

**Searching for the
New Liberalism**



TORONTO • SEPTEMBER 27 - 29, 2002

A “BRAND CANADA” FOR THE CONNECTED WORLD

By Wayne Hunt

One of the most significant divisions of the twenty-first century will be the way in which societies adapt to new technologies. The Internet Revolution and later, the Bio-Tech Revolution, offer different challenges for our societies. Biotechnology will profoundly transform agriculture. It will also transform public attitudes about food safety. But it promises to do far more than this. Bio-engineering could, in future, change the very basis of what it means to be human. We can move from an “End of History” to an “End of Humanity”, or as the populariser of the first expression has it, to a “Posthuman Future”.¹ But the Internet has already forced a fundamental transformation upon us. It is a distribution channel for ideas and information, a communications tool, and a marketplace; and it is all of these things at the same time.

The present institutions of public decision-making are ill-adapted to the new demands being placed upon them. Our parliamentary institutions were designed for the nineteenth century, and urgently need to be re-examined in a comprehensive manner. Our present electoral system is in urgent need of reform. Other countries have usefully combined different types of electoral systems. Germany, for example, uses a combination of proportional representation and a first-past-the-post system of the type with which we are familiar in this country. It is the argument of this paper that there has to be a democratic renewal of our public institutions. It will be further argued that this renewal is best accomplished through the creative use of Internet-based debate. A broad overview of developments will be presented with an aim to stimulate debate

The need for innovation has to be put forward in an open and direct way.

THE CASE FOR INNOVATION

Monopolies have the capacity to stifle more than their competitors – they can stifle new ideas. This is as true for the Internet as with other areas of commerce. One of the most widely cited authorities on this is Lawrence – Larry – Lessig, a Professor of Law at Stanford Law School. Lessig could be called the John Kenneth Galbraith of the twenty-first century. Like Galbraith, Lessig eschews the strictly analytical approaches to public policy and like Galbraith as well, Lessig champions the forces that will act as a counter-balance to the power of big business. He lacks the Harvard economist’s telling sense of satire, but his capsular analysis of the wider processes are masterful. He asks, “Who owns the Internet?” and answers with the obvious – “Until recently, nobody”.

The Internet offered a design that was totally unique. As a resource it was open to all. The

spirit of the wild west animated the entire enterprise. This changed. Courts and corporations are walling off portions of cyberspace. Lessig maintains that lawyers are killing the Internet. His argument is that Americans have a notion of private property as a core element of their political culture. He quotes with approval Carol Rose, of the Yale Law School. Rose explains that Americans are captivated by the idea that the world is best managed “when divided among private owners” and when, as a corollary, the market regulates that relationship. The state is there to protect property and to supply a rule of law. So far, so fundamental. But this worldview breaks down when applied to the Internet. As Lessig makes clear, the Internet may have been born in the USA, but many of the innovations now taken for granted were the product of “outsiders” — with the World Wide Web being one case-in-point. (The Web was developed by a researcher in a Swiss laboratory who fought to bring it into being. Neither was web-based e-mail an exclusively American invention. It was co-created by an immigrant to the United States from India, Sabeer Bhatia. It gave birth to one of the fastest growing communities on record — Hotmail.) The core resources of the Internet were left to the what Lessig calls the “commons”. Innovators could freely roam this “commons”. Policy-makers, he insists, have to understand the importance of this architectural design because, in the developing world in particular many “real space” alternatives for commerce and innovation are neither free nor open.²

FENCING OFF THE INFORMATIONAL COMMONS

Also quoted with approval by Lessig was a maxim of Machiavelli’s, that innovation “makes enemies of all those who prospered under the old regime (while) ... only lukewarm support is forthcoming from those who prosper under the new.” The “commons” during its initial phase was not controlled. It was a resource to which everyone had equal access. When the Internet took off, narrow-band service across acoustic modems enabled millions of computers to connect through thousands of ISPs. Local telephone service providers had to provide access to local wires, they were not allowed to have differential fees or to discriminate against Internet service. The physical platform on which the Internet developed was regulated to remain neutral. This changed.

