

Democracy 3.0:

Constituency, Representation & the Multistakeholder Model

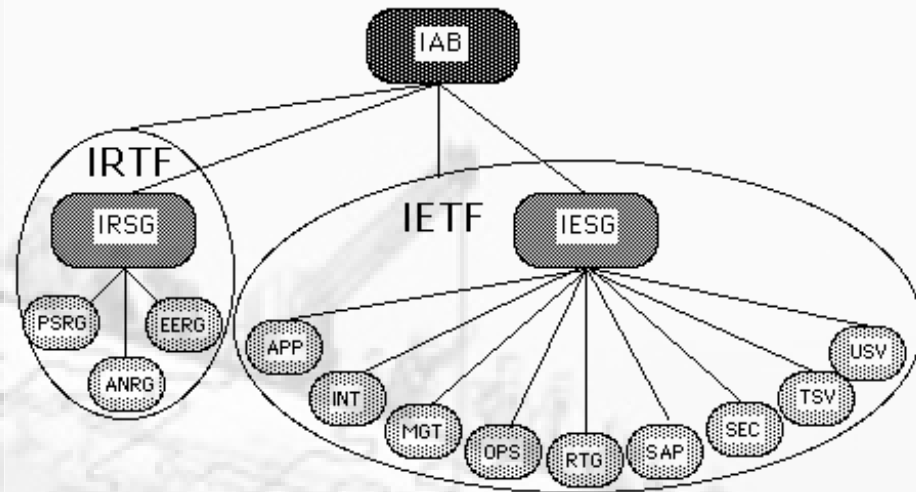
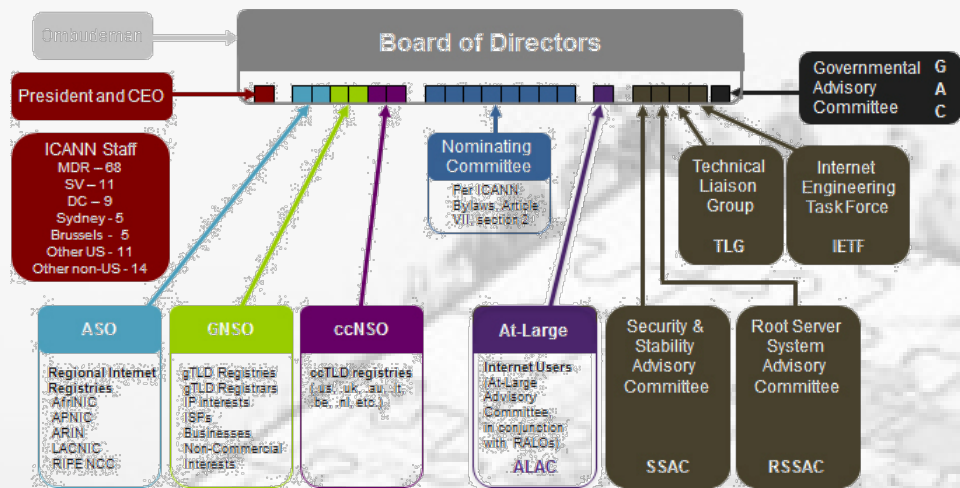
APrIGF 2016 | Taipei

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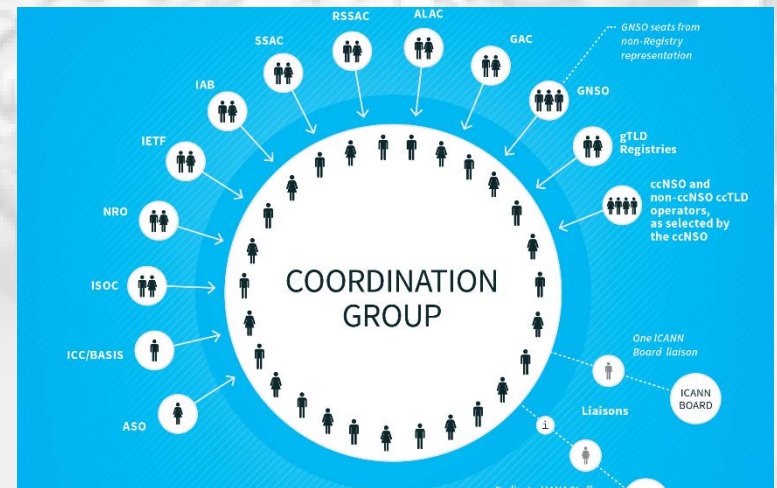
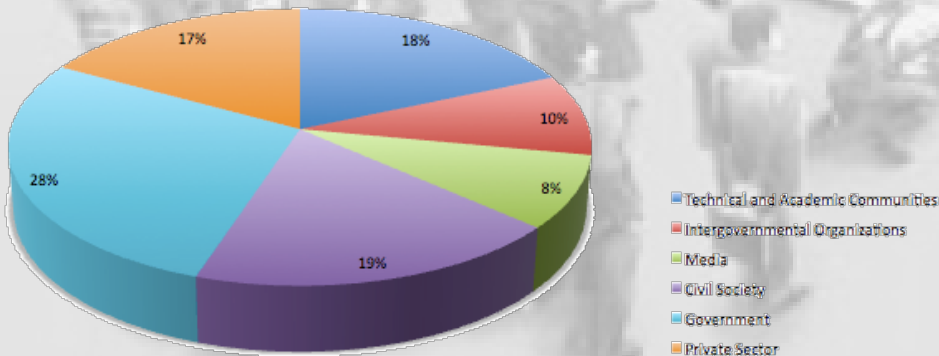


Internet & Internet Governance

ICANN Multi-Stakeholder Model



Multistakeholder Approach



Geographic Constituencies

THE CONCEPT OF **CONSTITUENCY**

Andrew Rehfeld (2005)

