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Citation

Jongen, H., & Scholte, J. A. (2023). Institutional sources of legitimacy in multistakeholder global governance at ICANN. *Regulation & Governance*. doi:10.1111/rego.12565

Version: Publisher's Version

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Downloaded from: <https://hdl.handle.net/1887/3677055>

Note: To cite this publication please use the final published version (if applicable).

Institutional sources of legitimacy in multistakeholder global governance at ICANN

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Abstract

This article provides a novel systematic exploration of ways and extents that institutional characteristics shape legitimacy beliefs toward multistakeholder global governance. Multistakeholderism is often argued to offer institutional advantages over intergovernmental multilateralism in handling global problems. This study examines whether, in practice, perceptions of institutional purpose, procedure, and performance affect legitimacy assessments regarding this form of global governance. The analysis focuses on the Internet Corporation for Assigned Names and Numbers (ICANN), one of the largest and most institutionally developed global multistakeholder arrangements. Evidence comes from a mixed-methods survey of 467 participants in ICANN. We find that this representative sample accords high importance in principle to many institutional features, and also rates the actual institutional operations of ICANN quite highly on various counts. Moreover, many institutional characteristics associate significantly with participants' legitimacy beliefs toward ICANN. However, not all institutional qualities have this significance, and the relevance of individual- and societal-level circumstances indicates that institutional sources do not provide a full explanation of legitimacy. The article contributes refinements to theory of legitimacy in global governance; demonstrates the value of mixed-methods survey work in this field; supplies unique original data and analysis; and identifies implications for the politics of (de)legitimation around multistakeholderism.

Keywords: global governance, ICANN, Internet governance, legitimacy, multistakeholder.

1. Introduction

Many a critic has argued that legacy multilateralism is not up to the task of meeting contemporary global transformations. While world-scale challenges have mounted over recent decades (e.g., around ecological damage, economic insecurity, infectious disease, political violence, and technological change), conventional intergovernmental approaches to global governance have generally stalled (Abbott & Faude, 2021; Hooghe et al., 2019; Keohane, 2020; Tallberg et al., 2023). Moreover, public legitimacy perceptions of major intergovernmental organizations are generally fragile across all world regions (Dellmuth et al., 2022a: ch 3). In these circumstances, policymakers have turned to a range of alternative institutional constructions to fill global governance gaps, including transgovernmental networks, translocal constellations, transnational private mechanisms, public-private partnerships, and more (Abbott & Faude, 2022; Andonova, 2017).

One of the most prominent of these innovations is multistakeholder global governance. In contrast to multilateral agencies, which develop global cooperation among nation-states, multistakeholder arrangements bring

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Accepted for publication 10 November 2023.

together sectoral groups who “have a stake” in (i.e., affect and are affected by) a given regulatory problem. Parties to a multistakeholder apparatus can come from academic, business, civil society, government, philanthropic, and technical circles (Kurbalija & Katrandjiev, 2006; Raymond & DeNardis, 2015; Reinsberg & Westerwinter, 2021). Although multistakeholder global governance dates back a hundred years to the tripartite structure of the International Labour Organization, these frameworks have mainly proliferated since the 1990s, particularly around environmental problems, Internet governance, corporate social responsibility, health, and food security (Manahan & Kumar, 2021; Scholte, 2020; Westerwinter, 2021).

An important question therefore arises whether, after several decades of experimentation, multistakeholder initiatives have gained approval as *legitimate* global rulers. For proponents, multistakeholderism offers a more effective, democratic, and fair way of global regulation (Dodds, 2019; Doria, 2014; Khagram, 2006; Sahel, 2016; Strickling & Hill, 2017). For opponents, multistakeholder processes involve inefficiency, unaccountability, and special-interest capture (Carr, 2015; Cheyns & Riisgaard, 2014; Gleckman, 2018; Hofmann, 2016; Prem, 2021; TNI, 2019). Yet, while various researchers have made general enquiries into the legitimacy or otherwise of multistakeholder global governance (e.g., Bäckstrand, 2006; Bernstein & Cashore, 2007; Marx, 2014; Mena & Palazzo, 2012; Schleifer, 2015), relatively few studies have gathered systematic data on the matter (Dingwerth, 2007; Hahn & Weidtmann, 2016; Jongen & Scholte, 2021; Nasiritousi & Verhaegen, 2019; Take, 2012). Moreover, next to no empirical investigation has rigorously investigated the sources of (i.e., grounds for) legitimacy perceptions toward global multistakeholder frameworks. To the extent that people regard global multistakeholderism to be legitimate, why do they do so (or not)?

This article examines this important under-researched question with an enquiry into *institutional sources* of legitimacy beliefs toward multistakeholder global governance. Several decades of research have suggested that institutional features—that is, qualities of the organization that does the governing—are a key reference point for legitimacy perceptions vis-à-vis global governance (Scholte & Tallberg, 2018). The premise is that regulation beyond the state attracts legitimacy beliefs to the extent that people have positive assessments of the purpose, procedure, and performance of the regulatory organizations involved.

Earlier empirical research has assessed institutional explanations of legitimacy in relation to several intergovernmental bodies, particularly the European Union (EU) and the United Nations (UN) (Dellmuth et al., 2019; Dellmuth & Tallberg, 2015; Scharpf, 1999; Schmidt, 2020; Steffek, 2015). These studies have found specific significance for legitimacy in multilateral organizations of perceptions around, for example, fair voice for all states, adequate civil society participation, and problem-solving impact (Bernauer & Gampfer, 2013; Johnson, 2011). Another investigation suggests that satisfaction with institutional operations and outcomes offers the strongest explanation of elite legitimacy beliefs toward three UN bodies (Verhaegen et al., 2021).

However, to date only one work has explored institutional sources of legitimacy in relation to multistakeholder global governance, and then without systematically collected and statistically evaluated empirical evidence (Palladino & Santaniello, 2021). This omission is striking, since multistakeholder initiatives have proliferated in reaction to purported institutional failings of multilateral global governance, such as gridlocked decision making, insufficient voice for all affected parties, and inadequate problem solving. Moreover, the abovementioned debates around the promises and pitfalls of multistakeholderism predominantly concern its institutional arrangements and outcomes, further suggesting a likelihood of links between assessments of organizational features and legitimacy perceptions.

As a case study (with large-*n* data) of institutional sources of legitimacy in multistakeholder global governance, we consider the Internet Corporation for Assigned Names and Numbers (ICANN). Our focus on ICANN derives from four considerations: namely, of significance, size, attention to institutional matters, and preoccupation with legitimacy (Antonova, 2008; Flyverbom, 2011; Mahler, 2019). Regarding significance, multistakeholder processes at ICANN govern the domain name system (DNS) and several other key technical functions that underpin the Internet as a single infrastructure that today links 5.4 billion regular users worldwide (Internet World Stats, 2023). So, ICANN deeply matters for today’s global world. Regarding size, ICANN is one of the largest instances of multistakeholder global governance, with thousands of participants in its proceedings and a secretariat (known as “ICANN.org”) of 397 staff (ICANN, 2022). Regarding institutional matters, ICANN has since its establishment in 1998 undertaken continual far-reaching evaluations and adjustments of its organizational mandate, procedures, and results, often presenting itself as a model multistakeholder apparatus for others to emulate (Becker, 2019; Koppell, 2005; Palfrey, 2004; Palladino & Santaniello, 2021). In particular, comparisons

pitting ICANN against the International Telecommunication Union (ITU) have constituted a high-profile contest between multistakeholderism and multilateralism (Kleinwächter, 2004; Lantis & Bloomberg, 2018; Mueller, 2010). Finally, legitimacy is a recurrent headline topic at ICANN (Mounier, 2012; Strickling & Hill, 2017; Weinberg, 2000). Indeed, in our survey of ICANN participants (described below), 79.5% of respondents declared that legitimacy is “extremely important” for this multistakeholder apparatus, while another 17.1% found it “quite important.”

Our exploration of institutional sources of legitimacy in multistakeholder global governance at ICANN offers several key contributions. First, we apply a fuller conception of institutional aspects of legitimacy dynamics, systematically developing fine-grained distinctions regarding purpose, procedure, and performance in relation to democracy, technocracy, and fairness. Second, we thoroughly develop and integrate both quantitative and qualitative evidence from mixed-methods survey interviews with 467 participants in ICANN’s multistakeholder processes. The article thereby offers the richest study to date of the relationship between institutional features and legitimacy in multistakeholder global governance.

We elaborate these contributions as follows. The next section theorizes relationships between assessments of institutional qualities and perceptions of legitimacy in (multistakeholder) global governance. A subsequent section on methods covers our survey design and execution. Then the data analysis establishes that:

- a participants at ICANN attach high importance to institutional aspects of this multistakeholder regime, albeit prioritizing some features more than others
- b participants at ICANN give mixed reviews regarding the regime’s delivery on institutional qualities
- c multiple (but not all) of these institutional matters have significant associations with legitimacy beliefs at ICANN
- d noninstitutional factors at the individual and societal levels also matter for legitimacy perceptions at ICANN.

The conclusion considers the implications of these findings for theory and practice of legitimacy around multistakeholder global governance, also reflecting analytically on the implications of our case selection. We moreover suggest that certain institutional qualities may warrant particular attention in the further development of multistakeholder approaches to global governance.