The dominant broadband technology in North America is currently cable. Cable providers have no obligation to grant access to their facilities. Cable has pressed for a different set of regulatory principles and have employed new technologies which allow them to act in a “strategic” manner. Cisco, to use one example, has developed “policy-based routers” which allows them to decide upon the flow of content. Some content will move quickly, others less so. They can block content, such as advertising from competitors, that is not consistent with their business model — to use a felicitous phrase. As Lessig puts it, this network “will increase the opportunity for strategic behavior in favor of some technologies and against others.” The principle of neutrality will have been lost and the potential for innovation on a world-wide scale will have been compromised.³

Copyright regulation has had a parallel effect. In his recent book, *The Future of Ideas*, Lessig shows how “an army of high priced lawyers, greased with piles of money from PACs” have forced Congress and the courts to “defend the old against the new”. Patents also invoked

sceptical response. Lessig pointed out that there was a long history to this. Thomas Jefferson – the first patent commissioner – had a fear of monopolies, as did Ben Franklin. In fact, the latter thought them immoral. Science, he further observed, “has traditionally resisted patents”. And even Bill Gates (“no patsy when it comes to intellectual property protections”) has expressed scepticism about patents.⁴

The cumulative effect of all these changes is to move the cyber world from an architecture of innovation to an architecture of control.⁵ How will we react as a society to the forces of monopoly capitalism? When radio was the dominant communications technology of the era, Graham Spry famously declared that Canadians were faced with a choice: “the State or the United States”. Spry was the leading figure in a group that was formed in the fall of 1930 to promote Canadian broadcasting. Calling itself the Canadian Radio League, the new pressure group brought together a wide, constantly-shifting coalition of personalities and group interests. Included in the latter category were several premiers, women’s groups, university presidents and university women’s groups, organized labor, agrarian groups like the United Farmers, western interests, and francophone groups. Theirs was a communitarian spirit. Graham Spry was the chief spokesperson. Appealing in an unambiguous way to the romanticism of a national project on this scale, Spry constantly made the point that radio was “a majestic instrument of national unity and national culture.” Its potentialities were too great, “its influence and significance too vast” to be left “to the petty purposes of selling soap”.⁶ The results of these efforts became a storied part of this country’s heritage. In 1932 Parliament passed its first Broadcasting Act, establishing the Canadian Radio Broadcasting Commission (the CRBC). This was the forerunner to Canadian Broadcasting Corporation (the CBC), which was formed in 1936. The Canadian Broadcasting Corporation supplied a public voice for radio and, later, for television. Will there be a Canadian presence in the new information order? And in a more important way, will the same communitarian ethos animate events?

CREATING A CANADIAN ‘BRAND’ IN THE NEW INFORMATION ORDER

The first question is the easier to answer. The federal government has placed an emphasis on access. The latest communication technology should be available to rural Canada, to the places that suffer out-migration, as well as to the north. This is the link to the outside world in these places. There has to be an equality of *educational* opportunity so that all can share in the civic benefits of the Computer Revolution. Health care provision is one important example of the ways in which new technologies can help teams of specialists bring the benefits of their expertise to people who do not have mobility. More innovative use of long distance education is another. Pippa Norris, of Harvard University, has examined the social impact of the digital revolution on a global scale. She has pointed out that farmers in the developing world can use community centres to learn about future price changes in crop values and to have an analysis of weather forecasts. In the places where there is a lack of access to the media, the convergence of communications technologies means that the Internet has the potential to deliver virtual stories from local newspapers, as well as stream real-time radio and television video.⁷

In Canada, decision-makers in the public sector are in broad agreement about the potential of

this new technology. But much of the will to harness this potential has been lost. Why? The fascination with leadership politics within the Liberal party of Canada goes a long way toward providing an explanation. In a remarkably public fight, then Industry Minister Brian Tobin fought with then Finance Minister Paul Martin over a national broad band program. Mr. Tobin's enthusiasm for the project went down as quickly as his leadership ambitions, however, when he was on the losing side of that fight. But this was not the only reason the project was put aside. Public enthusiasm was beginning to cool. The damage that was done in the equity markets to tech stocks left an impression that this was a revolution that had already peaked. In fact, this is manifestly not the case – but the impression was there nonetheless.

