

Transcription of Ira Magaziner Address at the Welcome Ceremony of the 40th ICANN Meeting

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Thank you very much for inviting me. It's the first time I've been to an ICANN event since forming it. I figured that by now it was safe and I wouldn't have -- [Laughter] -- too many things thrown at me but I'm not sure.

I'm here today to talk about ancient times, when dinosaurs ruled the earth. It was a time before Facebook, before Twitter, before WiFi, and even before Google. It was a time when you could download a movie through your 56K dial-up connection if you had a few days, when your large heavy cell phone did not speak Internet, and when two-thirds of the people in the world could not make a telephone call because they didn't have a landline coming to where they lived. It was a time when there were more people on the Minitel in France than on the Internet in the whole world. Okay? And when all the people on the Internet in Korea could fit into one small hotel room. I know because I met with them. [Laughter] And there were only a couple. It was also a time when adults still knew more about information technology than their 10-year-old children. [Laughter] Which has not been the case since then. [Laughter] So these ancient times that I'm talking about weren't millions or thousands or hundreds of years ago. They were 15 years ago, in 1996. 15 years ago.

In early 1995, then-President Clinton had asked me to head a cabinet level group in the U.S. government to help decide what steps he could take if he were reelected in 1996 to improve the U.S. economy. And at our initial meeting, we listed 10 different things to look at that we thought could be important. By the beginning of 1996 we had actually decided on a different list. Basically, what we had decided was that there were three technologies that had been developed recently that could offer the potential for huge economic growth: The Internet, the sequencing of the human genome, and advances in renewable energy. And of those three, we thought that the Internet could move the fastest and so by then we had decided to focus on the Internet and trying to create a global environment where the Internet could take off and be a true economic force.

The last escape we confronted was fraught with opportunity but also with tremendous uncertainty. Many entrepreneurs and companies wanted to invest huge sums to build the Internet economy, but they were worried by the lack of a predictable environment. At that time, some of you may remember there were proposals in the EU and Canada to tax every bit of transmission on the Internet, and they were being taken seriously. There were proposals to put tariffs in the World Trade Organization on commerce done by the Internet. Many governments, including the U.S. government, were looking to censor the Internet. Regulators in the EU and in the U.S. wanted to have government set technical standards for the Internet, regulate the use of digital signatures, restrict the new field of Internet telephony, set rigid guidelines who could and couldn't deliver Internet services, and regulate prices for every Internet activity, much as was done with telephony. There were no agreed-upon ways to protect intellectual property. That was the landscape we confronted.

Many foreign governments did not want to adopt the Internet because they viewed it as under U.S. government control and there were a large number of lawsuits, which I'll talk about in a minute, working their way through different courts around the world that would have broken up the Internet and put jurisdictional restrictions on it that would have prevented interoperability across countries or even states, and many of the judges who were sitting in judgment on these lawsuits had no clue what the Internet was.

The security of the Internet was very uncertain. Some of the root servers were in university basements where anyone could walk in and pull the plug. I know because I visited some of these sites unannounced and just walked alone into rooms where they were housed.

We realized that the Internet had enormous potential to unlock human freedom, economically, politically, and socially, because its very design empowered individuals by allowing them to implement their ideas directly, without having to go through established hierarchies and bureaucracies. The potential seemed limitless. But we also realized that the future of the Internet was very precarious. Balanced on a knife's edge between two extremes that could delay its advent or even destroy it.

On the one side, if the Internet was too anarchic with no guidelines, it could degenerate into a constant state of unpredictable, wild west shootouts, scaring away the decent folk who wanted to invest and help build it. On the other hand, if the normal forces of bureaucracy took over with a mass of government regulations and slow intergovernmental bodies governing the Internet, the creativity of the Internet could be stifled. We had to find

a way to allow the Internet to operate in a constant state of creative chaos, but with some ground rules that would give those investing huge sums in it some degree of predictability. There needed to be enough cooperation and rules so that the Internet would be secure, stable, and resilient, but this had to be done in such a way as to allow as much freedom as possible, for the users of the Internet to create standards, content, modes of access, and economic activity without government interference.

