ICANN LEGITIMACY

INITIAL FINDINGS OF LEVELS AND PATTERNS

Presentation for ALAC
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PRESENTATION OUTLINE

1. introduction to the study
2. ICANN’s legitimacy: the outside picture
3. ICANN’s legitimacy: the inside picture
4. what your constituency finds most/least important at ICANN
5. what your constituency thinks ICANN achieves most/least
AIMS OF OUR STUDY

1. How much legitimacy is there: to measure levels and variations of legitimacy beliefs toward ICANN
2. Where does legitimacy come from: to determine the drivers of legitimacy beliefs toward ICANN
3. How does legitimacy matter: to assess the consequences for ICANN of having or lacking legitimacy
4. The bigger picture: to consider implications for multistakeholder global governance more generally
LEGITIMACY: THE CONCEPT

• in academic language, the belief that a governor has rightful authority and exercises it appropriately

• more plainly, the belief and perception that ICANN has the right to rule

• legitimacy is about deeper confidence in and approval of a regime itself; thus more than mere ‘support’ for certain policies or people, but trust for an institution
LEGITIMACY IS IMPORTANT: THEORY SAYS SO

Helps a governing institution to:

- secure its mandate
- obtain resources
- attract participation
- take decisions
- achieve compliance
- advance problem-solving
- hold off potential competitor institutions
LEGITIMACY IS IMPORTANT: YOU THINK SO

Total insiders (unweighted)  ICANN board  ICANN staff  ICANN community  Informed outsiders

NOT AT ALL IMPORTANT  A LITTLE IMPORTANT  MODERATELY IMPORTANT  QUITE IMPORTANT  EXTREMELY IMPORTANT  I DO NOT KNOW

0 0 0 0 0 0
0.4 0.4 0.1 0.3 0 0.7
2.4 0.8 2.6 1.6 8.1 4.5
6.7 10.0 12.1 18.5 24.2 18.5
80.6 83.3 86.4 77.9 71.0 86.4

0 0 0 0 0 0
OUR EVIDENCE BASE

‘Insiders’
• ICANN board (30, response rate 100%)
• ICANN community (305, response rate 41.2%)
• ICANN staff/org (132, response rate 72.5%)

‘Outsiders’
• non-ICANN Internet governance (62, response rate 34.4%)
• general elites around the world (860, response rate 31.8%)
• no public opinion survey (awareness of ICANN too low)
Confidence in Global Governance Institutions among General Elites (Means, 0-3 scale)
General Elite Confidence in ICANN

+ confidence in ICANN is generally at a similar or higher level compared with 10 multilateral institutions, as well as national and regional governance

+ ICANN attracts the highest confidence of the four nongovernmental global regimes considered

  – the average of 1.7 (near midpoint of 0-3 scale) suggests only moderate/lukewarm elite confidence for ICANN
  – 49.7% of general elites did not know of ICANN or did not answer
  – plus very low public awareness makes for narrow legitimacy base
Confidence in Various Internet Governance Organizations (Means, 1-5 scale)
ICANN AND OTHER INTERNET GOVERNANCE

• IETF and RIRs attract higher average confidence than ICANN
• IGF, ITU and national governments attract lower average confidence than ICANN
• Levels of confidence are generally higher the less the state is involved, especially among ICANN insiders
• Informed outsiders give IETF, RIRs and ICANN somewhat lower confidence scores than insiders, but still higher than scores for IGF, ITU and national government.
Confidence in ICANN Overall (in %; N=527)

Total insiders (unweighted)  ICANN board  ICANN staff  ICANN community  Informed outsiders

VERY LOW

LOW

MODERATE

HIGH

VERY HIGH

I DO NOT KNOW
### Confidence in ICANN Overall (in %; N=527)

<table>
<thead>
<tr>
<th>Confidence Level</th>
<th>Very Low</th>
<th>Low</th>
<th>Moderate</th>
<th>High</th>
<th>Very High</th>
<th>I Do Not Know</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total insiders (unweighted)</td>
<td>1.9</td>
<td>4.9</td>
<td>34.8</td>
<td>39.9</td>
<td>17.6</td>
<td>0.9</td>
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<tr>
<td>ICANN board</td>
<td>3.0</td>
<td>6.6</td>
<td>23.3</td>
<td>36.8</td>
<td>9.9</td>
<td>0.9</td>
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<tr>
<td>ICANN staff</td>
<td>3.3</td>
<td>1.5</td>
<td>18.9</td>
<td>43.4</td>
<td>27.9</td>
<td>0.8</td>
</tr>
<tr>
<td>ICANN community</td>
<td>3.3</td>
<td>8.2</td>
<td>42.8</td>
<td>46.2</td>
<td>30.0</td>
<td>1.6</td>
</tr>
<tr>
<td>Informed outsiders</td>
<td>1.5</td>
<td>4.9</td>
<td>18.9</td>
<td>27.9</td>
<td>9.8</td>
<td>0.9</td>
</tr>
</tbody>
</table>
Confidence in ICANN Overall (Means, 1-5 scale; N=527)

<table>
<thead>
<tr>
<th>Category</th>
<th>Confidence (Mean)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total insiders (weighted)</td>
<td>3.54</td>
</tr>
<tr>
<td>ICANN board</td>
<td>4.00</td>
</tr>
<tr>
<td>ICANN staff</td>
<td>4.11</td>
</tr>
<tr>
<td>ICANN community</td>
<td>3.45</td>
</tr>
<tr>
<td>Informed outsiders</td>
<td>3.18</td>
</tr>
</tbody>
</table>
Confidence in ICANN Overall

• Over 90% of Internet governance participants have ‘very high’, ‘high’ or ‘moderate’ confidence in ICANN.