Political Representation,
Democratic Legitimacy,
and Institutional Design

Ageographical Constituencies

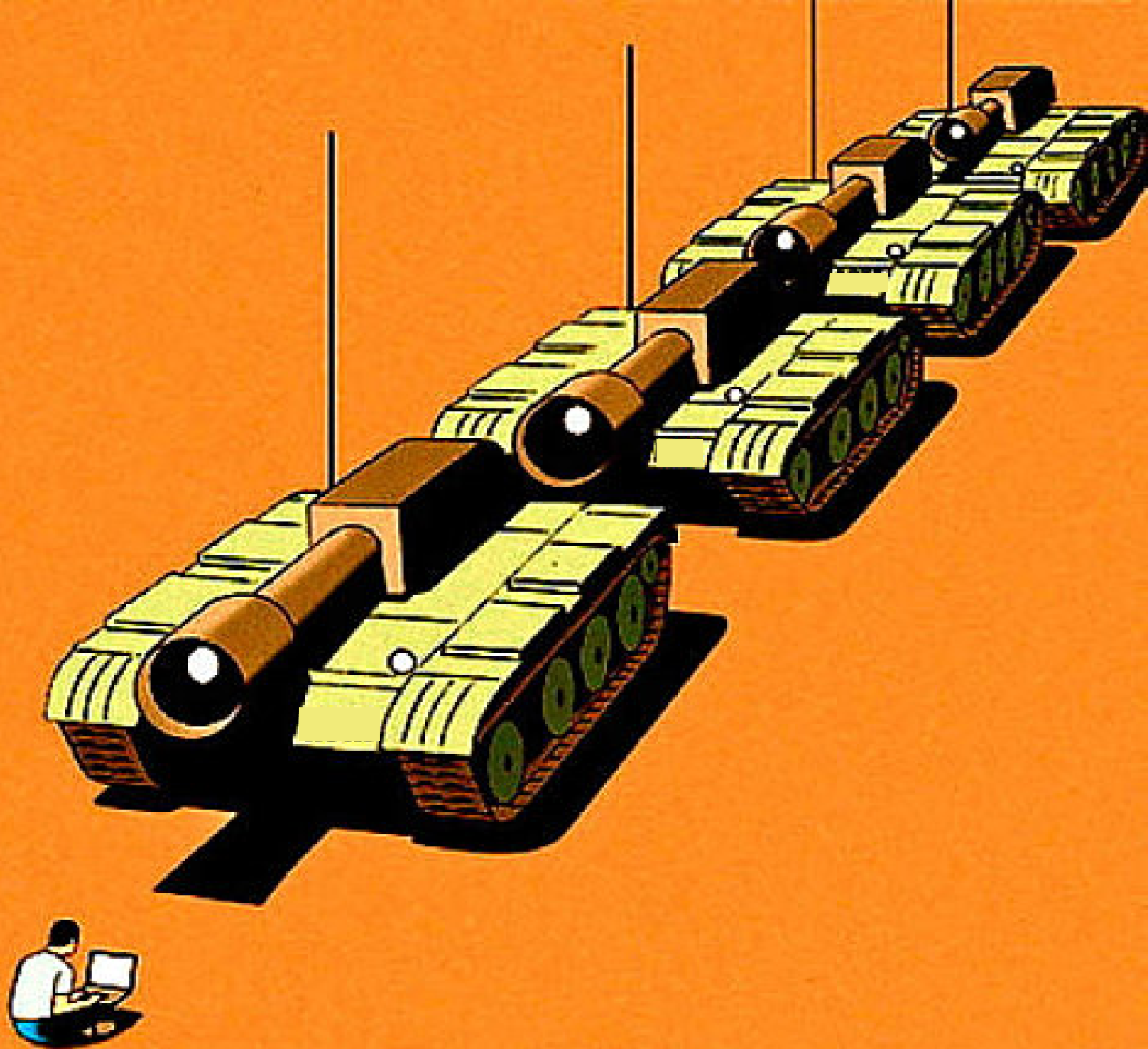


香港特別行政區立法會
LEGISLATIVE COUNCIL
OF THE HONG KONG SPECIAL ADMINISTRATIVE REGION



我西並
立即日
共

我通普
共



Francis Fukuyama

THE END
OF HISTORY
AND
THE
LAST
MAN

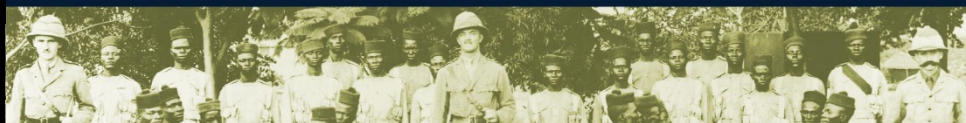


Author of THE ORIGINS OF POLITICAL ORDER

FRANCIS
FUKUYAMA



POLITICAL ORDER



AND POLITICAL



人民共和国万岁



世界人民大团结

DECAY



FROM THE INDUSTRIAL REVOLUTION
TO THE GLOBALIZATION OF DEMOCRACY



NASSBOOK

ناس بوك

Facebook

#jan25

THE EGYPTIAN
SOCIAL NETWORK

ناس
بوك

JOSHUA KURLANTZICK

The
Economist

MARCH 1ST-7TH 2014

Economist.com

Saving Ukraine

Cameron woos Merkel

Does inequality damage growth?

Corporate fraud: the enemy within

Taking on Mexico's tele-garchs

DEMOCRACY_{in} RETREAT

The Revolt of the Middle Class
and the Worldwide Decline of
Representative Government

What's gone
wrong with
democracy

and how to revive it

A SIX-PAGE ESSAY



£5.00



9 770013 061220



Economic Conditions



Strength of Bureaucracy



Culture & Rule of Law

AMERICA AND BRITAIN
ARE HAVING A COMPETITION
ON WHO CAN FUCK
THEMSELVES UP THE
MOST.

BRITAIN IS IN THE
LEAD, BUT AMERICA
HAS A TRUMP CARD.

Dictatorial
Democracy

THIS WAS A
VOTING BOOTH

...IS WHERE FREEDOM OF SPEECH BUT
YOU HAVE THE ADMINISTRATION DIDN'T LISTEN



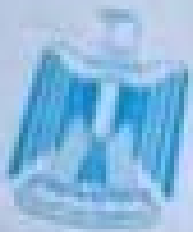


Authoritarian Non-Democracy









جمهورية مصر العربية



Now what?



Democracy 3.0?



Democracy 1.0 :
Athenian Democracy – **Direct Democracy**




Democracy 2.0 :
People Revolutions – **Representative Democracy**



**Anja
Kovacs**

Director, Internet
Democracy
Project




Director, Internet &
Jurisdiction
Project

**Bertrand de
La Chapelle**



**Rebecca
MacKinnon**

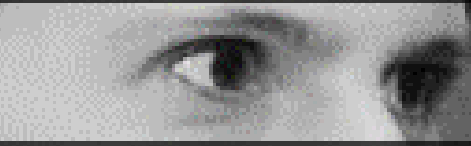
Director, Ranking
Digital Rights
Project



Legislative Councillor
(Information Tech-
nology), HKSAR

**Charles
Mok**

RightsCon 2015




Janet M. Peck Chair
Int'l Communication
Stanford University

**James
Fishkin**



Julia Reda

Member of the
European Parliament
Pirate Party
Germany



Former GNSO Chair
Int'l School for
Internet Governance


Avri Doria



**Andrew
Sullivan**

IAB Chair
Director of
Architecture, Dyn

IGF 2015




Senior Global Policy
Analyst, EFF

**Jeremy
Malcolm**



**Prof. Ho
Lok Sang**

Director, Centre for
Public Policy Studies
Lingnan University



Director, TWNIC,
APNIC EC

**Kenny
Huang**



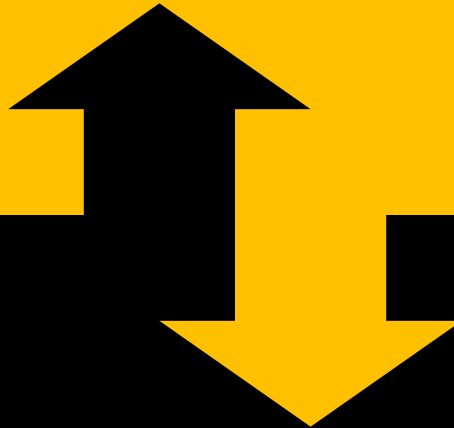
**Charles
Mok**

Legislative Councillor
(Information Tech-
nology), HKSAR

APrIGF 2015

State of Democracy

How will democracy be changed by the Internet and Internet Governance Experiments?



State of Internet & Internet Governance

How is the multistakeholder model going to change global collaboration and governance?

Is the Multistakeholder
Model Democratic?

Should the Multistakeholder Model
be made more Democratic?
Redefining “Democratic”?

Can the Multistakeholder
Model be Democratic?

Constituency

How do we define constituencies?
What relevance do their boundaries have?



Accountability

Representative

What kinds of leaders do we really want?
What does “representation” mean?



PEACE!

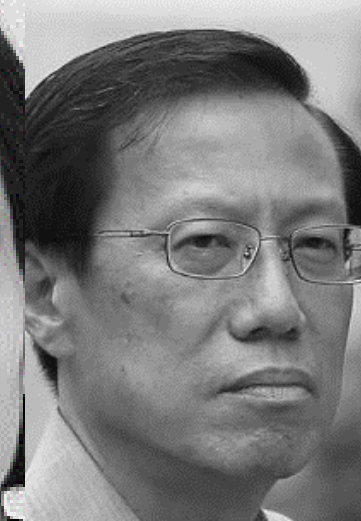






Board Member
ICANN

**Asha
Hemrajani**



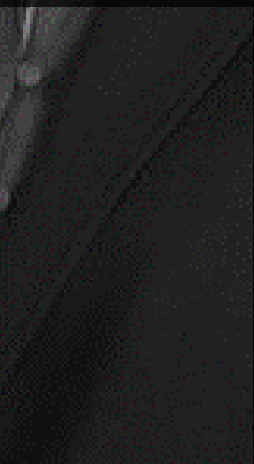
Senior Manager,
Accountability
ICANN

**Adam
Peake**



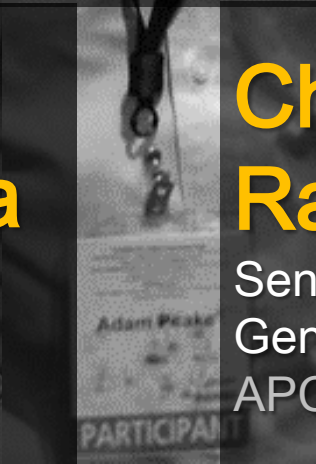
Director, TWNIC
APNIC EC

**Kenny
Huang**



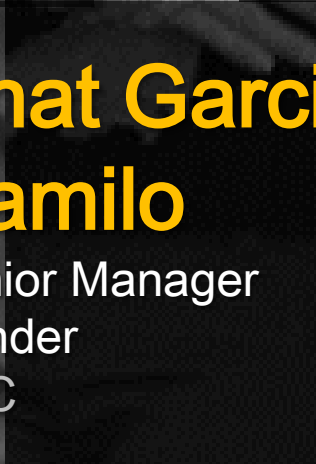
**Prof. Ang
Peng Hwa**

Professor
SIRC, NTU



**Chat Garcia
Ramilo**

Senior Manager
Gender
APC



**Jennifer
Chung**

Director of Corp.
Knowledge
DotAsia





Multistakeholder Model Practice in Taiwan and Deliberation

Democracy 3.0: Accountability and Representation in the A geographical
Constituency and Rough Consensus Model

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Executive Council Member, APNIC

huangksh@gmail.com

2016.07.28

Definition of Internet Governance

- Narrow definition
 - Jon Postel, ICANN, IETF
 - DNS Root, IP addresses, Internet protocols
- Broad definition
 - Internet-centric issues (names and numbers)
 - User-centric issues (capacity building)
 - Policy context of the Internet (privacy, human rights..,etc)
- Hybrid, multi-jurisdictional concept

Multistakeholder Model vs. Multilateral Model

- Multilateral Model
 - multiple countries working in concert on a given issue
 - the practice of coordinating national policies in groups of three or more states
- Multistakeholder Model
 - an organizational framework or structure which adopts the multistakeholder process of governance or policy making, which aims to bring together the primary stakeholders such as businesses, civil society, governments, research institutions and non-government organizations to cooperate and participate in the dialogue, decision making and implementation of solutions to common problems or goals.
 - A stakeholder refers to an individual, group or organization that has a direct or indirect interest or stake in a particular organization

Characteristics of Multistakeholder Process

- Involvement of stakeholders in the learning process
- Stakeholders work towards a common goal
- Work involves different sectors and scale
- The objective is focused to bring about change
- Deal with structural changes
- Agreements are created based on cooperation
- Stakeholders deal with power and conflict consciously
- Bottom-up and top-down strategies are integrated in governance and policy making
- Example
 - ICANN, APNIC, IETF ..etc