So we established a policy framework to try to accomplish these goals in 1996 and '97. We passed an Internet tax freedom act that allowed Internet commerce to develop free of taxes. We kept the Federal Communications Commission in the United States and the ITU globally away from regulating the Internet and the Internet telephony. We got government in the World Trade Organization not to put any tariffs on electronic commerce. We struck down attempts to impose censorship on the Internet. Instead, empowering parents and other consumers with controls they could exercise to block content they did not want to see. We allowed marketplace solutions on privacy to emerge. We allowed the Internet users to set standards. We established a global agreement to protect intellectual property. But in not too restrictive a way. Finally, we recognized that there had to be some coordination of the Internet in order to ensure its security, stability, and resiliency. The question we faced was how to do this in a way that could operate with Internet speed, be representative of the wishes of the Internet community and its various constituencies, be acceptable to governments, and allow for the rapid growth of the Internet that we hoped would happen. After a two-year process of consultation with stakeholders of all sort all over the world, we formed ICANN.

Now, for those of you who were not around then, let me talk about what preceded ICANN.

At the time, IANA as it was called was housed in a small office at the University of Southern California, and run by a wonderful man named Jon Postel under a contract the university had with the U.S. defense department which had been involved in starting the Internet. I'm not sure this is true. There's some of you who may remember. But legend has it that at a meeting of the Internet Society when the Internet had less than a thousand members, someone suggested that they needed a person to keep track of everyone's address and Jon raised his hand. Jon, for those of you who remember him, had a long scruffy beard, wore sandals and hippie clothing and was a rebel and a free spirit at heart. Because of his appearance, it took me hours of pleading to get him through security at the White House when I invited him to have lunch. [Laughter] And I remember when I had the honor of speaking at his funeral, I thought that day when he was at the White House having lunch with me with all these self-important cabinet secretaries sitting around that a hundred years from now, nobody would remember any of those cabinet secretaries, but they would remember Jon Postel as one of the inventors of the Internet. [Applause]

It was Jon that decided what top-level prefixes were for countries and who in each country should have the responsibility for administering the Internet. And he did all this from his small office where the piles of paper and books lying around reflected both his brilliance and also the creativity chaos of the Internet. To get from the door to the one visitor's chair in his office required agility and extraordinary balance just to navigate around the rubble on the floor. I often thought when I visited his office about how some of the big corporate Titans that were about to invest billions in the Internet would have felt if they knew that all the routing for the Internet was taking place in that office.

The root server was run by a company called Network Solutions in Virginia, which under a contract with the Commerce Department had a virtual monopoly on assigning domain names. They received the addresses from Jon and entered them. But at the time, Jon and the leadership of Network Solutions did not really like each other, so their rapport was a bit tenuous. I remember when the idea for ICANN first arose, and it came after a particularly difficult week where the following occurred.

The head of DARPA, the defense advanced research products agency which had the contract for the IANA called me, saying that no longer would it let the contract for IANA when it expired. They wanted out. The president of the university of southern California called saying that they could not take the lawsuits that were being directed against them and wanted out of their contract. Our legal counsel described over 50 lawsuits all over the world that could tear the Internet apart. A delegation from the International Telecommunication Union, after a dozen years of opposing the adoption of the Internet protocols, approached us demanding to take over the Internet. A delegation of U.S. Congressmen and senators insisted that the U.S. government had created the Internet and should never give up complete control of it. Several delegations of representatives from over 100 leading I.T. and media companies and 10 trade associations visited saying that Internet technical coordination and security had to be brought into a more predictable global environment before they would invest money in it. And the EU delegation said that they would pursue their own relation of

the Internet routing system unless the U.S. changed its policies. Representatives from the Internet Society that I had dinner with told us that the Internet Society controlled the Internet and they would resist any attempts by the U.S. government or any government to take control. And the U.S. government security task force on the Internet delivered a report to us saying that as currently organized, the Internet was in danger of disintegrating from the lawsuits and lack of agreed-upon coordination mechanism. And in addition to that, my kid caught a flu which I also caught, so it was a wonderful week. [Laughter] So we clearly had to do something. We clearly had to do something. Now, the idea of ICANN might have been a result of that flu, but I hope not. [Laughter]

