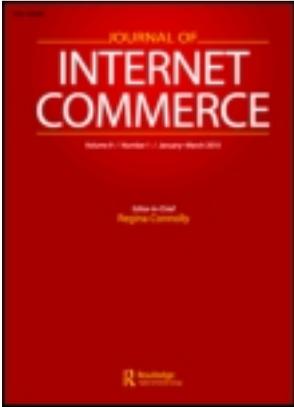


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Role of Consumer Associations in the Governance of E-commerce Consumer Protection

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Role of Consumer Associations in the Governance of E-commerce Consumer Protection

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Despite the proliferation of e-commerce and the growing discussion of how to govern this sector, governance for e-consumer protection is an under-researched area. This study is the first of its kind to employ both quantitative (e-survey) and qualitative (interviews) research to examine e-consumer protection from the view of all three e-governance sectors: e-consumers, e-retailers, and other stakeholders (government, industry, and consumer associations). In particular, this study employed a governance perspective, rather than other perspectives, such as marketing. Focus was aimed toward the tri-sectors' perceptions of six roles of consumer organizations during the e-consumer protection e-governance process. Victoria, Australia was used as a working example. Results suggest that the governance process for e-commerce in Victoria may be compromised due to the lack of overall agreement among the three governance sectors about the role of consumer associations. The tri-sector e-governance model is more appropriate in explaining e-consumer protection than models that eschew the governance process.

The findings of this research project were presented at the 3rd International Conference on Public Policy and Management on October 23, 2011 at Tsinghua University School of Public Policy and Management in Beijing, China.

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KEYWORDS Australia, civil society, consumer associations, consumer protection, e-consumer, e-governance, tri-sector e-governance model

INTRODUCTION

Purchasing products and services online has become increasingly popular. The revenue of e-commerce worldwide was close to \$700 billion in 2011 (Rao 2011), and continues to grow. Billions of consumers are purchasing online, exposing themselves to a raft of consumer protection issues that are complicated by the virtuality, unboundedness, and multiplicity of actors present before, during, and after transactions (e.g., redress, data and payment security, privacy, fraud, information asymmetry, and jurisdictional complications; Binding and Purnhagen 2011; Organization for Economic Cooperation and Development [OECD] 1999, 2010). Because the literature is rich with discussions of the nature of consumer protection problems with e-commerce, this article will focus on the governance of the market within which these e-problems manifest (e.g., Alam and Yasin 2010; Australian Competition and Consumer Commission 2006; Goldstein and O'Connor 2000; Ha 2011b; Ha, Coghill, and Maharaj 2009; James and Murray 2003; Ling et al. 2011; Scott 2004).

Despite the proliferation of e-commerce, and the growing discussion of how to govern this sector, governance for e-consumer protection is an under-researched area. This article examines the role of consumer organizations in e-commerce governance as it pertains to consumer protection, using Victoria, Australia as a working example. In particular, the authors are interested in how different stakeholders understand and agree upon the role of consumer associations in the governance of e-consumer protection. After differentiating between government and governance, the article defines Internet governance and e-governance, and then places e-commerce consumer protection within the context of e-commerce, leading to a discussion of e-commerce governance. A contemporary governance model is introduced and used to design a study that examines factors that have the potential to influence cooperation among all governance sectors—government, business, and civil society.

LITERATURE REVIEW

Government versus Governance

Put simply, government is the body and the people comprising a political entity and governance is the process used by these people and this body to govern (to conduct affairs and set and implement policy). Govern is from

Greek *kubernan* “to steer.” The word “govern” refers to the activities of a governing body, and to the manner and means by which people establish a system and principles to run affairs. There has been a global trend to move from a model of governing from the center to shared governance. The latter involves collaboration among a wide range of public, private, and civil society sectors. The role of the government has changed from directly controlling to working through networks (Phillips 2006; Pierre 2000; Savoie 1999; Ha 2012b). Governance is becoming increasingly complex and multifaceted. Governance, a process, involves many government and non-governmental agencies and agents, including businesses and consumer organizations.

Internet Governance

With the advent of the Internet has come the notion of Internet governance. The Tunis Agenda defined Internet governance as “the development and application by governments, the private sector and civil society, in their respective roles, of shared principles, norms, rules, decision-making procedures, and programs that shape the evolution and use of the Internet” (World Summit on the Information Society 2005, para. 34). “Because there is no coercive force to obligate compliance [on the Internet], it is governance (steering) rather than government (rowing) [that matters]. The borderless, multi-stakeholder nature of the Internet means that it can be ‘governanced’ but not governed” (Mathiason 2009, 17).

E-governance

E-governance refers to governing bodies using electronics (i.e., information and communication technologies [ICT]) to aid their governance process. Backus (2001, 2) defined e-governance as “the application of *electronic means* in (1) the *interaction* between *government* and citizens and government and businesses, as well as (2) in internal *government operations* to simplify and improve democratic, government and business aspects of Governance.” He characterized e-governance as a means for supporting and simplifying governance for all parties: government, businesses/interest groups, and citizens.

UNESCO (2012) defined e-governance as “the public sector’s use of information and communication technologies with the aim of improving information and service delivery, encouraging citizen participation in the decision-making process and making government more accountable, transparent and effective.” Keohane and Nye (2000) explained that e-governance can also be conducted by private firms, associations of firms, and non-governmental organizations (NGOs; civil society), as well as by the public sector, by governments. In all instances, the intent of e-governance

(i.e., using ICT to aid governing) is to enhance good governance (Palvia and Sharma 2006).

