

Contents

List of Figures	viii
List of Tables	viii
Table of Statutes and International Instruments	ix
Table of Cases	xiii
Glossary	xv
Preface	xxvii
1 Introduction	1
1.1 The hacker ethos	3
1.2 Genesis of the Internet	5
1.3 Technical and social architecture	8
Shaking the architecture's foundations	9
Internet culture	16
1.4 Governance mechanisms	18
Rules	21
Norms	22
Markets	23
Architecture	25
Networks	25
2 Internet governance as it was	29
2.1 Technical coordination	31
Historical development	31
Current arrangements	38
Criticisms	46
2.2 Standards development	50
Standards bodies	51
Criticisms	65
2.3 Public policy governance	69

	Internet-related public policy issues	70
	Criticisms	89
2.4	Governance mechanisms revisited	91
3	The international system	97
3.1	International law and international relations	98
	International law	98
	International relations	100
3.2	Actors in international law	103
	Governments	105
	The private sector	116
	Civil society	122
	New medievalism	129
3.3	Sources of international law	132
	Hard law	133
	Soft law	136
	Private law	141
3.4	Limitations of international law	144
	The legitimacy of authority	145
	Jurisdiction	157
	Universality	164
3.5	Internet governance as law	175
4	Designing a governance network	181
4.1	Anarchistic	183
	Anarchy and the Internet	184
	Anarchistic Internet governance	191
	Criticisms	194
4.2	Hierarchical	196
	Bureaucracy	197
	Oligarchy	198
	Meritocracy	201
	Hybrid models	206
	Anarchistic–hierarchical Internet governance	221
	Criticisms	225
4.3	Democratic	226
	Representation	229
	Consent	240
	Transparency and accountability	260
	Inclusion	266
	Criticisms	282
4.4	Consensual	291
	Consensus between stakeholder groups	293
	Deliberative consensus	297
	Consensus in Internet governance	302
	Criticisms	311
4.5	Multi-stakeholder public policy development	319

5	Reform of Internet governance	321
5.1	WSIS	322
	Processes	324
	First phase	329
	WGIG	334
	Second phase	342
5.2	IGF	353
	Preparations	355
	The First Meeting	366
	Outcomes	378
	The Second Meeting	384
5.3	Regional initiatives	395
	CGI.br	397
5.4	Other proposals	398
	Anarchistic	399
	Hierarchical	401
	Democratic	404
	Consensual	407
5.5	The need for further reform	412
6	The IGF's report card	415
6.1	Other organisations as models	417
6.2	Role	420
	Policy-setting	423
	Coordination	431
	Development	441
6.3	Structure	442
	Existing structures	444
	Structural reform	462
6.4	Processes	474
	Representation	475
	Consent	482
	Transparency and accountability	493
	Inclusion	504
6.5	A new IGF	513
A	Comparison of other organisations	523
	Bibliography	533

List of Figures

2.1	Internet governance organisations	39
4.1	Conceptions of democracy	243
4.2	Tools for online democracy	280
5.1	Substantive issues for the IGF	362

List of Tables

2.1	Public policy issues	70
2.2	Governance types and mechanisms	92
6.1	Organisations comparable to the IGF	420