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>> MODERATOR: I guess we will wait for a few more minutes as
we see people trickle. There were a couple more people that said they
will get a drink and come back so we will wait another minute or so
and see if we have more people join. So we'll hold on for a couple
minutes.

If you can hear it properly, I don't mind keeping it open for
a little while. I noticed that -- you notice my voice, I'm trying
to keep it a little bit lower. This is a technique for this because
the speaker is a little bit problematic, but please bear with us. We
do need to continue to use the mics because there is remote
participation and recording and also for the scribes.

So anyway, let's get under way. Thank you for joining me here.
This session is called democracy 3.0 and it's a, I propose it as a
series of workshops through a number of venues. This particular one
hoping to look at the constituency presentation and multi-stakeholder
model. The idea is really to explore how the Internet and Internet
Governance is really affecting the larger discussion on democracy and
how democracy develops. So, please, come on in.

I think we can close the door. So anyway, I will get underway,

and I will start with a little bit of introduction of the way this has come about, and I will introduce the panelists who will join us to explore further. So this, myself, I am Edmon Chung. I work for DotAsia. This topic has nothing to do with DotAsia, but it has a lot of things to do with the background and my experience is as much biased or shaped by the participation at ICANN. When we talk about multistakeholder approach, ICANN was one of the breeding grounds for what we call multistakeholder approach on the Internet today.

And I can have been participating in ICANN since 1998 time frame, and so that's, it really shapes the way I see the topic and some of the perspectives. Another thing that really drove the concept of why we call it democracy 3.0 is the experience in Hong Kong and I have the policy Charles Mok here who debates with me on topics about the legislative Council, the makeup of which is largely curiously parallel and? Some ways mirror the ICANN multistakeholder approach in what is called the functional constituency. I know there are lots of differences between them, but it is the only working, well, working or non-working is a matter of perspective. It's the only thing in the legislative environment or Government environment that we are looking at a potential model of different stakeholder occupying different representative seats.

And, of course, what has driven this whole concept is how the Internet world and the real world is today really intertwined. And this is an event that happened almost 30 years ago now, and how, just thinking of what if there was the Internet back then, how would it have happened? What the differences might be, how it informs the Government and the students, I think, in itself is a fairly interesting exploration. And the reason why I call it Democracy 3.0 is the fundamental question of whether what we know today as representational democracy, if that is so, how can it continue to be relevant in the Internet empowered role?

So back then, in fact, the same year, 1989, that was when Fukuyama, The End of History, and that was when the Berlin Wall broke down, but fast forward to now just a few months ago he put out another pretty interesting document that reverses some of the things which talks about the political decay and how democracy is really in decline.

And if we look at the overall situation, you know, the orange revolution from the Ukraine, you know, the Arab spring, and some other places including Thailand, including places in Africa, we are really witnessing what we thought a few years ago to be a fourth wave of democracy that would really bring democracy to people. We are really seeing a big retreat of democracy, and a lot of things are being said about what's gone wrong with democracy.

And just because after a successful, I guess, resolution or people movement like in Egypt just because there is a vote, what does that really mean to actual democracy happening? And, of course, it has always been democracy dilemma that different pressure points,

different things are really, you know, pressuring the sanctity of democracy. And like campaign financing, market failures, welfare demands, all of this culminates into situations like in Greece or in Thailand. Again, it's not just one particular place, but multiple areas where we are seeing that democracy is somehow breaking down.

Of course, there are many rationales where people have proposed different reasons why democracy as we see it today is seemingly breaking down. There are the theories that economic conditions play a role, you know, if there is too much disparity between the income gaps, that's a big problem. And there is a question of the strength of the bureaucracy itself. Is the Government itself, and it's nothing to do about democracy as a system, it's about the bureaucracy. There are questions about culture and whether there is rule of law. These are value viewpoints, but the fundamental question you want to ask is whether democracy 2.0 as I called it, does it, is it still relevant?

And the reason I ask that when we think about rights and especially think about rights on the Internet and how the Internet informs the movement and also informs the Government to address the movement in really the same breath, the big question then is like the umbrella movement which we still don't know whether it will come to fruition at this point, but even if it does, and even if the Arab spring was successful, then what is the question? What if the authoritarian regime is pushed aside, what do we really have in place? Is it the same process that brought in the dictator in the first place?

There is this whole idea of democratic dictators, so democratically linked dictators that really ends up in power, often a revolution and after people's movement. So actually it's not just I guess in Asia, but everywhere around we are asking whether the elections, whether what we call democracy today really needs some reform. And that's the beginning of my inquiry into what I call Democracy 3.0.

The reason I call it 3.0, 1.0 being the Athenian democracy which is much more participatory and direct democracy, 2.0 being the people revolutions from America, from France, from the U.K. bringing in what we now have today as representative democracy, and how it changes and how Internet and Internet Governance is part of that change is really what I want to study.

And are we in a place when we talk about multistakeholder approach, is that a challenge to what we understand representative democracy and more because in a multistakeholder model, the representative, is that still the representative we know as our usual democracy or what I call democracy 2.0? Before I touch on that, the Internet itself, of course, it has changed the way the people and the Government interact, and I think this is something I won't touch on too much, but instead, I would like to focus a lot more on how the Internet Governance discussion affects the democracy discussion.

But the Internet itself makes it really interesting as well, and

just to tangent off a little bit, you have probably seen the sequence of slides, but in 2009 when Obama was elected, this is how it looked like with him and his family. Four years later he was the second time elected, this is how the scene looks like. This is how the Internet or mobile Internet changes politics. And, but the joke aside, but it's not so much of a joke I guess, the other very interesting thing is that Obama, a lot of people say that he was the first Internet driven President, but look at his slogan, I guess I'm actually not sure, but I am guessing that he was the first President, elected President that had a slogan with just one word, "change." First time, second time, "forward."