Access to this new technology remains a crucial issue. Use of the Internet has dramatically increased in the last two decades. Its potential has only begun to be appreciated.⁸ The wonderment and majesty so elegantly described by Graham Spry at the time when one new technology was appearing is there with this next generation of communications technology as well. Still, the question remains: *How do you put a Canadian face on this phase of the technological revolution?* And it is here that we must go back to the question of a communitarian ethos. Depopulation is a problem for small-town Atlantic Canada, as it is for small-town northern Ontario or northern Quebec or northern Saskatchewan. Technology can bring a better quality of life to these locales when there is a political will to find innovative ways to put the infrastructure in place.

The Government of Canada has to be ahead of the curve when it comes to change. There are important issues of content on the Web. The search engines which you use are an important lens on the world. Take one representative example. Type in aboriginal policy. The first nineteen sites are likely to be American. The same results can be obtained with other examples. It is important to understand that this situation can be changed. The Canadian government has a critically important role in this area. The government could sponsor the creation of a search engine which would provide a frame of reference consistent with the values, the ethos and the issues which are central to the nationhood of this country.

Canada is not alone in this initiative. In other parts of the world there have been governmental attempts to develop innovative strategies for dealing with the unstoppable advance of Gap, Starbucks and other corporate interests. Consider the French strategy. With the creation of a new public diplomacy department, the government of that nation developed a novel approach. Instead of pushing the losing case of French exceptionalism, the Government of France positioned itself as the front of a coalition of nation-states which promoted a new sense of nationalism in culturally-significant areas such as telecommunications and information technology. In a similar move, when it became apparent that French could not compete with English as language of commerce, the French took up the cause of multilingualism. The British use a number of cultural programs to show that they are open to cultural diversity.⁹ The same spirit of open innovation has to inform efforts in this country to create a pan-Canadian presence in the cyber world.

DIRECTING THE SOCIAL ACTIVISM OF THE CYBER GENERATION

The Canadian government has to have a bold, new approach to generational change. Look at the age profile. In the present circumstances, much state support goes to older people. The subsidies can be direct, through pensions, or indirect, through the health care system. The state has an important moral obligation to provide cradle to grave care. This obligation will only remain if a younger generation of Canadians can be encouraged in their efforts to discover a new sense of civic engagement. It can begin with an intergenerational program. Consider this option. Technology diffusion can be promoted through a program which allows young people to teach seniors how to use computers. Computer facilities can be established in retirement homes as part of the program. Link-up programs can be established with facilities in the developing world, so that this can be an idea without borders. It requires a massive redeployment of state resources. These resources will be redeployed along age lines (for 18 to 24 year olds) rather than the traditional lines of socio/economic class. Parenthetically, it should be noted that the private sector has already discovered that developing tech solutions to allow an aging population to enhance their independence and live in their own homes is a growth industry. Or as one American magazine put it “considering that every seven seconds another of the nation’s 75 million baby boomers turns 50, there’s clearly gold in helping the old”.¹⁰

It is important to place these initiatives in the broader context of changing political cycles. The era of private interests is being called into question. Corruption and accounting scandals in the private sector have taken much of the romance out of a career in that area. A new political era is beginning to take form. At present, it only exists in an indistinct form but the general pattern is clear. There is a dialectical play of forces at work. The American historian, Arthur Schlesinger Jr., famously described two cycles in American politics. One was identified with public purposes; the other, with private interests. Bursts of energy, enthusiasm and experimentation with public programs followed from the first cycle.¹¹ We are now at the cusp of a cycle in which the need to place public interests above private interests is becoming more apparent. It is time to act upon it. But before we do so, it is best to retrieve what is best from the past in order to build upon this heritage. An earlier generation of Canada’s youth put its energies into programs such as the Company of Young Canadians. This was not the only innovation to come out of our nation’s capital. Opportunities for Youth was designed “to combine the resources of government with the resources of youth”.¹² And there were other noteworthy examples. Katimavik and Canada World Youth were two parallel programs that were proposed by non governmental organizations and funded by government. Each provided early examples of a successful partnership between the voluntary sector and the public sector.

The present generation needs a broadly-based governmental initiative which will demonstrate how communications technology can serve a social purpose. What is the role of the state in this? A state presence was needed to counter market forces for radio and television. Now it must be there to perform the same function for the next great communications revolution. *This means a CBC for the Internet.* State-sponsored inducements can create exciting sites which celebrate Canada’s past, and its future, as a society that is open to the world. Why not allow Canadians to tell their stories through the latest communications technology? The federal department of

Heritage Canada should place a priority on software development and access to information in the way that Industry Canada does for business.

