements (contracting) about the release of private data, technologies for labeling and trust, and privacy-enhancing technologies (PETs).

The technologies for surveillance and for data capture are used by companies for business purposes, but they have the side effect of endangering personal privacy. These include generating data trails, data warehousing and data mining, and biometrics. Many of these technical mechanisms can lead to consumer profiles that "are no longer based only on the individual's dealings with a single organization, because their [*sic*] data is shared by multiple merchants" (Clarke, 2001).

Balancing these tracking mechanisms are privacy-enhancing technologies (PETs), which attempt to defeat or neutralize the surveillance or tracking technologies. Basic PETs include cookie managers and personal firewalls. Other PETs attempt to provide genuine anonymity and include anonymous remailers (e.g., Mixmaster) and digital cash (e.g., ECash). An

active area of research and development are systems to provide nontraceable identifiers (e.g., ZKS Freedom, AT&T Crowds, anonymizer.com, anonymous remailers). Yet other PETs, which Clarke (2001) calls “gentle PETs,” try to balance privacy and accountability. These include systems to provide some level of pseudonymity, allowing users to hide behind pseudonyms but allowing actions to be traced back to a person if necessary. In addition, privacy seals (e.g., from TRUSTe or the Better Business Bureau) indicate that the company follows the privacy practices stated on its Web site.

A new area of research includes the so-called labeling protocols, such as the MIT–World Wide Web Consortium’s Platform for Privacy Preferences (P3P) (Cranor and Reagle, 1998; Cranor, 2002; P3P, 2002). P3P allows sites to describe their data handling policies (P3P statements) and permits users to describe their preferences for releasing private data (P3P preferences). As sites label themselves with P3P and as user clients (such as Internet Explorer) handle P3P statements and preferences, it will be possible to create technologies to form contracts for the release of private data. Other technologies, such as those to help users understand contractual terms or even contract-related fraud, will also emerge. Ackerman and Cranor (1999) outline one such technology. Their browser-based agents watch for privacy violations, privacy scams, and the like on behalf of the user.

C. REGULATION, ECONOMIC ISSUES, AND PRIVACY CODESIGN

The final consideration is regulation. In this, we include the varying governmental attempts, whether by law or by decree, to regulate this new environment on behalf of their citizens. It also includes emerging legal precedents and case law for governing privacy in cyberspace. Currently, regulation is a warren of overlapping and conflicting attempts. Fortunately, these attempts are slowly consolidating. (Around 1997, it was thought possible that even municipalities might have their own, specific privacy regulations, holding ISPs and Web services responsible for any violations.) Nonetheless, currently there are wide differences between the United States and the European Union. To continue e-commerce, the notion of a “safe harbor” has emerged internationally, although it is not known how long this will continue.

In the United States, privacy is largely a matter of economics, with the admonition that *caveat emptor* is the rule for consumers. Once data are provided by an individual to an e-commerce site or anyone else, all rights

to that data are lost. U.S. consumers have no recourse, which may result in surveys showing a lack of trust. A company can use these data in any way, including selling the data to third parties for subsequent reuse. There are, however, specific areas of greater protection, for example, in medical records. In addition, the Federal Trade Commission (FTC), which regulates consumer and interstate trade in the United States, has taken upon itself to take particularly egregious privacy cases to court. For example, the FTC has taken large companies to court when they have violated their own sites' privacy statements. Although many researchers and analysts [e.g., Reidenberg (1999), Culnan (2000)] have argued that self-regulation has largely failed, it is unlikely that there will be significant change under the current U.S. administration. It is possible, however, that greater penalties may accrue to companies violating their own privacy statements.

In contrast, "Privacy rules are strikingly different in the European Union, and the differences threaten to hamper the ability of US companies to engage in transactions with European Union countries without risk of incurring penalties" (Fjetland, 2002). Europeans must unambiguously give consent after being informed as to why the information will be used; this is not the case in the United States. According to European Union rules, consumers must be informed of the entity collecting the data, purposes of the processing, recipients of the data, and any rights they (the customers) have. Furthermore, one must ask for specific consent for "sensitive information" (a person's racial or ethnic origin, political opinions, religious beliefs, trade union membership, and sexual preference). Unlike in the United States, European customers can have incorrect or unlawfully processed data corrected, blocked, or erased, and consumers can even require that third parties who have seen incorrect data be notified.