So Internet campaigns the way Internet affects a campaign, our attention is shrunk to one word. And a lot of the most successful people movements on the Internet is about one symbol as well. This is a scene from the successful demonstrations to withdraw the national education programme, and it came down to one particular symbol, which is crossing hands. Another symbol, the symbol of obviously the umbrella that ultimately becomes a single point, that is kind of the Internet.

And the other thing about the Internet is that it inspires talking very quickly, the Ferguson, hands up, don't shoot, is quickly replicated into the Hong Kong situation when the umbrella movement broke out. So really what I want to bring out as a starting point is, and starting to the discussion is really where we are with the state of democracy today, and how it interacts with state of Internet and the state of the Internet Governance. This is the starting point.

I don't really want to go to any conclusions, but I would like to take the opportunity to invite my panelists to join me. Jeremy Malcolm, please just come on up, Professor Ho Lok Sang from the Lignan University, Kenny Huang, and Charles Mok the legislative counselor from Hong Kong in the IT subsector. So thank you for taking time and enjoining me. I guess can we just go in that sequence. And ask you to maybe introduce a little bit yourself. Probably most people know you here, Jeremy, but also your views on those two interacting governance, I guess.

>> JEREMY MALCOLM: Thank you very much, that was a good presentation and a lot to respond to. I haven't prepared my remarks directly so I will respond to some of the interesting points that he brought up. So, yes, I am Jeremy Malcolm. I work for the Electronic Frontier Foundation. These thoughts are mine rather than my employer's. So the subtitle of this workshop is Constituency Representation and the Multistakeholder Model.

I think the multistakeholder model is being questioned here now by some people as to whether it really is compatible with democracy or not. And the -- my personal view is that the multistakeholder model is just a way of bringing democracy into effect in places where the representational model doesn't work, and the global level is the most

obvious of those, because globally we didn't have a global Parliament. We don't have global elections.

We do have intergovernmental bodies which are appointed and in some way indirectly representative, but because it is indirect, and the more indirect it is, the weaker is the claim to democratic legitimacy. That's why we see in intergovernmental bodies there are great democratic deficits where decisions are being made at that level that can't be traced back to the will of the people.

And we have the phenomenon of, for example, of policy laundering where there is a policy that can't be brought in at the domestic level because there is not the political will. So instead, what happens is that the country will negotiate for that exact same policy at the international level with other countries and create a treaty obligation, and then they will be able to force that change back down to the domestic level.

This is what we call policy laundering because they are washing their hands of it. They are saying we didn't have anything to do with it. This is the intergovernmental treaty that is forcing us to take this choice, where actually it's come up from the domestic level, but the lack of representation just wasn't there to push it through.

So we will see multilateralism is being really representative of the interest of the stakeholders, and we look for something different. One of the reasons why is because when you have multilateralism is representing countries, but not all of the interest of stakeholders can be traced back to their status of at citizens. They have some interest in border crossing. For example, we have organisations like APC represented here, the association for communications.

They are a transactional Civil Society network. They are not headquartered in one particular country. They have offices and NGO members throughout the world. And the issues they advocate for are ones that don't just affect people in one particular country, but affect their ability to operate as a network across borders.

Now, what political, what elected political representative is responsible for upholding APC's interests in its transborder network? Really none. So the idea of the multistakeholder, the global multistakeholder model would be to create a better form of democracy at that level that can't be replicated through the national state system. So that's the theory, but the criticisms we have been hearing about multi-stakeholderism is, are twofold. Firstly is that it's really just a cop out that supports the status quo and supports the existing power of those who are already running. So this is one criticism, that it's actually just a support for U.S. foreign policy because the U.S. largely has a greater control over the Internet than a lot of countries do. And multi-stakeholderism is just a way of masking that, just a way of continuing the dominance of the U.S. and U.S. based corporations.

So that's criticism number one. Criticism number two that we have heard is that multi-stakeholderism is just another word for self-regulation, and self-regulation is not accountable to the public. It's really just handing corporations the keys to management services. This is what we hear that multi-stakeholderism is actually antidemocratic because it allows organisations to have a say in the rules.

So how can we respond to these sorts of criticisms? Well, I think to respond to them, we have to acknowledge the extent to which they are true, because multi-stakeholderism is being used as a phrase to cover all sorts of different models of governance that have not much activity to it. Anything can be called multistakeholder because multistakeholder means you have different stakeholders in groups in governance. And that doesn't tell you much. It doesn't tell you about how transparent the organisation is. It doesn't tell you how the stakeholders are selected, how their interests are bartered against each other or balanced against each other.

It doesn't tell you whether there is an accountability mechanism so that we can insure that the multistakeholder organisations actual already are acting in accordance with the will of the people. So I believe that we need to go beyond the quote, unquote, multistakeholder model to suggest what is our gold standard of multi-stakeholderism? What is our quality seal, if you like, of multistakeholder processes? So we can say not only is this multistakeholder, but we think it's also helping to bring democracy to this process.

And to do that, I think we need to start to set some criteria. I'm in the middle of starting a document that I'm going to propose is a way of fine tuning what we want from multistakeholders, and it does look at things like how are the stakeholders selected? How are their interests balanced against each other? What accountability mechanisms exist? Also is the Forum that is using this multistakeholder process, is it an empowered space or is it linked to empowered spaces where changes can actually be made? Because it's easy to say we are multistakeholder and then ignore what the stakeholders are saying.