E-commerce

In 1996, electronic commerce (e-commerce) was defined as “the sharing of *business* information, maintaining business relationships, and conducting business transactions by means of telecommunications networks” (Zwass 1996, 3). Its definition has now expanded to include the sharing of *consumer* information, maintaining consumer-business relationships, and conducting consumer transactions by means of ICT. The concept of *e-retailing* is also used; it is understood to mean the buying and selling of goods and/or services from merchants via the Internet (Reddy and Iyer 2002). As well, consumers can engage with each other using auction sites (e.g., E-Bay) and other online selling venues, such as free local classified ad sites, for example, Kijiji (a subsidiary of E-Bay). Respectively, these are known as business to business (B2B), business to consumer (B2C), and consumer to consumer (C2C) exchanges.

In all instances, twenty-first century e-commerce uses the Internet as well as other technologies, including e-mail, mobile devices, and land line telephones. Not only are goods or services bought and sold, but data and payment information are exchanged during these business transactions. It is well accepted that the evolution of the Internet and e-commerce has given rise to new and complex consumer protection issues (Alboukrek 2003; Mathiason 2009; OECD 2010).

E-commerce Consumer Protection

The Working Group on Internet Governance (WGIG 2006; a former advisory body to the United Nations) identified e-commerce consumer protection as an issue that needed to be addressed within the greater context of Internet governance (Mathiason 2009). Shinohara (2001) identified consumer protection as one of nine different areas that require governance on the Internet.

In fact, in 1999, the OECD adopted *Guidelines for Consumer Protection in the Context of Electronic Commerce*. These guidelines respect the principles of fairness, privacy, transparency, clarity of information, and education as well as timeliness and affordability of redress and dispute resolutions (complicated by jurisdictional issues). These guidelines were reviewed in 2009, with the OECD reporting they “still seem adequate to address most of the ongoing and new consumer challenges identified in the Internet economy” (OECD 2010, 9). Of relevance to the topic of this article, the OECD recognized the role of stakeholders other than government and business in addressing e-commerce issues. The authors take this to mean civil society

actors who “can play an important consultative role in the development of governmental and intergovernmental instruments” (OECD 2010, 10).

Architects of the *Australia-Canada Joint Statement on Global Electronic Commerce*, for example, believed one of the guiding principles is to “take account of the needs and interests of the wider community through consultation with representative groups” (Industry Canada 2008, 3). They envisioned a role for the wider community in e-consumer protection governance, taken to mean “consumer and social interest groups.” Shinohara (2001) explained that the role of the citizen sector, especially consumer organizations, is becoming increasingly important in the development of e-commerce governance. Civil society organizations hold governments and businesses transparent and accountable. A transparent process is the force behind the governance process, including e-commerce governance (Couglas 2008).

Tri-sector Governance for E-commerce Consumer Protection

The nature of consumer problems encountered during e-commerce transactions makes the governance of e-retailing different from the governance of traditional commerce, especially because “e-retailing blurs the notion of geographical boundaries” and makes it tougher to determine legal jurisdictions (OECD 2000, 207). Jurisdictional issues are the cornerstone of e-commerce governance. People shopping online run the real risk of giving up their sovereignty and protection from nation states, especially when doing business with merchants located in other countries. Questions, such as whose laws apply, what does a contract mean, and how does one obtain recourse when something goes wrong, are key jurisdictional issues (Alboukrek 2003). E-commerce demonstrates a remarkable complexity in the factors affecting governance across many jurisdictions. For this reason, the governance for e-consumer protection must be shared by all stakeholders at the international, national, and sub-national levels.

Thus, a governance approach to protect e-consumers is needed that can provide clear policies, strategies, and directions about who is to do what and how they are going to do it. Paramount to the integrity of this complex governance process is clear understanding of the roles of each sector (Coghill 2004; Ha 2011a). To that end, Coghill (2003, 2004) proposed a three-sector governance model that acknowledges the inter- and intra-dependence, interconnectedness, and interaction among and within governments, businesses, and civil society organizations (see figure 1). Ha (2012a, 2012b, 2012c) modified and applied this governance model to e-commerce consumer protection.

Government is understood to be responsible for setting a legal framework, stimulating the economy, assisting business, facilitating the development of local governments and civil society organizations, providing public goods and services, and cooperating with other sectors. Its key roles are regulator, service provider, social and political contractor, rule maker, and legislator. Business

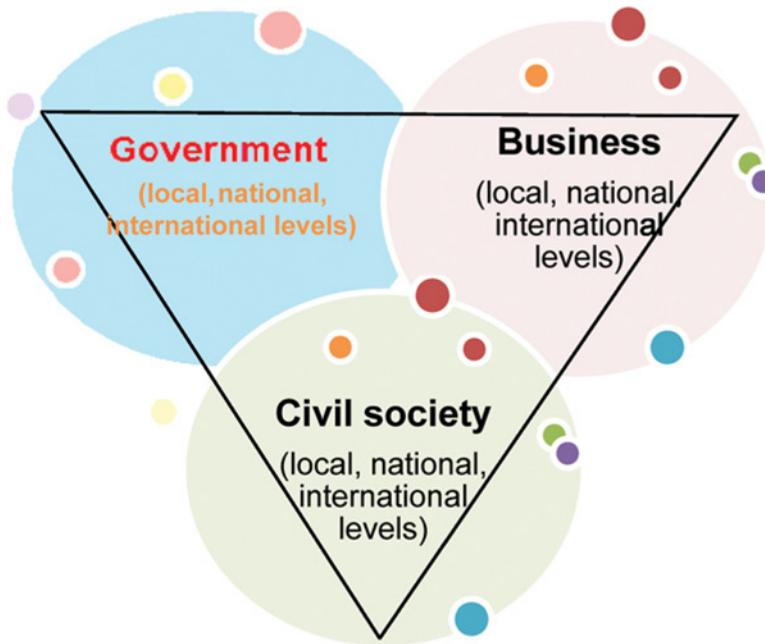


FIGURE 1 Tri-sector governance for e-commerce consumer protection. *Source:* Adapted from Ha (2012b) and Coghill (2003, 2004; color figure available online).

