

Part IV: Towards a policy framework

Cultural policy in the knowledge society

Marc Raboy

Professor of Communication, University of Montreal

It would be terribly shortsighted to consider the question of public access to the new information and communication technologies as a strictly technical, economic or even social issue. The Nicts are transforming every aspect of the environments in which we live as well as the ways in which individuals and communities have learned to deal with their environments. In the broadest sense, Nicts are transforming the culture of all those who come into contact with them, as well as what we think of as "culture". It is therefore pertinent to address the question of public access to the Nicts from a cultural policy perspective¹.

Cultural policy aims to maximise the potential for any society's cultural development. Specific cultural policies can address a range of objectives: protection of cultural heritage, promotion of cultural diversity, development of cultural industries, strengthening of national cultural identity. In general, the best possible justification for states to get involved in the cultural sphere is that effective cultural policy intervention can enhance the capacity of citizens to participate meaningfully in the life of their society.

The limits and possibilities of policymaking are cast into sharp relief by the various aspects of what has come to be known as "globalisation". Generally speaking, we can identify six broad characteristics of globalisation: the diminishing sovereignty of national states; the increasing integration of the world economy; the technologically-based shrinking of time and space; the passing of received ideas about identity; the emergence of new geographically dispersed yet locally-based global networks; and the establishment of a new framework for global governance.

1. In addition to references cited later in this paper, see Raboy et al, 1994; Cowl, 1997; Bennett and Mercer, 1998. The general literature pertinent to this theme includes Dupuis, 1990; Lange, 1992; Unesco, 1994; Borre and Scarbrough, 1995; Castells, 1997; Calabrese and Burgelman, 1999; Heid et al, 1999; Garnham, 2000.

Within this general context, the new information and communication technologies have brought us the "information society" and the "knowledge economy", but they have also helped undermine the most important historical mechanism for influencing their use: the authority of the national state. At the same time, however, the new Nicts provide unprecedented capacity for social and cultural development. The question is how to harness them and the answer, I would submit, is to develop appropriate new policy mechanisms at local and transnational levels, while supporting the continued capacity of individual states to intervene as well.

Background

This issue has been addressed, directly or indirectly, in a wide range of international documents that have appeared since the mid-1990s. Possibly the most important of these – certainly an appropriate starting point – was the 1995 Report of the World Commission on Culture and Development (WCCD), entitled *Our Creative Diversity* (Unesco, 1995).

The United Nations and Unesco had declared the 1990s to be the "Decade of Cultural Development", an operation whose central claim was that conceptions of "development" could not be isolated from their cultural dimension. The specific mission of the WCCD was to make "proposals for both urgent and long-term action to meet cultural needs in the context of development".

The foreword to the WCCD's report outlined the critical spirit with which the Commission had approached its task:

"A bipolar order had collapsed, but the implosion of one side was hardly an unalloyed victory for the other. In the affluent world the notion of progress without limits had become an illusion. Value systems and ties of solidarity appeared to be breaking down. The gulf between the "haves" and the "have-nots" appeared to be widening, the scourge of social and economic exclusion disturbing the smooth surface of contentment." (op. cit. p. 9)

In a broad review of cultural issues ranging from ethics to the environment, the Report established an international agenda whose key was to provide a permanent forum for developing global policy with respect to cultural development. Several chapters and proposals relating to media

and new global issues in mass communication were framed by the following question: "How can the world's growing media capacities be channelled so as to support cultural diversity and democratic discourse?"

"... communication in all its forms, from the simplest to the most sophisticated, is a key to people-centred development (...). Yet at whatever level the issues of communication are envisaged, there is a shared challenge. This is the challenge of organising our considerable capacities in ways that support cultural diversity, creativity and the empowerment of the weak and poor." (op. cit. p. 107)

This approach has framed the subsequent work of bodies from the Unesco Intergovernmental Conference on Cultural Policies (Unesco, 1998) to the Council of Europe. It forms the core around which documents such as the Council of Europe's *In from the margins* are based.

The Council of Europe explicitly seeks to create a new agenda in which culture would become "a more central part of public policy" (Council of Europe, 1997: preface). Bringing cultural policy "in from the margins" of governance is seen as integral to a strategy for empowering the disadvantaged and building communities of interest. Significantly, the report says:

"We define cultural policy as the overall framework of public measures in the cultural field. They may be taken by national governments and regional and local authorities, or their agencies. A policy requires explicitly defined goals. In order to realise these goals, there need to be mechanisms to enable planning, implementation and evaluation." (op. cit. p. 33, n. 2)

The Council's stance is supported by previous international policy jurisprudence such as the UN Declaration of Human Rights, which asserts the right to participate in cultural life; Unesco declarations of 1970 (Venice) and 1982 (Mexico City) affirming the cultural dimension of development; as well as the Report of the World Commission. It cites four broad aims for cultural policy: promotion of cultural identity, cultural diversity, creativity and participation." (op. cit. p. 45)

Subsequently, a number of official and unofficial international study groups have sought to address these issues with a more specific emphasis on

Nicts. One particularly interesting suggestion came from the 1997 report of a European Commission High Level Expert Group (HLEG), which proposed to refocus debate on regulatory issues and social aspects of Nicts in order to build "a strong ethos of solidarity" in a society where "the traditional structures of the welfare state will have to undergo substantial changes". (EC, 1997) Within the scope of the Vital Links Project, this body of literature provides a normative basis as well as a political stance from which to address the key question of access.