The extent to which European Union privacy rules hold for companies is unclear. Technically, not only do the European Union rules apply to European Union citizens, but they also apply even if the customer is outside the European Union if the data will be processed within the European Union. The onus is on the data user (i.e., the company or electronic commerce site), and the penalty can be the blockage of data transfers to the offending company. Currently, however, these European Union rules are suspended for American and international companies, and little if any enforcement is occurring for European Union companies. Not even all European Union countries have complied (Fjetland, 2002). As a "safe harbor," which has been the point of contention between the U.S. and European Union governments, U.S. and international companies must merely embrace a substantially diluted version of the privacy standards.

Thus far, we have largely examined privacy from a sociological stance, that is, as socially constructed expectations and sets of norms and regula-

tions. Privacy can also be thought of as an economic good. Considerable research has examined a marketplace for personal data. A general analysis of markets for data, including personal data, can be found in Shapiro and Varian (1999). An example of potential economic mechanisms for privacy data markets, including negotiation protocols, can be found in Cranor and Resnick (2000).

Very recently, researchers have moved toward advocating approaches to privacy that combine technology, regulation, and social change. The technologies may include economic mechanisms. Increasingly, privacy is considered a complex social phenomenon with interactions among new technologies, regulatory structures, and citizens' perceptions of privacy and social norms. Reidenberg (1999) and Cranor and Reagle (1998) have argued that e-commerce privacy requires a combination of law and technology, and Ackerman *et al.* (2002) have argued that solutions for privacy must simultaneously consider technology, social structures, and regulation in a codesign space.

III. SECURITY

As mentioned, security is also a major concern for e-commerce sites and consumers alike. Consumers fear the loss of their financial data, and e-commerce sites fear the financial losses associated with break-ins and any resulting bad publicity. Not only must e-commerce sites and consumers judge security vulnerabilities and assess potential technical solutions, they must also assess, evaluate, and resolve the risks involved. We will cover each in turn.

A. SECURITY VULNERABILITIES IN ELECTRONIC COMMERCE

There are many points of failure, or vulnerabilities, in an e-commerce environment. Even in a simplified e-commerce scenario—a single user contacts a single Web site and then gives his credit card and address information for shipping a purchase—many potential security vulnerabilities exist. Indeed, even in this simple scenario, a number of systems and networks are involved. Each has security issues.

First, a user must use a Web site and at some point identify, or authenticate, herself to the site. Typically, authentication begins on the user's home computer and its browser. Unfortunately, security problems in home computers offer hackers other ways to steal e-commerce data and identification data from users. Some current examples include a popular home-banking

system that stores a user's account number in a Web "cookie," which hostile Web sites can crack (Graves and Curtin, 2000), ineffective encryption or lack of encryption for home wireless networks (Borisov *et al.*, 2001), and mail-borne viruses that can steal the user's financial data from the local disk (Roberts, 2002) or even from the user's keystrokes (Neyses, 2002). Whereas these specific security problems will be fixed by some software developers and Web site administrators, similar problems will continue to occur. Alternatives to the home computer include point-of-sale (POS) terminals in bricks-and-mortar stores, as well as a variety of mobile and handheld devices.

Second, the user's Web browser connects to the merchant on the front end. When a consumer makes an on-line purchase, the merchant's Web server usually caches the order's personal information in an archive of recent orders. This archive contains everything necessary for credit card fraud. Further, such archives often hold 90 days' worth of customers' orders. Naturally, hackers break into insecure Web servers to harvest these archives of credit card numbers. Several recent thefts netted 100,000, 300,000, and 3.7 million pieces of credit card data. Accordingly, an e-commerce merchant's first security priority should be to keep the Web server's archives of recent orders behind the firewall, not on the front-end Web server (Winner, 2002). Furthermore, sensitive servers should be kept highly specialized by turning off and removing all nonessential services and applications (e.g., ftp, e-mail). Other practical suggestions to secure Web servers can be found in Tipton and Krause (2002), Garfinkel (2002), and Garfinkel *et al.* (2003), among many others.

Third, the merchant back end and database. A site's servers can weaken the company's internal network. This not easily remedied, because the Web servers need administrative connections to the internal network, but Web server software tends to have buggy security. Here, the cost of failure is very high, with potential theft of customers' identities or corporate data. Additionally, the back end may connect with third party fulfillment centers and other processing agents. Arguably, the risk of stolen product is the merchant's least important security concern, because most merchants' traditional operations already have careful controls to track payments and deliveries. However, these third parties can release valuable data through their own vulnerabilities.