contributes to economic development, participates in social and political activities, and practices (or not) corporate social responsibility. The private sector plays the roles of job creator, wealth and output contributor, revenue generator, investor, catalyst for change, infrastructure builder, and innovator (Ha 2011a).

The term “civil society” refers to both (1) the domain of social life that needs to be protected and (2) the source of resistance to the conditions causing the need for protection (Mann 1984). Civil society organizations assist political, economic, and social interaction among different groups. They “amplify the corrective voices of civil society as a partner in governance and the market” (Ghaus-Pasha 2004, 3). Actors in civil society strive to “promote good governance [through] transparency, effectiveness, openness, responsiveness and accountability” (Ghaus-Pasha 2004, 3). They help build social capital, and they identify and articulate the values and beliefs of their constituents within society’s norms, using democratic practices (Ghaus-Pasha 2004).

Governments need input from the other two sectors to fulfill their roles. They are not the only actor exercising power and authority in the process of governance (Coghill 2004; Ferreira da Silva and Montagna 2004; Huetter 2002). Civil society organizations, with business, increasingly play an important role in supplementing the public sector (state) to ensure a higher level of democracy and participation (Nalinakumari and MacLean 2005). Civil society can help governments maintain transparency, accountability, and effective

provision of public services in order to meet public expectations and to serve the public interest.

In particular, consumer organizations, a legitimate civil society agent, bring specific roles to the governance process pertaining to market activities (see table 1). They play the roles of analyst and advocate, educator, monitor, pseudo-enforcer and regulator, risk manager, mobilizer, and information provider. They are the voice of consumers in the governance process, representing the consumer's interest. The interests of consumers are best served when their rights are protected in marketplace transactions, and when the balance of power between consumers and businesses is equal. If consumers' rights are infringed upon, consumers may be harmed or disadvantaged, meaning they need protection (McGregor 2011).

It is important to understand the nature of each of the sectors in tri-sector governance because the quality of the relationships during governance (and resultant decisions) depends upon the quality of each sector. Each sector is not homogenous, and within each sector, there are pockets of capacity and of deficiency. Regardless, one sector alone cannot grapple with the complexities and magnitude of today's problems, making it necessary to focus on each sector within the context of the entire governance process (NYU Research Center for Leadership in Action 2011).

This article focuses on consumer organizations, part of the civil society sector. The next section of the article reports on an exploratory study conducted to explore the tri-sectors' perceptions of the roles of consumer organizations during the e-consumer protection governance process. Levels of agreement about the role of consumer organizations in governing e-commerce consumer protection affect the dynamics within and outcomes from the governance process. (Mis)alignment of perceptions will influence the power held by consumer organizations during the governance process. This, in turn, affects their ability to represent the consumer's interests during policy dialogue and deliberations. Their role as a civil society actor is deeply shaped by all actors' perceptions of their role during, and contributions to, the governance process. Insights into this aspect of e-commerce governance will inform and enhance policy recommendations for e-consumer protection.

Australian E-commerce

Victoria, Australia was chosen as the site for this exploratory study. According to the 2011 Gerson Lehrman Group (GLG) Research report, Australia has traditionally lagged behind other nations in the field of online business and e-commerce trends, both for businesses offering goods and services and consumers buying online (McGrath 2011). Although 64% of Australians over the age of 15 who use the Internet do so for shopping, this rate is lower than other comparable countries (Australian Bureau of Statistics 2011). This uptake is increasing however, raising concerns for e-consumer protection

(Responsible Gaming Advocacy Center 2011). Currently, Australians tend to purchase goods on line from Australian-based e-retailers (63%) rather than from overseas e-retailers (Australian Bureau of Statistics 2002). Although close to 80% of Australian online sales are through local websites, this trend is shifting (Access Economics 2010). E-shopping offshore opens the door for complicated jurisdictional issues.

A decade ago, the highest proportion of Australian e-shoppers were aged 18 to 54 years, with a diploma and above, residing in metropolitan areas (Australian Bureau of Statistics 2005). A discussion paper by the Australian Responsible Gaming Advocacy Center (2011) observed that the demographics of Australian online shoppers are changing. They now tend to be younger (aged 18–34), less educated (because they are still in school), and have lower incomes because they are new to their careers. These factors contribute to further concerns about e-consumer protection. More and more Australian youth are shopping online (especially those under the age of 21), and are nominally aware of, or concerned with, e-consumer protection issues.

RESEARCH METHOD

Given the limited amount of information about e-consumer protection in Australia, this exploratory study attempted to provide greater insight into the views of different groups of stakeholders who perceive e-consumer protection from different dimensions. Opinions were sought from e-consumers (Group 1), e-retailers (Group 2), and other stakeholders (Group 3), including representatives of government agencies, industry associations, and consumer associations involved in consumer protection in e-retailing.