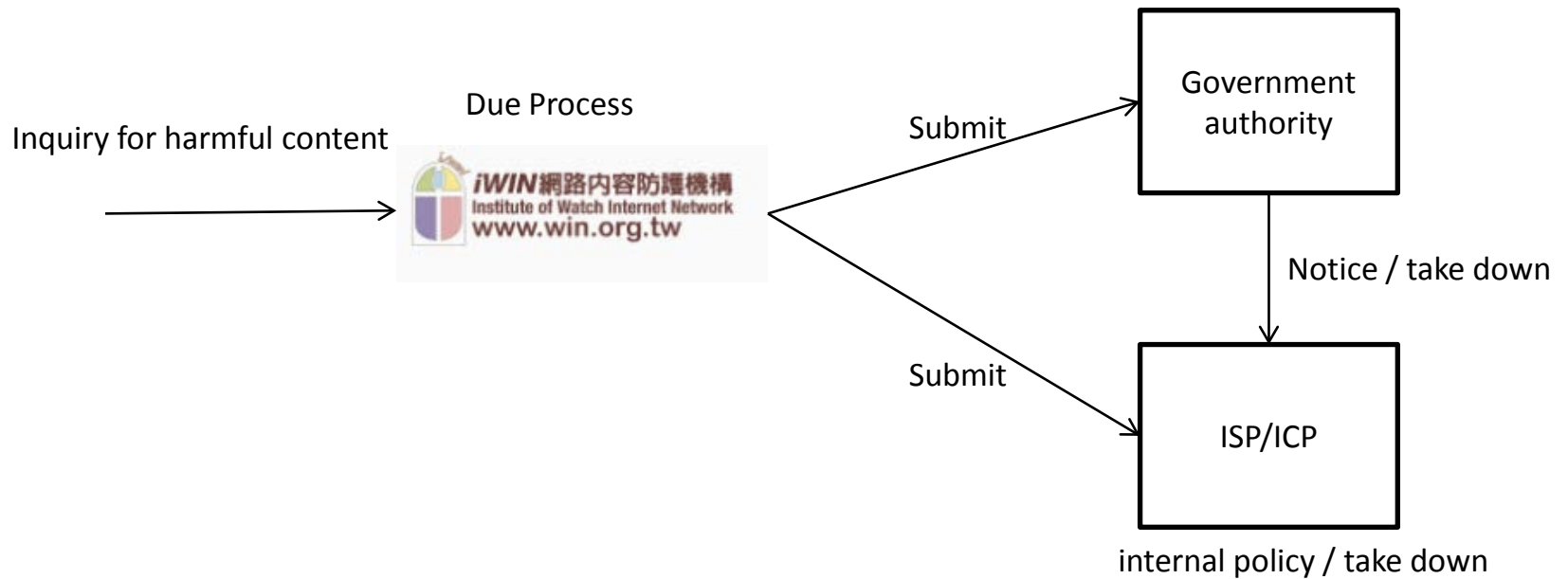
Issues with Multilateral Model

- Diminish open and global net, prioritizing national control
- Reduce the value of the Internet, enhanced by every new users
- Trust in government regulation, moving back to a future of pre-liberalization of telecom
- Create a stronger ITU, but embedded in a multistakeholder organization, such as IGF with other multilateral institutions
- Lack of an appropriate regulatory model for the Internet

Issues with Multistakeholder Model

- Effectiveness of the multistakeholder model in Internet governance
- Limited to communication and coordination
 - Soft power vs. authoritative decisions
- Concerns over representation of regions, nations, and stakeholders

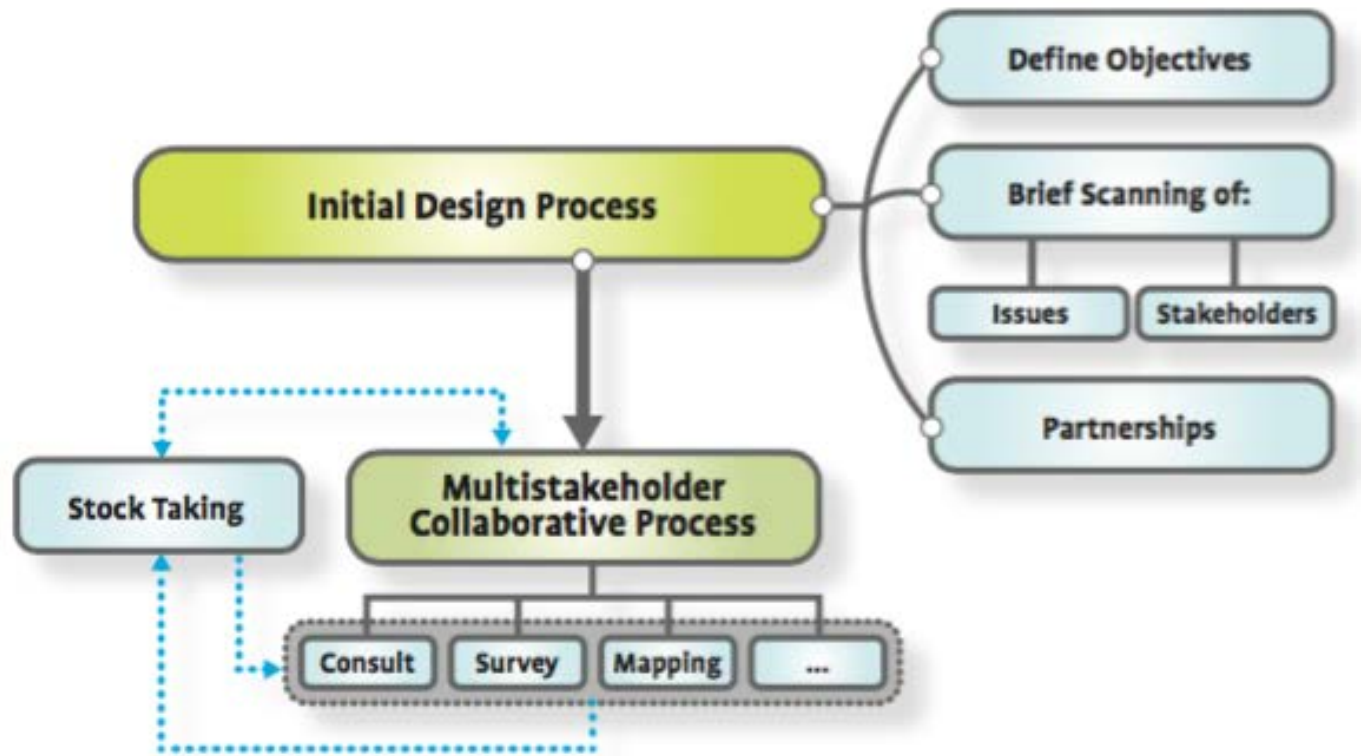
Multistakeholder Model Practice in Taiwan



Continue

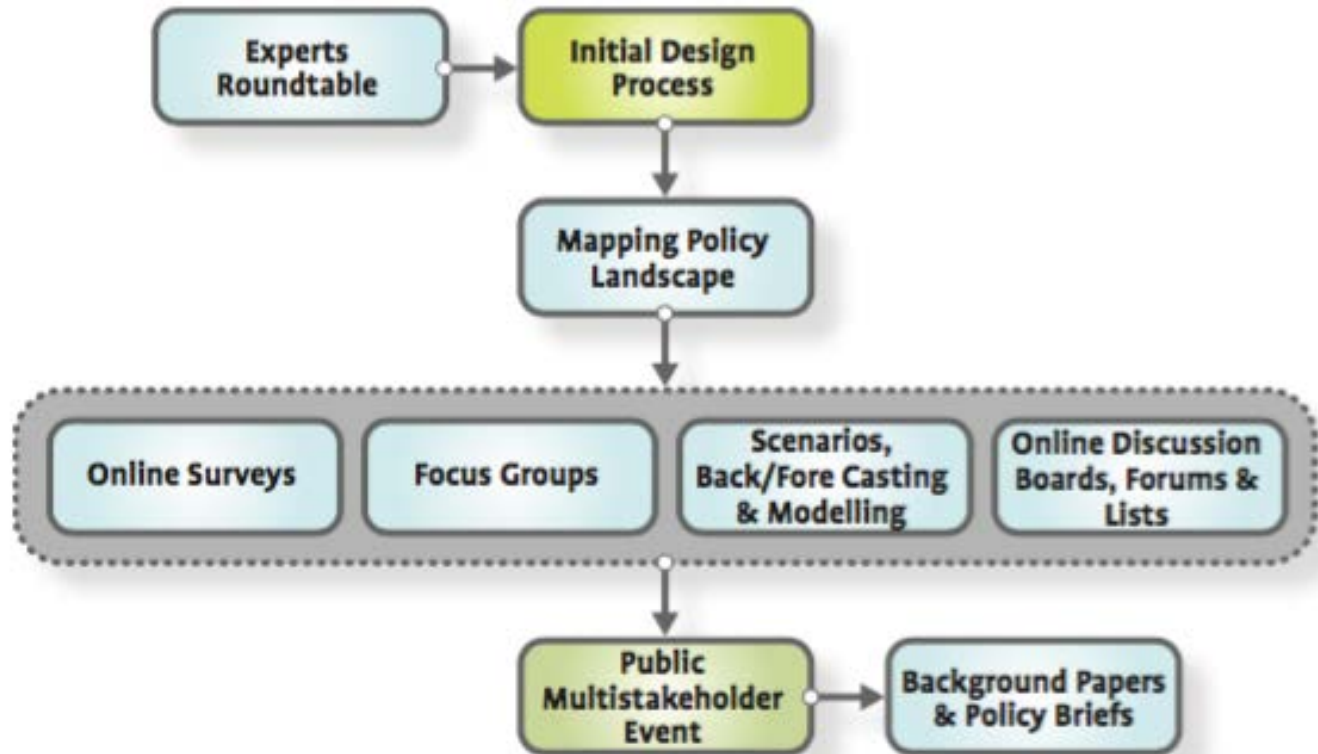
- Functions
 - Coordination and facility
 - Additional layer for public policy enforcement
- Position : independent self-regulated entity
- Structural review from multistakeholder model perspective
 - Governance : bylaws, membership, board structure, board election procedure, sustainability of operation (finance), regulatory framework for policy enforcement
 - Operation : policy development process (PDP), due process, COI with external entities
 - Accountability and transparent
 - The obligation of an organization to account for its activities, accept responsibility for them, and to disclose the results in a transparent manner

Recommended Practice for Designing a Multistakeholder Model



source : IISD

Process Flow of Tools



source : IISD

Institutional Features of Private International Authority

1. Informal Industry Norms and Practices

2. Coordination Services Firms

3. Production Alliance

4. Cartel

5. Business Associations

6. Private Regime

source : Tony Porter. (1999). Private Authority and International Affairs.