There are reasons why we should do this. We can start with the size of the country. The physical geography of Canada has always been a shaping influence on our lives. We have a huge landmass with a relatively small number of people. The communication of shared experiences has been the central point of our nationhood. Alexander Graham Bell was at the forefront of technological change. Harold Innis and George Grant brought their own visions, and their own academically-trained imaginations, to a conceptual understanding of the role of the nation-state in these changes. Marshall McLuhan's eclectically-delivered insights dealt with the intrinsic nature of the new forms of communications. The phantasmagoric rambles of the Canadian media guru were said to be part of the spirit of the emerging age of television. They were grounded on the notion that a medium of communications like radio – or television – was an extension of our physical senses. His most lasting contribution, however, was something far greater: he offered a fresh perspective on a world in which the representation of human experience was essentially mediated by electronic pulses. His fluid insights burst the boundaries of existing categories of analysis.

FROM AN INFORMATIONAL DEFICIT TO A DEMOCRATIC DEFICIT

A McLuhan is now needed for the Age of the Internet. The next generation of theorists are exploring new platforms and formats for empirically-grounded research. One pattern that can be discerned at present: Internet communications are at the core of human rights movements. A diverse range of advocacy networks and new social movements use this mechanism. The Internet is not a driving force behind these groups but it does help them to organize and to mobilize.¹³ The data that is available suggests that cyber culture does encourage a suspicion of big government (a natural sentiment since much of the Internet mania was centred in Silicon Valley) but that they are sympathetic to alternative social groupings (again, natural, since the same area was associated with these lifestyle movements in the 1960s). Gay rights groups, pro-choice advocates and environmental and feminist movements have a following in cyber culture. European data confirms this general trend.¹⁴ The Internet had a dramatic impact on the business world. It reduced the transaction costs of companies. Innovative e-strategies were developed by groups like Amazon.com (Amazon.ca when it travels north) and eBay to create flexible market niches. In the same way, as Pippa Norris has pointed out, “digital politics has shifted the balance of resources away from large-scale professional bureaucracies...and toward technical knowledge and skills” in the partisan political world.¹⁵ In retrospect, most of the tendencies associated with the New Economy were as much about style as content. Open decision-making, flat hierarchies, flexible work hours and alternative dress codes – all were associated with the era of cyber enthusiasm.

In Canada, this style clashed head-on against the management ethos of the Chretien government. His is a decidedly paternalistic government. Its managerial approach is also decidedly old-style.¹⁶ Ministers are given a certain amount of leeway within their own sphere but they are always held to account by head office. Under these circumstances, it is no accident

that the Office of the Prime Minister has gained a higher profile. Regional desks, modelled on the 1968 to 1972 period of the Trudeau government, gained a higher profile. The same criticisms appeared: of “Presidentialism” and top-down government. Once again, backbenchers were derided as “nobodies”. This was said to be a “friendly dictatorship”. It was a phrase which had resonance. It recalled Lord Hailsham’s description of prime ministerial government in Britain as an “elective dictatorship”. Another term was also imported from across the Atlantic – “democratic deficit”. It was originally applied to the European Union to mean that too much time was given over to the process of governance, too little to actual accomplishments. The priorities and concerns of a cumbersome federal structure did not match the concerns of a majority of the population. These concerns find an echo in this country.¹⁷

The pent-up demand unleashed by such forces is likely to result in limited structural change. More free votes in Parliament is one likely result, the election of parliamentary committee chairs by the committee itself and not by the prime minister is another. These can only be regarded as stop-gap measures, however. More fundamental change is necessary, starting with reform of our upper house and reform of the electoral system. The party system must evolve to accommodate these reforms. Relations between parties in different countries have to be fostered. State funding should be made available for this. One model is Germany’s Konrad Adenauer Stiftung – a politically oriented Institute loosely associated with the Christian Democratic party. It facilitates exchanges between countries in order to maintain a policy debate. German taxpayers fund parallel Institutes with links to the Green party, the Liberals and the Social Democrats. Benefits include a clearer appreciation of the political problems faced by neighbouring countries and countries with parallel political ideologies, a policy exchange that enhances the intellectual capital of parties between elections, and a more progressive and international outlook.¹⁸ Each of these considerations are hugely significant in themselves. In the Canadian instance, they point to the fact that Canadian parties should work to place an institutional foundation upon their links with their counterparts south of the border.