Each group plays a pivotal role in e-commerce governance and protection. Consumers are the main beneficiary of the policy framework for e-consumer protection. In addition, they are in the best position to voice their concerns about online shopping and to share their perceptions and opinions about e-consumer protection. E-retailers are directly involved in e-transactions, and have a vested interest in the increasing development of e-retailing. They are also the main group that advocates self-regulation rather than legislation, yet are involved in the implementation of regulations and guidelines pertaining to e-consumer protection. Representatives of government agencies and civil society organizations (at the international, national, and sub-national levels) are involved in making and implementing policy processes regarding various aspects of e-consumer protection.

Sampling Frame

The sampling frame for e-consumers, Group 1, was comprised of students and staff of Monash University, per the aforementioned demography of

Australian e-consumers (18 to 54 years old, with a diploma and above, and residing in metropolitan areas). As the individual e-mail addresses were not available due to the university's privacy principle, a notice seeking respondents for this study was sent to all students and staff (50,000) using the global mailing list of the university, via the list moderator. The total number of valid responses for Group 1 was 166, a response rate of .33%. This rate is comparable to that received by Basi (1999). The low response rate is offset by the fact that web-based surveys often provide better quality data (fewer omitted items; Cole 2005). Indeed, in the web-based surveys used in this study, all compulsory questions had to be answered to complete the questionnaire; thus, there were no missing data in this study (Saunders, Lewis, and Thornhill 2003; Veal 2005).

Because of the current e-commerce context in Australia, this study focused on e-consumers in Australia buying online from Australian-based e-retailers, rather than from international e-retailers. The literature revealed that five industry sectors are particularly active in e-retailing: travel and accommodation, entertainment ticket, book/magazine, music/CD/DVD, and computer hardware and software (in Australia and worldwide) (Australian Bureau of Statistics 2002, 2005; Nutt 2009; Moore 2012). The sampling frame of e-retailers in these five sectors was constructed using the Melbourne Yellow Pages Directory, 2007.

All e-retailers with a website in each of the five categories were approached ($N=321$). Similar to Group 1, since all sample units were included in the sampling frame, there was no bias in the selection of the sample. The final distribution of the e-retailers from each category is presented in table 2. The response rate was 9%, comparable to the 10% received by Saunders and colleagues (2003), and higher than that obtained by Kent and Lee (1999; 3%) and Ranchhod and Zhou (2001; 6%).

Given the relatively small number of government agencies, industry associations, and consumer associations directly involved in e-consumer protection in Australia and further abroad, these organizations were merged in Group 3 (other stakeholders). They were identified from the websites of

TABLE 1 Main Roles of Consumer Associations

Consumer associations' roles

Monitor the compliance with regulation and guidelines of e-retailers.

Provide a platform and activities for dispute resolution.

Cooperate with other stakeholders to educate consumers on how to manage risks in online shopping.

Cooperate with other stakeholders to identify offending e-retailers and work with relevant enforcement agencies.

Advocate policies relating to consumer protection and competition.

Publish relevant information about consumer protection to make the public aware of current and new issues in online shopping and how to avoid being cheated.

TABLE 2 Distribution of E-retailers (Group 2)

Classification of businesses	<i>n</i>	Percentage	Final sample (<i>n</i>)	Percentage
Traveling products/services	78	24	5	18
Books/magazines	43	13	5	18
Music, CDs, DVDs	30	9	4	14
Entertainment ticket	62	19	8	29
Computer hardware and software	108	34	6	21
Total	321	100	28	100

Source: Survey data.

the Australian Competition and Consumer Commission (ACCC), Consumer Affairs Victoria (CAV), and from the public domain. A purposive sampling method was used to select participants for Group 3, anticipating they could serve the research purpose (Nasir 2004). Some overseas respondents were selected because many e-transactions and online offenses are cross-border, presenting jurisdictional issues. Table 3 presents the distribution of organizations selected for Group 3. Of a total of 73 organizations approached, over one-quarter responded to the survey (27%, $n = 20$). This response rate is higher than that received by other scholars, such as Adam and Deans (2000) (17%), Comley (2000) (15–29%), Comley (2002) (25%), and McDonald and Adam (2003) (21%).

Data Collection

A mixed method approach was used in this study. By using various methods to collect and analyze quantitative and qualitative data, the weaknesses of one method can be covered by the strengths of another (Marshall and Rossman 1989; Neuman 2004; Patton 2002; Poggenpoel and Myburgh 2005; Sekaran 2003). Different web-based questionnaires were used to collect quantitative data from all three groups. Face-to-face, structured interviews were conducted with some participants from Group 3 (qualitative approach). Secondary data were collected from academic and non-academic publications, and used to help with the design of the questionnaires.

In more detail, three different questionnaires were developed, one for each Group. The questions were adapted from various studies by Consumer

TABLE 3 Distribution of the Other Stakeholders (Group 3)

Classification of other stakeholders	<i>n</i>	Percentage	Final sample (<i>n</i>)	Percentage
Government agencies	32	44	10	50
Industry associations	16	22	5	25
Consumer associations	25	34	5	25
Total	73	100	20	100

Source: Survey data.

Affairs Victoria (2004), the European Opinion Research Group (2004), Teo (2002), the Treasury (Australia) (1999), and Yang and Lester (2004). The questionnaires were based on the theoretical framework of governance and the different regulatory regimes to address e-consumer protection. Each questionnaire was pilot tested (by thirty participants as e-consumers in Group 1 [questionnaire for Group 1] and by three experienced researchers [all three questionnaires]), revised (to increase reliability and validity) and then administered to each of the three groups, using a web-based platform. The advantages of web-based surveys include convenience, minimal financial impact, shorter response time and the non-disclosure of respondents' identity. Web-based surveys can also help researchers collect, store, and process responses more accurately (Archer 2003; Gunn 2002; Kent and Lee 1999; Mehta and Sivadas 1995; Parker, Schroeder, and Fairfield-Sonn 2004).

