擬態的信任—網路拍賣詐欺之判決分析

Trust of Mimicry—an analysis of Fraud on Online Auction

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在網際網路進行交易活動者日益增多，網路詐欺案例也隨之層出不窮。本研究的研究對象為司法院法學檢索系統資料庫各級法院的判決書，使用次級資料研究法，分析網路拍賣詐欺手法所傳送的訊號。Gambetta（2001）提出關於人類社會所發生的擬態概念。人類的擬態是發生在信任賽局之中除了值得信任的被信任者外，缺少不可觀察信任特性的擬態者也會傳送可觀察的信任特性。擬態者藉著將可觀察的信任特性轉為訊號輸出，在信任者將其與不可觀察的信任特性連結後獲得信任。個別或僅少數人認同的訊號是無法獲得信任的，只有在行動者知道這個訊號可以信任；其他行動者也知道時，該訊號才能真正被連結至信任特性。因此透過網路拍賣詐欺的案例中，擬態者所傳送其認為被信任者會傳送以及信任者會信任的訊號；而這些訊號也為信任者所認同，找出網路拍賣中所有行動者共同信任的訊號。

　　研究結果顯示信任者對被信任者的信賴是源自：1.網路拍賣制度所生產的標準化訊號　2.信任者交易過程的經驗。在網路交易互動中，商品圖片、交易評價、僅為信任者所知的訊息等因為網際網路的隔閡被轉為可觀察的訊號輸出，這些訊號透過無數行動者的參與強化與不可觀察的信任特性相連結。個別訊號與信任特性的連結是所有行動者共知的，信任者知道傳遞某些訊號所需要的成本而擬態者則試著讓成本不如信任者所想那麼高。因此擬態者可以只傳遞訊號而不必真正擁有信任特性，信任者會藉由網路拍賣的共通認知想像擬態者是可信任的。擬態者透過發送符合網路拍賣規範的訊號，寄生於網路拍賣的利益結構。

　關鍵字：信任賽局、網路拍賣制度、擬態、網路拍賣詐欺

The more transactions on the Internet grow, the more Internet fraud cases emerge. The subject of study from the Ministry of Justice database retrieval system of law courts in judgments used secondary data research methods, sketching the legerdemains of online auction fraud how to transmit signal. Gambetta (2001) proposed the concept about mimicry on the human society. In mimic-beset trust games, manifesta be emitted not only by all worthy-trusted trustees but also a certain proportion of unworthy-trusted trustees. Mimic be trust by switching

manifesta to signals which be linked up krypta. The signals which individual or small group identify as worthy-trusted are not adequate. Signals can be linked to krypta when one considers it worthy-trusted and others consider too. This study attempts to find a common signal that all actors trust in online auction. Therefore, in the online auction fraud case, mimic emitted the signals they think that only real trustees sign and trusters will trust; these signals indeed also be recognized by trusters.

The results showed that trusters's confidence based on: 1. online auction system produced by the standardization of signals 2. trusters's personal trading-process experience. On the Internet trading, commodity pictures, trade evaluations, messages which only trustee know be transformed into signals. These signals through the numerous actors practiced are strengthened connecting with krypta. The linked between signal and krypta is well known to all actors. Trusters will imagine emitting these signals cost how much and mimicry will try to make the cost not higher than trusters's surmise. Accordingly, mimicry emit signals without krypta in that trusters will fill up the broken with common knowledge of online auctions imaging that mimic is worthy-trusted. Mimicry parasitize in the structure of online auction by sending signals which fit for the online auction institution.