So how is the input from the multistakeholders linked back to bodies that can put those changes into action? For example, national Parliaments and courts, it may be intergovernmental treaties, it may be just Internet standards. It may be political norms.

So how are these multistakeholder opinions balanced and how are they put into practice? So if you are interested in sort of participating in this work to create a gold standard of multistakeholder processes, then please let me know and I will loop you in. And hopefully we can rescue multistakeholders and form the inclusivity that it's turning towards. If we don't address this, then multistakeholder will become more of a dirty word rather than a standard of Democracy 3.0. Thank you.

>> MODERATOR: That's very interesting, in fact, that precisely condones the starting points I have. And we call anything pretty much a multistakeholder approach. I'm sure Kim Jong-il can think of himself as a multistakeholder in North Korea. That is a good thing because we can create the consensus we need for the Internet to move, but once we go beyond that, we need a Forum to say you use golden standard.

I guess how do we measure how well the multi-stakeholderism model is functioning? Which leads me, I guess, to I will pass it onto Professor Ho Lok Sang and regardless of a multistakeholder model or democratic model, we need to elect leaders. And sometimes this is even in the ICANN situation, we see situations where elections turn into gridlock, and, you know, there are certain, I'm sure those who are in the know in terms of the ICANN situation, representation or even election of the board members often come to a gridlock. And that's another thing, I think, is very interesting. And I think Professor Ho has done a little bit of study on some of the situations and he has a presentation.

>> HO LOK SANG: The title is Adversarial Democracy or Public Interest Democracy, Public Governments in Asia and the Limits of Democracy. And the essential message we want to pass on to the public is they are asking too much on formal democracy, but elections really do not give us the answers. And why is there a problem with elections? And that has to do with the nature of democracy

And the problem is that when you have different interest groups, okay, and every single process means that you have different groups of people, different interest groups trying to fight for their private interests, their fractional interests through the democratic process. So unless I want to represent their private interest, and as a result you have people who claim themselves, okay, these are not constituents, these are my constituents so I have to be responsible to them.

You see this adversarial process. And the political theorists say that as far as the process is thin air, you can fight among yourselves, as long as the rules of fighting is fair, then it's good. My claim is that this adversarial democracy is not going to work only because it is going to break trust because politicians in order to be elected, they need to sort of bribe their way into election.

But this promise to their constituents, this is one thing, and as long as they get enough votes, they get in power. And in order to elect the politicians into power, this interest would like to do all kinds of things. In order to make sure that their policy, so you have a lot of corruption and those problems have been discovered time and again. And political parties have been regarded as the most corrupt institutions, and this is from Transparency International.

So you can see that people are losing faith in political parties. Why? Because the political parties they are safeguarding private interests in an adversarial way. And they have personal interests

that they also have to further interest of people who support them.

So the basic question I want to ask is do elections turn out a good leader? Someone who may win an election may not be a good leader. On the other hand, truly good leaders shun elections because you have to play the rules of the game in elections in order to be successful, and so ultimately if we want democracy to work, I would argue that democracy should work to further the interest, and then you have to define exactly what is meant by popular interest.

And what I know briefly I will discuss the idea of representation. Do leaders of the decision makers of the nation have to guard the public interest? And in order to guard the public interest, he has to consider the interest of each and every member of the community. Each and every member of the nation. And that is why we have representation. That is to say that you have to put yourself in the shoes of each member of the community and consider whether the policies and the institutions would be acceptable to them.

Imagine that I could be anyone in the community, and that is why we use this principle that definitely you would have labor. Because you would not imagine, if you imagine that you could be a slave, you would certainly detest the institution of slavery. But on the other hand, if you play the role of adversarial diplomacy, then you may continue to have slaves as long as slaves are minority.

So that's what I mean by representation. Representation is for the leaders of the country not to put themselves in the shoes of each member of the community and they are institutional policies that are for the public interest. And so what I'm saying is that elections based on this adversarial democracy do not work so you need some kind of vetting process to make sure that those people who get in power, number one, there must be mechanisms to prevent abusing of power, and that's why I have always argue that rule of law, the rule of law and freedom of the press are the two most important things.

I have been arguing that for China. I have been arguing it for every single nation. And as long as you have that, then whoever is elected will not be too bad as long as you have separation of power. I believe in separation of powers. And you need some kind of vetting process to make sure that the person who gets in power are qualified, motivated and so on. You need certain processes.

And that process does not necessarily have to be through elections. But, of course, if you can do it through election, that would be very nice, but I just claim that if you have elections through this adversarial process it's not going to work. So and especially, I want to finally talk something about multiparty politics. I personally do not believe in multi- parties. The competition of parties is really sick.

I want people to be entirely diplomatic without any agenda. And if you only try to serve public interest, why do you need different parties? You have different parties representing the people. Or you

have different parties representing different ideas, but if you have to represent everybody, and if ideas, okay, if you don't have documents, you will seek the best idea to serve the people. You just need one party, and you need all of the eyes focused on those people who are in power to make sure that they do not abuse their power. Thank you.

>> MODERATOR: Thank you Professor Ho, that's a very interesting point you ended with, and in the multistakeholder model, you know, if you are in a particular stakeholder group, and you are supposed to define public interest in that stakeholder dynamic as well, so what you are mentioning, of course, the idea is also, I guess, the framers of the U.S. Constitution also agree with you that there should be no parties because once the, I guess the cat is out of the bag it's probably difficult to put it back.