Of the twenty organizations from Group 3 (other stakeholders), a face-to-face structured interview was conducted with seven respondents. This standardized approach (structured interviews with predetermined questions) ensured consistency across interviews (Sekaran 2003). Each respondent received the four-section set of questions before the actual interview, thereby ensuring more focused answers. Section one focused on the organization's profile. Section two queried about issues in consumer protection in e-retailing. In Section 3, respondents were asked about issues in the current policy framework for e-consumer protection and Section 4 focused on the roles of stakeholders in the protection of e-consumers. The face-to-face interviews were employed to comprehend perceptions and opinions of representatives of relevant organizations who had expertise in areas relating to e-consumer protection.

Data Analysis

The survey data (ordinal and nominal) were analyzed using SPSS (IBM, New York, New York). All requirements for chi-square tests were met. The seven interviews were taped and the data were transcribed. All interviewees were given an opportunity to edit the transcription of the interview; therefore, their responses were verified and reliable. The standardized interview questions contributed to minimizing the variation among answers to the same issues by different interviewees. Responses were focused, thus facilitating the process of content analysis. In addition, the responses from the interviewees were categorized independently by two inter-raters. The high level of agreement between the inter-raters and the analyst (about 70%) increased the reliability of the qualitative data gathered from the interviews. The high level of agreement among respondents in the three groups also improved the reliability of the quantitative data. Furthermore, the high level of agreement between the seven interviewees and the respondents in the three web-based surveys contributed to enhancing the reliability and validity of the qualitative data collected.

RESEARCH FINDINGS

As a reminder, this exploratory study strived to gain insight into the governance process for e-commerce consumer protection, with a focus on consumer organizations. Their influence in the e-consumer protection arena is deeply affected by all actors' perceptions of their role during, and contributions to, the governance process for e-consumer protection. Insights are drawn from both quantitative surveys and qualitative structured interviews. The survey results are reported first, followed by the interviews.

Quantitative Survey Results

This section discusses the findings regarding the perceived roles of consumer associations in e-consumer protection. Consumer organizations play some combination of six roles in the tri-governance process (see table 1): compliance monitoring, collaboration with enforcement agencies, advocacy, education, information, and dispute resolution.

OVERALL AGREEMENT ON THE ROLES OF CONSUMER ASSOCIATIONS

As is evident in table 4, there were significant relationships among the three groups and their agreement on two roles of consumer associations: (1) monitoring e-retailers' compliance with regulation and guidelines, and (2) resolving disputes. Cramer's values indicate significant relationships for these two roles. There were no statistically significant relationships between the three groups and the remaining four roles of consumer associations in e-consumer protection governance: collaboration with enforcement agencies, advocacy, education, and information.

In more detail, 90% of e-consumers (Group 1) and 79% of e-retailers (Group 2) agreed on the monitoring role of consumer organizations. However, the proportion of other stakeholders (Group 3) agreeing on this role was lower (65%). Many e-consumers expected consumer associations to monitor e-retailers, likely because they perceive enforcement agencies as unable to perform their duty alone, and because "much computer-related illegality lies beyond the capacity of contemporary law enforcement and regulatory agencies" (Grabosky 2000, 2). Reputable e-retailers may have preferred consumer associations to work closely with law enforcers to expose offending e-retailers so that they would not suffer a loss of reputation or mistrust of the e-commerce system. The other stakeholders (Group 3), which included government, industry, and consumer organizations or agencies, might believe the main role of consumer associations is not the same as that of enforcement and regulatory agencies; hence, consumer associations cannot effectively monitor, nor should they. As well, members of Group 3 may

TABLE 4 Relationship between the Three Groups and Their Agreement on the Roles of Consumer Associations in E-consumer Protection

Consumer associations' roles	Percent agreed			Cramer's V
	E-consumers (Group 1) (<i>n</i> = 166)	E-retailers (Group 2) (<i>n</i> = 28)	Other stakeholders (Group 3) (<i>n</i> = 20)	
Monitor the compliance with regulation and guidelines of e-retailers.	90	79	65	0.17**
Provide a platform and activities for dispute resolution.	86	68	50	0.26*
Cooperate with other stakeholders to educate consumers on how to manage risks in online shopping.	95	96	95	0.11
Cooperate with other stakeholders to identify offending e-retailers and work with relevant enforcement agencies.	93	93	80	0.12
Advocate policies relating to consumer protection and competition.	93	79	95	0.14
Publish relevant information about consumer protection to make the public aware of current and new issues in online shopping and how to avoid being cheated.	92	96	95	0.05

Source: Survey data.

* $p < .01$; ** $p < .05$.

believe consumer associations do not have the power and legitimacy to perform this monitoring role.

Regarding the dispute resolution role of consumer organizations, e-consumers were more likely to see consumer associations playing the role of dispute resolution (86%) than were e-retailers (68%) or the other stakeholders (50%). Respondents in Group 1 agreed that consumer associations should act as third parties to offer services that could help consumers and e-retailers effectively resolve commercial disputes. Over two-thirds of e-retailers also saw consumer organizations assuming this mediating role. Surprisingly, only half of Group 3 (which included government, industry, and consumer organizations) agreed with this role of consumer associations. Perhaps they think consumer associations do not have sufficient resources and/or expertise to provide such services.