This is a simplified model of e-commerce architecture, yet even in its simplicity there are a number of security problems. Note that encrypted e-commerce connections do little to help solve any but network security problems. Whereas other problems might be ameliorated by encryption, there are still vulnerabilities in the software clients and servers must use for the data. We will discuss the implications of these vulnerabilities next: users

who may themselves release data or act in ways that place sites at jeopardy, the constant pressure of new technologies, and the resulting constant threat of new vulnerabilities, as well as the requirements for critical organizational processes. However, before discussing potential requirements for e-commerce sites and their consumers, it is important to survey potential security technologies.

B. SECURITY TECHNOLOGIES

There are many relevant technologies, including cryptographic technologies, that can mitigate the preceding vulnerabilities. However, none is comprehensive or airtight by itself. Accordingly, we next present a brief overview of the major technologies and also consider the advantages and disadvantages of each. For a more complete description of each technology, see Bishop (2003).

In the mass media, the most visible security technologies are the encryption algorithms. For a general introduction to these technologies, see Treese and Stewart (1998); a popularization can be found in Levy (2001). Two classic textbooks are Denning (1983) and Koblitz (1994), and encyclopedic compendia include Schneier (1996) and Menezes *et al.* (1996).

Public key infrastructure (PKI) systems are one such encryption technology (Adams *et al.*, 2001; CCITT, 1988; Housley *et al.*, 2002; Polk, *et al.*, 2002). Important PKI-based secure protocols include the retail mechanism, Secure Socket Layer (SSL) (Dierks and Allen, 1999; Rescorla and Schiffman, 1995), and the interbank standard suite, ANSI X9 (American National Standards Institute, 1994; RSA Security, 2003a). The PKI is a flexible key distribution system in which every participant carries two cryptographic keys, one for encryption and one for decryption; together these two keys make up what is called an asymmetric *key pair* (Diffie and Hellman, 1976; Rivest *et al.*, 1978). The encrypting key is published to the world and is called the participant's *public key*. The decrypting key is called the *private key*. The system is characterized by mathematical elegance, efficient scaling features, and theoretically based security guarantees. A performance advantage of PKI is that it does not require a centralized, highly available intermediary for every secure transaction; however, this also makes it difficult to know when another party's key has been stolen or otherwise compromised. As such, PKI often requires a centralized, highly available intermediary for key management and especially for *prompt* notification about revoked key pairs (Adams and Farrell, 1999). This issue, the *revocation problem*, is still unsolved (Davis, 1996, 1998), despite the best effort to date (Myers *et al.*, 1999).

A digital signature (Rabin, 1978; Rivest *et al.*, 1978) is the salient application of public key cryptography (and, by extension, of PKI) and is an analog of a handwritten signature. A digital signature is a cryptographic tag that only one author can calculate; the tag can be combined with any kind of data that the author might create (e.g., financial, entertainment, medical), and the tag's validity can be checked by anyone who can access the data. This combination of authored content with the author's identity serves the same purpose as applying one's signature to a paper document; a digital signature can be used to sign contracts, to provide authenticity of an electronic distribution, or to prove identity for access. Although e-commerce digital signatures have been much anticipated, they have been little adopted to date. There is still substantial research potential in understanding the legal and economic issues involved in the lack of widespread adoption of digital-signature-based electronic commerce.

In symmetric key systems, on the other hand, the same key is used for both encryption and decryption, so it must always be guarded as a secret. For e-commerce applications, the principal examples of symmetric key systems are the ciphers DES (NIST, 1993), AES (NIST, 2001), and RC4 (RSA Security, 2003b), as well as Microsoft's Hailstorm authentication system (formerly PassPort). As an advantage, symmetric key cryptography runs orders of magnitude faster than public key cryptography.

These ciphers can be used in a variety of ways. As noted earlier, the technical challenge in authenticating users is that the identifying information must remain private, but the Internet is a public broadcast medium. Cryptography meets this challenge by guaranteeing that the subscriber's identifying information cannot be stolen, copied, or replayed by others. It was once supposed that most users would use public key cryptography to authenticate themselves. However, very few end users possess public key certificates currently, because certificates are expensive. Instead, Web users use a variant of SSL in which users identify themselves with passwords instead of with digital signatures. A second way in which e-commerce sites validate users' passwords is with HTTP cookies. Cookie-mediated authentication, however, is very insecure (Dawson, 1998; Festa, 1998). Symmetric key cryptography offers more security than password-mediated authentication, with more favorable key management trade-offs than PKI affords, but as noted earlier the key must be tightly guarded.