Public Goods/Policy Governance Models

	Governance Capability & Capacity for Public Goods		
Non-state Actors	X	O	O
Governments	O	O	X
Governance Model	State Regulation (Neoliberalism)	Cooperation (Knill, 2002)	Private Self Regulation (Knill, 2002)
		Co-Regulation (Tanja Borzel, 2007)	
		Delegation (Tanja, Borzel, 2007)	

source : edited by Dr. Kenny Huang

Governance With/Without Government

Governance by government

Public regulation
No involvement of private actors

Consultation/cooptation of private actors
Participation of private actors in public decisionmaking
(for example private actors as members of state;
delegation; outsourcing)

Co-regulation/co-production of public and private actors
Joint decisionmaking of public and private actors
(for example social partners in tripartite concertation;
public-private partnerships)

Delegation to private actors
Participation of public actors
(for example contracting-out; standard-setting)

Governance with government

Private self-regulation in the shadow of hierarchy
Involvement of public actors
(for example voluntary agreements)

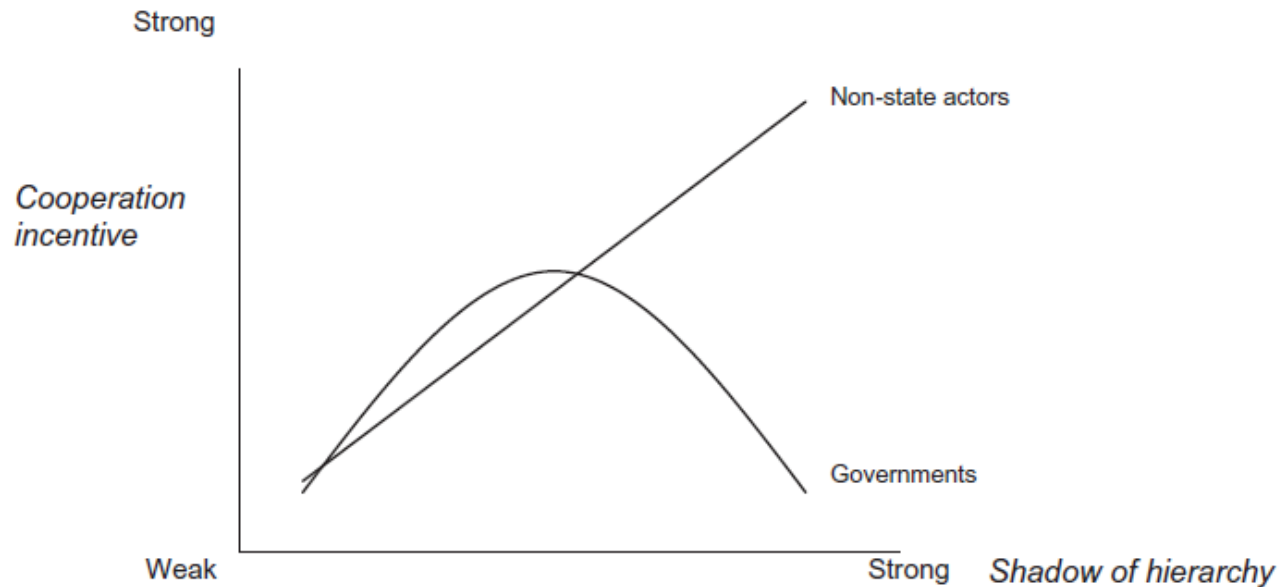
Public adoption of private regulation
Output control by public actors
(for example *erga omnes* effect given to collective agreements of social partners)

Private self-regulation
No public involvement
(for example private regimes; social partner autonomy)

Governance without government

source : Tanja Borzel, 2010

The Shadow of Hierarchy



source : Tanja Borzel, 2010

Implications for The Shadow of Hierarchy

- The shadow of hierarchy
 - the state threatens – explicitly or implicitly – to impose binding rules or laws on private actors in order to change their cost–benefit calculations in favor of a voluntary agreement closer to the common good rather than to particularistic self-interests.
- Implications to governments
 - the higher the government's capacity for hierarchical policy-making, the fewer incentives it has to cooperate with non-governmental actors.
 - weak states are unlikely to engage in governance with non-state actors because they might fear a loss of autonomy
- Implications to non-state actors
 - it generates important incentives for cooperation for non-state actors

Monopoly and Regulatory Competition Model

- Monopoly and anti-competition
 - The main problem with private self-regulation is the anti-competitive incentives flowing from their monopoly power
- Restrict supply of the professional service
 - private self-regulation will have been granted for monopolistic control for a certain territory, thus have the power to restrict supply of their professional service
- Regulatory competition model
 - Subjecting these organizations to competition from other self-regulatory organisms might stimulate more welfare enhancing behavior (Kay and Vickers, 1990)

Take Away

- Monopoly assessment
- positional vulnerabilities in the public goods governance regime
- Applicability for a regulatory competition model
- government regulations vs. self-regulated policies
- Sustainability : short term and long term strategy

Thank You
Question?

DON'T LET OTHERS SPEAK FOR YOU



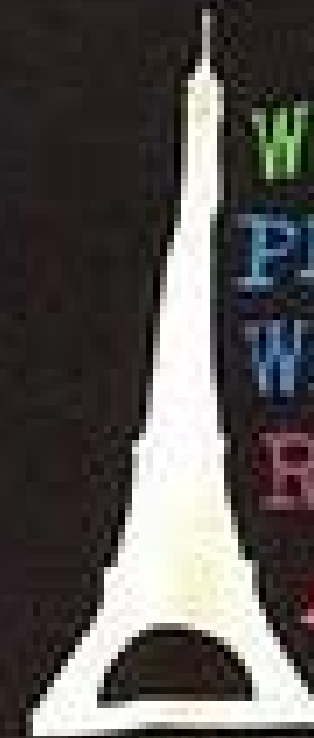
Constituency & Representation



OBAMA
DOES NOT
SPEAK
FOR ME!

Constituencies & Stakeholder Groups

- Is the Multistakeholder model “democratic”?
Can/Should it be made more democratic?
- What is the impact of stakeholder group representation on democratic principles such as apportionment?
- What happens when stakeholder groupings and boundaries shift or need to be changed?
- How could/should systems reflect such dynamics?



WE REJECT: KINGS,
PRESIDENTS AND VOTING.
WE BELIEVE IN:
ROUGH CONSENSUS
AND RUNNING CODE.

IETF 83

IAB Chairman: I am a Representative, but I
cannot and do not Represent the IETF.

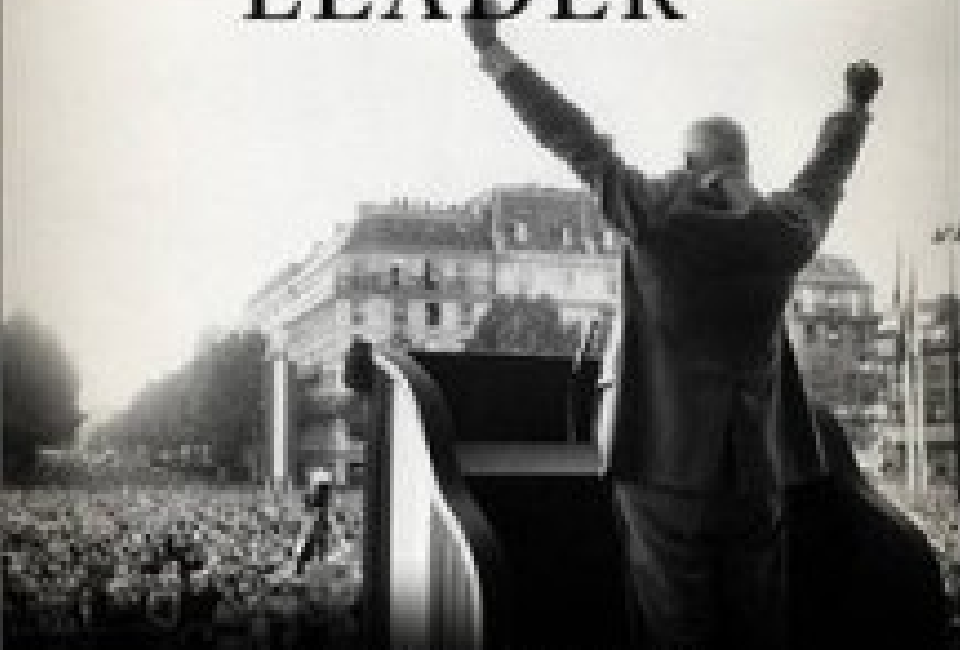
THE MYTH

POLITICAL LEADERSHIP

OF THE STRONG

IN THE MODERN AGE

LEADER



ARCHIE BROWN

**HENRY
MINTZBERG**

**REBALANCING
SOCIETY**



RFC7282: On Consensus and Humming in the IETF

- Lack of disagreement is more important than agreement
- Rough consensus is achieved when all issues are addressed, but not necessarily accommodated
- Humming to start a conversation, not to end
- Consensus is the path, not the destination
- 100 for, 5 against might not be rough consensus
- 5 for, 100 against might still be rough consensus

