

# POLYCENTRISM AND DEMOCRATIC ACCOUNTABILITY IN INTERNET GOVERNANCE

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# OUTLINE

- features of polycentric governance
- challenges of democratic accountability
- roads to democratic accountability

# TRANSFORMED GOVERNANCE (1)

- ‘plurilateralism’ (Cerny, 1993)
- ‘omnilateralism’ (Pape, 1997)
- ‘networked governance’ (Reinecke, 1998)
- ‘new medievalism’ (Friedrichs, 2000)
- ‘empire’ (Hardt & Negri, 2000)
- ‘complex multilateralism’ (O’Brien *et al.*, 2000)

# TRANSFORMED GOVERNANCE (2)

- ‘cosmocracy’ (Keane, 2003)
- ‘mobius-web governance’ (Rosenau, 2003)
- ‘multinucleated’ politics’ (Brenner, 2004)
- ‘global governmentality’ (Larner & Walters, 2004)
- ‘regime complex’ (Raustiala & Victor, 2004)
- ‘polycentrism’ (Scholte, 2004)
- ‘disaggregated world order’ (Slaughter, 2004)
- ‘complex sovereignty’ (Grande & Pauly, 2005)

# TRANSFORMED GOVERNANCE (3)

- ‘multi-scalar meta-governance’ (Jessop, 2009)
- ‘hypercollective action’ (Severino & Ray, 2010)
- ‘quasi-constitutionalism’ (Thompson, 2012)

# POLYCENTRISM (1)

- transscalarity
- suprastate global and regional
- state (incl transstate networks)
- substate regional and local
- transscalar combinations

# POLYCENTRISM (2)

- transsectorality
- public-based regulation
- market-based regulation
- civil society-based regulation
- hybrid and multistakeholder formats
- transsectoral combinations

# POLYCENTRISM (3)

- diffusion
- dispersal of regulation across many sites
- decentralisation



# POLYCENTRISM (4)

- fluidity
- continual appearance of new regulatory institutions
- frequent adjustments of organizational structures and mandates

# POLYCENTRISM (5)

- overlapping jurisdictions
- multiple agencies claim competence over a given regulatory circumstance
- as distinct from discrete jurisdictions, with each state ruling a separate territorial domain

# POLYCENTRISM (6)

- **horizontality**
- ambiguous and readily contested command structures under polycentrism

# POLYCENTRISM (7)

- no final arbiter
- ‘no captain aboard the complex vessel’  
(Severino and Ray, 2010)
- ‘Internet sovereignty’ an oxymoron

# DEMOCRACY: THE PRINCIPLE

- affected people should have due participation in and control over the decisions that shape their collective life
- good for human dignity, good for legitimacy, good for promoting other aspects of human flourishing

# DEMOCRATIC ACCOUNTABILITY

- transparency towards affected people
- consultation of affected people
- monitoring and evaluation by affected people
- correction and redress for affected people
- debate and contestation by affected people
- *all* affected people; *all* Internet constituents

# WHITHER DEMOCRACY?

## Puzzle

how to advance 'people's power' in governance marked by transscalarity, transsectorality, diffusion, fluidity, overlapping jurisdictions, horizontality and an absence of final arbiter?

# COMMUNITARIANISM

- democracy beyond country-state-nation units is impossible
- wherever possible restrict governance to internal state processes
- no autonomous powers for suprastate regional and global institutions
- no autonomous powers for private governance



# COMMUNITARIANISM

- overestimates the capacities of state oversight in Internet governance, particularly when it comes to smaller countries
- domestic parliaments often have a disappointing record in pursuing public interests on matters of Internet governance
- states often cater inadequately to various non-national publics (e.g. Dalits, indigenous peoples or women)

# MULTILATERALISM

- democracy through collaboration among liberal-democratic nation-states
- ‘joint’, ‘pooled’ or ‘shared’ sovereignty in intergovernmental institutions and transgovernmental networks
- no autonomous private-sector regulation

# MULTILATERALISM

- large political distance between multilateral institutions from national parliamentarians and affected constituents on the ground
- intergovernmental collaboration can impact many people whose states are not involved
- inherent democratic limitations of liberal states e.g. in relation to hierarchies of gender and sexuality (according to feminists), the power of capital (according to Marxists), or disciplining surveillance (according to poststructuralists).

# COSMOPOLITAN FEDERALISM

- replicate liberal-democratic institutions at regional and global levels alongside national level
- suprastate human rights, suprastate citizenship, suprastate civil society, and suprastate representative bodies, suprastate political parties

# COSMOPOLITAN FEDERALISM

- world government with an elected world parliament a very distant prospect
- liberal democracy at regional and global levels faces the same aforementioned principled objections from critical theorists as confront liberal democracy at a national level
- western-modern constructions of cosmopolitan federalism may find limited cultural resonance in various non-western contexts

# STAKEHOLDERISM

- alternative mode of representation
- internal voting positions in policymaking bodies for all groups that 'hold a stake' in the issue-area concerned
- external consultations by regulatory institutions of civil society associations which represent affected constituencies

# STAKEHOLDERISM

- more direct access for citizens to interstate, transstate and nonstate regulation
- allows affected people to organize themselves in whatever grouping they deem relevant for their political participation
- stakeholder communities need not be defined by territorial boundaries, which opens greater possibilities for transscalar solidarities and strategies

# STAKEHOLDERISM

- appointments from insider circles
- exclusion of more critical voices
- 'participation' without influence
- little consultations of constituencies
- little redress for the affected



# DELIBERATION

- open, inclusive, rational policy debate among implicated citizens
- encompass diverse positions, respect dissent, prize argumentation above interest lobbying, make space for marginalised people

# DELIBERATION

- unequal access to the more influential deliberative arenas
- talk is not influence
- needs link with mobilisation and strategic action

# RESISTANCE

- ‘bottom-up’ social movements struggle to subvert prevailing structures of domination
- continual uncompromising resistance to whatever arbitrary power rules the day
- different resistance politics target different hegemonies (capitalism, patriarchy, secularism, etc.)

# RESISTANCE

- largely absent in Internet governance today, a few hackers aside
- social profile often of privilege
- proposal as well as protest

# CONCLUSION

- combination from multilateralism, stakeholderism, deliberation and resistance
- and more – resource redistribution; ethics of transculturalism; ecological democracy