Other technologies can be used to perform both authentication and data protection. For example, smart cards (Rankl and Effing, 1997) can be used to store data about the bearer of the card, including financial data, medical records, and identification credentials. Because those data are so sensitive, it is critical to store the associated encryption keys in tamper-resistant hardware. Further, the smart card should never have to share the bearer's per-

sonal data or her keys with a POS terminal, otherwise the bearer's privacy and keys could be compromised. In practice, this means putting a computer processor and cryptographic hardware on the card, along with the encryption keys. A further advantage is that smart cards can allow POS transactions to be more intricate, because all of the user's data are always available. This architecture can also avoid the centralized storage of personally sensitive data and supposedly demands less trust of the consumer to a centralized authority to husband the data properly. Smart cards have the disadvantage that every promise of tamperproof packaging has been shown to be false (Anderson and Kuhn, 1996, 1997). Smart cards saw early and widespread deployments in Europe, especially in Germany, Benelux, and France, but not in the United States. The reason for smart cards' adoption failure in the United States remains unclear.

Similarly, cryptographic technologies can be used at various points in the payment system (Neuman and Medvinsky, 1998). The majority of Web transactions are currently SSL-protected credit card transactions. However, many other mechanisms have been proposed for handling electronic payments. Digital cash and networked payments (e.g., Chaum, 1985) purport to bring anonymous electronic transactions to e-commerce; that is, like currency and unlike credit cards, digital cash cannot be traced to any specific individual. Thus, a consumer might buy electronic data or a digital service without revealing his identity to the merchant and without revealing his purchases to a financial clearinghouse. There are many digital cash variants, but Chaum's version was the archetype, using digital signatures and encryption to simulate the issuance of paper currency with serial numbers. In some variants, this currency can be given to others while not having the side effects of allowing counterfeiting, duplication, or double spending. Micropayment schemes, such as MilliCent (Glassman *et al.*, 1995), are systems for transferring extremely small payments, perhaps fractions of cents, for Internet goods (often information goods). The goal in this case is to enable the creation of markets for small quantities of data and services, such as per-article newspaper subscriptions. Despite these interesting social and technical advantages, these sophisticated digital payments schemes have not thrived, for a variety of reasons. Shirkey (2000) has provided sharp arguments for why micropayments have not caught on: the history of communication markets shows that users greatly prefer simple and predictable pricing schemes. The Mondex anonymous payments system has been successful in Europe, but cryptographers have raised questions about Mondex's security (Brehl, 1997). Similarly, PayPal, a payment intermediary, has been financially successful but has been plagued by repeated problems with fraud (Jonas, 2002). Indeed, Stefan Brands, a cryptographer specializing in the design and analysis of digital cash systems, noted in 1996 that, of

the digital cash issued in European pilot deployments, 10% had been lost to fraud (Brands, 1996).

The entertainment and mass media industries have invested much effort in digital watermarking technology (Delaigle *et al.*, 1996). Here, the technical goal is to find ways of cryptographically tagging electronic content (especially images and audio) so that it is recognizable, nonforgeable, and nonremovable. The business goal is to enable firms to detect unlicensed distribution or resale, in the hope of firms being able to distribute content electronically and safely. The watermark tag is generally designed to be invisible or unobtrusive. This is still an active area of research, as all proposals to date have been successfully attacked (Craver *et al.*, 2001). Currently, the entertainment industry is using the Digital Millennium Copyright Act of 1998 (DMCA) to bolster with law the technical weaknesses of digital watermarking proposals, by making it illegal in the United States to remove or forge such protections (Lazowska, 2001).

C. SOCIAL AND ORGANIZATIONAL ISSUES IN SECURITY

Security, however, is not just a matter of technology; the implementation of technology without the proper organizational processes will not solve security problems (Treese and Stewart, 1998). There are a number of critical social and organizational issues with security. The first is that the weak link in security is often users or employees, rather than the technology per se (Anderson, 1994). The second is software engineering management, or managing how security technology is deployed (Anderson, 2001a). The third is the development of adequate organizational processes for risk management, separation of duties, development of security policies, access control, and security assurance.

A persistent problem is users' differing and incorrect models of security and their seeming inability or unwillingness to adhere to critical security policies and guidelines. Not only do users not understand what they need to do, but they often will not take the precautions necessary for the security technologies to work effectively (Davis, 1996). For example, users may store passwords in unencrypted files on vulnerable machines, or employees may divulge their passwords to third parties. The ability of hackers to obtain critical authenticity data is well-known; it is often called "social engineering" (Mitnick and Simon, 2002). Currently, this is an open research area. There is research on understanding users' mental models and motivations [e.g., Adams and Sasse (1999), Friedman *et al.* (2002)], but little on how to deal with the problem. We suggest that a networked application cannot offer full measures of connectivity, security, and ease-of-use, all at the same

time; there seems to be an intrinsic trade-off here, and some sacrifice is unavoidable. Until security vendors achieve the necessary delicate balance of all three desiderata, effective e-commerce security will remain a problem.