At first glance, there seems to be strong agreement among the three groups regarding the other four roles of consumer associations (per high percentage values). However, the low Cramer V value (signifying negligible or weak relationships), and the lack of statistically significant relationships (at $p < .01$ or $p < .05$; see table 4), means it must be acknowledged that the

agreement may have happened by chance. Nonetheless, there appears to be little deviation among the proportions of respondents in the three groups regarding these roles: providing consumer education, information dissemination, engaging in policy advocacy, and policy co-enforcement relative to e-consumer protection. It is telling, and warrants further investigation, that all three groups expected consumer associations to fulfill all four roles.

COMPARISON BETWEEN THREE GROUPS ON ALL SIX ROLES

The Kruskal-Wallis test is run to compare the ordinal scores of more than two independent groups (this study had three independent groups). The authors wanted to know how closely these three groups differed on their level of agreement of the six roles that should be assumed by consumer organizations relative to e-commerce consumer protection. Table 5 reports on three roles: consumer education, working with enforcement agencies, and publishing consumer information. All three groups agreed that consumer associations should engage in these three roles during e-consumer protection governance.

Table 6 provides results for the other three roles: monitoring, advocacy, and dispute resolution. There was no agreement among the three groups on these three roles. Because there was no agreement, a Dunn Multiple Comparison Procedure (DMCP) was used to determine which groups held different views (see table 7).

TABLE 5 Kruskal-Wallis Test for Variables Relating to the Roles of Consumer Associations in E-consumer Protection (Equal Medians)

Consumer associations' roles	Mean rank			Kruskal-Wallis test	
	E-consumers (Group 1) (<i>n</i> = 166)	E-retailers (Group 2) (<i>n</i> = 28)	Other stakeholders (Group 3) (<i>n</i> = 20)	$\chi^2(2)$	Sig.
Cooperate with other stakeholders to educate consumers on how to manage risks in online shopping.	109.84	95.27	105.20	1.74	0.42
Cooperate with other stakeholders to identify offending e-retailers and work with relevant enforcement agencies.	111.60	94.27	92.00	4.35	0.11
Publish relevant information about consumer protection to make the public aware of current and new issues in online shopping and how to avoid being cheated.	109.25	90.50	116.80	3.66	0.16

Source: Survey data.

p* < .01; *p* < .05.

TABLE 6 Kruskal-Wallis Test for Variables Relating to the Roles of Consumer Associations in E-consumer Protection (Unequal Medians)

Consumer associations' roles	Mean rank			Kruskal-Wallis test	
	E-consumers (Group 1) (n = 166)	E-retailers (Group 2) (n = 28)	Other stakeholders (Group 3) (n = 20)	$\chi^2(2)$	Sig.
Monitor the compliance with regulation and guidelines of e-retailers.	116.47	81.80	69.03	19.29	0.00*
Advocate policies relating to consumer protection and competition.	111.94	80.00	109.13	7.94	0.02**
Provide a platform and activities for dispute resolution.	114.53	91.82	71.13	12.52	0.00*

Source: Survey data.

* $p < .01$; ** $p < .05$.

COMPARISONS OF DYADIC GROUPS ON SELECTED ROLES

The DMCP is relevant when researchers are interested in only a few comparisons, instead of all possible comparisons. Table 7 shares the results of the DMCP run on three consumer association roles: monitoring for compliance,

TABLE 7 Dunn Multiple Comparison Procedure of Variables Relating to the Roles of Consumer Associations in E-consumer Protection

Variable Roles of consumer associations	Groups 1 and 2 E-consumers and e-retailers			Groups 1 and 3 E-consumers and other stakeholders			Groups 2 and 3 E-retailers and other stakeholders		
	TS	CV	Median	TS	CV	Median	TS	CV	Median
Monitor the compliance with regulation and guidelines of e-retailers.	34.67	26.87	Sig.	47.44	31.13	Sig.	12.77	38.51	No sig.
Advocate policies relating to consumer protection and competition.	31.94	26.45	Sig.	2.81	30.64	No sig.	29.13	37.90	No sig.
Provide a platform and activities for dispute resolution.	22.71	27.42	No sig.	43.40	31.76	Sig.	20.69	39.29	No sig.

Note. According to Daniel (1990), there were $k=3$ groups involved. If the error rate is 0.05, the significance level would be $\alpha/[k/(k-1)]=0.05/[3(3-1)]=0.01$. Therefore, z value of 0.01 is 2.33 (according to the Standard Normal Distribution Table).

Source: Survey data.

advocating for policies, and providing dispute resolutions. It seeks to compare dyads—e-consumers and e-retailers, e-consumers and other groups of stakeholders, and e-retailers and other groups of stakeholders. If there is a significant relationship, groups agree on their perceptions; if not, they differ.

Of the three roles, e-consumers and e-retailers did not see eye-to-eye on monitoring and advocacy. More so than retailers, e-consumers expected consumer associations to monitor e-retailers' compliance with any regulations and guidelines and to advocate for e-consumer protection policies. E-consumers were also more likely to agree that consumer associations should be involved in dispute resolution than were e-retailers.

E-consumers and other groups of stakeholders agreed that consumer associations should monitor retailers for compliance (a finding upheld in the interview data). E-consumers and other groups of stakeholders were also inclined to believe that consumer organizations should provide dispute resolution, again a finding upheld from the interview data. However, they held different views on the advocacy role, evidenced by the significant finding.