2. Theorizing institutional sources of legitimacy

To develop our theoretical approach, we first present a working definition of legitimacy and suggest why legitimacy matters for (multistakeholder) global governance. We then indicate our reasons for exploring institutional sources of legitimacy, including how and why they could be especially relevant for multistakeholder initiatives. Finally, we classify potential organizational grounds for legitimacy beliefs in terms of purpose, procedure, and performance, as well as cross-cutting qualities of democracy, technocracy, and fairness.

We understand legitimacy as the belief that a governing power has a right to rule and exercises that rule properly (Suchman, 1995; Weber, 1922). Legitimacy thereby entails foundational and usually stable approval of a regulatory arrangement: hence more than contingent support that depends on certain officeholders or particular policies (Dellmuth et al., 2022a: 11–12; Easton, 1975; Hetherington, 1998). Legitimacy can be conceived legally (where the right to govern rests in the law), normatively (where the right to govern rests in adherence to certain philosophical principles), and sociologically (where the right to govern rests in perceptions held by the governed). While these three conceptions can interrelate, our present concern is with sociological (i.e., empirically observed) legitimacy. We seek to establish how far and why people regard multistakeholder global governance at ICANN to be legitimate, not whether they are legally and morally correct to hold such views.

We study legitimacy because it matters. To the extent that legitimacy prevails, a governing arrangement tends to have greater power and resilience. When people have underlying faith in a ruling apparatus, they generally are more ready to give it mandates, contribute resources, participate in its processes, follow its policies, etc. (Mayntz, 2010; Sommerer & Agné, 2018). Conversely, if legitimacy is missing, a governance apparatus tends to face greater fragility or relies more heavily on manipulation and coercion to retain power. Certainly, legitimacy is not the only force that shapes how governors (fail to) rule: also relevant are other organizational attributes, wider

economic and political circumstances, personalities of leading decision-makers, etc. Nor are the consequences of legitimacy necessarily straightforward: for example, a ruler with high legitimacy could become complacent, while a ruler facing a legitimacy crisis could become more consultative (Bes et al., 2019; Sommerer et al., 2022). Yet, within these intricate dynamics, legitimacy is generally a key ingredient that shapes the amounts and types of governance that do and do not transpire.

Given the significance of legitimacy, it is important to know from where it derives: what are the sources of beliefs in rightful rule? In particular, identifying grounds for legitimacy perceptions can provide an informed basis for strategies to enhance (or undermine) people's faith in a governance apparatus. That said, the sources of legitimacy are most probably multiple and complex (Scholte 2019), such that no study can hope to cover the full dynamics.

Our present investigation focuses on institutional sources of legitimacy. The underlying premise maintains that legitimacy beliefs depend substantially on perceptions of the organizations that undertake governance. Relevant institutional features can include organizational goals, policy processes, and policy outcomes. In debates around multistakeholderism, proponents habitually affirm purported advantages of the institutional arrangements, while detractors invariably emphasize alleged institutional shortcomings. *Prima facie*, then, we may expect that institutional qualities matter for legitimacy beliefs toward multistakeholder global governance.

In an institutional explanation, legitimacy beliefs toward ICANN would derive from the views that people hold of its organizational mandate, organizational operations, and/or organizational impacts. Positive assessments of institutional features would increase legitimacy, while negative evaluations of organizational qualities would reduce legitimacy.

Institutional accounts of legitimacy can be distinguished from individual and societal approaches. Individual-level explanations root legitimacy perceptions in attributes of the person who does the perceiving. Examples include an individual's political values, sense of identity, interest calculations, emotional responses, levels of social trust, and knowledge (or lack thereof) about the governance arrangement in question (Dellmuth, 2018; Dellmuth et al., 2022b). Meanwhile, societal explanations root legitimacy beliefs in attributes of the social order. For instance, societal-level accounts have connected (il)legitimacy in global governance with reigning norms, a hegemonic state, capitalism, structural inequality, and neoliberal governmentality (Scholte, 2018). Our data analysis later explores the potential relevance of several individual and societal sources, such as perceptions of self-interest, gender, and assessments of capitalist profit-making.

Our study highlights three main categories of institutional sources of legitimacy to examine in relation to multistakeholder global governance at ICANN.¹ The first is purpose: that is, the issues that a governing organization addresses and the goals that it seeks to achieve (Lenz & Viola, 2017; Scott, 1991). Support for an organization's mandate might sustain legitimacy beliefs even when institutional operations fail to achieve the objectives. In the case of multistakeholderism at ICANN, legitimacy beliefs rooted in institutional purpose would endorse (what people hold to be) the organization's mission. Conversely, purpose-based perceptions of illegitimacy would rest on a rejection of ICANN's goals.

Our second category of institutional sources relates to procedure: that is, the administrative processes through which a governing organization formulates and implements its policies. The premise is that legitimacy beliefs rise and fall in relation to people's positive and negative assessments of the ways that a governance body makes and executes its decisions. Procedural legitimacy encompasses what others have termed "input" and "throughput" legitimacy (Scharpf, 1999; Schmidt, 2013). Among other things, procedural qualities could relate to transparency, efficiency, and consistency in the production and application of regulatory measures. Indeed, as noted earlier, many proponents of multistakeholder global governance specifically extol its processes as being allegedly more inclusive and better informed than intergovernmental multilateralism. In relation to ICANN, legitimacy assessments around procedure could invoke issues such as participation, timeliness, and non-discrimination.

Our third main category of institutional sources of legitimacy beliefs concerns performance: that is, the outcomes that a governing organization is perceived to produce. The assumption is that legitimacy increases and decreases to the extent that people approve of the institution's impacts. Performance legitimacy corresponds to what others have called "output" legitimacy (Scharpf, 1999; Steffek, 2015). For example, performance criteria might relate to (in)effective problem solving, (de)democratization of politics, or (in)equitable distribution of

benefits and burdens. In respect of multistakeholderism at ICANN, legitimacy evaluations around performance could consider, for example, promoting technical stability of the Internet, raising democracy in digital arenas, and advancing human rights in online environments.

To systematize our investigation of institutional procedure and performance, we distinguish within each of these categories between democratic, technocratic, and fair qualities.² We thereby depart from the classic formulation, initiated by Scharpf (1999), that associates input with democratic procedure and output with technocratic performance. As argued theoretically in Scholte and Tallberg (2018) and shown empirically in Dellmuth et al. (2019), technocratic inputs and democratic outputs can also be relevant for legitimacy in global governance. Earlier research has also affirmed the importance for legitimacy of fairness as a third distinct type of institutional quality (Tyler, 1990).

Regarding democracy, substantial literature suggests that, in making legitimacy assessments of global governance, people often care whether processes and outcomes of an institution promote transparency, participation, and accountability for affected people (Bernauer & Gampfer, 2013; Keohane et al., 2009). Regarding technocracy, considerable research has shown that, in judging the legitimacy of global governance, people often value whether the institution has effective procedures and impacts, for example, by employing best available expertise and instruments (Bernstein, 2005; Ecker-Ehrhardt, 2012). Regarding fairness, various studies indicate that, in formulating legitimacy beliefs about global governance, people often judge whether an institution's inputs and outputs show impartial, proportionate, and equitable treatment (Della Porta & Tarrow, 2005; Hurd, 2007; Johnson, 2011).

Summarizing the above theorization in terms of hypotheses, we posit that:

Hypothesis 1. The more that a participant in ICANN approves of its organizational purpose, the more likely that participant will regard ICANN as legitimate.

Hypothesis 2. The more that a participant in ICANN perceives the organization to have democratic, effective, and fair procedure, the more likely that participant will regard ICANN as legitimate.

Hypothesis 3. The more that a participant in ICANN perceives the organization to have democratic, effective, and fair performance, the more likely that participant will regard ICANN as legitimate.

3. Survey design and execution

Our study has collected evidence about institutional features and legitimacy at ICANN through a survey interview that yielded both qualitative and quantitative data. The survey asked respondents both closed questions that enable large-*n* statistical analysis and open-ended questions where respondents articulated the reasoning that informed their answers to the closed questions. Thus, our later data analysis combines general patterns as well as specific contexts.

The survey sampled regular participants in ICANN, defined as persons who attended at least three of nine main ICANN meetings between 2015 and 2018. These participants hail from the board of directors, the staff, and the so-called “community” of stakeholder groups, including academe, business, civil society, government, and technical circles. We focus on ICANN participants, since these insiders are best placed to assess institutional workings of the regime. Wider publics are largely ignorant even of ICANN's existence, let alone its institutional features. In this sense we undertake an elite survey whose results are not necessarily generalizable to the broader population (cf. Scholte et al., 2021). Still, it is the legitimacy beliefs of active insiders that generally most affect ICANN, rather than the “a-legitimacy” of most outsiders (Jongen & Scholte, 2021; on “a-legitimacy,” see Steffek, 2007: 190).

We invited all 30 persons who served on the ICANN board in 2015–2018 to take the interview. We also invited 182 of the 188 ICANN staff members for whom we could retrieve contact details. In addition, we took a random sample of community members, of whom we were able (with extensive searches for contact information) to invite 741. We interviewed all 30 board members, 132 staff members, and 305 community participants, for a total of 467 interviews and an overall response rate of 49.0%. Moreover, the 305 ICANN community interviewees are broadly representative, covering all geographical regions and stakeholder groups—and in proportions that

reflect the composition of attendance at ICANN meetings.³ We have weighted the descriptive data to counter an overrepresentation of board and staff, so that their impact on the aggregate scores reflects their share in the overall population.⁴

Interviews took place in 2018–2019, a period that included no major disruptive developments in ICANN. More than half were conducted face-to-face at ICANN meetings and offices. We administered the other interviews online, which allowed us to reach persons who were unable to do the interview in situ.

