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Study on Awareness Policies for Dissemination of Family Internet Rules by Libertarian -Paternalism

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Abstract

In order to discuss the future direction of policy making for protecting children online, this paper discusses the effectiveness of protection policies based on libertarian paternalism from the standpoint of behavioral economics by referring to the efforts of the Kariya authorities, Aichi Prefecture. In particular, this paper discusses the effects of setting a default rule as a countermeasure to the human heuristic decision making process with a fear that making irrational decisions causes parents and children to adopt a passive stance towards policy. This paper specifically analyzes whether the efforts functioned as libertarian paternalism and the cut-off time of “9pm” was reasonable for parents as a default time. Furthermore, in the case where child protection has been carried out from the perspective of paternalism, this study considers whether children and parents adjust their behavior.

Keywords

Internet, Mobile Phone, Youth Protection Policies, Behavioral Economics, Libertarian Paternalism

1. Background

1.1. Japan’s Internet youth protection policy and social situations

In recent years, there has been an increase in young people using portable devices such as mobile phones and smartphones that can be connected to the Internet. Although there are advantages to using these portable devices, there are also various disadvantages. In particular, it can be said that there needs to be a system of protective policies for young people who have poor coping abilities or are at risk.

Under such social circumstances, in 2008 the Act on Development of an Environment that Provides Safe and Secure Internet Use for Young People (Act No. 79 of 2008) was enforced in Japan. Article 6 of this act stipulates that the responsibility of the guardian is to “manage Internet use by young people appropriately through utilization

of software for filtering content harmful to young people and other methods, and promote young people's acquisition of skills for the appropriate utilization of the Internet." Based on this article it can be said that parents play an important role in protecting young people who use the Internet.

However, it is difficult to say that youth protection measures by parents have been practiced to a sufficient level and have prevented the occurrence of problems. According to a survey by the Cabinet Office (2015), 69.6% of parents whose children were junior high school students responded that they had family rules, on the other hand, only 57.5% of junior high school students indicated there were family rules. There is a discrepancy of 12.1 percentage points between parents and junior high school students. The divergence is even larger in high school students; 63.7% of parents responded that they had family rules, while 50.2% of high school students indicated the same. Therefore, the gap between parents and high school students was 13.5 percentage points.

1.2. Advanced measures by local cities in Japan

In response to this situation, from April 2014 in Kariya, Aichi prefecture, 21 elementary and junior high schools began calling for the use of mobile/smartphones to be restricted. In this "call," the following three specific actions were presented to parents: (1) do not have mobile phones / smartphones that children do not need: (2) set rules with parents and children and use filtering when using mobile phones / smartphones (3) parents keep children's mobile phones / smartphones after 9pm.

In response to the measures taken by the Kariya authorities, there was a debate in Japanese society over restricting the use of mobile/smartphones after 9pm. Thereafter, other regions and local governments that had been faced with similar problems also took similar measures.

According to a survey conducted of 850 junior high school students, 49% of the students responded "Approve" to the suggested measures, far exceeding "Opposing (10%)." Furthermore, positive responses including, "It became possible to focus on study (27%)", "sleep time increased (22%)", "Less mentally fatigued (7%)" were reported (Mainichi Newspaper 2014). These results show that nearly half of the students expressed their intention to approve these measures.

1.3. Research Subject: Youth Protection Policy from the Viewpoint of Behavioral Economics

Although the dissemination of family rules in the protection policy regarding

young people using the Internet is an important policy task, such diffusion has currently not sufficiently progressed. In such social conditions, the suggestions made by the Kariya authorities could be said to be an effective community approach.

Therefore, from the perspective of social governance, why the initiative was able to gain support from junior high school students needs to be considered. The measures are a “call” to parents rather than a “prohibition” on young people (House of Representatives 2014).

The act of “prohibition” is a mandatory regulation, and such regulatory measures may be viewed as paternalistic. Ishikawa Prefecture’s “Children’s Comprehensive Ordinance” is an example of taking prohibitory measures from a standpoint of paternalism. The provisions of this Ordinance stipulate “try not to have mobile phone terminals, etc. unless it is done for disaster prevention, crime prevention or other special purpose.” However, the measures put forward by the Kariya authorities are suggestions and it is up to households whether or not to enforce these. In other words, the Kariya actions entrust “freedom of choice” to young people and parents. This approach can be said to be a measure from the standpoint of libertarian paternalism advocated by Thaler and Sunstein, which is different from those taken by Ishikawa prefecture.

This research considers the factors in Kariya’s approach that were positively accepted by the community from the standpoint of behavioral economics, especially libertarian paternalism, as well as considering the effectiveness of incorporating the actions into policymaking for the protection of young people online.