E-retailers and other groups of stakeholders both held different levels of agreement on these three roles of consumer organizations: monitoring business, advocating for consumer interests, and offering dispute resolution. Group 3 included government, industry, and consumer entities, but was more heavily weighed by government (50%) than industry (25%) or consumer organizations (25%). Perhaps the lack of agreement between e-retailers (Group 2) and other stakeholders (Group 3) on the roles of monitoring business, offering dispute resolution, and advocating the consumer interest reflects the views held by industry associations, which likely support businesses. Monitoring compliance, resolving disputes, and favoring the voice of consumers could be construed by industry as going against the interests of business.

There is another explanation for the finding that Group 3 (comprising other stakeholders, including government agencies, industry associations, and consumer associations) did not see a role for consumer organizations in monitoring business behaviors. Government bodies might not think that consumer associations should be in a position to monitor or enforce e-retailers to comply with the legal system. As well, government agencies may not think consumer associations can be expected to have legitimacy to act as judges to make final decisions in a dispute between e-consumers and e-retailers, as these tasks should be performed by respective government agencies.

Qualitative Results

Seven organizations (not including industry) were interviewed using structured, face-to-face interviews, with resultant data analyzed using a content analysis (table 8). They were queried about their organization's profile, issues

TABLE 8 Distribution of the Interviewed Organizations

Classification of other stakeholders	<i>n</i>	Percentage	Final sample (<i>n</i>)	Percentage
Government agencies	32	44	4	57
Industry associations	16	22	0	0
Consumer associations	25	34	3	43
Total	73	100	7	100

Source: Interview data.

in consumer protection in e-retailing, issues in the current policy framework for e-consumer protection, and the roles of stakeholders in the protection of e-consumers. In this study, the results for the latter will be presented.

Per table 9, it is evident that the seven respondents identified four of the six roles set out in table 1. They perceived that consumer organizations are expected to be involved in (1) consumer education, (2) consumer information and awareness, (3) consumer advocacy, and (4) consumer dispute resolution. They did not comment upon (5) cooperating with other stakeholders to identify e-retailer offenders or to work with relevant enforcement agencies nor did they refer to (6) monitoring e-retailers' compliance with regulations and guidelines. It is revealing that neither government agencies nor consumer associations commented upon monitoring businesses or finding offenders.

Most of the interviewees agreed that the most important role of consumer associations is to educate consumers about the risks associated with e-retailing ($n = 4$ or 57%; see table 9). This role was also agreed upon by the majority of the respondents in the surveys (95%). Fewer interviewees ($n = 2$ or 29%) agreed that consumers associations are also expected to advocate for consumer interests and to lobby for changes in policies and regulations, especially for the way complaints are dealt with. They also should offer educational programs to raise public awareness of online risks, and inform government about new forms and trends of online attacks ($n = 2$ or 29%). Only one interviewee mentioned there are a number of dispute resolution

TABLE 9 Opinions of the Interviewees about the Roles of Consumer Associations

Roles of consumer associations	<i>f</i> (Number of times cited)
Educate the public	4
Advocate and lobby	2
Inform government and raise public awareness	2
Provide dispute resolution ADRs/ODRs	1
Monitor e-retailer compliance	0
Cooperate with other stakeholders/enforcement agencies	0

Source: Interview data.

services provided by consumer groups, clarifying that these services aim to settle disputes in general, and do not specifically cater for e-consumers.

As noted, it is very telling that none of the respondents identified (1) monitoring e-retailers' compliance or (2) working with enforcement agencies to deal with offending e-retailers. The quantitative survey results supported these qualitative findings. Other stakeholder groups (including consumer associations) were least likely to agree that monitoring is a key role for them to play (65% compared to 90% for consumers and 79% for business). As well, although not statistically significant, in the surveys, all three groups agreed consumer associations should cooperate with other stakeholders in identifying e-offenders and work with relevant enforcement agencies (93% agreement by consumers and businesses, with other stakeholders least likely to agree, 80%; see table 4). The people interviewed in Group 3 (government agencies and consumer associations; see table 8) did not comment upon this role. Why would they not see consumer associations involved in these two pivotal roles pertaining to e-commerce consumer protection? How are consumer organizations expected to advocate for the consumer interest and influence policy and e-consumer governance if they are not aware of what e-retailers are doing (or not) in the e-marketplace, and if they cannot/do not share this information with government agencies? This perplexing finding warrants further research.

DISCUSSION AND IMPLICATIONS

This article reported on an exploratory study conducted to explore the tri-sectors' perceptions of the roles of consumer organizations during the e-consumer protection governance process. Levels of agreement about the role of consumer organizations in governing e-commerce consumer protection affect the dynamics within, and outcomes from, the governance process. (Mis)alignment of perceptions will influence the power held by consumer organizations during the governance process. This, in turn, affects their ability to represent the consumer interest during policy dialogue and deliberations. Their role as a civil society actor is deeply shaped by all actors' perceptions of their role during, and contributions to, the governance process. Insights into this aspect of e-commerce governance will inform and enhance policy recommendations for e-consumer protection.

The results of this study suggest that the governance process for e-commerce in Victoria, Australia is compromised due to lack of overall agreement among the three governance sectors about the role of consumer associations. As clarified, there are six possible roles (see table 1). Further research is warranted to determine why such lack of agreement prevails in this e-governance situation. While all three groups who were surveyed agreed that consumer organizations should provide consumer education,

publish consumer information, and work with enforcement agencies to find and deal with offenders, they did not agree on whether consumer organizations should monitor e-retailers for compliance, settle disputes, or advocate for the consumer interest.