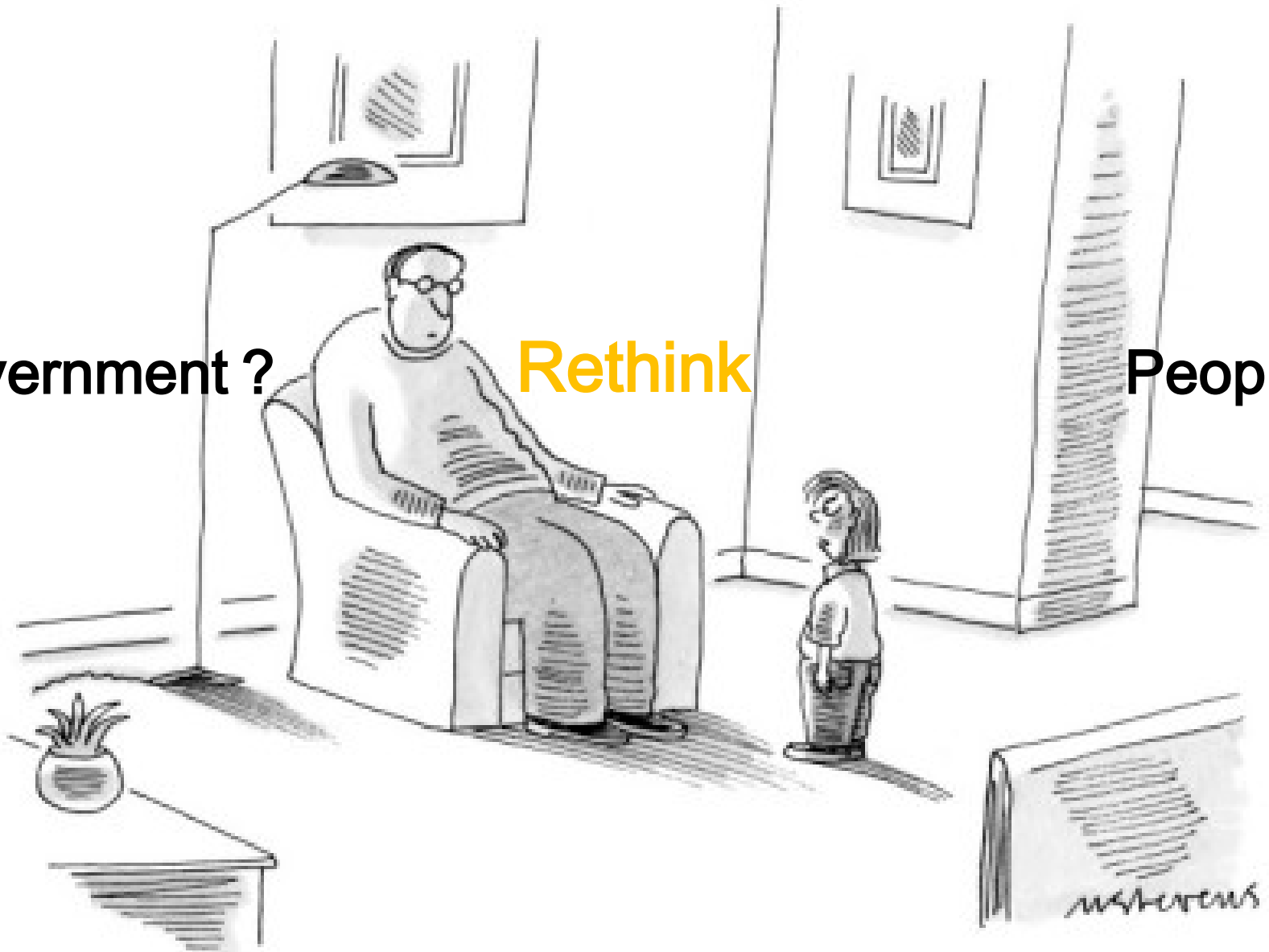
The background features a stylized globe with a blue and white color scheme. A network of white lines and dots is overlaid on the globe, suggesting a global network or data flow. Various financial data points, including percentages and numbers, are scattered across the image. The text "Global Public Interest" is prominently displayed in the center in a bold, yellow font.

Global Public Interest

Government ?

Rethink

People ?



"Why do you always have to be so paternalistic?"

Paternalistic Leadership

Cultural Diversity / Geographical Diversity

- In a multistakeholder model that is inherently ageographic, is geographical diversity relevant?
- Do representative selection mechanisms tend to favour individuals from particular cultural backgrounds?
- Would cultural diversity be more relevant?
- How is cultural diversity be defined and measured?

Edmon Chung 鍾宏安 | mail@edmon.asia

**POLITICAL NEUTRALITY IS SIMPLY A BIAS FOR
THE STATUS QUO.**

Other Reference Slides

Not part of presentation

A black and white portrait of Peter Drucker, an older man with a serious expression, resting his chin on his hand in a thoughtful pose. The background is dark and out of focus.

Peter Drucker

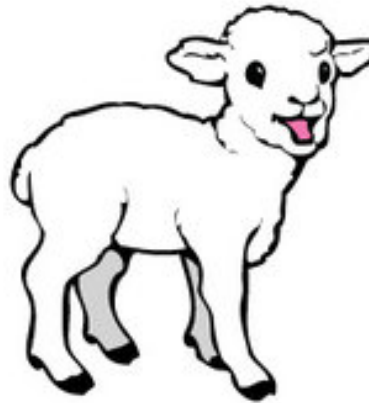
...no government in any major developed country really works anymore... Modern government needs innovation. What we have now is roughly 400 years old. The invention of the nation-state and of modern government in the closing years of the 16th century was certainly one of the most successful innovations ever. Within 200 years they conquered the globe. But it's time for new thinking...

Government – not businesses or nonprofits – is going to be the most important area of entrepreneurship & innovation over the next 25 years.

Market
Failures &
Bailouts

DEMOCRACY

Welfare
Demands



Campaign
Financing

TWO WOLVES AND A SHEEP VOTING ON WHAT'S FOR DINNER

The Democracy Dilemma



ICANN: Multistakeholder Elections

ICANN & IETF
Nomination Committee (NomCom)

IETF: Random Selection (Sortition)

Deliberative Democracy Now!



James Madison
1791

The Federalist No. 10

One of the most important essays in The Federalist Papers, No. 10, written by James Madison, discusses the dangers of factions and the need for a strong central government to control them. Madison argues that factions are inevitable in a free society, but they can be controlled by a representative government.

References

Madison, James. "The Federalist No. 10." The Federalist Papers. New York: Library of America, 1963. 63-100. Print.



Single Vote

Vote for one option.

Multiple Votes

Vote for any number of options.

☐ Joe Smith

☒ John Citizen

☐ Jane Doe

☐ Fred Rubble

☐ Mary Hill

More Scientific

Reduce Electoral Side-Effects

Minority Voices

Counterpoll as a Thought Experiment:
Single Vote Against Least Preferred Candidate

☐ Joe Smith

☒ John Citizen

☐ Jane Doe

☐ Fred Rubble

- Natural Risk Averse tendency
- Basic Instinct of being more efficient at identifying harm
- Voters unlikely to know candidates well

- Reduce polarization & duopoly
- Reduce Attachedness
- Curb Betting behavior (selecting the winner)

- Single Primary Leadership Elections
- Dependent on Plurality System
- Introducing minority veto rights