And I think, you know, it's very interesting, I think it's trying to draw an element, Jeremy mentioned about the golden standard, and that that may become important and Professor Ho you mentioned about defining the public interest, and perhaps these two things might be somewhat related because how we can measure whether a multistakeholder model is performing what it does is in some way you have to see if the public interest is served, I guess. And that, I think, is very interesting. Now, we will try to shift gear a little bit further when we talk about Internet Governance, we can't take away Internet.

And I guess I want to move to Kenny Huang and how the technologies themselves push the limits or push the people's movement ahead and talk about democracy movement and talk about Internet Governance as well, so Kenny, it's up to you. It's set up for you now, but if you want to add something.

>> KENNY HUANG: Thank you. Good morning, my name is Kenny Huang, and I am also involved in different current initiatives. Thank you for the opportunity to give the experience from Taiwan and the title is democracy 3.0 and I just uploaded the slides this morning and people just asked me why it's Democracy 3.0, and I don't know all of the terminology.

So probably many people realize the Taiwan sun flower movement. That happened last year. What is the situation that happened last year? Last year because of the legislative, they approved a special agreement, and the point is not the agreement, the point is that due process was not well organized. And this action make a lot of people pissed off. This way also provide sort of participation going through transparency model. So the action was initially is cause some problem. Nobody know for many days.

So another supporter is still a community occupied legislative Yuan, that occupied legislative Yuan, and they moved to the outside of legislatively just to prevent the police from trying to get in to arrest the students for the protest. So there were too many protesters and too many supporters in the area of legislature. So many more highly

adjusted. And the people inside the legislature cannot send message in and out, so we have a confrontation. That is why people just ask me, because in that situation, they want to support connectivity. So people ask me any strategy you have to try to help.

I just said try to help competition is an issue. I don't try to help political issues. So the strategy come out at that moment. The first strategy is trying to coordinate mobile operators to support mobile infrastructures or Internet services. This situation even mobile operator to support that activity because they need special permission from the Government and if they do something progressive they will be punished by the Government.

So also we try to sourcing our potential support, potential resource from the area nearby Internet service. Ethernet even from legislative Yuan, and they are legislative Yuan who try to get access from the inside. And eventually that will happen. We have different resources such as Ministry of Education and also source for WiFi service from central Government office building. So the other issue the children hospital. All of this time our resource was considered just in order to support level of service.

And the detail is too technical to go through the details. We have mobile operator also sitting there. And they sent mobile company out there to provide data mobile source. So coordination we create additional about 260 mega bit per second capacity. And in addition to that capacity we estimate support around 1500 new subscribers. And the situation grows because there is more that come to the legislative Yuan. So the situation getting worse and we tried strategy to consider. Now first, the quality of service such as suspension and concentration of 1 to 100.

Also, we can -- any way, it's technical. From this experience, we found even after coordination it's very difficult to support a massive movement. So the other issue is what happens in the future if the same movement happens again, how are we going to coordinate? That's a requirement from data communication point of view. So we try to figure out how do we provide support for a massive movement and it can be done if we try to identify several nearby and especially for area, and so source available resource, they try to set up a permanent access point, and in the future if they form a society. We can provide the service for free.

So here is a picture I took from the legislative Yuan. You can see different materials come into the site including the cable and the cable modem, and also the application from to some telecommunication company because our Government house was just sitting over there. You can throw in self-determination. I personally from the destination point to the legislative Yuan. And also some follow up was shared with us. You can see equipment was integrated in a very massive manner, and it's really very difficult to troubleshoot it if anything goes wrong, you just let it happen.

So according to IT Government model and from the Government model some of you from medical school, probably you have learned adjustment. And for PDC, you have planning, a plan of how you are going to initiate the connectivity, but actually from the slide I shared previously, we don't have any planning because everything was happening without any plan. So no plan, and no planned action as well. Then in terms of risk and benefit actually is no monitoring. What would happen if you would be liable for doing things like that? And alternately you have no monitoring at all because it's difficult to adjust the benefit. So actually all of the IT activity model is quite different from that situation. So in Internet Governance models, so what is mostly important for Internet Governance?

And basically we consider layer six functional area including the critical Internet resources that's been discussed in this Forum several times including IT management. The first area, second setting Internet standards such as defined IGF standard making sure all of the protocol is communicated. And the third is communicate all Internet connectivity. And that's why I feel that some people remark in different area. This is what I call Internet access.

And cybersecurity in number five and number six. So we are going to discuss today I don't have one answer. What does constituency mean and multistakeholder model? And the answer is who we are, we are just a group of concerned citizens. We are just regular concerned citizens and how can we embark on this. And there is a question we will discuss during the panel. I have a quote from then so you can see it. The only way to deal with an unfree world is to become so absolutely free that your very existence is an act of rebellion. I just quote. Thank you very much.

>> MODERATOR: Thank you very much, and a little bit of active rebellion is a little interesting thing. The movement and what Kenny mentioned highlights a point, because there are people who think about the Internet and the protocols and think about how it's so remote from fighting for freedom or democracy or rights. Actually it's not so much, because when you are into a movement, when people gather, we need those standards to be flexible enough to be open enough so that the underground, you know, networks still work even if on the surface no additional resource is put in there, because suddenly the demand for the network is suddenly thousands, hundreds of thousands more than what it was in that particular square. So this is the relation, I think, I really think it highlights the relation between what we talk about in Internet Governance as protocols which most rights persons probably don't care about and think it's totally technical. It's not.