2. Literature review

Although dissemination of family rules is an important policy task in the context of protecting young people online, it has not been sufficiently diffused. Under such social conditions, the Kariya authorities’ “call” has become an effective tool in the local community.

Therefore, from the perspective of social governance, this section considers how the measures outlined by the Kariya could gain support from junior high school students. The initiative, in collaboration with elementary and junior high schools in the local area, was the call on local young people and parents to use mobile/smartphones appropriately. This initiative is a “call,” not a “prohibition” (House of Representatives, 2014).

The act of “prohibition” is a mandatory regulation of use, and such regulatory measures can viewed as paternalism.

The Kariya initiative is a “call” and it is left to individual families as to whether they agree with it or not. In other words, “freedom of choice” is entrusted to young people

and parents. Therefore, from the standpoint of paternalism, this effort differs from the measures taken by Ishikawa prefecture, and because there is room for “freedom of choice,” it can be applied to measures from the standpoint of libertarian paternalism advocated by Thaler and Sunstein.

Thaler and Sunstein (2008) advocate libertarian paternalism as a concept that combines contradictory social governance principles of “libertarianism” and “paternalism.” This concept is a paternalism of relatively weak, soft, non-pushing forms and freedom of choice is not hindered; choices are not limited and do not become a heavy burden. Moreover, Saito (2014) expresses this as “moderate interventionism,” and claims that such policy ideas will lead to the realization of desirable policy objectives without disregarding people’s free intentions.

Thaler and Sunstein suggested that, in order to realize social governance through libertarian paternalism, “the nudge” is effective as a means of transforming people’s behavior. They argue that the nudge is every element of “the choice architecture” that predictably changes the behavior of people without forbidding people’s choices and without significantly changing economic incentives. “The choice architecture” is an interdisciplinary approach that combines and presents information to people’s decision-making by providing information. In the field of cognitive psychology this information includes framing, feedback, priming etc., in the field of social psychology it includes inducements such as peer pressure, band wagon etc., and in contract theories it includes default rules, opt-out schemes etc.

In terms of choice architecture, the call to refrain from using mobile/smartphones after 9pm can be viewed as the setting of a default rule (Barnet 1992, Iyengar 2011, Matsuda 2015). Before the call was made, there were no clear criteria as to when to refrain from using mobile/smartphones, and the decision was left to individual families. It can be said that this was an initiative formed through libertarianism. However, when youth protection through libertarianism is enforced, parents who are conscious of safer internet use for their children will set use time as a family rule, on the other hand parents who have low safety consciousness may be subject to status quo bias and may delay the rule setting (Samuelson & Zeckhauser, 1988). In order to prevent such problems from occurring and to set rules in as many households as possible, setting a default rule is considered to be an effective measure. Presenting default values to young people and parents will support their decision-making.

Johnson et al. (2002) claimed that setting the default rule by libertarian paternalism is a “presumptive consent method,”ⁱ they take the opt-out method of organ donation as an example, “the presumptive consent method deems that all citizens agree

to donate. However, they are given the opportunity to express intentions to disagree with the provision of organs, and it is easy to express their intentions.” Furthermore, Kaneman (2012) argued that “the default value is designed to be easily accepted as a standard” as the effectiveness of the default rule and opting out from the default requires strong intentions, requiring deliberation, accompanied by more responsibility, and if something happens, stronger feelings of regret than if left as the default.

In terms of the function of paternalism, the restriction of the use of mobile/smartphones is a “compulsion,” and it will be uniformly possible to prevent problems from arising. However, it can be said that young people are deprived of freedom of expression in a variety of uses of the Internet.

On the other hand, if young people adopt a social system that has safe and secure behaviors from the standpoint of libertarian paternalism, local governments will not unilaterally take away their freedom of expression.

In addition, since exercising paternalism is a measure that unilaterally deprives freedom of choice, it can lead to antipathy of young people and parents. Mill (1863), who had a great influence on the idea of libertarianism, suggested that even if actions taken from the point of view of paternalism were wisely and correctly seen from the eyes of others, it is never legal to exercise such actions; he severely criticizes paternalism. Of course, it can be said that such paternalism operated in a society dominated by traditional authority (Weber, 1956). However, in modern society, unless a policy respects people’s free will, it will be difficult to obtain total acceptance from all parties.

Based on the previous discussion, policies are required to encourage parties to conform without receiving antipathy from young people and parents. This paper examines the effectiveness of youth protection policy by libertarian paternalism which has the possibility to realize such policy.