Tables 1 and 2 present our operationalization of the posited institutional sources of legitimacy for the case of ICANN.⁵ Regarding institutional purpose, the survey asked respondents how far they find it appropriate that ICANN has been assigned (or not assigned) specific functions. The survey also asked respondents how far they consider 15 institutional criteria related to democratic, technocratic, and fair procedure and performance to be important for ICANN, as well as how far ICANN’s practices meet these criteria. Reply options were “not at all” (scored 0), “a limited extent” (1), “a moderate extent” (2), “a large extent” (3), and “completely” (4). Audio recordings picked up elaborating comments.

To measure legitimacy perceptions toward ICANN, we asked respondents: “Generally, how much confidence do you personally have in the current workings of ICANN overall?” Answer options were “very low” (scored 0), “low” (1), “moderate” (2), “high” (3), and “very high” (4). We thereby follow an established practice in political science that takes confidence (or alternatively “trust”) as a proxy indicator for legitimacy (Bühlmann & Kunz, 2011; Dellmuth et al., 2019; Johnson, 2011; Norris, 2009). “Confidence” brings out legitimacy’s quality of an underlying faith in a ruler. “Confidence” also avoids absorbing into the indicator possible sources of legitimacy (such as democracy) or possible consequences of legitimacy (such as compliance) (Dellmuth et al., 2022a: 26–29). Some critics have argued that “confidence” might not sufficiently encompass the normative endorsement of authority, as entailed by legitimacy, but they still recognize that the confidence indicator is relevant to legitimacy and do not suggest any better alternative (Kaina, 2008; Schnaudt, 2019). Indeed, 46 (10%) of our survey respondents actually invoked the specific term “confidence” when asked about the importance of legitimacy for ICANN.⁶

We quantitatively test the relevance of institutional features for legitimacy beliefs in ICANN using ordinal logistic regression analysis between assessments of purpose, procedure, and performance on the one hand and confidence scores on the other. We additionally consider several individual and societal sources of legitimacy as controls.

We complement the statistical analysis with a qualitative content analysis, using Atlas.ti. Specifically, we code responses to an open-ended question that asks interviewees to explain why they hold a certain level of confidence in ICANN. To avoid prompting, we posed this open question before we probed respondents on their views of

Table 1 Operationalization of purpose.

	Perceptions that it is (in)appropriate			
Purpose	...that ICANN oversees several key technical functions of the Internet.	...that ICANN develops policy for the DNS.	...that ICANN promotes the global spread of the Internet.	... for ICANN to become involved in regulating content on the Internet.

Table 2 Operationalization of procedure and performance.

	Democratic	Technocratic	Fair
Procedure	<ul style="list-style-type: none"> Inclusive participation Transparency Accountability 	<ul style="list-style-type: none"> Expertise/knowledge-based policymaking Timely decision-taking 	<ul style="list-style-type: none"> Unbiased decision-taking Unbiased policy implementation
Performance	<ul style="list-style-type: none"> Democracy promotion in management of the DNS Promoting democratic values in wider society 	<ul style="list-style-type: none"> Technical stability of the Internet Technical security of the Internet Promoting competition in the domain name industry 	<ul style="list-style-type: none"> Promoting human rights in ICANN operations Promoting human rights in the DNS Promoting fair distribution of costs and benefits from the DNS

ICANN’s purpose, procedure, and performance. The qualitative content analysis identifies how often and in what ways respondents refer to specific institutional qualities when discussing their confidence levels.

Our coding frame starts from the indicators of purpose, procedure, and performance in Tables 1 and 2. We piloted this frame by having two researchers separately code transcripts from 50 interviews with diverse respondents across the ICANN regime. Based on this trial work, we added several data-driven sub-categories: “remit” and “good intentions” (under purpose); “effective leadership” (under technocratic procedure); and “unequal influence” (under fair procedure).

4. Findings

We now present our results regarding institutional sources of legitimacy in multistakeholder global governance at ICANN. First, we establish that participants at ICANN generally care a great deal about institutional features regarding purpose, procedure, and performance. Second, we find that respondents’ assessments of actual institutional qualities at ICANN vary, ranging from high ratings for technocratic purpose and performance to more mixed assessments regarding fair outcomes and technocratic procedures. Third, regression analyses show statistically significant associations with legitimacy beliefs toward ICANN for several institutional purposes and various institutional procedures, but not (perhaps surprisingly) for institutional performance, including technocratic problem solving.

4.1. Assessments of institutional qualities in principle

As a first step, we identify whether (and which) institutional qualities matter to participants in ICANN. After all, if respondents do not care about (certain) institutional characteristics, then their assessments of ICANN’s practices on these points are less likely to figure in legitimacy beliefs. Conversely, to the extent that ICANN participants do assign importance to (certain) questions of institutional purpose, procedure, and performance, we can expect that their evaluations of these issues impact legitimacy perceptions.

Figure 1 indicates how important participants in ICANN find democratic procedure and performance (indicated with black bars), technocratic procedure and performance (gray bars), and fair procedure and performance (white bars). We see that, with a mean of 3.87 on a scale of 0–4, survey respondents generally deem it most important that ICANN promotes technical stability of the Internet, an aspect that relates to the organization’s technocratic performance. Following very closely come two democratic procedures: transparency (mean 3.86) and accountability (mean 3.80). On average, respondents consider it least important that ICANN promote human rights in its operations (mean 2.74), promote human rights in the DNS (mean 2.53), and promote democratic values in wider society (mean 2.12).

These scores suggest that participants in ICANN by and large attach more importance to ICANN’s technocratic performance and its adherence to democratic and fair procedures than to ICANN’s performance in

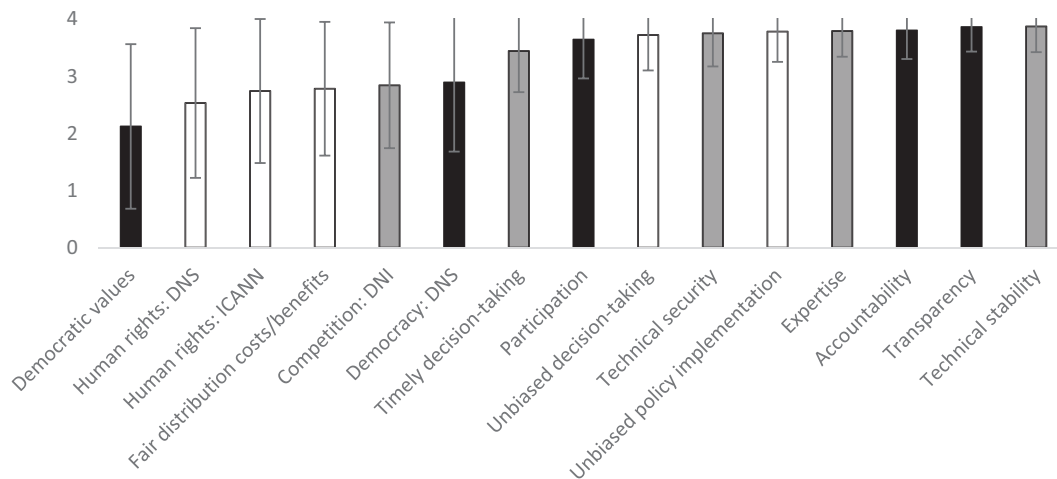


Figure 1 What institutional qualities do respondents find important for ICANN? (Means, weighted data).

delivering democratic and fair outcomes. Several ICANN participants remarked that promoting democratic outcomes falls outside of ICANN's core mission.⁷ Others considered these aims to be "political" and questioned their compatibility with ICANN's technical focus⁸ and business orientation.⁹ Likewise, oral commentary on survey items related to human rights suggests that participants generally do not prioritize fair outcomes. Some responded that they "do not care" about this issue,¹⁰ that ICANN is not the place to discuss these matters,¹¹ or that they do not see how human rights are relevant for ICANN's work and operations.¹² Further, in answer to the question how far they find it important that ICANN promotes a fair distribution of costs and benefits from the DNS, several respondents asserted that such objectives might conflict with market principles¹³ and stifle innovation.¹⁴

In sum, we find that, in principle, participants in ICANN do indeed attach considerable importance to a broad range of institutional features of this multistakeholder apparatus.

4.2. Assessments of institutional features in practice

Having established what institutional features respondents find important for ICANN, how far do participants perceive ICANN to realize these qualities in its practice? In this regard, our survey included four items about the organization's purpose. In addition, respondents rated how far ICANN achieves 15 matters of procedure and performance.