Sometimes this layer affects what we can do and I think this is interesting. And I guess we will move to Charles, shifting gear back again in terms of the state of democracy and the state of Internet itself and Internet Governance, but I guess I will also look at whether the, I think Kenny mentioned about the multistakeholder model is a

democratic and perhaps the more interesting question is should it be emphatic and Charles probably has some experience.

>> CHARLES MOK: Thank you for putting me last so actually I get a chance to respond on comments made by previous speakers. As some of the speakers already mentioned quite a number of things that happened in Hong Kong the last year or two including the umbrella movement for 79 days occupation of major business areas in Hong Kong, and also two weeks ago, or actually exactly two weeks ago we vetoed a package that was put forward by the Hong Kong Government to try to institute a system to elect the chief executive in 2017.

Basically it was defeated at the time because I think the fundamental question that the citizens were trying to discuss and consider were whether or not there were equal nomination rights and whether there was screening of candidates prior to being put to the citizens for the popular vote. Well, I don't want to -- I can't have time to go into all of the details, but I think in short, I have to respond to some of the discussion previously about the democratic system is that in election, an electoral democracy is not an ideal system. I don't think we can replace it or we should he place it with an even more unfair election system. I think it's perfectly fine that we discuss and find a better way.

The answer should be even more confusing election system. I think the reason for the controversy and the problems we face in Hong Kong is because of a deep distrust among many of the citizens of our central Government. And I don't think we need to dance around that issue. That is the real issue. In Hong Kong, of course, when we talk about these questions about elections and democracy, democratic development, there are too many issues we are facing, how to select the chief executive, our leader and our legislature.

We haven't even gotten around to the legislature yet even though -- particularly the functional constituency which I think for many years there is a multistakeholder model. And you have to study it because you see that there is similarity with multi-stakeholderism, and I think that's a very interesting thing that we need to study more. But part of the problem we face the controversy we face in Hong Kong is also because for the young people of today, they have a strong will to control their destiny, very, very strong will to control their own destiny.

And not the same kind of performance or quality that previous generations would more customary, would be more accustomed to follow. Why are they so angry? The main reason is because they feel that other than a lot of societal problems because of global economic issues the widening gap of the rich and the poor, and trouble for young people to move up compared to previous generations and they all impose these dissatisfactions on to the fact that they cannot choose their own leaders or representatives.

And that two points about the functional constituencies versus

the geographic constituencies, in most countries, of course, we have an electoral system is geographically represented, but in Hong Kong as Edmon's presentation pointed out, is one of the few places where there is a part of the representation made up by functional sections which means that some of these are companies or particular industrial or commercial sectors and some of these are actually like myself, I represent IT functional contingencies. These are professionals. The problem with this representation is that it's very easily prone to manipulations, especially those that are controlled by companies.

There are an equally weighted, how do you weight between different industrial or commercial sectors? And so, you know, one person would represent this industry and tourism, and another person representing financial sectors, you know, why do they have the same weight? It's very difficult to create equal weight. Not only that, the other problems would be they both tend to have very, very narrow scope of things they are interested in.

So with this kind of system, I think we should also study and consider whether or not it will bring more adversary because everybody is interested in their own interest. So I think multi-stakeholderism in its name is very good, you know, when we think about multistakeholders, every stakeholder should have their right and their authorities and their representation and so on, but in reality, how do we make it really work?

On the surface, yes, it's similar in some ways to functional constituency, but earlier we refer to the current problems with multi-stakeholderism, their transparency and accountability and so on. And I think these are exactly the problems we all right see in Hong Kong with the functional constituency. So when we look at the problems with democracy and elections, first of all, it's very difficult to find answers, but I certainly don't believe that a response to Professor Ho's points made, I don't believe in one party and if we don't believe in the right of people having to choose themselves, then I don't know what else to believe in.

The people themselves choose to abandon both parties and stick with one party, I think that is great and I have no problem with it, if that really happens. But if that isn't what is happening and we are telling the people that, okay, you shouldn't be choosing this way, let somebody else choose for you, I don't quite believe that. In fact, I just, I just can't help think of those movies like Hunger Games, all of these movies are talking about futuristic world where there are one party and a very harmonious society. And you see all of these futuristic movies that what is the story line, young people coming out. It's the same story over again.

I think this is Hollywood at its worst, but in a way, I think this is just going to come back and come back and come back again if we believe in one authority over the others. In closing, the most thing about is sharing a power. If people in authority are not willing

to share power, forget it. Democracy is much more than election. I truly believe that. I agree with that. But what can really replace adversarial democracy?

When I look at Edmon's earlier presentation about democracy 1.0 and 2.0 and 3.0, I think Democracy 3.0 is to be more similar to 1.0 rather than going the other way because the only problem with 1.0 at the time was that it was not very efficient, but with technology, can we make it more efficient?

So we go back to that democracy 1.0 rather than thinking about something like Democracy 3.0, I don't know exactly what that is, but using technology to really make good decisions make it more efficient. And so in a way we can control these problems that have occurred with representative democracy 2.0 and move on in the direction to 1.0 using technology to solve those problems. So I really want to close with some observations I saw a year or so ago, actually a year ago when I and some of the other legislators in Hong Kong went to Europe and we look at their democratic system. They have multiparty system. They have never had one majority party rule for many of those countries but they still have been rather harmonious. We ask them, do you have problems with filibustering? Do you have problems with legislators fighting one another? They said, no, of course not.

The reason is because they know deep down that this group of political parties, next election very likely or even the next election down the road, you know, another group will come into rule. There is a true sharing the power and switching between different people to rule. And they, and then they get used to it. So the people become more reasonable once they know that power is shared because if you don't solve that problem, then, I'm sorry, the system is adversarial in nature. If people lose faith in political parties, you know, how can we believe that they would necessarily be able to gain more faith in totalitarian party? And that is just not going to be happening. In a way it is not something that should happen either. So I will close with that. Thank you.