But the idea of ICANN was unprecedented, but we felt it offered the best chance to allow for the Internet to flourish. If we left the coordination of the Internet DNS to an intergovernmental body, we feared that it would get bogged down in bureaucracy and approvals would move at a glacial pace. Personally I'm a believer that governments play an important role in societies, and I'm a supporter of the United Nations. I work closely with U.N. agencies in my current work, leading efforts at the Clinton Foundation on Global Health and Climate Change, but the slow and bureaucratic processes of government and multilateral government bodies are not the best way to coordinate a fast-moving, creative, chaotic medium like the Internet. They move too slowly. They're too risk-averse. They officially represent only governments and not other constituencies. And just in general, they're too cumbersome. On the other hand, the Internet could not be coordinated by a normal private entity. There must be public accountability to Internet users and investors. There also has to be accountability to governments. The idea of setting up a private nonprofit organization that would be organized to be a grass-roots organization of technical experts accountable to Internet users and constituencies and be recognized by governments but not controlled by governments was risky. That had not been done before on a global scale. We knew it would be difficult and somewhat messy, but we thought that it offered the best chance of success. It would have a government advisory group that could ensure that the views of collective governments were at the forefront, but they could not control it. It would provide a strong focal point to take all of the inevitable lawsuits that would continue to come with any decisions made about the routing system for the Internet. It would be flexible enough to evolve as the Internet evolved. It would be at the same time strong but not too strong. It would have its own independent funding source for an assessment on domain name registrations but it would never get too big and its legitimacy would have to be renewed regularly by its ability to persuade the various constituency groups that it remained the best solution. This was the idea that became ICANN. We identified Vint Cerf as someone to lead it initially because he had credibility with all the constituencies. I'm not sure he's ever forgiven us to this day, but we thought it was the best shot that the Internet had. [Laughter]

Now, not everything has gone as we had planned. ICANN has made some mistakes as an organization. It's far from perfect. But overall, we think the idea has worked. The political, policy, and technical controversies that threatened to stifle or even ruin the Internet in its infancy in the late 1990s did not ruin the Internet. The Internet is flourishing.

When, in the late 1990s I used to make speeches around the world touting the future of the Internet, I was widely mocked for predicting that by 2010, there would be 1 billion people using the Internet, and Internet commerce would exceed a few hundred billion dollars a year. Experts and political leaders alike said I was wrong. It would be impossible to go from 16 million people -- which is where we were then -- to 1 billion people in just 15 years. They argued it would be politically and technically impossible for the Internet to expand that fast. I was accused of being a big thinker and a dreamer. Well, I was wrong, but not because of what the critics said. I was wrong because I did not think or dream big enough. Today, there are almost 2 billion Internet users. There are over 3.7 billion IP addresses. And over 129 million domain names. And electronic commerce has grown to almost a trillion dollars per year.

The Internet has spawned a complete revolution politically, economically, and socially, and it has all worked pretty smoothly. The technical and diplomatic work of ICANN and IETF and other bodies have enabled this enormous growth to occur with hardly a glitch. Once -- one has not read stories of legal or political battles or technical difficulties bringing the Internet to a halt or preventing it from growing. And I want to pause just to reflect on that. That is extraordinary. If you think about this enormous growth and the way it's spread around the world and all the commerce being done and so on, and even though inside of ICANN it must seem like you're having a controversy every week, the fact of the matter is the Internet has flourished. It has grown and flourished. And I can tell you sitting where we were in the late 1990s, that was not at all a foregone conclusion. In fact, it seemed like a likely thing that could go bad and not happen.

