The Direct Marketing Association has been fighting for the right of its members to spam us for a long time. Their Web site has an illuminating article entitled, “Tacking the Spam Issue: The DMA’s answers to one of the nation’s toughest questions.” The document points out that spam is tarnishing all direct marketers and piously announces that, “. . . we're all losing - consumers, businesses, and, yes, even e-mail marketers.”

The DMA proposes what it calls “four pillars of responsible e-mail” which I quote verbatim:

* honest subject lines;
* accurate header information that has not been forged;
* a physical street address for consumer redress; and
* an opt-out mechanism that truly works and is honored.

They also propose to

* forbid automated, surreptitious harvesting of e-mail addresses;
* define a universal opt-out technique to be incorporated into all junk e-mail;
* a bond (at least $500 per entity) for organizations agreeing to abide by the DMA principles in case they violate the standards;
* support US federal laws that would preempt state laws on spam;
* subsidize investigation and prosecution of spammers.

The DMA raises my hackles because it specifically argues for an opt-out approach to spam. All of us are supposed to be happy to receive one junk e-mail message from any of the companies in the USA (since it deals exclusively with US spammers) and just decline to receive more.

There are millions of firms in the USA. Receiving one message from each of them occasionally could fill anyone’s e-mail in-basket quickly. And why does the DMA nowhere suggest a DO NOT E-MAIL list equivalent to the DO NOT CALL list? Having to opt out of thousands of individual lists strikes me a ridiculous solution to the problem.

The DMA also fails to recognize that offshore spam is growing. Spammers know that other countries are years or even decades behind Europe and the US in regulating the use of Internet resources; annoy them here and they can simply move away or contract with overseas organizations to continuing sending their spam without concern.

I think the fundamental problem is economic. The entire issue boils down to abuse of the commons: greedy people sending out their garbage at virtually no cost to themselves. We may someday see enraged Internet users insisting on a micropayment per e-mail message – say, $.001 per message – that would lead to trivial costs for consumers and normal users of the Internet but cost spammers a great deal of money. Fail to pay your bill and you _can_ be sued successfully for fraud. ISPs could collect these fees and put them in a general fund for legal proceedings.
against abusers.

Now _that’s_ the kind of option I’d like to see for spammers.

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MSIA: 18-month online Master of Science in Information Assurance offered by Norwich University; see <http://www3.norwich.edu/msia> for full details.

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