Rank any number of options in your order

☐ 1 John Citizen
☐ 2 Jane Doe
☐ 3 Fred Rubble
☐ 4 Mary Hill

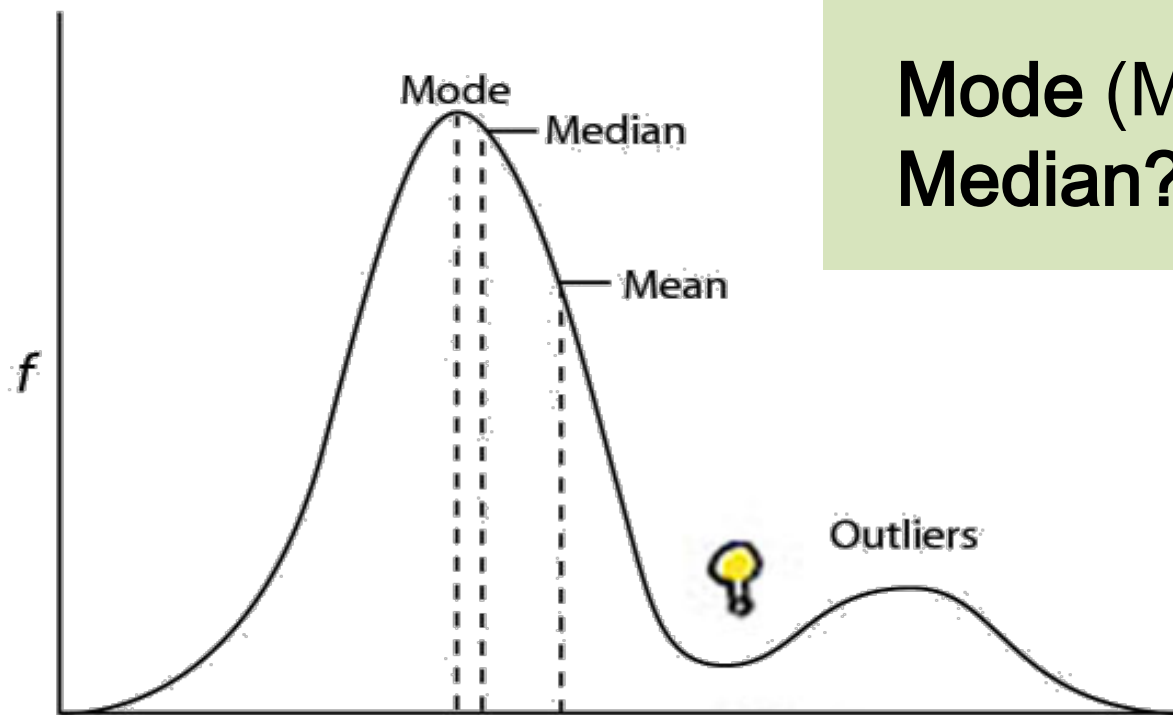
Rate each between -10 and 10

☐ 7 Joe Smith
☐ 10 John Citizen
☐ -3 Jane Doe
☐ 0 Fred Rubble
☐ 10 Mary Hill

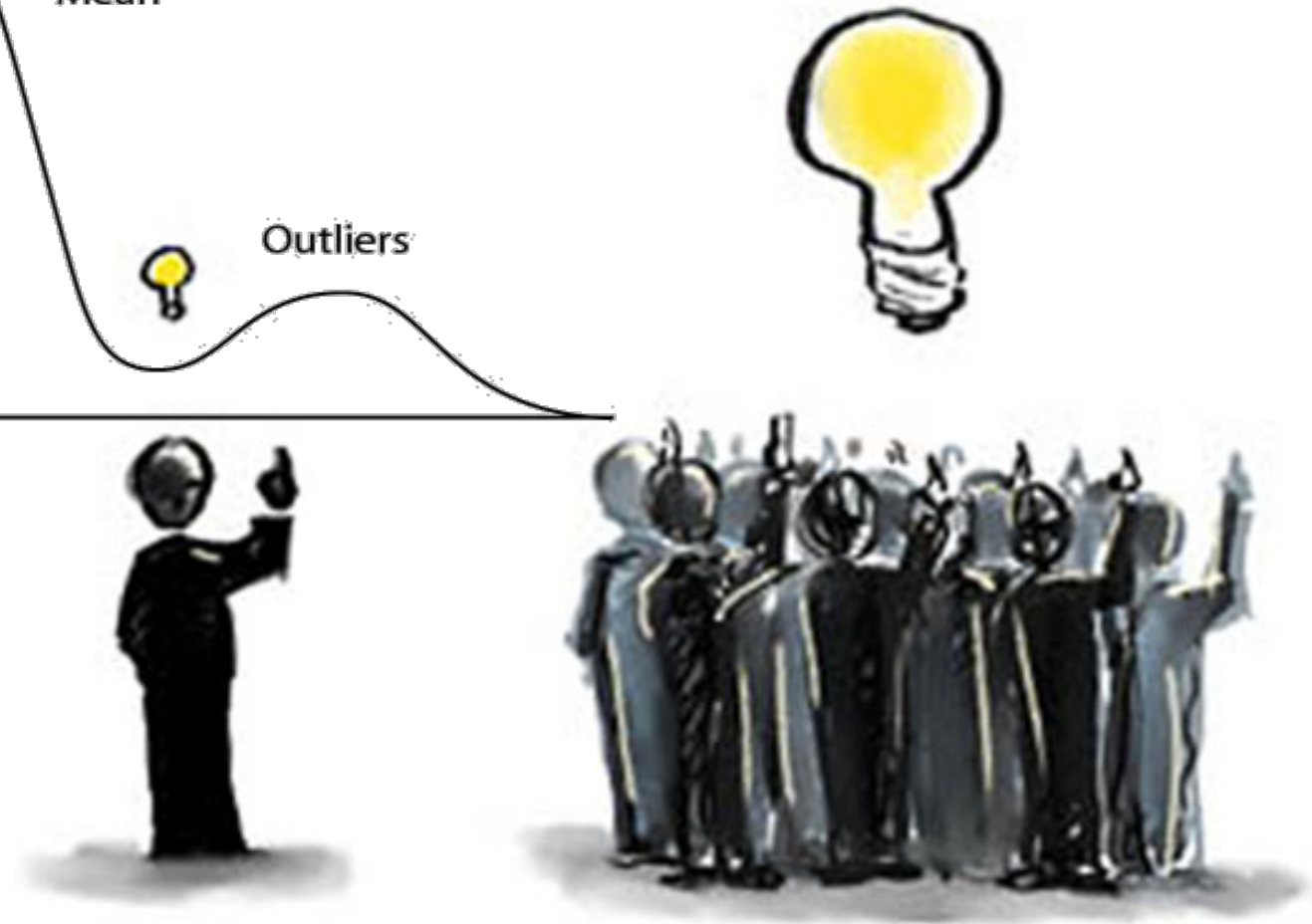
You have 10 votes. Distribute them among the options however you want

☐ Joe Smith
☐ 6 John Citizen
☐ Jane Doe
☐ Fred Rubble
☐ 4 Mary Hill

Deriving Wisdom of Crowds from Elections



Mode (Majoritarian Voting)
Median? Mean?...



Taiwan Presidential Election 2000



陳水扁

39.3% ✓



宋楚瑜

36.8% ✗

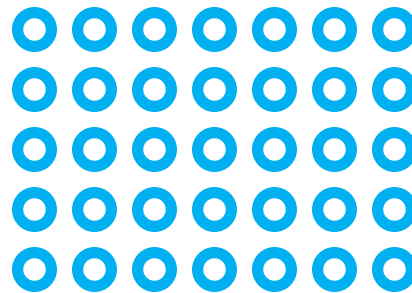


連戰

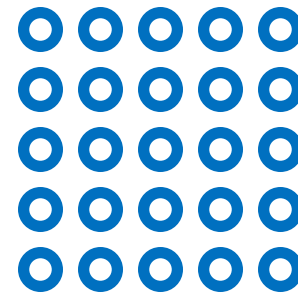
23.1% ✗



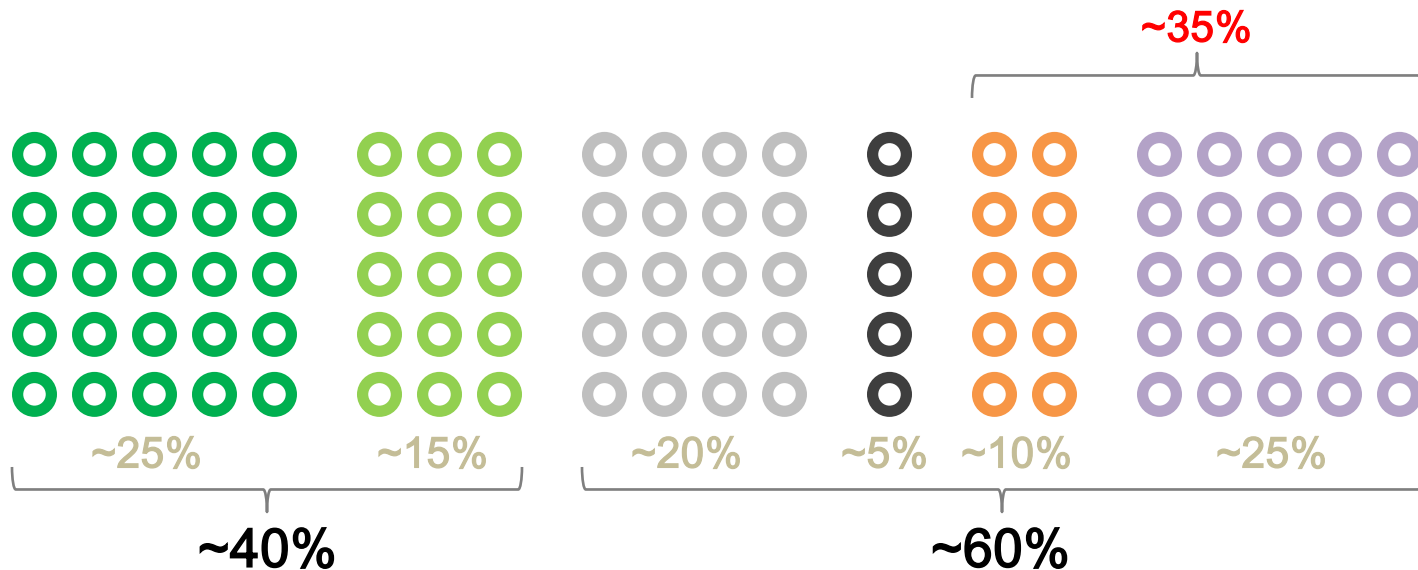
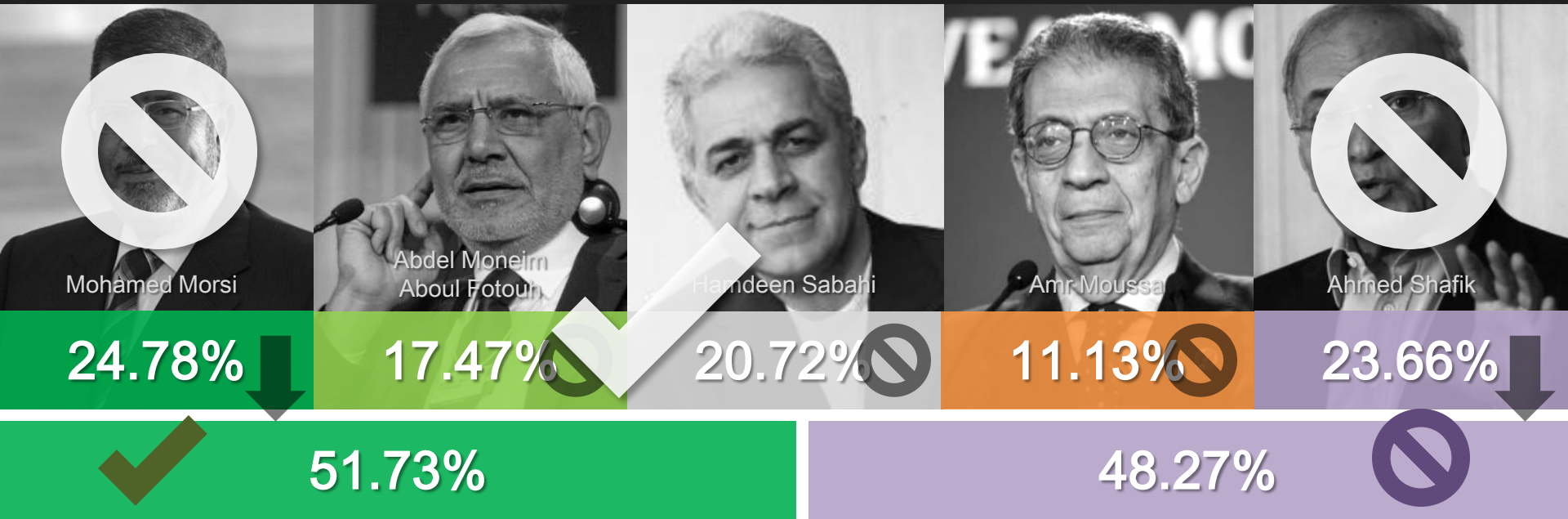
泛綠：~40%