A second problem is that software management is a substantially larger problem with security than with many other types of software. As mentioned, hackers constantly discover new vulnerabilities in both new and existing systems. Standards and protocols are in a state of constant turmoil. Even keeping up to date with all security advisories and security patches is difficult, arguing that merchants should be conservative about undertaking complicated, heterogeneous deployments (Schneier, 2001). Indeed, because many merchants' e-commerce applications rely on client-side security features, it is important to remember that security holes tend to be very version-specific, making the software portability problem even worse. In addition, assessment of new security-relevant technologies is at once urgent and quite difficult. It is particularly hard to determine which technical proposals will succeed, but to be competitive and to avoid embarrassment, firms cannot afford to wait for standards to settle before beginning to build and deploy security solutions. Finally, in software management, security programmers are a limiting resource. There is currently a dearth of programmers who understand security. The software they write usually is subtle and hard to maintain, but naturally security specialists do not want to be boxed into dead-end software maintenance jobs. Thus, security products are often poorly maintained, with old security holes reappearing from time to time.

User and employee limitations as well as the chronic problems of software management suggest that organizations need to have a set of organizational processes in place to assess security vulnerabilities, manage their risk, and contain intrusions (Bishop, 2003; Treese and Stewart, 1998). [One is again referred to applied security publications, such as Garfinkel (2002) and Tipton and Krause (2002), for the details of specific policy and process recommendations.]

Organizational processes can offer important security protections. By creating a chain of responsibility and the proper separation of duty, organizations can be protected against intrusions as well as criminal insiders. Organizations must consider and insist upon policies for confidentiality of data, as well as the integrity of the data; that is, there must be policies in place to prevent both the leakage and the corruption of data (Bishop, 2003). Organizations must strive to create processes for determining access control to sensitive data, how intrusions or break-ins will be contained, and levels of risk (Tipton and Krause, 2002) and assurance. [See Bishop (2003) for a discussion of formal methods in security assurance.]

Without the necessary technologies and organizational processes in place, merchants stand to lose just as much as consumers, proportionally, if

an e-commerce deployment is insecure. Security breaches are newsworthy, and a merchant must be able to protect customers' identities, financial data, and shopping choices from exposure, so as to avoid alienating loyal customers.

Moreover, an underappreciated risk is that an insecure e-commerce server can undermine corporate regulatory compliance. In the United States, this risk is particularly important for financial systems, because securities laws require brokerages to keep extensive archives of internal communications and to prevent even insiders from accessing certain documents. An insecure e-commerce deployment can cause a financial institution to leak information in actionable ways, allow insiders to cover up misdeeds, or even allow insiders to generate falsified audit logs of nonexistent transactions.

D. ECONOMIC ISSUES

Again, an understanding of security would be incomplete without an analysis of the underlying economic issues. The preceding sections presented security either as a technical imperative or as a set of social and organizational issues; however, it must be stressed that security for both consumer and site requires an analysis with the proper weighing of potential risk. More importantly, as Anderson points out, security engineering is a matter of control and power, as well as access (Anderson, 1994, 2001b). Security mechanisms can be used to govern compatibility and attempt to control network effects governing the adoption of new or potentially replacing technologies (Shapiro and Varian, 1999). Indeed, Anderson argues that security technologies are often deployed as much for risk reassignment as risk reduction. An excellent collection of links to economics-based analyses of security is <http://www.cl.cam.ac.uk/~rja14/econsec.html>.

IV. CONCLUSION

In summary, privacy and security are still ongoing research problems. There have been some interesting and significant findings, however, in the past 5 years that bear important consequences for e-commerce sites and consumers. Privacy is now understood by many to be a social construction, with expectations being the largest consideration. Yet privacy is also considered a public issue by regulators, who have nonetheless largely allowed technology to unfold to date. Security is now understood to be largely imperfect, a continual cat-and-mouse game of security expert and hacker.

Important technical developments have been deployed in the past 5 years; however, it is clear that organizational policies may play as an important a role in site security. Finally, detailed economics-based and sociologically based analyses are beginning to find their way into the published literature, and we expect that these studies will bring greater clarity and proficiency to admittedly murky areas.

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