Internet Governance and the Internet Governance Forum Redux

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The topic of Internet governance is going to be with us for many years to come, until the Internet is replaced with something else, as it inevitably is likely to be. Just as other communication media have been or are being subsumed into various manifestations of the Internet, the Internet will be subsumed into something even more pervasive. I don't know what that will be, so if you were expecting the rest of this essay to treat the distant future, you can stop reading here.

Today's Internet is operated, maintained, and evolved through a distributed set of actors. In this brief essay, I argue that distributed, multistakeholder Internet governance, despite its complex and even messy character, is *still* the best way forward, and the institutions that comprise this distributed governance model are important to preserve and support.

That the Internet is *governed* in some fashion shouldn't be in dispute. But many forces influence the way the Internet is used, operated, and evolved — and these combine in many ways to determine the operational characteristics of the Internet as we experience it. The Internet's technology evolves as new demands arise, new applications are invented, and new problems surface. The IETF and the W3C are major players, but there are many others, including the IEEE, the International Organization of Standards (ISO), and the International Telecommunication Union (ITU).

Internet Protocol (IP) Address space and Autonomous System Numbers (AS) are administered by a combination of the Internet Corporation for Assigned Names and Numbers (ICANN), the Regional Internet Registries (AFRINIC, APNIC, ARIN, LACNIC, and RIPE-NCC) that form the Number Resource Organization (NRO), and the Internet Service Providers who allocate these resources to end users or downstream access providers. ICANN and Verisign have operational responsibility for maintaining the *root zone file* of the Internet's Domain Name System (DNS) that contains many hundreds of top-level domains and which lie at the root of hundreds of millions of second-level domains (such as example.com). There are many domain name registries, back-end registration servers, and registrars who combine to manage domain names at the second and lower levels. Hundreds of root servers distribute access to the root zone file on a global basis.

But governance is a much more general concept. Local, national, and international laws and their enforcement engage a broad range of actors who also participate in the governance of activities that take place on or through the Internet. Activities that are crimes in the physical world are mirrored in the cyberspace domain and have real consequences that we must address if we're to achieve societal safety and equity. As always, there's a dynamic balance among the freedoms we seek and the safety we desire in societies governed by laws. Democratic societies presume a certain governed consent to limitations, but in the context of preserving human rights.

In the private sector, there are additional governance mechanisms present. Adam Smith's *invisible hand* is at work, along with all the incentives that drive commercial enterprise. In civil society, behavioral norms and cultural mores color societal expectations and evoke various degrees of conformance.

The notion of *multistakeholder* processes for establishing governance mechanisms associated with the Internet has become increasingly visible and even popular in many quarters. In simple terms, multistakeholder processes draw upon the

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inputs of all interested or affected parties in a collaborative effort to establish consensus rules for governance. The concept includes governments, civil society, the private sector, and the technical and academic communities. One of the most visible and widely accepted declarations of this concept emerged from the NETmundial meeting in April 2014 (http://netmundial.br/wp-content/uploads/2014/04/NETmundial-Multistakeholder-Document.pdf).

In their provocative paper on multistakeholder models, Laura DeNardis and Mark Raymond articulate a taxonomy of four types of actors and 43 tasks illustrative of Internet governance's scope (www.academia.edu/9027904/Multistakeholderism_Anatomy_of_an_Inchoate_Global_Institution). They map the tasks onto the primary actors who undertake them. Readers might disagree with the details of this analysis, but the important observation for me is that not all possible actors need to engage either in the consensus policy process or in policy execution. Moreover, not all those engaged in or contributing to policymaking have the need or authority to enforce it.

Raymond also offers a rebuttal to the model of the Internet as a commons[1] and characterizes it more like a nested collection of clubs. I must admit to resisting this apparent appeal to some kind of elitism, but as I read the article, it seemed clear that Raymond was using the term *club* not as an elitist symbol, but as a descriptor for a group of interested parties cooperating and acting under a set of consensual rules. This is a generic description that could be adapted to a great many institutions and captures notions of national sovereignty, industry consortia, standards development organizations, international institutions, user groups, and many others. The members of these groupings may overlap, may be nested (for example, industry consortia made up of companies represented by individuals), may be aligned or in opposition with each other on various matters, and may have widely varying incentives and interests. Raymond puts more emphasis on his "nesting" of clubs notion than I believe is either necessary or warranted. Ignoring this notion and taking "clubs" as simply potentially overlapping groupings of actors, the quilt-like quality of this characterization somehow matches my own mental image of the Internet — its contents, users, makers, and operators — and the institutions and agencies of all kinds and sizes that seek to influence its impact on all aspects of society.

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All of these concepts will color the continued discussions regarding the proposal to end the specific relationship of the US Department of Commerce's National Telecommunication and Information Agency (NTIA) to ICANN, which performs, under a contract, the so-called Internet Assigned Numbers Authority (IANA) functions.[2] What's most important in the discussion of Internet governance is to recognize that the topic is far, far wider than the scope of ICANN's operation.

That attention is needed to the wider questions of the evolution, operation, and use of the Internet is not in question. The Internet Governance Forum (IGF) that arose from the World Summit on the Information Society represents one of the more important multistakeholder mechanisms associated with mapping issues arising in the use of the Internet to the institutions that might deal with them. It's telling that the global, World Summit on the Information Society (WSIS)-inspired IGF has spontaneously spawned numerous national and regional forums that have arisen from bottom-up interest among many parties in pursuing these issues more than once a year and in a variety of geographic contexts. It's vital to preserve and sustain the IGF process and allow it to evolve. In 2015, the United Nations General Assembly will decide whether to continue to support the IGF. If it chooses not to do so, it's vital that the Internet community takes up the challenge of sustaining it, if necessary, outside the UN context.

References

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2. National Telecommunications and Information Administration, "NTIA Announces Intent to Transition Key Internet Domain Name Functions," press release, 14 Mar. 2014; www.ntia.doc.gov/press-release/2014/ntia-announces-intent-transition-key-internet-domain-name-functions.

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