Regarding institutional purpose (Fig. 2), participants in ICANN find it between "appropriate" and "highly appropriate" that ICANN develops policy for the DNS and oversees several key technical functions of the Internet. The means lie respectively at 3.47 and 3.41 on a scale of 0–4. As several respondents mentioned, "somebody has to do it," and this might just as well be ICANN.¹⁵ Participants also lean toward "appropriate" when it comes to ICANN promoting the global spread of the Internet (mean 2.86). However, at an average of 0.74, respondents reject that ICANN should get involved in regulating content on the Internet. More than half of the respondents indicate that they would find such activity "highly inappropriate." In some cases this question evoked a passionate response,¹⁶ with descriptions of content regulation as "censor[ing] the Internet,"¹⁷ "a catastrophe,"¹⁸ "an absolute nightmare,"¹⁹ and "very dangerous."²⁰ However, other participants saw greater scope for ICANN in (some aspects of) content regulation,²¹ including consumer protection,²² fighting DNS abuse,²³ and taking down illegal content.²⁴

Turning to institutional procedure and performance in practice, Figure 3 shows that respondents give their highest assessment to ICANN's technocratic outcomes, with average scores well above 3.00 for promoting the technical stability and security of the Internet. Participants also rate ICANN practice quite favorably in terms of its adherence to democratic procedures (inclusivity, accountability, and transparency) and the extent to which ICANN promotes competition in the DNI. Medium ratings go to ICANN's perceived adherence to fair

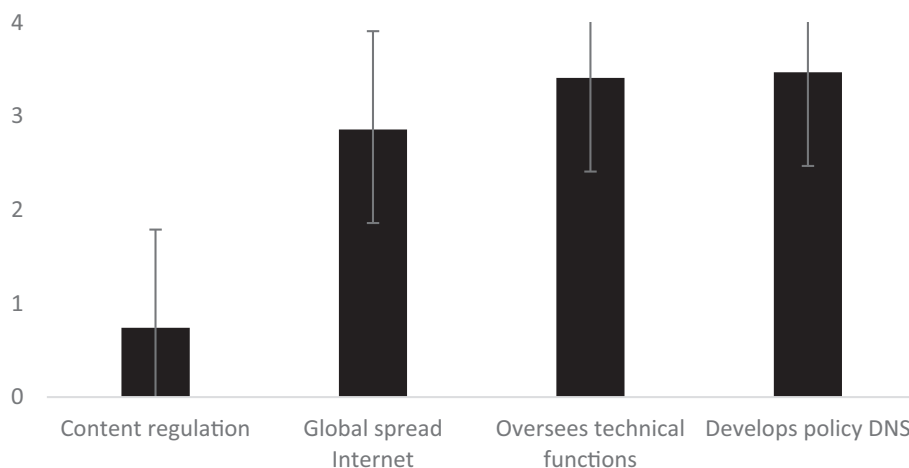


Figure 2 Perceptions of the appropriateness of ICANN's purpose (Means, weighted data).

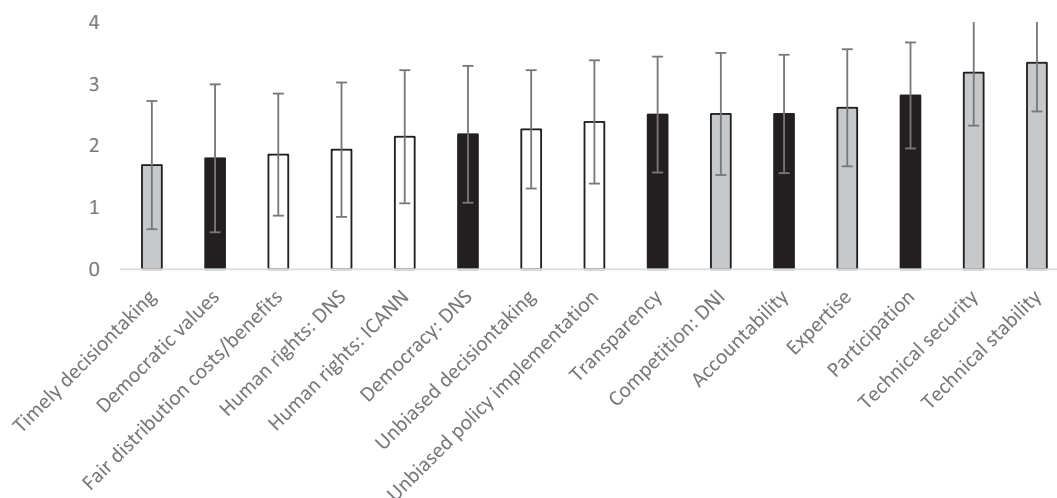


Figure 3 How do respondents rate practices at ICANN? (Means, weighted data).

procedures, democratic performance, and fair performance. Finally, respondents are generally sceptical about the extent that ICANN takes decisions in a timely manner (mean 1.69).

In sum, we find that participants in ICANN generally give mixed reviews to the organization’s institutional practices. Across the board, evaluations of ICANN’s practice land notably below assessments of the importance of the various institutional features, suggesting a general opinion that while ICANN works fairly well, it could do better.

4.3. Associations between institutional features and legitimacy beliefs

Now to our key explanatory question: namely, how far do these assessments of institutional features relate to respondents’ confidence in ICANN? Here we use ordinal logistic regression analysis in four models. Model 1 studies the relationship between perceptions of ICANN’s purposes and confidence in ICANN. Model 2 examines associations between perceptions of ICANN’s procedures and confidence in the regime. Model 3 considers connections between perceptions of ICANN’s performance and confidence. Model 4 combines 10 variables of interest regarding ICANN’s purpose, procedure, and performance and analyses their links with legitimacy beliefs.²⁵

Model 4 is therefore the most complete. However, considering that we test the relevance of multiple independent variables on approximately 400 observations, Model 4 might not capture very small effects. In this case, Models 1–3 may pick up associations with confidence in ICANN that Model 4 misses, although such results warrant some caution.

Four further specifications are in order before we elaborate the regression results. First, nearly a fifth of respondents answered “I do not know” on certain questions regarding ICANN’s performance in delivering fair and democratic outcomes. As missing responses on these survey items would have significant implications for the results, we excluded these items from the analyses. In any case, absence of reply suggests a lack of significance: a matter on which one has no knowledge or opinion does not affect legitimacy perceptions.

Second, Pearson product moment correlations reveal that several survey items are highly correlated ($r > 0.700$): specifically, transparency, and accountability ($r = 0.731$; $p \leq 0.001$); fair decision-taking and fair policy implementation ($r = 0.809$; $p \leq 0.001$); and ICANN’s performance in promoting technical stability and technical security ($r = 0.810$; $p \leq 0.001$). These correlations limit the extent to which the Models can identify statistically significant associations between the abovementioned institutional variables and confidence in ICANN. Hence, the Models presented in Table 3 exclude the variables “transparency,” “fair decision-taking,” and “technical stability.” Meanwhile, Models 5–8, presented in Table 4, in different combinations exclude the variables “accountability,” “fair policy implementation,” and “technical security.”²⁶ With these multiple combinations we obtain a fuller picture of possible associations.

Table 3 Associations of institutional features and confidence in ICANN (OLR): Odds ratio (Exp (B)) and confidence interval (CI).

Purpose	Model 1		Model 2		Model 3		Model 4	
	Exp (B)	95% CI	Exp (B)	95% CI	Exp (B)	95% CI	Exp (B)	95% CI
Key technical functions (0–2)	1.621*	[1.119–2.348]					1.108	[0.731–1.678]
Develops policy DNS (0–2)	1.924***	[1.308–2.830]					2.086***	[1.343–3.240]
Prom. global spread Internet (0–4)	1.593***	[1.299–1.955]					1.448**	[1.148–1.827]
Reg. content on the Internet (0–2)	0.932	[0.714–1.215]					1.010	[0.755–1.352]
Procedure								
Inclusive participation (0–4)			1.136	[0.854–1.512]			0.989	[0.724–1.351]
Accountability (0–4)			2.260***	[1.620–3.152]			2.197***	[1.531–3.154]
Knowledge/expertise (0–4)			1.109	[0.827–1.488]			0.960	[0.695–1.326]
Timely decision taking (0–4)			1.457**	[1.143–1.857]			1.415*	[1.080–1.855]
Unbiased policy implementation (0–4)			1.585***	[1.196–2.100]			1.830***	[1.334–2.511]
Performance								
Technical security (0–2)					2.222***	[1.676–2.946]	1.339	[0.952–1.882]
Comp. in the DNI (0–4)					1.204*	[0.971–1.492]	0.910	[0.709–1.168]
Controls								
Role of involvement (Community is baseline)								
Board	3.667**	[1.636–8.222]	2.617*	[1.162–5.896]	4.337***	[1.983–9.484]	2.883*	[1.206–6.890]
Staff	2.804***	[1.737–4.528]	1.578	[0.946–2.631]	3.079***	[1.913–4.953]	1.485	[0.845–2.609]
Individual-level factors								
Perceived personal benefit (0–4)	1.311***	[1.116–1.540]	1.297**	[1.102–1.527]	1.400***	[1.195–1.641]	1.217*	[1.014–1.460]
Gender (Men = 0)	0.998	[0.642–1.551]	1.041	[0.666–1.627]	1.211	[0.786–1.866]	0.966	[0.584–1.596]
Societal-level factor								
Profit-making	0.646***	[0.541–0.771]	0.693***	[0.547–0.837]	0.612***	[0.513–0.731]	0.728**	[0.594–0.892]
N ^a	393		398		393		358	
Deviance χ^2	735.690		706.440		597.400		617.485	
Pearson χ^2	925.758		906.937		742.833		786.713	
–2 Log Likelihood χ^2	171.915***		256.422***		160.185***		267.561***	
Pseudo R ² (Cox & Snell)	0.354		0.475		0.335		0.526	

^aGiven the high number of cells with zero frequency, the goodness-of-fit measures should be interpreted with caution. * $p \leq 0.05$; ** $p \leq 0.01$; *** $p \leq 0.001$.