THE IDEOPOLIS

Canadian politics have turned on three fundamental axes. They involved relations between the centre and the periphery, relations between francophones and the rest of the country, and Canada-US relations.¹⁹ There were a number of assumptions to this. Assumed, for example, was the fact that the system could only focus on one relationship at one time. Also assumed was the view that other relationships would be subsumed to the dominant axis. Thus it is now with the Canada’s position in North America. Canada-US relations have, by tradition, been compartmentalized as a component of foreign policy. This meant that it was dealt with in a vertical fashion rather than in a horizontal manner. A comprehensive examination is required. Political parties, it should be emphasized, have to be the key agents of change in this process. Links have to be (re)established.

The base of Liberal support in national elections tends to be in “smart city” areas. The results of the 2000 general election confirmed this. The Democrats in the United States have a base of support in what have been called “ideopolis counties”. By definition, “ideopolis counties” are those parts of metro areas which have high tech economic activity and a front rank research

university. Most of the people in these areas voted for Republican Presidential candidates in 1980 and 1984. But in the 2000 election, Gore garnered 54 percent of the vote while Bush came in at 41 percent. A compelling case has been made for an increasing association between the Democrats and the “ideopolis”. It is argued that this connection will give progressive forces an electoral hold on the future. The demographics are moving in this direction. Women with college degrees voted 57 percent for Gore. For women with advanced degrees the number was 63 percent. Added on that is the fact that the “ideopolis” is home to the fastest growing segment of the American population, the Latinos. The “ideopolis” is the locale that knowledge workers call home. Credentialed, professional and network-friendly, these knowledge workers have added value not just to their workplace, but to the political party that places emphasis on the lifestyle issues that matter to them. Thus they tend to favor libertarian social policies but they also believe that capitalism can, and should, be regulated. (This last point marks a change from the Reagan era.) The fastest growing areas of support for the Democrats are in “ideopolis” counties, around San Francisco Bay or metro Chicago. These are areas that tend to have spin-offs from university research facilities. They provide “soft technology” services – dealing with the media, public relations, legal representation, fashion, design and advertising. They work at the intersection of technology and creativity – but most of their efforts are directed toward the marketing of concepts and ideas.²⁰

The Liberal Party of Canada has to harness these forces in this country and they have to adapt to them in a creative way. The party has to restore its intellectual capital. This means that it must be open to new ways of looking at the world. This also means that communication has to be more than a one-way affair. To date, political parties have taken a passive approach to the Internet. It has been used by the Prime Minister’s Office in a mechanical manner. Much of the information which is sent out is also available in a more traditional form, in hard copy or via fax. This is not the way it should be. At a conference on reviving democracy on April 10 2002, the Honourable Robin Cook maintained that:

There is a connection waiting to be made between the decline in democratic participation and the explosion in new ways of communicating. We need not accept the paradox that gives us more ways than ever to speak, and leaves the public with a wider feeling than ever before that their voices are not being heard. The new technologies can strengthen our democracy, by giving us greater opportunities than ever before for better transparency and a more responsive relationship between the government and the electors.²¹

The Internet’s potential lies in creating new avenues for dialogue. It would be a policy failure not to develop an Internet “commons” that carries a distinct Canadian “brand”. Still more it is a policy failure not to take on big corporations when they use a monopoly position in a manner that stifles innovation. The reform of parties has to be tied to the reform of political institutions.