>> MODERATOR: Thank you, Charles, and you have raised a few important observation, but is which how technology informs and empowers us to become more participatory, which is more like democracy 1.0 in my definition, and that's direct democracy. But in that case every single bill would be voted on every single person, we may not go all the way back, but there are a number of theories that are being put forward, like one is called liquid democracy where from northern Europe, I guess, they come up and deliver democracy which is looking at models where putting back some of the elements of democracy 1.0 empowered by technology, and we will do a little bit of advertisement. This series is going to IGF in Brazil as well and a couple of experts on liquid democracy and deliberative democracy will join us on the panel to talk specifically about that, you know, how technology can actually bring us back into a lot more of the participatory things.

I will pick up on the issue of one party. Right now, it seems circling back to the multistakeholder model and I think ICANN, if you would allow me to indulge into the ICANN situation, it's probably the most functioning or in some people's mind dysfunctioning multistakeholder model we have today that are making, actually making decisions that affect people. And you look at the stakeholder groups within themselves, it's the one party rule situation right now, and everybody is so worried about making sure that each, that the compromise happens within the stakeholder group before it goes out, because if we don't even have consensus within a stakeholder group, you lose the unified voice in the larger discussion, which interestingly echoes what Charles is mentioning. But it's also one of the, in my view one of the problems with the multistakeholder approach right now and how do we make it more democratic?

And I guess kind of looking at Jeremy and seeing if you have what are the thoughts on the model itself? You mentioned a little bit about the golden standard but what should be in the standard? How can we make it more democratic? And the big question in the middle is there are people who don't want to make it more democratic. So the question is should we make it more democratic?

>> JEREMY MALCOLM: Democracy, people who have rules should have a say in the rules, but it does make it more pragmatic. If you have different constituencies as in Hong Kong that have equal weighting what if they are not, what if they don't all have an equal stake in the condition under consideration because the interest of different stakeholder groups might vary from one issue to another. What happens if one stakeholder group happens to be twice as large as another stakeholder group in terms of the number of participants? Particularly when there are issues that affect minorities where there are numerically fewer minorities able to participate in the governance organisation.

And in the case of some multistakeholder like the IGF, it's basically an open door institution where whoever wants to come in can come in. So there is no way to limit how many people are there to talk from their perspective. So you can have imbalances in those sorts of institutions. So I think the answer to that is through the techniques of deliberative democracy that you mentioned because deliberative democracy is designed to neutralize power imbalances. It's designed so that you can't have an unfair advantage by force of numbers.

Because the number is not important. There is no vote, well, there can be a vote taken in some cases, but in the pure form, deliberative democracy is not about how many people are in favor of a particular decision, it's about how persuasive they are. And you have to persuade other people through the force of reason without having any advantage in terms of power or status in numbers.

So that's not, that doesn't naturally emerge from having

different stakeholder groups at the same time. You have got to do more work than that to achieve deliberative democracy. You have to actually design specific processes to neutralize those power imbalances and that involves having those processes facilitated, having intensive deliberation where people don't just come with prepared speeches, but they think about what the other person has said and they respond to what the other person has said.

There are tools and techniques which are available to do that. There is a literature that is pretty extensive and there are experts who specialize in this sort of thing and we haven't had enough recourse to those experts and literature in Internet Governance today. People have just been falling back on models that are not quite appropriate to achieve what we are trying to achieve in multistakeholder Internet Governance. So I would like to see more of those deliberative democratic tools and techniques put into play. At the 2015 Internet Governance Forum there is proposal for the first time to have a deliberative poll. And deliberative polling is an example of one of these techniques where you poll the participants at the start of the process, and then you engage in intensive facilitated small group deliberation or large group deliberation, and then you have another poll at the end and you see how people's perspectives have changed.

And to the extent that they may have changed, you can see that the process in between has been effective or not. So I think that's the next great frontier for Internet Governance and I'm looking forward to seeing how we can make that work.

>> MODERATOR: It would be very exciting for ICANN to try that too, but it would be, it would be unique for them to share the power first as Charles has mentioned. There are panelists that want to respond, but I would like to open the floor and I do note that there is a question on the Adobe connect as well. So Professor Ho.

>> HO LOK SANG: I want to make sure I am not misunderstood because I am certainly not for a single totalitarian party. I want a no party system, essentially no party. I'm saying no party. Why do you need any party? So I just want a fair selection system. I'm saying selection. Everybody should have a chance to be selected based on merit, and based on his record. So I'm saying that there should be a fair and rigorous way of selecting leaders which is open to everybody, and I'm saying that each of the leaders who has been selected as leaders should be subject to the rule of law limiting his power to the rule of law. So there is no chance of there being abuse of power.

And that there should be freedom of the press. So that if there is any abuse of power, or he will be called, he would be made accountable. I'm saying that we need fairness. I'm not saying that a single total party is what we want. I don't want that so I want to make sure I'm not misunderstood. I'm saying that each of us who espouse to be a leader should throw away dogma and should only think about public interest in the sense I have to find it, okay, putting

yourself in the shoes of each member of the community, and working out something that will be agreeable to anyone who behind, so he has no vested interest.

>> MODERATOR: That's one point, but I think Internet Governance cannot have a no party system. We need to bear in mind to get the Internet working. So I guess there is a question or are you just stretching.

>> AUDIENCE: It's lunch time, so forget it.