Table 4 Associations of institutional features and confidence in ICANN (OLR): Odds ratio (Exp (B)) and confidence interval (CI).

	Model 5		Model 6		Model 7		Model 8	
	Exp (B)	95% CI	Exp (B)	95% CI	Exp (B)	95% CI	Exp (B)	95% CI
Purpose								
Key technical functions (0–2)	1.181	[0.783–1.783]	1.097	[0.725–1.660]	1.115	[0.732–1.698]	1.172	[0.774–1.773]
Develops policy DNS (0–2)	1.861**	[1.200–2.885]	2.137***	[1.376–3.318]	2.118***	[1.363–3.292]	1.836**	[1.192–2.828]
Global spread Internet (0–4)	1.578***	[1.254–1.986]	1.390**	[1.104–1.749]	1.475***	[1.170–1.860]	1.552***	[1.238–1.947]
Reg. content on the Internet (0–2)	0.976	[0.731–1.301]	1.016	[0.760–1.357]	1.034	[0.771–1.386]	1.002	[0.750–1.338]
Procedure								
Inclusive participation (0–4)	1.073	[0.791–1.456]	0.967	[0.707–1.322]	0.991	[0.725–1.355]	1.081	[0.798–1.466]
Transparency (0–4)	1.603**	[1.159–2.218]					1.685**	[1.214–2.340]
Accountability (0–4)			2.371***	[1.648–3.412]	2.107***	[1.462–3.035]		
Knowledge/expertise (0–4)	1.100	[0.804–1.505]	1.011	[0.735–1.391]	0.945	[0.685–1.304]	1.166	[0.856–1.587]
Timely decision taking (0–4)	1.355*	[1.039–1.769]	1.338*	[1.011–1.771]	1.419*	[1.083–1.859]	1.269	[0.964–1.671]
Unbiased decision taking (0–4)			1.502*	[1.079–2.090]	1.916***	[1.377–2.664]	1.663**	[1.192–2.320]
Unbiased policy implementation (0–4)	2.017***	[1.476–2.755]						
Performance								
Technical stability (0–2)					1.349	[0.932–1.953]	1.519*	[1.056–2.185]
Technical security (0–2)	1.301	[0.931–1.819]	1.433*	[1.025–2.004]				
Comp. in the DNS (0–4)	0.920	[0.724–1.167]	0.966	[0.755–1.235]	0.923	[0.719–1.186]	0.921	[0.719–1.179]
Controls								
Role of involvement (Community is baseline)								
Board	3.069**	[1.302–7.233]	3.054*	[1.277–7.301]	2.962*	[1.236–7.100]	3.368**	[1.424–7.966]
Staff	1.853*	[1.076–3.191]	1.660	[0.947–2.910]	1.525	[0.867–2.682]	2.279**	[1.335–3.893]
Individual-level factors								
Perceived personal benefit (0–4)	1.234*	[1.032–1.476]	1.218*	[1.016–1.460]	1.221*	[1.018–1.465]	1.237*	[1.036–1.477]
Gender (Men = 0)	0.942	[0.571–1.553]	0.975	[0.592–1.607]	0.925	[0.560–1.529]	0.936	[0.570–1.538]
Societal-level factor								
Profit-making	0.738**	[0.603–0.902]	0.727**	[0.589–0.896]	0.729**	[0.595–0.893]	0.756**	[0.616–0.929]
N ^a	359		357		358		359	
Deviance χ^2	632.409		623.076		616.110		640.612	
Pearson χ^2	789.821		812.286		788.191		798.740	
–2 Log Likelihood χ^2	256.068***		258.184***		269.236***		246.565***	
Pseudo R ² (Cox & Snell)	0.510		0.515		0.529		0.497	

^aSee endnote 26. * $p \leq 0.05$; ** $p \leq 0.01$; *** $p \leq 0.001$.

Third, we found limited variation on certain independent variables: notably, appropriateness of ICANN overseeing technical functions of the Internet (purpose); developing policy for the DNS (purpose); regulating content on the Internet (purpose); promoting technical stability of the Internet (performance); and promoting technical security of the Internet (performance). Specifically, very few respondents indicated that they consider it (highly) inappropriate that ICANN oversees technical functions of the Internet and develops policy for the DNS. Likewise, few participants perceived it (highly) appropriate that ICANN should become involved in regulating content on the Internet. Other high concentrations of answers arose regarding assessments of the extent to which ICANN promotes technical security and technical stability of the Internet, as a large majority of respondents replied “to a large extent” or “completely.” Such limited variation in the provided answers might affect the ordinal logistical regression analyses, so we merged several response categories.

Fourth, few respondents (1.9%) indicate to have “very low” confidence in ICANN. For the regression analyses, we therefore merged this response category with “low” confidence (4.9%). For the rest, 34.8% of respondents declare to have “moderate” confidence in ICANN, 39.9% to have “high confidence,” and 17.6% to have “very high” confidence. Not surprisingly, levels of confidence tend to be higher for persons at the core of the regime, with means of 3.11 on a scale of 0–4 for staff and 3.00 for the board, as compared with 2.45 for the community participants. Otherwise, confidence levels in ICANN show limited variation by stakeholder group, by geographical region, or by social category (e.g., age and gender) (Jongen & Scholte, 2021).

In this new field, comparative evidence for legitimacy beliefs toward other multistakeholder arrangements is scarce. However, one survey of 860 general elites worldwide, undertaken concurrently with our study in 2017–2019, showed average confidence for ICANN at 1.7 on a 0–3 scale, slightly higher than the Forest Stewardship Council (FSC) at 1.6 and the Kimberley Process Certification Scheme (KPCS) at 1.4. (Note that 1.7 on a 3-point scale converts to 2.3 on a 4-point scale, indicating that outsider elites tend to accord ICANN somewhat lower legitimacy than insider participants.) The average of the three multistakeholder initiatives (1.57) is not far off from the average in this study for nine multilateral institutions (1.68) (Scholte et al., 2021: 875). It is early days to draw large conclusions, but this evidence suggests that multilateralism and multistakeholderism currently attract broadly similar levels of elite legitimacy beliefs.

Yet, these descriptive patterns are less at issue here than the key question of what shapes these legitimacy beliefs toward ICANN. Which if any institutional features show a statistically significant relationship with changes in the level of confidence? Overall, as the following analysis details, quite a few (albeit not all) institutional qualities appear to matter for legitimacy beliefs toward multistakeholder global governance at ICANN.

4.4. Purpose

As seen in Tables 3 and 4, we find statistically significant associations between respondents’ perceptions of several aspects of ICANN’s purpose and their confidence in ICANN. More specifically, the perception that it is appropriate for ICANN to develop policies for the DNS associates positively with legitimacy beliefs (odds ratio of 2.086 in Model 4; odds ratios between 1.836 and 2.137 in Models 5–8). A positive association also arises between the assessment that ICANN should promote the global spread of the Internet and confidence in ICANN. Specifically, when participants deem it appropriate that ICANN promotes the global spread of the Internet, the odds increase by 44.8% that they hold stronger legitimacy beliefs toward ICANN (odds ratio of 1.448 in Model 4; odds ratios between 1.390 and 1.578 in Models 5–8). A more mixed result arises for perceptions that ICANN should oversee key technical functions of the Internet, where only Model 1 shows a statistically significant association with confidence in ICANN (odds ratio of 1.621). Meanwhile, no significant relationship appears between respondents’ perceptions of whether ICANN should get involved in regulating content on the Internet and their legitimacy beliefs.

In addition to this quantitative evidence, 71 respondents (nearly one in six) discussed ICANN’s purpose when explaining their confidence in ICANN (Fig. 4); however, only a dozen respondents mentioned specific core functions of ICANN in their open-ended answers.²⁷ Twenty-six referred to ICANN’s role more generically while explaining their confidence in the institution.²⁸ For example, various respondents said to have confidence in ICANN because of the work it does²⁹ or for its contribution to the Internet globally.³⁰

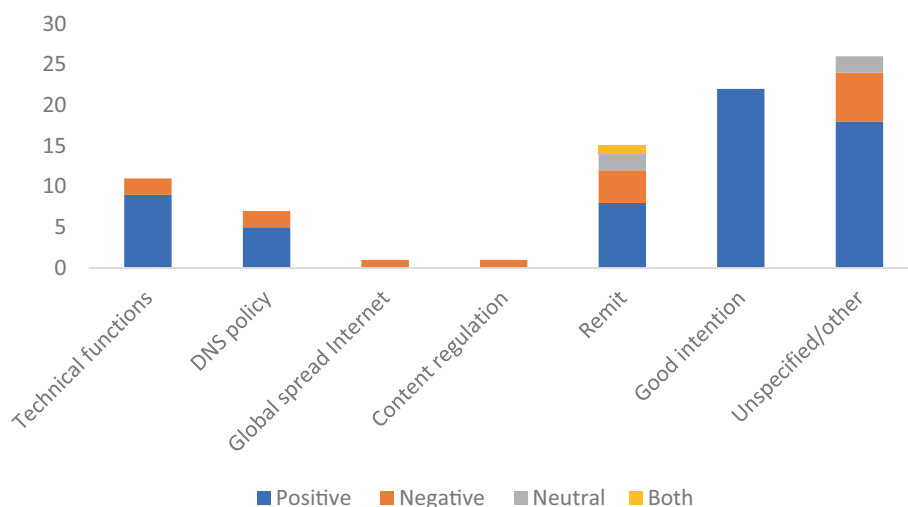


Figure 4 Content analysis: Number of respondents mentioning aspects of purpose.