An illustration of the gaps between sectors serves to demonstrate how (mis)alignment of perceptions could influence the power held by consumer organizations during the e-governance process. There was an expectation gap between e-consumers (Group 1), e-retailers (Group 2), and other stakeholders (Group 3) regarding provision of dispute resolution services. On the one hand, e-consumers and e-retailers perceived industry and consumer associations as having a role in resolving commercial disputes, perhaps given the latter's credibility. Other stakeholders who were surveyed did not see consumer associations having a role in dispute resolution, perhaps because they think they do not want to be burdened with this task and/or feel they lack the power, influence, or resources. Regardless, not all sectors in the governance arena hold similar views about who should be offering dispute resolution services and that lack of agreement affects policies and regulations.

Another example serves to illustrate this gap. While e-consumers and e-retailers expected consumer associations to monitor businesses, other stakeholders held a lower opinion on this issue. More worrisome is that low levels of significance suggest that agreement among the three groups on the other four roles may have happened by chance: consumer education, information, advocacy, and policy enforcement/cooperation. As well, there was no strong alignment between any two particular groups, opening opportunities for power plays during the e-governance process.

Furthermore, when interviewed, representatives from consumer organizations or government agencies (no one from industry was interviewed) failed to comment on whether consumer organizations should monitor the e-commerce industry or work with other agencies to find and deal with offenders. As noted earlier, how is the consumer voice going to be heard in the arena of e-commerce governance, if no one sees a role for consumer associations to represent the consumer interest or to monitor what businesses are doing? Government agencies and consumer organizations that were interviewed did agree that the most important role for consumer associations is to educate consumers about the risks associated with e-shopping (including providing educational programs). There was less agreement about whether consumer associations should advocate for the consumer interest or settle disputes. The role of industry associations is missing from the content analysis of the interview data, meaning valuable insights from a very powerful sector are absent from this analysis. Future studies should strive to ameliorate this situation.

To reiterate, (mis)alignment of perceptions of the expected roles of any particular sector in the e-governance process will influence the power held

by that sector, in this case, consumer organizations and e-commerce. This lack of agreement affects their ability to represent the consumer interest during policy dialogue and deliberations.

CONTRIBUTION TO THE LITERATURE AND THEORETICAL DEVELOPMENT

This study contributes to both the literature and development of theoretical understanding of the governance of e-consumer protection. The findings of this study contribute to the current literature on e-consumer protection, an under-researched area internationally and a relatively new field in Australia, by its empirical evidence of the awareness and attitudes of consumers, e-retailers, and other stakeholders towards the role of consumer associations associated with governance and e-consumer protection.

This study is the first of this kind to employ both quantitative and qualitative research to examine e-consumer protection from the view point of all three sectors, and from a governance perspective, rather than other perspectives, such as marketing. Given insufficient and outdated data relating to e-retailing and e-consumer protection in Australia, data collected from this study should be helpful to any future-related research.

This study also contributes to the theoretical development of governance approaches to address e-consumer protection. Because online incidents associated with e-retailing have developed at a rapid speed, there is an urgent need to improve governance and promote greater participation and cooperation among sectors. Given the importance of ensuring a voice for consumers in e-governance and e-commerce governance, the modified tri-sector governance model may be more appropriate in explaining the operation of e-consumer protection, and in addressing consumers' concerns about e-retailing, than models that eschew the governance process.

LIMITATIONS

First, given that this study was conducted in Victoria, Australia, the authors tried to minimize any potential misinterpretation by not generalizing the findings to the population. The results discussed pertain to the samples used in the study. Second, given the small number of government bodies in the sample frame, they were combined with consumer organizations to form Group 3. This sampling strategy may affect the views of Group 3 regarding the functions of consumer associations. Finally, this study approached e-consumer protection mainly from the perspective of public management, and did not take into consideration the interaction of political, economic, marketing, and social aspects. These limitations should be addressed in further research on the governance of e-consumer e-protection.

CONCLUSION AND FUTURE RESEARCH

Governance to address e-consumer protection is a relatively new area of research, especially in Australia. Given that both the literature and empirical studies on this topic are currently unavailable, the findings from this study can serve as a preliminary source for further research. The following ideas for future research are not exhaustive, but rather are those of most interest and relevance to e-consumer protection.

Future research could examine the roles of the media in supporting consumer associations to disseminate e-commerce consumer protection information, which could increase the level of awareness of the public. Educational programs via the media could have more effect on consumers, since the media can create “lifestyles” or “fashion” (Department of Consumer Affairs (Malta) 2007). The media can easily expose offensive cases to the wider audience. Broadcasting unacceptable behavior of unscrupulous e-retailers on the Internet, via self-help sites (e.g., NotGoodEnough.com.au), or YouTube and MySpace, may induce e-retailers to behave better and exhibit respect for consumer rights. However, in this approach, care must be taken to avoid adverse legal implications.

Future research needs to examine the disconnect between what is expected of consumer associations relative to their six roles in the governance process, and why actors in the e-commerce arena seem to not view all six roles as key to the e-consumer protection governance process. They favor some and eschew others, perplexingly, those dealing with monitoring e-retailers, finding and dealing with offenders, and settling disputes. These are compelling aspects of the e-shopping experience that must be dealt with in the governance process, if consumers are to be protected. Finally, further research involving issues related to these various aspects, such as political, legal, and socio-economic, could provide greater insights into the performance of the e-governance framework for e-consumer protection.

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