泛藍：~60%



Egyptian Presidential Election 2012



Brief Contemplations on Counterpoll Advantages

More Scientific

- Natural Risk Averse tendency
- Basic Instinct of being more efficient at identifying harm
- Voters unlikely to know candidates well

Reduce Electoral Side-Effects

- Reduce polarization & duopoly
- Reduce Attachedness
- Curb Betting behavior (selecting the winner)

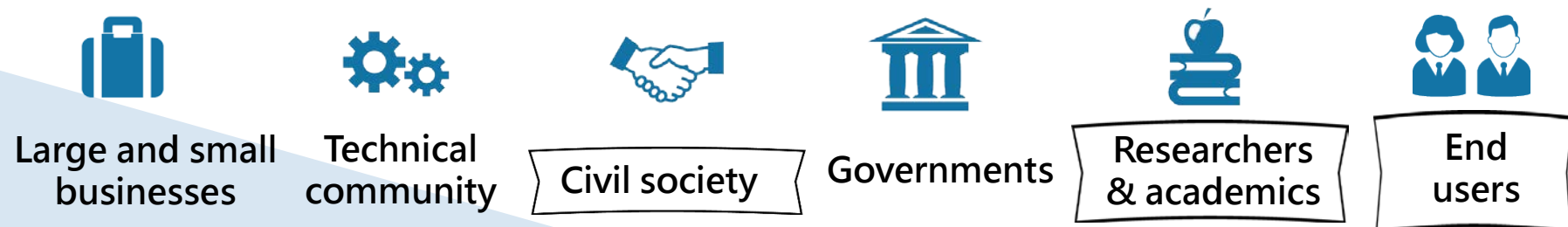
Minority Voices

- Single Primary Leadership Elections
- Dependent on Plurality System
- Introducing minority veto rights

What is the multistakeholder community?

“Stakeholder” refers broadly to anyone who has an interest in the Internet

Within ICANN, stakeholders include:

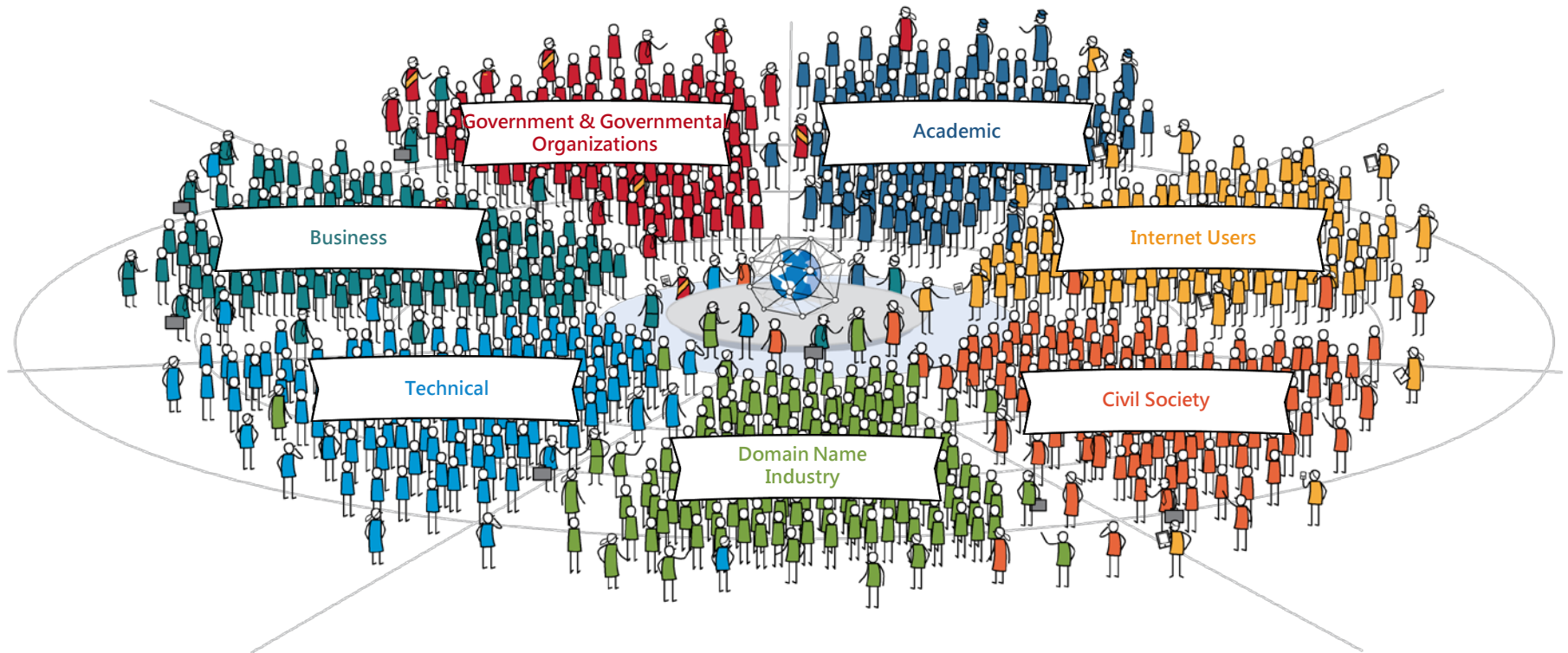


- The multistakeholder community functions on bottom-up consensus building which, by design, is resistant to capture due to the openness, diversity and equal division of authority among participants
- ICANN’s multistakeholder community supports the success of the Internet’s DNS
- The Internet is essential to all aspects of our lives –as individuals, companies, government and civil society– and how the Internet is managed and how policies are made affects us all
- Civil Society includes Not-for-profit and non-governmental organizations, activists, as well as researchers, academics and non-commercial end-users with an interest in the development and deployment of the Internet and public policy related to the DNS