Next, as established inductively through answers to the open-ended question, 15 respondents linked their level of confidence in ICANN to the organization’s remit, both positively and negatively.³¹ On the positive side, some praised ICANN for sticking to a narrowly defined mandate.³² On the negative side, others criticized ICANN for mission creep,³³ or the risk thereof.³⁴ Several respondents asked whether an overly narrow remit could cause ICANN to lose relevance in the future.³⁵

As a further category of purpose generated inductively, 22 respondents pointed to ICANN’s good intentions and dedication.³⁶ As one respondent explained: “I have a lot of confidence that the motivation is genuine for everything they do.”³⁷ Such remarks about right motivation mentioned not only ICANN as a whole, but also more specifically the board,³⁸ staff,³⁹ multistakeholder community,⁴⁰ and individual constituency groups.⁴¹

In sum, institutional purpose often matters for legitimacy beliefs toward ICANN among participants in the regime. Our evidence therefore substantially, albeit not uniformly, validates H1. Not every organizational objective figures in legitimacy perceptions toward ICANN, but a relationship appears frequently enough to conclude that purpose is an important third class of institutional sources of legitimacy toward global governance, in addition to the more usual research focus on procedure/input and performance/output.

4.5. Procedure

Next, we examine the relationship between perceptions of ICANN’s procedures and legitimacy beliefs toward this multistakeholder regime. As discussed earlier, we distinguish between democratic, technocratic, and fair qualities of making and implementing decisions.

4.5.1. Democracy

In the qualitative evidence, *democratic* procedures receive greatest mention (Fig. 5). No less than 104 respondents (nearly a quarter of the total) raised the issue of *inclusive participation* in their interviews. Several respondents commented on the lack of participation, or limited influence, for persons from certain regions (e.g., in the global south),⁴² for people with no or limited English proficiency,⁴³ women,⁴⁴ younger people,⁴⁵ newcomers,⁴⁶ particular stakeholder groups,⁴⁷ and individuals with insufficient financial resources to participate.⁴⁸ That said, our statistical analysis reveals no significant association between perceptions of inclusive participation and confidence in ICANN. Thus, increased appreciation of inclusive participation does not explain why some participants hold stronger legitimacy perceptions toward ICANN. Likewise, greater concern about exclusion does not explain why some hold weaker legitimacy perceptions toward this multistakeholder regime. This finding appears surprising, considering that diverse participation from different social groups and sectoral interests is often promoted as a key positive feature of multistakeholder governance. Possibly the result reflects the survey population of ICANN insiders who feel adequately included, whereas outside observers might have greater concerns about access.

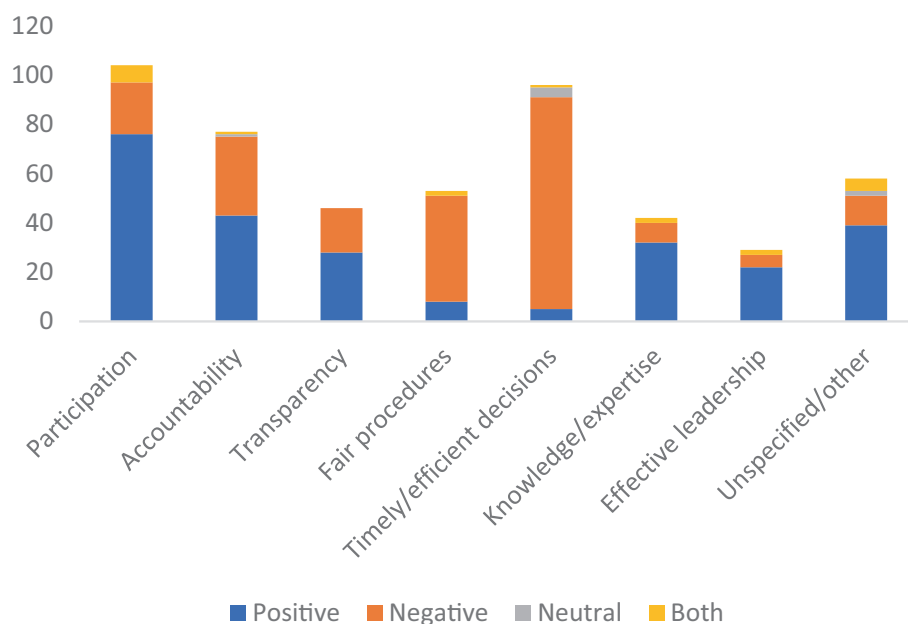


Figure 5 Content analysis: Number of respondents mentioning aspects of procedure.

Regarding *accountability*, a statistically significant association with legitimacy beliefs does prevail. When respondents are more positive about accountability in ICANN, the odds increase by 119.7% that they have stronger legitimacy perceptions toward the regime (odds ratio of 2.197 in Model 4; also 2.371 in Model 6 and 2.107 in Model 7). These results are unsurprising to the extent that ICANN has for many years highlighted accountability issues, including three major Accountability and Transparency Reviews. Indeed, 77 respondents (one in six) raised issues around accountability in their oral remarks. Several participants specifically commented that the multistakeholder model raises accountability in ICANN.⁴⁹

Turning to a third measure of democratic procedure, the analyses in Models 5 and 8 show that, when respondents are more positive about *transparency* in ICANN, the odds increase respectively by 60.3% and 68.5% that they have more confidence in ICANN (odds ratios of 1.603 and 1.685). In addition, 46 interviewed participants (a tenth of the total) specifically discussed ICANN's transparency in relation to their confidence in the organization. While several interviewees considered ICANN to have transparent operations, especially when compared to intergovernmental organizations and national governments,⁵⁰ others found it difficult to navigate the sheer magnitude of information about ICANN that is available online.⁵¹ One respondent complained that ICANN releases overwhelming amounts of material which, paradoxically, "gives the impression that there is not so much transparency."⁵² In this sense, more transparency does not necessarily generate higher legitimacy beliefs, since the accessibility and manageability of information also matters.

4.5.2. Technocracy

Moving to *technocratic procedure*, most models show significant associations between perceptions of timely decision-taking and confidence in ICANN. Specifically, when respondents are more positive about the extent to which ICANN takes decisions in a timely manner, the odds increase by 41.5% that they hold higher confidence (odds ratio of 1.415 in Model 4; between 1.338 and 1.419 in Models 5–7). However, this finding merits some caution, as this relationship is not significant in Model 8. Moreover, we find no association anywhere between, on the one hand, perceptions of the extent to which ICANN bases its decisions on the best available knowledge and expertise and, on the other, confidence in ICANN. Here, too, the lack of association is surprising, considering that policymaking in multistakeholderism is often extolled to be well-informed and expert-based.

That said, many open-ended answers mentioned ICANN's *efficiency* and *expertise*, as well as effective leadership in ICANN. A full 96 respondents (one in five of the total) commented on efficient and timely decision-taking in ICANN. Most of these assessments were negative. Many respondents described decision-taking in

ICANN as slow⁵³ and cumbersome,⁵⁴ often citing its poor handling of the EU's General Data Protection Regulation (GDPR).⁵⁵ In contrast, most of the 42 interviewees who commented on expertise at ICANN had a positive assessment. Respondents not only praised ICANN's expertise in general, but also remarked specifically on the competences, skills, and knowledge of ICANN staff,⁵⁶ board,⁵⁷ and community members.⁵⁸

In addition, 29 respondents commented on *effective leadership*, a further category of technocratic procedure that we created inductively. Over three quarters of these observations were positive, describing ICANN as a well-run,⁵⁹ professional,⁶⁰ reliable,⁶¹ and stable⁶² organization, whose leadership takes its roles and responsibilities seriously.⁶³ Likewise, most survey respondents indicated to find it “quite important” (28.7%) or even “extremely important” (48.2%) for ICANN to have inspiring or visionary leadership. This finding is noteworthy, considering that multistakeholder policymaking is usually celebrated for its “bottom-up” character. At ICANN, apparently, “the bottom” also embraces good-quality direction from “the top.”

4.5.3. Fairness

Looking at *fair procedure*, our analysis shows that perceptions of unbiased decision-taking and unbiased policy implementation relate significantly to confidence in ICANN. When respondents give higher assessments regarding fair decision-taking in ICANN, the odds increase by 50.2% that they have more confidence in ICANN (odds ratio of 1.502 in Model 6; 1.663 in Model 8). Likewise, when respondents are more positive about the extent to which ICANN implements policies in an unbiased way, the odds that they have stronger legitimacy perceptions increase by 83.0%–101.7% (odds ratios of 1.830–2.017 in Models 4, 5, and 7).

Moreover, in open-ended answers 53 participants mentioned (im)partiality and (un)fair influence in ICANN. Most of these comments were negative. Several respondents asserted that certain constituency groups or business interests have undue influence in ICANN decision-making processes, or that ICANN is more inclined to listen to some groups than to others.⁶⁴ Several participants argued that ICANN is captured—or prone to capture—by specific groups, including domain name registries and registrars, as well as other business circles.⁶⁵ These concerns correspond to critiques cited earlier that multistakeholder governance is vulnerable to takeover by special interests.

In sum, we find widespread evidence to support an association between perceptions of institutional procedure and legitimacy beliefs at ICANN. Our evidence therefore notably, although not across the board, validates H2. In addition to the particular remarks discussed above, 57 respondents referred in broad terms to the effectiveness of ICANN's decision-making model. Many of these remarks specifically mentioned the multistakeholder process.⁶⁶ Overall, then, legitimacy for multistakeholder global governance at ICANN does appear to derive substantially from the ways that this regime makes and implements policy.