• Average confidence levels tend to correlate with closeness to the ICANN regime, so 4.11 for staff/org, 4.00 for board, 3.45 for community, and 3.18 for informed outsiders.

• Over half of ICANN community participants express ‘moderate’ (42.8%), ‘low’ (6.6%) and ‘very low’ (3.0%) confidence in ICANN, often coupled with pointed criticisms.
### Confidence in ICANN by Stakeholder Group (Means, 1-5 scale)

<table>
<thead>
<tr>
<th>Stakeholder Group</th>
<th>Confidence in ICANN Overall</th>
<th>Confidence in ICANN Board</th>
<th>Confidence in Multistakeholder Community</th>
<th>Confidence in ICANN Staff</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Academia</strong></td>
<td>3.79</td>
<td>3.56</td>
<td>3.63</td>
<td>3.64</td>
</tr>
<tr>
<td><strong>Business: DNI</strong></td>
<td>3.45</td>
<td>3.6</td>
<td>3.24</td>
<td>3.64</td>
</tr>
<tr>
<td><strong>Business: Other</strong></td>
<td>3.39</td>
<td>3.30</td>
<td>3.56</td>
<td>3.44</td>
</tr>
<tr>
<td><strong>Civil Society</strong></td>
<td>3.39</td>
<td>3.36</td>
<td>3.48</td>
<td>3.48</td>
</tr>
<tr>
<td><strong>Government</strong></td>
<td>3.45</td>
<td>3.48</td>
<td>3.65</td>
<td>3.66</td>
</tr>
<tr>
<td><strong>Technical Community</strong></td>
<td>3.42</td>
<td>3.40</td>
<td>3.66</td>
<td>3.66</td>
</tr>
</tbody>
</table>
Confidence in ICANN by Stakeholder Group

• Little variation in confidence for ICANN by stakeholder group, around the community average of 3.45

• A slightly higher average confidence for ICANN staff/org (3.70) than for community (3.56) and board (3.54)

• A few lower scores such as Business: Other confidence in ICANN community (3.24) and Civil Society confidence in ICANN board (3.36)

• A few higher scores such as Academia confidence in ICANN overall (3.79) and Government confidence in ICANN staff/org (4.04)
Confidence in ICANN by Region (Means, 1-5 scale)
Confidence in ICANN by Region

• More variation by region than by stakeholder group

• Quite some spread between the low average of 3.05 for Russia/Central Asia and the high average of 3.83 for East/South/Southeast Asia

• No striking ‘North-South divide’; if anything rather lower average confidence in Europe and North America as compared with Africa, Asia and Latin America.
Confidence in ICANN by Social Group

• almost no variation in average confidence by gender: 3.56 for men and 3.48 for women

• little variation by age group, with 0.25 separating the highest (3.66 for 51-60 band) from the lowest (3.41 for under 30s)

• native English speakers give lower average confidence (3.43) than persons with medium-to-no English (3.53)

• The largest social group variation occurs by race, with lowest average among whites (3.44), middle for black/African descent (3.76) and highest average among Hispanics (4.05)
WHAT PRINCIPLES YOUR CONSTITUENCY CARES ABOUT AT ICANN (MEANS, SCALE 1-5)

1. transparency (4.94 – compared with overall community average 4.86)  
2. accountability (4.89 – overall 4.80)  
3. give all stakeholders the opportunity to participate (4.89 – overall 4.64)  
4. takes decisions on best available expertise (4.83 – overall 4.79)  

12. promote fair distribution costs/benefits DNI (4.14 – overall 3.78)  
13. promote human rights in ICANN operations (4.03 – overall 3.74)  
14. promote competition in the DNI (3.83 – overall 3.84)  
15. promote democratic values in wider society (3.65 – overall 3.12)
WHAT PRACTICES YOUR CONSTITUENCY RATES AT ICANN (MEANS, SCALE 1-5)

1. technical stability (4.35 – compared with overall average 4.35)
2. technical security (4.29 – overall 4.19)
3. opportunities for stakeholder participation (3.81 – overall 3.82)
4. promotes competition in the DNI (3.60 – overall 3.52)

12. taking decisions in a timely way (2.95 – overall 2.69)
13. promotion of fair distribution of costs/benefits of DNI (2.87 v. 2.86)
14. promotion of human rights in the DNS (2.84 – 2.94)
15. promotion of democratic values in wider society (2.82 – 2.80)
IN SUMMARY

• Average legitimacy beliefs toward ICANN are neither high enough for complacency nor low enough for alarm. The overall verdict is moderate and ‘room for improvement’.

• Legitimacy beliefs toward ICANN generally correlate with closeness to the regime: so highest with staff/org and lowest with elites outside Internet governance. The overall situation is: fairly secure on the inside; and rather more wobbly on the outside.
IN SUMMARY

• Several exceptions aside, legitimacy beliefs within the ICANN sphere (board, community, staff/org) show limited variation by stakeholder group, by geographical region, or by social category. It’s pretty consistent on the whole.

• Civil society constituencies have fairly similar rank-order priorities to others, but attach more importance to promotion of human rights and democratic values.

• Civil society constituencies have similar judgments of ICANN practices to other groups.
NEXT STEPS

• This presentation has covered descriptives: levels and patterns of legitimacy.

• Our data analysis has not yet gone into explanations: what drives the legitimacy beliefs and what reforms could raise them higher?

• If interested we can report on these issues at ICANN67 Cancun.