3. Study concept

This paper considers the factors that made the Kariya initiative effective in order to show the effectiveness of Internet youth protection policy from the standpoint of libertarian paternalism. In cooperation with the National High School Parent-Teacher Association (PTA), a questionnaire survey was conducted on 1,438 parents regarding appropriate mobile device usage times (Table 1).

Kahneman (2012) suggested that the default setting requirement should be designed to be readily accepted as standard. By conducting this survey, it will become possible to verify whether the default setting “9pm” was appropriate as a social criterion

for junior high school students to refrain from using mobile/smartphones.

Table 1: Survey outline

| Items | Descriptions |
|-----------------------|---|
| Survey target | Parents of junior high school students |
| Number of subjects | Subjects: 1,500 Number of responses: 1,438 (Response rate: 95.87%) |
| Implementation method | Questionnaire at the event venue |
| Date | August 2014 |

The results indicate the effectiveness of moderate intervention from the standpoint of libertarian paternalism. This paper also considers the conditions in which youth protection through libertarian paternalism will function.

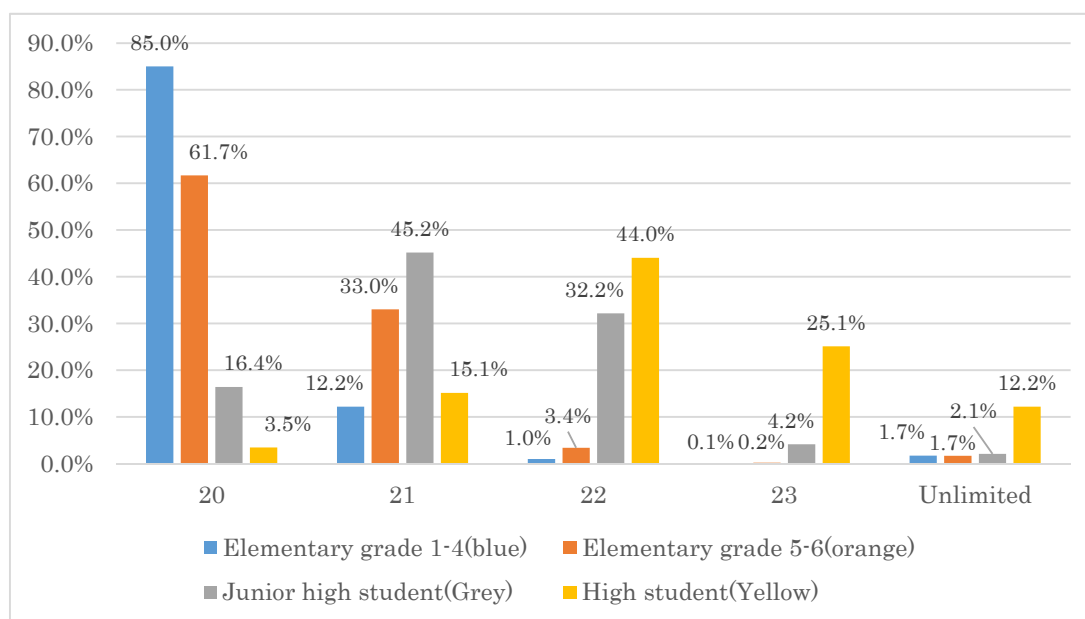
4. Survey of parents regarding appropriate times for children to stop using mobile devices

The Kariya authorities called for “9pm” as a default time for households to refrain from using mobile devices. There is a need to clarify whether parents adhere to the “9pm” setting or not. Accordingly, a survey of 1,438 parents was conducted regarding an appropriate time for children to refrain from using mobile devices.

According to the results of the survey, 85.01% of parents considered 8pm the appropriate time for elementary school students grade 5-6 to stop using mobile devices compared to 12.19% who viewed 9pm as appropriate. On the other hand, 45.19% of parents of junior high school children considered 9pm appropriate compared to 32.17% for 10pm. For parents of high school students, 44.05% considered 10pm an appropriate time to stop using mobile devices and 25.12% considered 11pm appropriate. Therefore, it can be said that the default rule of “9pm” for junior high school students is in line with the views of parents.

As mentioned in section 1, according to the results of the survey from Kariya-City Yagisaku Junior High School, 49% of the students gave a positive response to the “call.” In addition, the students showed positive responses to statements such as “I became able to concentrate on my studies (27%),” “My sleeping time increased (22%),” “I was less stressed (7%).” From these results, it can be said that the Kariya authorities “call” for young people served as a guide to refraining from using mobile/smartphones

(Mainichi Shimbun).



Q: Till what time is proper use time about mobile devices for your child?