>> MODERATOR: We still have 15 minutes. We have two questions here. I will need to take a look at the online.

>> AUDIENCE: I would like to, not a response, but somehow explain a little bit, I think, Kenny, you mentioned about the multistakeholder and I'm not going to defend at all, but I would like to say ICANN was born in 1999 so it's still 15 years old. We actually try to do so called structuring as much as possible so if you noted, ICANN is formed -- the public reason we try to figure out what is the best way to -- is a better way to represent so called party interest.

We are always arguing about what is public interest. Public interest is easy to say, but when you are thinking about very care free, actually it's a lot of different -- we can see. But what we try to do for multistakeholder as you know is you can say that they each have their own interest. That doesn't mean that the policy can be accepted by a global ICANN communities. So I think this is many things that ICANN structure have to improve. No question about it. We need to do that.

But definitely the policy is not say, one constituency can make a better decision at all. They are willing to share the power and empower the communities, but it must be a reasonable and workable way, it's not only saying I want to defend my own, and then I want to take down somebody else, you know. The reason is I think, for example, there is one of the potential suggestions say any constituency can take down one member of their opponent, but that is wrong from my point of view, because if every constituency only thinking about their own interest and not the public interest, the whole community interest, then how make your point. So I think this is I like to explain a little bit, but basically we have a problem and are we going to change or modify the structure, that is we need a lot of people kind of participating in this process and make it happen, and make it better. Thank you.

>> MODERATOR: Thank you. That's definitely interesting. The dynamics between the stakeholder groups and the interest of stakeholder group in the larger interests is always the hard question. I will read out one comment first and then there are three comments that we received online.

So Raju Kanumuri, this is from Democracy Kills Democracy with Overexploitation of Loopholes in System. In Asia, villagers are not educated. Most of them are poor people. Corruption is one more cause

worldwide, and the divide rule. If we divide this gap by building smart villages, local growth, we can change the world. We are in the process of making some villages self-sufficient to open Internet by overcoming criminal politicians in the state of Pradesh. IG is different for each state in India. The state was divided without people's voice. During this time around 700 billion from Indian economy in open Internet, open voice, open Government, open knowledge is important to make the world a self-sustaining society. Thank you for your comment, just a quick comment.

>> AUDIENCE: I will speak on a personal basis since I am from ISOC. I am actually very interested in Jeremy, I think that would be interesting. I would like to learn more about that gold standard. I think a few facts I would like to state is I think when it comes to democracy, nobody has the monopoly for public interest. And there are a lot of groups that claim to be multistakeholder and claim to be in the interest of all of us, and come up where interesting definitions of what that is, and I think it's good if we can come up with something that we can look at as a guide.

Also how do you scale multistakeholder, the right one, the one that we want, where there is just indications? IGF may not be the most perfect model because we have governance, but so many people -- how do you scale something like that? And the village thing that, Edmon, you were reading is one such model and I don't think there is one specific model, I think how we actually scale multistakeholder will be interesting. Tomorrow I'm actually moderating the localizing IGF, so we are going to actually look at the criterias of sustaining and look at different creative models. What is being discussed in this room will definitely be in the next discussion.

We realize, and I like what you said, Professor and I like what Charles has said this is what we learned in Thailand. First of all, we copied the American Constitution back-to-back world for Word, it didn't work. Okay. It didn't work. Government is democracy, but not the way it should have been. Two, we came from a multiparty structure. When we had a national, we had over 50 parties, you don't know who to pick, but they represented all of the groups in the country. And we did away with that with only two parties like the Americans.

Nothing against the Americans. As you saw, stalemate, nothing could happen, the military had to intervene, not because we want another Coup, but because there was no way to utilize the adversarial democracy. So Thailand is in a jam. Where do we stand? We like multistakeholder, we like democracy, but we can't find a solution.

So at the time I think just like Hong Kong and Egypt and so many places in the world, especially Developing Countries, we have to find a better way, a model still based on democracy. So I like what you say, and I think it chimes very well with Thailand and I'm wondering whether I could invite both of you to speak to my Government. They are trying to find a way to get out of it. Anyway, that's my two cents.

>> MODERATOR: That's the key motivation that started my studying into Democracy 3.0, because copying what I call Democracy 2.0 is not quite working for many communities and how do we progress that? How do we advance that? And taking to the learning of what we have up until now, we don't want to throw away, as Charles mentioned, we don't want to throw away the quality of having one person, you know, everyone's vote, everyone's weight in terms of the voting, but sometimes we get -- that system gets us into a gridlock, and how do we get back out of it? And I think Professor Ho mentioned clearly about the adversarial situation, and it goes spiral out of control, which is basically what happened in Egypt and in Thailand and other places, how do we, you know, get it back together?

I don't know whether anyone wanted to add to that.

>> AUDIENCE: I just want to also just make a comment in the sense we don't want parties too. We are sick of them. We are sick of them because politicians, we don't trust them. But I don't know moving away from no party to what used to be multiparty, where do we stand on those. That's a question back to you.

>> HO LOK SANG: I had defined substantive democracy. The Government in response to people's needs, sharing them, because if you are responsive to people's needs you are democratic. So I think that is what we mean. Election is what I call formal democracy. And so far it has not really worked in most places. In certain countries it seems to work, but there is concern that this right winged people, they are rising and there could be problems down the road.

So we need, as I said, we need a rigorous, fair, selection system to select leaders who are more qualified, who have a good track record, good ideas. And that's, the selection is much more important than just let everyone cast a vote. The ethics of voting and the advisers say, well, many people do not do their homework when they cast the vote and it's very dangerous. It could even cause wars like George W. Bush was elected.