4.6. Performance

Now we shift focus to the significance of institutional performance for legitimacy beliefs toward ICANN. As with procedure, we distinguish between democratic, technocratic, and fair qualities of performance.

Regarding technocratic performance, our data reveal that perceptions of ICANN's effectiveness in promoting the technical security of the Internet associate positively with legitimacy beliefs, albeit in only two models. Model 6 indicates that when people perceive ICANN as more effective in promoting the *technical security* of the Internet, the odds increase by 43.3% that they have stronger legitimacy perceptions (odds ratio of 1.433). A similar pattern arises regarding perceptions of *technical stability* in Model 8 (odds ratio of 1.519). Regarding ICANN's ability to promote competition in the DNI, although Model 3 suggests a positive association with legitimacy beliefs toward ICANN (odds ratio of 1.204), this relationship does not hold in any other Model. These mixed patterns indicate weak evidence for a statistically significant association between perceptions of ICANN's technical performance and respondents' legitimacy beliefs. That said, most oral remarks about ICANN's institutional performance (46 respondents, 10% of the total) did discuss technocratic aspects (Fig. 6). These comments often generically endorsed ICANN's “ability to get things done,”⁶⁷ to deliver results,⁶⁸ to address complex issues and problems,⁶⁹ or to do its job.⁷⁰ Many participants related their confidence in ICANN to its success in making the DNS and the Internet work.⁷¹ In addition, 20 respondents talked positively about ICANN's capacity to ensure the *technical stability* of the Internet, while eight applauded its ability to ensure the *technical security* of the Internet. Only one respondent mentioned ICANN's ability to *promote competition in the DNI* in their response, urging that it should do more in this regard.⁷²

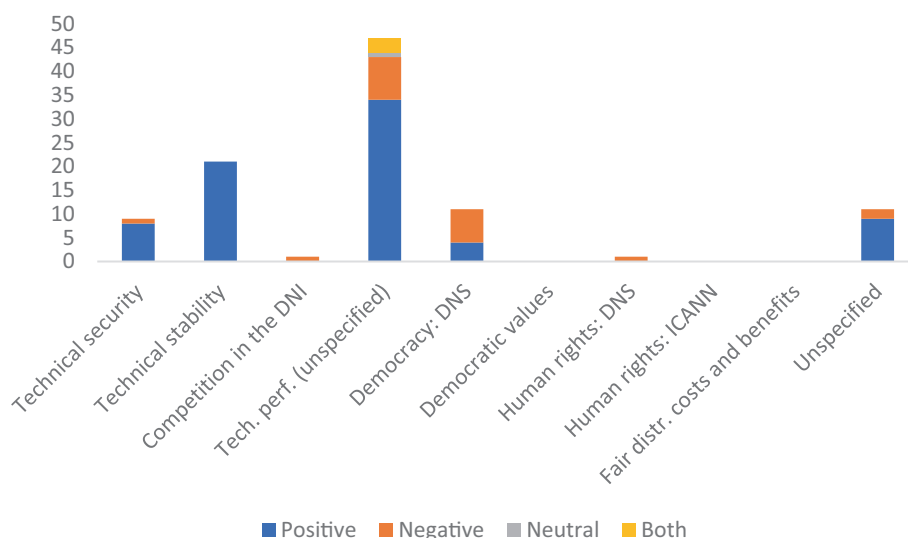


Figure 6 Content analysis: Number of respondents mentioning aspects of performance.

Regarding democratic and fair outcomes, many respondents indicated not to know how ICANN performs in delivering these matters, so we excluded these variables from the statistical models. Still, some interviewees highlighted related issues in their oral remarks. Twelve interviewees commented on ICANN's ability to promote democracy in the management of the DNS, mainly in terms of (lack of) efforts to involve different stakeholder groups and marginalized world regions. None of the interviewed participants discussed ICANN's promotion of democratic values in wider society. Likewise, respondents gave scant mention of fair outcomes. Only one lamented that human rights get significantly undermined in ICANN,⁷³ and none discussed fair distribution of costs and benefits of the DNS. The latter omission is striking, in as much as the DNI involves major actual and potential commercial profits, of which certain large corporations take substantial shares. Apparently, this distribution pattern troubles few ICANN participants, or they do not associate this outcome with ICANN's rules.

In sum, assessments of institutional performance connect with some regularity to ICANN participants' legitimacy beliefs toward the regime. However, these links relate mostly to technocratic problem solving (and even then do not show consistent statistical significance), while institutional impacts on democratic and fair outcomes barely figure. Hence, while we find some notable validation of H3, the support is on the whole less strong than for H1 and H2. This pattern regarding output legitimacy—much more related to technocracy than to democracy and fairness—is consistent with other research on elite attitudes toward global governance (Scholte et al., 2021). Perhaps ICANN insiders tend, like other elites, to be “winners” in distributional outcomes and correspondingly have less concern for impacts on democracy and fairness.

4.7. Noninstitutional sources

Given the many significant associations demonstrated above involving organizational circumstances at ICANN, one might be tempted toward an institutionalist argument that conditions around a governing body's purpose, procedure, and performance provide a full explanation of legitimacy in multistakeholder global governance. Yet, we theorized earlier that sources of legitimacy could also relate to noninstitutional features.

To test this proposition, we ran controls in respect of several individual and societal attributes. Regarding the individual level, Tables 3 and 4 show significant associations between the extent to which respondents feel that they have benefited from ICANN and their confidence in the organization. In addition, all models show a significant relationship between respondents' role (i.e., whether they belong to the board, staff, or community) and their confidence in ICANN. However, we do not find variation in legitimacy beliefs toward ICANN based on gender. Thus, much as not all institutional qualities show significance, so not all individual features are relevant either. Regarding the societal level, we tested the relevance of capitalism, in terms of perceptions of profit-making. All models indicate a significant negative association between the extent that participants view profit-making to drive policymaking at

ICANN and their confidence in the regime. In sum, significant associations for several individual- and societal-level factors suggest that institutional qualities do not provide a full explanation for legitimacy in ICANN.

5. Conclusion

This article has investigated the sources of legitimacy in multistakeholderism as a major alternative approach to intergovernmental global governance. To understand how multistakeholder regimes have consolidated over recent decades, and how they might develop in future, one needs to identify the conditions that shape foundational approval for these arrangements. Given the emphasis placed on institutional questions in debates around multistakeholderism, our analysis has focused on institutional sources of legitimacy: namely, to assess how organizational purpose, procedure, and performance might affect levels of endorsement for multistakeholder apparatuses. We take ICANN as a focal case, owing to its significance, size, concerted attention to institutional matters, and persistent explicit concern with legitimacy.

The overall answer to our central question is that many though not all facets of institutional purpose, procedure, and performance shape legitimacy beliefs toward multistakeholderism at ICANN. Participants in the regime generally feel strongly about ICANN's mandate, and they place high importance on a range of democratic, technocratic, and fairness aspects of institutional inputs and outputs. In addition, participants tend to closely scrutinize ICANN's organizational purpose, procedure, and performance, often holding detailed assessments regarding qualities of democracy, effectiveness, and fairness. Furthermore, ordinal linear regressions, complemented by content analysis of oral commentary, demonstrate that perceptions of six institutional features relate significantly with participants' legitimacy beliefs toward ICANN. On the whole, institutional purpose and procedure (input legitimacy) account for larger variation in legitimacy views held by ICANN participants than institutional performance (output legitimacy).

As for practical implications, this analysis suggests that champions of ICANN who wish to enhance its legitimacy (and detractors of ICANN who wish to undermine its approval ratings) should direct their advocacy primarily at the identified six most significant institutional factors. Thus, focus on celebrating (or denouncing) ICANN's specific mandate to manage the DNS and a general mission to expand the Internet across the globe. Focus on applauding (or attacking) ICANN's (un)transparent, (un)accountable, (in)efficient, and (im)partial operations. In general, focus more on issues of organizational purpose and procedure than performance. Meanwhile, give less emphasis to other institutional matters—such as regulating content (as a purpose), inclusive participation (as a procedure), and fair distribution of benefits (as a performance outcome)—which in our analysis do not explain variation in legitimacy beliefs toward ICANN.

Four qualifications must be attached to these core findings and implications. First, to recall our specification at the outset, these results relate to *sociological* legitimacy rather than *normative* legitimacy. Our study shows what matters empirically for the legitimacy beliefs of participants in multistakeholder global governance at ICANN. Issues such as content regulation, inclusive participation, and fair distribution could still be important on moral and philosophical grounds. Advocates could still try to persuade participants at ICANN that they *should* base their legitimacy assessments of the regime on these other institutional criteria.

Second, as stressed from the beginning, this study has examined the *insider* views of regular participants at ICANN rather than the *outsider* views of broader elites and citizens at large. This focus is justified in as much as insiders are by far the most engaged and influential actors in global multistakeholder initiatives. However, insider perspectives may not reflect wider opinions. For example, we already saw earlier that general elites tend to accord ICANN lower average confidence than regime participants. It could be that different sources of legitimacy apply in these circles as well as that small proportion of citizens at large who are aware of ICANN. Indeed, concerned outsiders might feel marginalized in Internet governance and, in contrast to insiders, derive their (il)legitimacy beliefs toward ICANN from issues such as inclusive participation and fair distribution. Moreover, lacking much knowledge of institutional conditions, citizens at large may acquire their legitimacy beliefs from (at most) a loose impression of institutional purpose, and for the rest depend mainly on individual and societal sources.