Now, would things have worked as well if we would not have created ICANN and did the things we did? Maybe. You can always speculate. But the reality is for all its shortcomings, ICANN has not prevented this resolution; and by most accounts, it has played an important and positive role in helping to enable it.

So the reason for my history lesson today is to remind you all that the Internet almost broke down before it really took off in the late 1990s. And it almost broke down in legal, political and policy disputes that could have fragmented it, inhibit its use and, the very least, delayed it and made it more difficult to access. While ICANN has its faults, I urge you to work actively to improve it rather than tearing it down or allowing it to be replaced with a more stifling bureaucratic alternative.

Now, I remember my last day at the White House. A good friend of mine said, The good news is that for the first time in six years you will be able to say what you really think. The bad news is that for the first time in six years nobody will care what you really think. [Laughter] But at the risk of having that be true and having not care what I think, let me just finish by offering a couple of suggestions. And I offer them in the spirit of the success that I believe ICANN has been and the greater success that it can be.

I think there are things that ICANN should do to work better and that the reaffirmation of principles issued in September of 2009 offers a good basis for making these improvements. And I think having talked this past few weeks to people at ICANN, people at the U.S. government and elsewhere, I think that people are aware that these improvements can be made and are working to do it. And I would just give support to that effort.

One is ICANN always needs to work hard to be more international and, in particular, to include more people in its leadership and management from developing countries around the world. The Internet has become much more widely distributed since we were involved 15 years ago and will become even more widely distributed still. And as somebody who now is working on AIDS in Africa and elsewhere and interacting a lot with governments in poorer countries, it's crucial that they become more and more a part of this structure as much as possible.

Number two, ICANN must take great pains to operate in an efficient manner. It is a public service organization with a technical mission that should be frugal, and it must always have humility in the way it works. Its leaders must avoid trying to build an empire. I think you will be best served by doing what you need to be doing, to be focused on but not build something that's too big an empire because a bigger empire becomes a bigger target.

Number three -- (applause) -- ICANN must be incorruptible and fully transparent in what it does seeking consensus and explaining its decisions fully. There are too many disparate interests on the Internet to avoid controversy, okay? You are going to have controversy. You are going to do things that are unpopular by definition. Not only is this a very diverse community, but it is a diverse community of people with strong personalities. That's something I learned very early on. And so you are going to have lots of controversy, lots of people shouting at each other, lots of ideas, lots of ideas. And you are never going to be able to get full consensus. But you ought to try to get as much as consensus as possible all the time. And where you don't have consensus, you need full transparency and accountability in explaining your decisions because even that way if people disagree with you, they can understand the logic behind what you did. So consensus will not always be possible, but you must do the best to seek as much consensus as possible and then explain your decisions.

Fourth, ICANN should always look to empower Internet users. Do not make a rule that limits what people can do on the Internet unless it is absolutely necessary for the Internet to function in a predictable, safe and secure way.

And, finally, I will offer this to my successors in the U.S. government, that they should exercise their role in full consultation with other governments and in a light-handed manner.

Now, I think if those kinds of principles are followed -- and I do think there are people of goodwill at ICANN and in the U.S. government and elsewhere interested in following those principles, I think ICANN will continue to flourish and the Internet will flourish.

ICANN processes will always be a bit messy. Grassroots democracy is by its nature contentious. While ICANN can and must improve, we must all work within it to improve it rather than to try to tear it down or replace it. With all its faults, it has worked. The Internet has flourished. The wonder of the Internet is that any

individual in the world with any idea is free to introduce that idea to 2 billion people without having to ask permission. If he or she can gain a following, that individual can build a huge business, introduce new art, music or literature to the world, form a global social movement or improve the way the Internet itself works. The Internet gives anybody in the world a chance to change the world.

You as current stewards of Internet coordination and policy have a responsibility to ensure that parochial, commercial or political concerns and technical problems are sorted out so that the world remains safe for the Internet and so that the human freedom and empowerment the Internet brings can continue to flourish. I wish for you to have the wisdom, tolerance and patience to do your job well. Thank you.

[Applause]