ALTERNATIVE VISIONS FOR THE DNS: CORE, IAHC, AND THE POSSIBILITY FOR EXPANDED GTLDS IN EARLY GOVERNANCE POLICY

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Introduction

In 1994, U.S. President Clinton stated that the commercialization of the internet was a "top priority" for his administration.[1] The domain name system (DNS), which was developed to deal with the growing unwieldiness of the commercial internet, was an early battleground in shaping the values of early internet governance policies. The system would include highly sought after addresses in generic top-level domains (gTLDS) that ended in .com, .gov, .org, .edu, and so on. Below this were second-level domains and country codes which ended web addresses in sequences like .uk, .jp, .ca, etc. This model raised legal and economic questions about trademarks, intellectual property, and the global distribution of addresses on top level domains. Technical experts were wary of the limitations of the proposed system, particularly given the potential to expand the number of gTLDs. While many groups responded to U.S. governance policy, a number of non-profit associations were particularly vocal in their critique, most notably the Internet Council of Registrars (CORE), the International Ad Hoc Committee (IAHC), and the Internet Assigned Numbers Authority (IANA) represented by Jon Postel.

The importance of this system cannot be overstated, so it is unsurprising that so much attention was paid to its structure. Unlike what was available before, the domain name system offered users a formal way to find internet addresses. For political purposes, control of the domain name system had "the potential to serve as a powerful tool of Internet enforcement and to shape the nature of the Internet itself."[2] Clinton Senior Policy Advisor, Ira Magaziner, was tasked with leading the global effort to create a coherent policy for governance, including management and oversight of the DNS. As part of this, Magaziner and his team fielded comments from and addressed concerns from governmental and non-governmental groups, including CORE, IAHC, and IANA.

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[1] Jack Goldsmith and Tim Wu, Who Controls the Internet? (Oxford: Oxford University Press, 2008), 40.
[2] 31.

The DNS was particularly contentious as it was both a practical and symbolic show of U.S. power on the internet. The unequal distribution of power the U.S. held in internet development indicated that the internet, despite being a "medium of instantaneous communication" that "might overcome geographic distance," was not a medium that could "simply erase political or social differences."[3]

Methods/Critical Framework
I examine the proposed frameworks for DNS oversight in this era through archival analysis. This research focuses on documents found in the Ira Magaziner Electronic Commerce papers at the Clinton Presidential Library in Little Rock, Arkansas. This archive primarily represents the work on internet governance undertaken within the Department of Commerce, the department under which Clinton moved internet governance policy. This material includes discussion of, comments from, and correspondence with representations three primary groups: 1) official government actors from the U.S. and abroad, including members of intergovernmental organizations, 2) For-profit organizations and other corporate interest groups, and 3) early internet adopters and technical experts who generally understood the mechanics of the internet as well as its capacities and limitations. I apply a political economy of communication framework to identify the centers of power in conversations about domain name management and to assess the degree to which alternative models were addressed and/or incorporated into the final policy proposal put forth by the U.S. Government.

Findings/Conclusions
In examining discourse about expanding the number of gTLDs, I argue that Clinton's Senior Policy Advisor, Ira Magaziner, and other members of the Department of Commerce proactively worked against the expansion of gTLDs, protecting the domination of gTLDs by U.S. entities. Magaziner and others had a direct line to Jon Postel and closely reviewed discussed alternative proposals coming from groups like IAHC and CORE. In public fora, Magaziner expressed concern about the stability and interconnectivity of an expanded system even though Postel and other supporters of the expansion – individuals and organizations with technical expertise Magaziner lacked – repeatedly asserted that this was not a concern. While Magaziner and the Department of Commerce resisted adding even seven new gTLDs, CORE clearly stated that there could be 100 new gTLDs if they were allowed.[4] The primary arguments against the IAHC proposal for expanded gTLDs were that it was a process "dominated by the Internet engineering community" and "lacking participation by and input from business." [5] In looking across Clinton-era governance policy, there is a consistent concern for addressing the needs of business above all else.

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[3] Abbate, Janet. Inventing the Internet.(Cambridge, MA: MIT Press, 2000), 212.

[4] Articles – Ira Magaziner, Box 015, Folder 100021 10383 100021-004. Ira Magaziner Electronic Commerce Papers, William J. Clinton Presidential Library Archives, Little Rock, Arkansas, United States, 1998.
[5] Domain Names [4], Box 019, Folder 10299 13115 100299-003. Ira Magaziner Electronic Commerce Papers, William J. Clinton Presidential Library Archives, Little Rock, Arkansas, United States, 1998.

While at various times, Magaziner tried to draw on Postel's reputation to make his case, their relationship was frequently a contentious one. Even as Postel's IANA operated alongside of and in coordination with Network Solutions Inc. (NSI), the corporation first contracted by the Department of Defense and later by the National Science Foundation to manage the DNS, Postel proposed strategies that sometimes went against the official U.S. Government proposal. Disagreements over the allocation of top-level domains and the role of NSI soured the relationship between Postel and Magaziner. In 1998, this came to a head when Magaziner threatened Postel that he'd "never work on the Internet again."[6] This butting of technological expertise against political power exemplifies the challenges of governing a system with so many political, technological, and economic interests woven together.

Connection to Conference Theme
As the internet transitioned from a network used primarily by government and educational entities to a mass medium, there was a potential for revolutionary modes of communication, information sharing, education, and creative expression, and a revolutionary, de-centralized structure of governance. This potential is captured in the myth of the technological sublime, represented in early internet discourse that promised "instantaneous worldwide communication,… a genuine global village," and "a world in which people communicate across borders without the filters and censors set up by watchful governments and profit-conscious businesses."[7] The revolutionary potential of the internet was repeatedly undercut by governance policies that prioritized private, commercial interests. Rather than creating a broad set of top-level domains that could be shared around the globe, Magaziner and Clinton's Department of Commerce defended the decision was made to maintain a limited number, and in doing so protected many highly valuable web addresses held existing U.S. companies while other countries had to use their designated country code domains. In facing the overwhelming power of Clinton's Department of Commerce, attempts at revolutionary structures – in the DNS and in other areas of governance policy – failed to be realized. As arguments about a potentially fracturing internet continue alongside discussions of multistakeholder governance, this history is an important foundation from which to better understand that discourse.

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[6] Damien Cave, "It's time for ICANN to go." Salon. (2002, July 2). Retrieved from https://web.archive.org/web/20110722170621/http://www.salon.com/technology/feature/2002/07/02/gilmore/print.html.
[7] Vincent Mosco, The Digital Sublime: Myth, Power, and Cyberspace. (Cambridge, MA: MIT Press, 2004), 24-25.

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