>> MODERATOR: Many people are elected too that started wars. Thank you. I will just really quickly one more comment and actually the same person. Raju Kanumuri, what we need local is flat, with local flat frameworks and open leaders. And I think that's an interesting comment. There are a number of comments that the person also made. I think it's a little bit redundant if encourage too much on line and we will document the comment as well.

>> AUDIENCE: I'm here representing Facebook, but I'm also (Off microphone). First of all, I wish to compliment you and all of you for putting together this excellent panel. These discussions have been truly very interesting. I think Jeremy you kind of identified a lot of the discussion which is the framework, and maybe the ICANN sort of event is kind of forcing function for everybody to have a discussion on accountability framework, but depending on which type of democracy people favor.

There are different versions which serve different democracies. And there are is a system there, there is also proportionate voting systems which are there. All of this, I think, information the construction of what multistakeholder is going to be, but I think, Jeremy, the two things that you said that really stood out for me, one thing is that the processes that you design are put in place not only to seem open, but feel really open because that envisions trust. So maybe that would be approximating the will of the people in terms of showing the framework you are putting in place.

It seems to me that the community should have a discussion. So it's at only related to the ICANN discussion, but broader across Governments and nation states and communities who are participating in this. So it would be really useful for me to understand really working tactical level what are the mechanisms which you all are thinking about in terms of seeking more involvement to address the process in terms of the structure and that you are doing this as a workshop and participating. But I think there is this entire ecosystem and desire of people to participate, and to the extent that you can, you know, sort of raise awareness and the avenues for people to participate, and bring all of these areas to the people it would be great. So I'm curious to hear as to how you are thinking about you are basing this on participation of --

>> MODERATOR: I will pass it to Jeremy to answer and respond, but actually we are running out of time, but there is one thing, we were going to talk about this, which I think you mentioned the point really about the accountability, and I think of encapsulating to the constituency, the representative and the accountability in between, and you mentioned that strongly as well. Is it just recall of a board member? That's kind of a representative of a particular constituency. So I will ask Jeremy to make closing remarks and then I will go across for quick closing remarks. We are at the end, but we started a little bit late.

>> JEREMY MALCOLM: Thank you very much for your question, and the way that you repeated or summarized what I had said was actually much better than when I said it. So congratulations. That was helpful. You asked about some of the concrete ways in which we can experiment with these new formats and association with the upcoming IGF. And one of the problems that we have is that the Internet Governance Forum itself is an example of a multistakeholder body that is not quite functioning. The Multi-stakeholder Advisory Group of the IGF isn't actually able to make decisions.

On one of the slides there was a reference to VTocracy that there are so many people that have a veto that nothing gets done. And the IGF's MAG is like that. There are a few groups within the MAG that don't want to see the IGF producing outcomes and up until now they have been able to veto any proposals so that's a challenge and I'm not sure how we can overcome it. I could say more, but I will pass

it off.

>> HO LOK SANG: I have a couple of words. I am totally against dogma as I said. Partners shouldn't have dogmas, but what I call, election, election is dogma. There are some people believe in elections but that's a dogma we have to call into question. Think about it thank you.

>> Thank you I will try to be brief, basically I don't believe the multilateral model is the perfect solution. I don't believe the multistakeholder model is the solution. But from a democratic point of view, the model is a high level concept. Everything decides how the organisation is connected. So -- thank you.

>> Actually, I thank Professor Ho for making that clarification, because I totally agree with him that we should get away from dogma. We should have open mind. We should believe in fair, open system and so on. In fact, I just also want to quickly respond to the idea of no party rule. In fact, I think that's a great idea. I think we need to figure out how to get there. It's not easy because first of all, people do gather, likeminded people do gather and whether you call it a party or you call it another name, people will gather and try to preach to others what they believe in.

And so how do you stop people from doing that on the one hand? But I do think that there is a problem sometimes when you get to have that you might have parties that are too strong and too big, so on. So I think in a way many countries are beginning to move away from that system with the exception of the United States yet. We have even action in the U.K. and other countries, they are actually moving into smaller and smaller parties.

So in a way, having very, very small parties making the same as having no party in a way because there isn't any dominant one or two or three are dominant parties so I think it's an evolutionary process and it's probably going to be a pendulum, sort of a swinging process. But probably neither one scream will go to the end. So we will see. Finally, I want to respond to you were talking about at large not working. I served in at large for a little bit of time and I know that it's not working very well. And the problem is people are not, there are so many people using Internet that people are not, they don't see themselves needing to participate. There is no incentive for them to participate to the IT process.

I don't know how that can be solved. Give them a discount if they become a participator in ICANN or I don't know what can be an incentive. And this is quite different from the Government democracy that we are talking about where in many cases people want to participate, but they don't get the chance to participate. In the Internet it's reversed. It's the maybe you as ICANN board member see that ICANN wants to share more power but people are not interested in taking your power and having it shared with you. They don't want to bother with it. So how do you create incentive? I think this might

be a prerequisite to ICANN trying to figure out what to do rather than just thinking of tinkering with the multi-stakeholderism model but the one thing is figuring out why people really should participate.

>> MODERATOR: Maybe the board doesn't work and with that I guess the Internet still works. With that, I guess we are at the end of the session. Thank you for joining us, and as I mentioned, there are a number of things I wanted to cover as well, but we will take this series to Brazil. Hopefully you will join us in Brazil. If you are not in Brazil, you can join remotely as well, and please end and join me with a round of applause.

(Applause).

(Concluded at 13:37).

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