Figure 1: Parents' responses regarding appropriate usage and shut-off times of mobile devices

5. Discussion

According to the results of the survey, the time that parents consider appropriate for junior high school students to stop using mobile/ smartphones is “9pm”, which is consistent with the time suggested by the Kariya authorities as a default rule. From this result, it can be said that “9pm” is a reasonable standard cut-off time as suggested by Kahneman.

In this case, the measures taken by the Kariya authorities were a “call” rather than a “prohibition.” If “prohibition” measures were taken instead of “call” measures, what kind of results would there be? In order to examine this question, we refer to the situation of Ishikawa Prefecture which regulates the possession of mobile phones by ordinance.

The National Education Policy Research Institute (2014) reports that 80.9% of junior high school students in Ishikawa prefecture use internet enabled devices including mobile and smartphones, and that 42.1% send e-mail via such devices. Even if the regulation of the possession of mobile phones is “wise or correct from the perspective of others” Mill (1863), such a paternalistic policy will not be supported by young people or

parents.

Based on the results of these analyzes, using “nudges” as gentle intervention is an effective policy measure that guarantees free decisions by young people and parents, and leads them in a desirable direction as a society.

Next, we consider how such libertarian paternalism affects peoples’ thinking, using Munro’s (1928) classical decision-making theory. Munro pointed out in his book “The Invisible Government,” that in collective decisions, peoples’ thoughts and opinions swing left and right like a pendulum and that these “movements” and “reactions” are important. This process is balanced by society and people’s sense of what is acceptable and is repeated until the pendulum settles at an end point.

From the perspective of Munro’s pendulum, it is important for the decision-making pendulum to swing not only in each family but also in the particular region. It seems that such swinging and settling of the decision-making pendulum leads to the overall consensus of the region.

Next, we consider libertarian paternalism from the standpoint of learning. The swing of the decision-making pendulum will encourage reflective learning within families; both children and parents will consider compromise when thinking about appropriate use of mobile/smartphones.

Such learning is imitated by other families and this imitation will spread to local communities like ripples. Educational psychologists Miller and Dollard (1941) focused on “social leaning” as a form of learning behavior. Belonging to a cultural group leads to learning such as group habits, attitudes, values, and behavior. Regarding the appropriate use of mobile/smartphones, it will be extremely important that social learning occurs in the community; a common consciousness of appropriate use is formed on a network basis in the community.

In the past, the national and local governments have created educational awareness policies to increase safety awareness and put forward suggestions about the importance of building family rules, with increasingly positive results.

However, although these initiatives had some effect as “points,” they cannot be seen as being linked.

It seems that the characteristics of the network made it difficult to connect the “points” of each household education as a “line.” Because many of social media such as LINE form networks in the group, and these groups communicate via the network. Social media, in particular group chats, can have a negative impact. For example, if a rule is decided by one family and they are part of a group chat where other members have not adopted the rule, they may be excluded from the group. Bullying such as “Hazushi (wallflower),”

where a child is excluded from certain activities, is being reported more often. It can be said that today's children are suffering from a negative chain that they cannot leave group chats even if they want to.

This means that we will be unable to find a solution unless family rules are implemented on a regional scale. In the case of Kariya, not only the families who are conscious of the safe use of mobile/smartphones, but also all other families in Kariya have become a catalyst for social learning, which means that the "points" of rule-making in each house have become "line." This means that a network of awareness of appropriate use of mobile/smartphones formed in the community.

6. Conclusion

This paper discussed the effectiveness of protection policies through libertarian paternalism, especially the effect of the setting of default rules, by focusing on initiatives for the appropriate use of mobile/smartphones by young people in Kariya. The call to refrain from using mobile/smartphones after 9pm was a measure intended as a "call" instead of a "prohibition." It is believed that young people and parents in the area were "nudged" towards the intention of the initiative.

The idea of libertarian paternalism does not deprive people of their freedom to choose, and decision-making is up to the parties involved. Although the policy-making side also has an aspect of paternalism and a viewpoint of libertarianism, it does not try to impede people's free decision making.

Such measures will be useful not only for policy-making, but also for people who are subject to such policy. This is because the final decision is based on the process of decision-making by the parties themselves, and it is effective at encouraging awareness through such processes.

What is sought is to give young people, parents and the entire community a "nudge" as gentle interventionism regarding appropriate use of mobile/smartphones, thereby creating opportunities for the concerned parties to think about their own use. After that it is important to entrust judgment on the pendulum they shake. Therefore, such an approach based on libertarian paternalism is a measure to lead young people for the desirable direction as society while maximizing the freedom of Internet use.

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ⁱ Barnett (1992) also makes similar arguments that the default rule is defined as “incomplete consent” which enables rewriting of contract items.