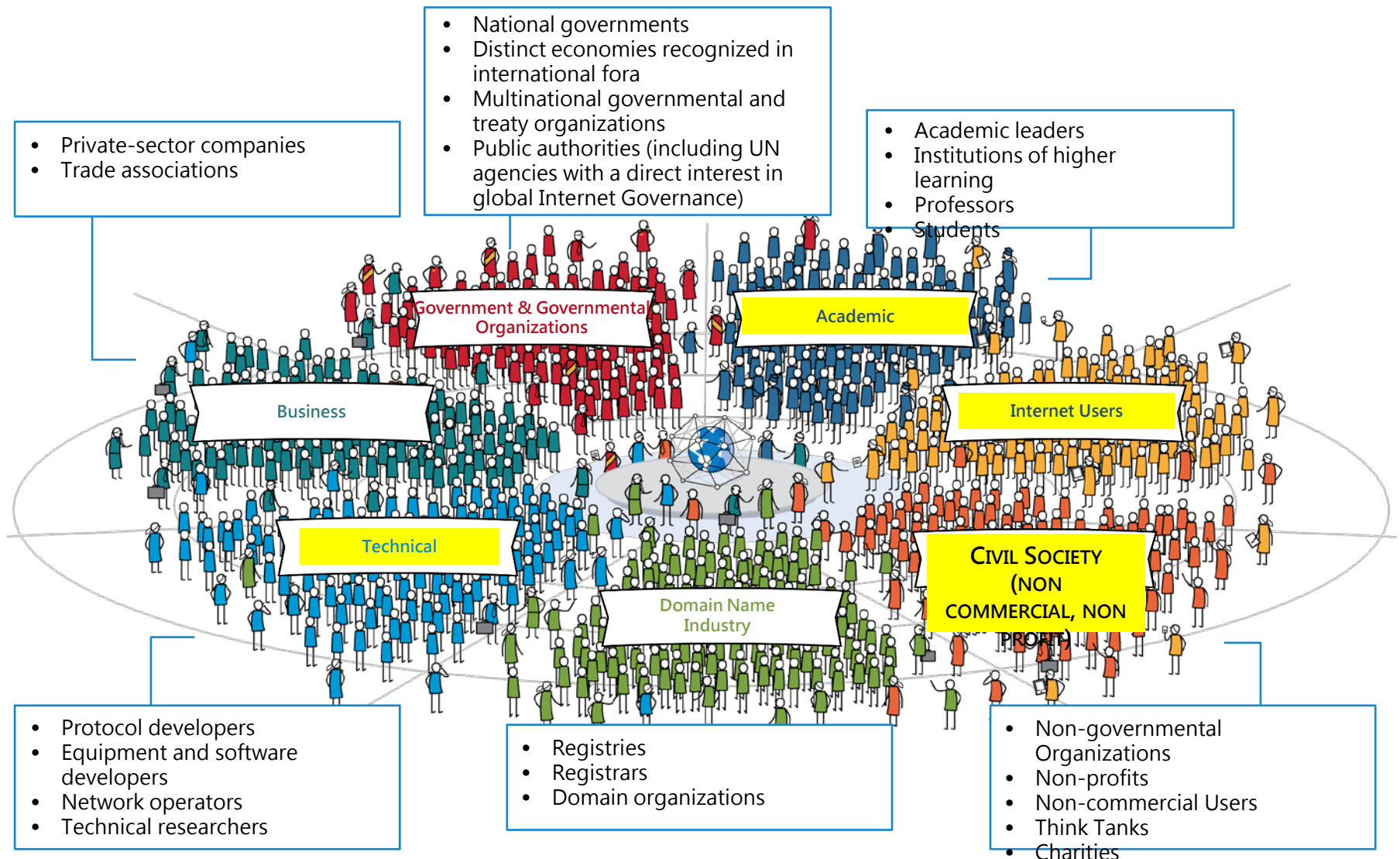
ICANN's Global Multistakeholder Community

Today's Community of Communities

In the same way the Internet is a network of networks comprised of computers and devices, the ICANN community is a community of communities comprised of people and organizations



ICANN's Global Multistakeholder Community

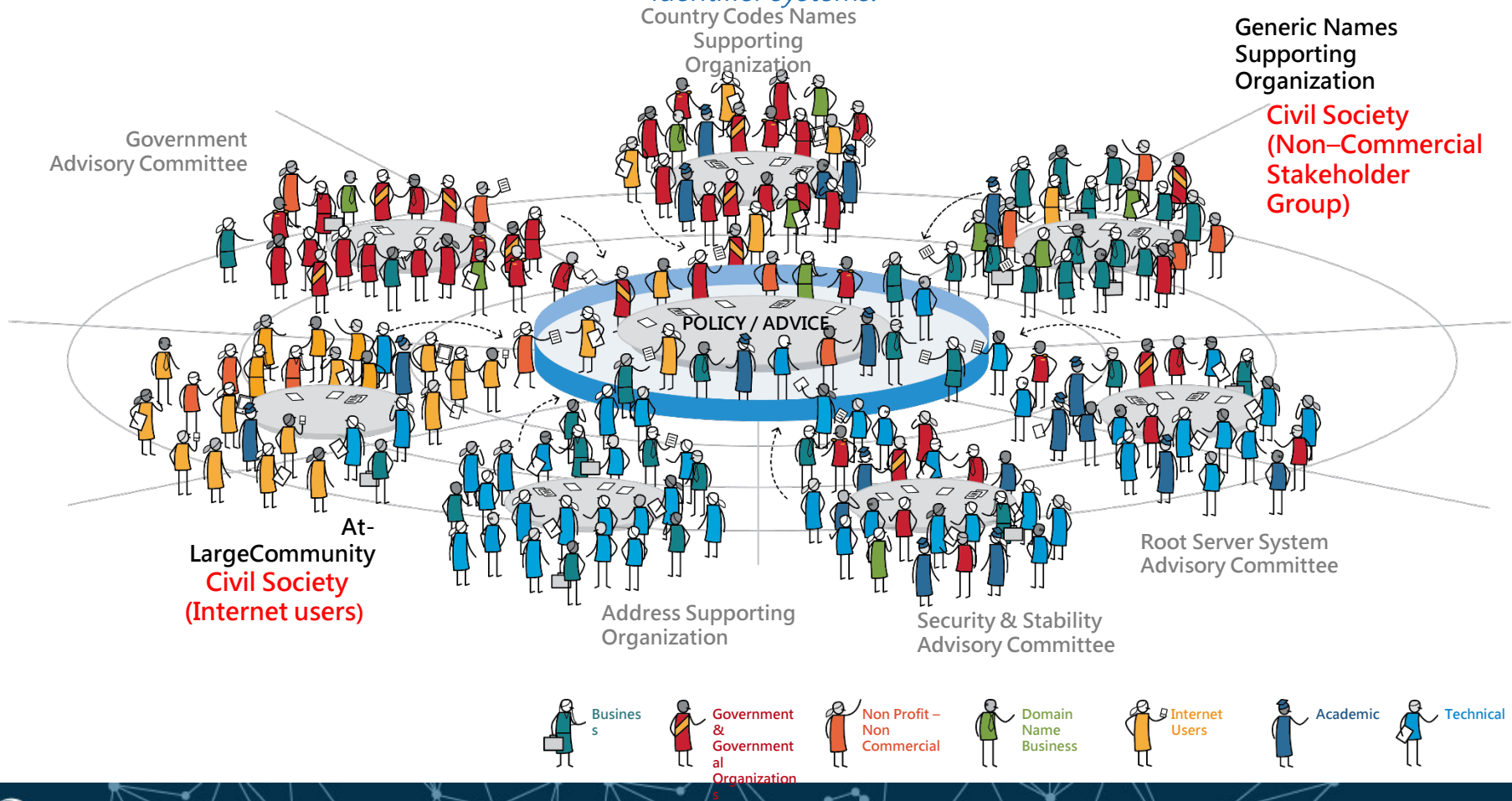


The ICANN Community At Work

The Bottom-Up Multistakeholder Model

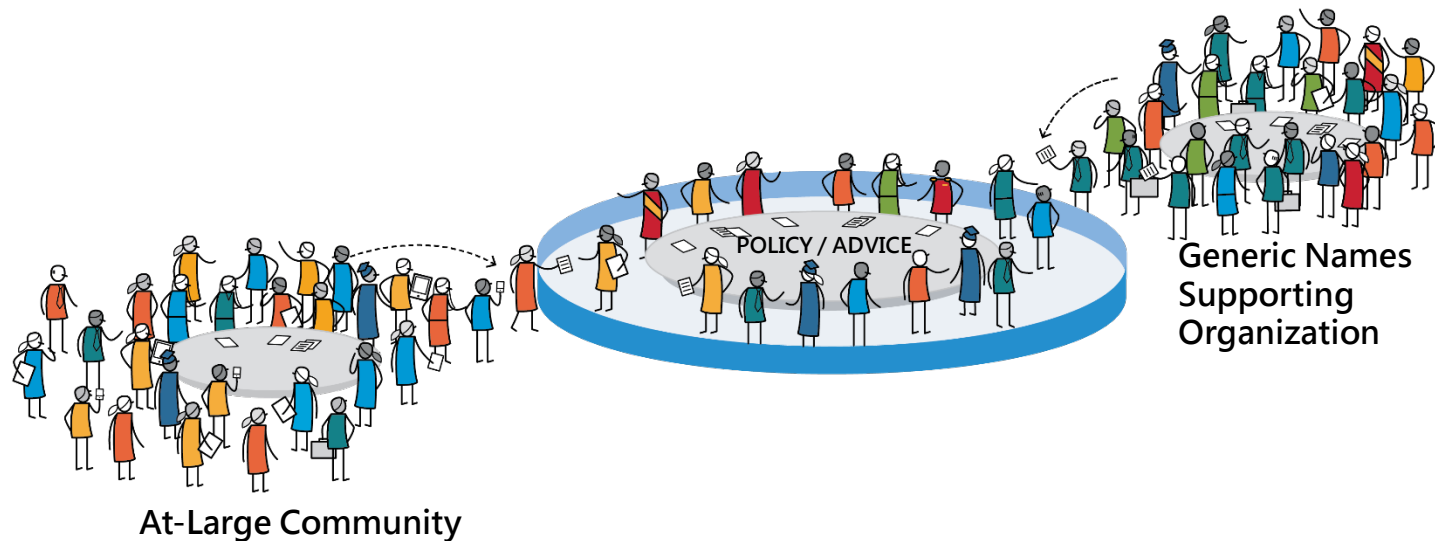
The collective efforts of the ICANN community culminate in a common shared goal:

A single, interoperable Internet supported by stable, secure and resilient unique identifier systems.



The ICANN Community At Work

Civil Society and the Bottom-Up Multistakeholder Model



Businesses



Government
& Governmental
Organizations



Non Profit -
Non Commercial



Domain
Name
Business



Internet
Users



Academic



Technical

The ICANN Community At Work

Civil Society and the Bottom-Up Multistakeholder Model