Third, ICANN is only one case of multistakeholder global governance, however interesting and important this regime may be. Since our study is the first of its kind, it is difficult to assess its wider applicability. True, institutional questions figure prominently around multistakeholderism in general; and, as seen earlier, average confidence in ICANN lies in a broadly similar range as that for other global multistakeholder initiatives such as FSC

and KPCS. However, further research is necessary to confirm that the same institutional qualities shape legitimacy beliefs toward other global multistakeholder regimes. Likewise, additional investigations are required to confirm that ICANN is not an outlier in our unexpected finding that inclusive participation, technocratic expertise, and fair distribution do not explain variation in legitimacy beliefs toward this case of global multistakeholderism. For example, participants in the KPCS and corporate social responsibility regimes might accord human rights matters a significance that is missing at ICANN.

Fourth, as underlined in the preceding section, institutional qualities alone do not account for all of the observed variation in legitimacy beliefs toward ICANN. Control variables show that several individual and societal sources of legitimacy are also relevant, including respondents' role in ICANN (i.e., whether they are in the ICANN board, staff or community), their utilitarian calculations (i.e., whether they perceive to have benefited personally from ICANN and its policies), and their views of capitalism (i.e., whether they see profit-making driving policymaking). Hence, a more encompassing explanation of legitimacy in multistakeholder global governance must include more than institutional factors.

These caveats made, our study has offered several key contributions. Theoretically, it has covered a broad spectrum of institutional sources of legitimacy, when earlier work has generally honed in on a specific institutional quality. Methodologically, this investigation has demonstrated the merits of a mixed-method approach, which has allowed us to reinforce or where warranted qualify associations and also to identify factors (such as effective institutional leadership) that previous literature on global legitimacy has not assessed. Empirically, the survey of 467 respondents has provided the first large-N analysis of institutional sources of legitimacy perceptions toward multistakeholder global governance. The exceptional 49% response rate on an elite survey offers added confidence in the reliability of the results. Practically, we have identified potentially important policy implications of our findings.

Acknowledgments

Research for this article was carried out within the project "Legitimacy outside the State: Governing the Global Internet," with funding from the Swedish Research Council (Grant no. 2017-03076_3). We give major thanks to Alexandra Bousiou and Evie Papada for their inputs to constructing the ICANN survey questionnaire and for between them conducting around 40% of the interviews. We further thank student interns Elvina Borombaeva, Natalie Dinham, Linn Lundquist, Aaron Mannis, and Maria Verkhovtseva at the School of Global Studies, University of Gothenburg, for assistance with various data preparations. For feedback on earlier versions of the paper, we thank colleagues in the Legitimacy in Global Governance (LegGov) programme; seminars at the University of Gothenburg, VU Amsterdam, and the Centre for Global Cooperation Research, University of Duisburg-Essen; audiences at conferences of the Academic Council on the United Nations System, the European Consortium for Political Research, the European International Studies Association, GIG-ARTS, the International Studies Association, and the Netherlands Institute of Governance; as well as reviewers for *Regulation & Governance*.

Conflict of interest statement

We do not have any conflicts of interests to disclose.

Data availability statement

We would be pleased to share the (anonymised) dataset that was used for the analyses as well as the syntax files. Please contact Hortense Jongen (h.j.e.m.jongen@vu.nl) if you would like to receive this.

Endnotes

- ¹ Our theory builds on Dellmuth et al. (2019) and Scholte and Tallberg (2018); yet it adds the category of purpose and further refines conceptions of procedure and performance.
- ² The meaning and motivation of these three qualities is fully elaborated in Scholte and Tallberg (2018). Space limitations prevent a longer recapitulation here.

- ³ See Online Annex 1 for information about sampling procedure and interviewing process.
- ⁴ The weightings are 0.317 (board), 0.451 (staff), and 1.305 (community).
- ⁵ Online Annex 2 gives the exact formulation of questions.
- ⁶ Interviews 1008, 1012, 1016, 1017, 1023, 1025, 1048, 1053, 1077, 1085, 1091, 1104, 1105, 2002, 2005, 2008, 2014, 2031, 2032, 2063, 2206, 2211, 3046, 3216, 3217, 3223, 3336, 3700, 3708, 3801, 3934, 4026, 4033, 4080, 4082, 4108, 4201, 4204, 4208, 4212, 4221, 4232, 4235, 4239, 4241, 4247.
- ⁷ 1088; 1098; 2021; 2212; 2221; 3007; 3080; 3106; 3213; 3222; 3912; 4010; 4080; 10,335.
- ⁸ 1107; 3020; 10,335.
- ⁹ 1066; 1103.
- ¹⁰ 1098.
- ¹¹ 1102.
- ¹² 2021, 2217, 2218, 3104, 3222, 3225, 3228, 3903, 4094, 4222, 5004.
- ¹³ 1108, 3904, 4010, 4031, 4233.
- ¹⁴ 4099.
- ¹⁵ 1045, 3064, 3203, also 1046, 1077, 3912.
- ¹⁶ 1098, 10,335.
- ¹⁷ 1098.
- ¹⁸ 3103.
- ¹⁹ 3103.
- ²⁰ 2021, 4263.
- ²¹ 1072, 1073; 1107; 2001, 2220, 3031, 3073, 3228, 3600, 3803, 4244, 5001.
- ²² 2063, 4276.
- ²³ 2021, 2220, 4009, 4053, 4054, 4099, 4227.
- ²⁴ 1107, 3709.
- ²⁵ We tested for multicollinearity. VIF values are ≤ 2.481 . The assumption of parallel lines was not violated.
- ²⁶ Table 4 presents four of the six possible combinations of the relevant variables. We also ran the analyses on the other two combinations, which did not show notable differences.
- ²⁷ 1046, 2002, 2022, 2218, 3216, 3217, 3334, 3336, 3342, 3702, 4010, 4212.
- ²⁸ 1007, 1021, 1045, 1080, 1094, 1095, 2206, 2231, 3020, 3080, 3103, 3707, 4003, 4005, 4088, 4108, 4206, 4211, 4218, 4226, 4227, 4236, 4275, 4290, 4297.
- ²⁹ 1007, 2231, 3080, 4290, 4297.
- ³⁰ 1045, 1094, 1095, 3020, 3707, 4209, 4218.
- ³¹ 1003, 1091, 2021, 2027, 2216, 3059, 3080, 3932, 3933, 4003, 4053, 4081, 4087, 4103, 4217.
- ³² 1003, 1091, 2027, 3932, 3933, 4021, 4081, 4087.
- ³³ 2021, 3059, 4103.
- ³⁴ 4003, 4103.
- ³⁵ 4217; also discussed without referring specifically to ICANN's remit by 10335, 4102.
- ³⁶ 1008, 1011, 1015, 1024, 1076, 1095, 3009, 3015, 3033, 3040, 3708, 3902, 4009, 4014, 4020, 4088, 4094, 4205, 4232, 4238.
- ³⁷ 3902.
- ³⁸ 1024, 1095, 3009.
- ³⁹ 1095, 3033.
- ⁴⁰ 1095, 2009, 3033, 3040.
- ⁴¹ 4009.
- ⁴² 1113.
- ⁴³ 1113, 3906.
- ⁴⁴ 2004.
- ⁴⁵ 2004.
- ⁴⁶ 2005, 3068, 3906.

- 47 2055, 3047, 3911.
 48 1066, 4104.
 49 1092, 2011, 2062, 2222, 3024, 3039.
 50 2008, 2029, 3903.
 51 3207, 4266, 4267, 4287.
 52 4266.
 53 1066, 1073, 1114, 2033, 3046, 3201, 3204, 3215, 3219, 3902, 3929, 4002, 4017, 4083, 4202, 4214, 4233, 4241, 4250, 4262.
 54 1073, 3004.
 55 1008, 2004, 2015, 2020, 2057, 3004, 3025,3042, 3215, 3709, 3804, 3919, 3931, 4012, 4017, 4262.
 56 1009, 1047, 1077, 1090, 1097, 2018, 2220, 2222, 3024, 3026, 3922, 4099, 4046, 4087,4216, 4238.
 57 1047, 4082.
 58 1090, 1095, 2227, 3047, 4235.
 59 2008, 4082, 4270.
 60 2217.
 61 2217, 3026.
 62 3061.
 63 4232.
 64 2209, 2220, 3013, 3015, 3400, 3804, 4203, 4258, 4259b, 4292; several interviewees asserted that the contracted parties (i.e., domain name registries and registrars) have disproportionate influence: 1101, 3046, 3201, 4018, 4205, 4244, 4258, 4278.
 65 2220, 4219, 4278.
 66 1008, 1012, 10,334, 1087, 1102, 1110, 1112, 2028, 2031, 3010, 4025, 4097, 4108, 4210.
 67 1104.
 68 2001, 3334, 3710, 3805, 4206, 4227, 4246.
 69 3936, 4002, 4048.
 70 3008, 3334, 4021.
 71 1105, 1066, 2008, 2018, 3003, 3038, 3709.2, 3933, 5004.
 72 3226.
 73 3927.

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Supporting information

Additional Supporting Information may be found in the online version of this article at the publisher's web-site:

Data S1: Supporting Information.