ENDNOTES

1. Francis Fukuyama was confounded by the argument that “there could be no end of history unless there was an end of science.” Hence his interest in the ethical and socio/politico dilemmas posed by bio-engineering. He believed that “the most significant threat posed by biotechnology is the possibility that it will alter human nature and thereby move us into a ‘posthuman’ stage of history.” He further argues that human nature exists as a meaningful concept and that this concept has given stability to us as a species. Conjointly with religion, it has defined our most basic values. Human nature shapes our politics and our political structures. It follows from this that “a technology powerful enough to reshape what we are will have consequences for liberal democracy and the nature of politics itself”. Quoted in Francis Fukuyama, *Our Posthuman Future, Consequences of the Biotechnology Revolution* (New York: Farrar, Straus and Giroux, 2002), xii, 7.
2. Lawrence Lessig, “The Internet Under Siege”, *Foreign Policy* (November/December, 2001), 56.
3. *Ibid*, 62.
4. Lawrence Lessig, *The Future of Ideas, The Fate of the Commons in a Connected World* (New York: Random House, 2001), 199, 206.
5. The words, again, belong to Lessig. He concludes that we have moved to the architecture of control “without noticing, without resistance, without so much as a question.” He concludes that those who are “threatened by this technology of freedom have learned to turn the technology off. The switch has been thrown. We are doing nothing about it.” *Ibid*, 268.
6. Quoted in Paul Nesbitt-Larking, *Politics, Society and the Media: Canadian Perspectives* (Peterborough: Broadview, 2001), 60-61. The author draws upon an original source by Graham Spry, *Queen’s Quarterly*, 1931.
7. Pippa Norris, *Digital Divide, Civic Education, Information Poverty, And The Internet Worldwide* (Cambridge: Cambridge University Press, 2001), 7.
8. *Ibid*.
9. See the arguments put forward by Mark Leonard, “Diplomacy by Other Means”, *Foreign Policy* 132 (September/October, 2002), particularly 52-53.
10. Joan Raymond, “Gray Market For Gadgets – Technologies to Help the Elderly Live on their Own”, *Next Frontiers, Newsweek*, 23 September, 2002, 52.

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11. Arthur M. Schlesinger, Jr., *The Cycles of American History* (Boston: Houghton, Mifflin, 1986), 47.
12. Quoted by Jacques Herbert, "Legislating for Freedom", in Thomas Axworthy and Pierre Trudeau, eds., *Towards A Just Society, The Trudeau Years* (Markham: Viking, 1990), 140, ff.5. Herbert draws upon the House of Commons, *Debates*, 16 March, 1971.
13. Norris, *Digital Divide*, 9, 19. Norris makes the point that some analysts see the Internet as an intervening rather than a driving variable for transnational advocacy networks. She cites Margaret Keck and Kathryn Kikkink, *Activists Beyond Borders – Advocacy Networks in International Politics* (Ithaca: Cornell University Press, 1998) as a representative example of this view.
14. *Ibid*, 215.
15. *Ibid*, 239.
16. Managerialism comes at a cost. Two decades ago, Robert Reich delivered an indictment of what he called the managerial era. This era, he wrote, put an undue emphasis on "efficiency". "Managerial government was adept at finding efficient solutions, but not at engaging the political process by which they were made." Too much reliance was placed on the courts, meant that America's political system "was incapable of ranking demands or choosing among them because it had no legitimate mechanism for deciding how the burdens and benefits of public decisions were to be allocated". Robert Reich, *The Next American Frontier* (New York: Times, 1983), 268-269.
17. A pollster who works for the Liberal party has warned that the Liberal "soap opera" is eroding support. "Canadians", Michael Marzolini finds, "have suffered too much process, and not enough policy". Quoted in Jane Taber, "Liberal 'soap opera' eroding support", *Globe and Mail*, 20 September, 2002, A4.
18. See Leonard, "Diplomacy by Other Means", 55.
17. The classic account of this comes from D.V. Smiley, *Canada in Question, Federalism in the Eighties, Third ed.*, (Toronto: McGraw-Hill Ryerson, 1980), 252-281.
20. See John Judis and Ruy Teixeira, "Majority Rules", *The New Republic*, 5 and 12 August, 2002, 18-23. It is excerpted from their book, *The Emerging Democratic Majority*, 2002.
21. Quoted in Grant Kippen and Gordon Jenkins, " The Challenge of E-Democracy for Political Parties", Sponsored by the Community Connections Project of the Institute for the Study of Information Technology and Society, H.J. Heinz III School of Public Policy and Management, Carnegie Mellon University, 2002. Mimeo.

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27 September, 2002

Presented to the conference on *Searching for the New Liberalism*, Toronto, 27-29 September, 2002.