Access as public policy

In the sectors of information and communication, public policy has historically sought to overcome the constraints of scarce resources – as in the case of radio and later, television, air waves, for example. In today's information environment, scarcity is no longer the problem, the problem is access. Today's policy issues must address the problems raised by information abundance and the need to be sure that this cornucopia of information is meaningfully accessible to citizens and not packaged only as marketable commodities or targeted to elites.

Access to the means of communication can be defined from the point of view of the receiver or from that of the producer, that is to say, as the capacity to receive everything that is available or as the possibility to bring one's messages to the audience. To the extent that market forces alone can never guarantee access, in either of these terms, governments, regulatory authorities and media institutions must develop and implement policies designed to maximise access. The need to ensure access thus remains an important justification of the need for public policy in the sphere of communication.

Regulation, too, still has a role to play in ensuring equitable access to distribution markets for producers and consumers, and in ensuring that the means of communication can be channelled towards social and cultural objectives. Regulatory frameworks may vary considerably from one context to another, but they are always, necessarily in democratic societies, part of a public policy process (Bollinger, 1990). Opening up the process of policymaking, policy evaluation and regulation to broader public participation is therefore an important aspect of access to communication (Raboy, 1995).

Access is also one of the key operative concepts of models that see communication technologies as instruments of social and cultural development. In general, this requires mechanisms to ensure accessibility to channels of production and distribution for all those capable of rallying a minimal public, increasing interactivity in the relations between creators and their publics, and providing for feedback which can ultimately result in corrective measures.

According to classical liberal press theory, unconstrained access to the marketplace is considered to be the best guarantee for the free expression of ideas. The limitations of the market mechanism in providing freedom of information eventually generated its own critique, in the light of which the idea that access to the means of communication needed legal and even constitutional assurances rapidly gained currency in the twentieth century (Barron, 1967).

In countries such as Canada, Australia, Japan and most of western Europe, access to reception was guaranteed in the charters of public broadcasting organisations, whose mandates obliged them to make their signals available throughout the territories in which they operated. To a greater or lesser degree, many of these organisations were also non-commercial and required to provide a range of diverse opinion in their programming.

With the emergence of an increasingly seamless global communication environment, critics concerned about the sociocultural role and democratic function of Nicts have had to refocus their attention. The new context of technological "convergence" between established communication forms demands that we develop a new conception of access.

To illustrate, consider what happens when conventional broadcast media and telecommunication technologies converge. The notion of access has traditionally meant different things in broadcasting and in telecommunication. In the broadcasting model, emphasis is placed on the receiver, and access refers to the capacity to choose from the entire range of content on offer. In the telecommunication model, emphasis is on the sender, and access refers to the capacity to use the means of communication to get one's messages out. Within these two models, public policy and regulation have been recognised as necessary social measures for guaranteeing access.

In the context of the new Nicts, a new hybrid conception of access is necessary, and public policy will need to promote a new model of communication, which combines the social and cultural objectives of established institutional forms – not only broadcasting and telecommunication, but also libraries, the education system, and so on. Critically, realising the social and cultural potential of Nicts requires ensuring maximum access for people to the means of communication both in their capacity of receivers and consumers of services and as producers and senders of messages (Hanada, 1999).

A policy model directed at maximising the potential of Nicts should therefore address the following :

- how to ensure access to both available content and the means of communication ;
- how to balance universal services and costs that can be left to users ;
- how to guarantee free choice and fair access ;
- how to distinguish between public communication and private information ;
- how to promote both cultural and economic development ;
- how to situate the user as both citizen and consumer ;
- how to facilitate both public participation in society and quality of life.

The policy paradox

This is not merely a structural issue. At the same time as we need to develop new mechanisms, the explosion of information and communication technologies requires us to begin thinking differently about how and to what end public authorities – at whatever level – can and should intervene. In short, we need to develop and justify a new paradigm for cultural policy, appropriate to the new geopolitical and technological context of the twenty-first century.

This environment is characterised by a number of new developments. The most significant of these is that communication policy is no longer "made" at any clearly definable location, but across a range of sites. Specific policy issues, such as copyright or rules governing property transactions, migrate from one level to another, often typifying the flash-point of conflicts between jurisdictions. Briefly, the global policy "map"

can be very schematically categorised according to the following general typology:

- a. global organisations, encompassing bodies that have traditionally been part of the United Nations family such as the International Telecommunications Union (ITU), Unesco, and newer ones such as the World Trade Organisation (WTO). Most politically-constituted "nations" belong to these organisations, through their official government authorities. Procedures are nominally meant to be inclusive but are actually restricted to government representation. Regarding communication, this sector has been strongly marked by the power shift in recent decades from organisations dedicated to communication and cultural issues such as Unesco or the ITU to those focusing on commercial or trade issues such as the World Intellectual Property Organisation (WIPO) and the WTO;
- b. multilateral exclusive "clubs", such as the OECD and the G8, which collectively exercise enough economic clout to influence the globe without having to deal directly with lesser economies politically. More streamlined, and thus more efficient, than more cumbersome global organisations like the WTO, these clubs can at the same time afford to put forward a more generous public discourse while promoting specific projects (such as the 1995 Global Information Infrastructure project or the Okinawa Charter on Global Information Society). They currently serve as the main testing-ground for pro-business proto-global policies, with the extremely important caveat that their decisions are binding on no one and not accountable;
- c. regional multi-state groupings,¹ the most important of which are the EU and Nafta, each of which represents a distinct model: the first an economic union with a political agenda; the latter a trade zone which nominally has no political ambition. The difference means the EU can elaborate common policies in the name of the general community, while Nafta-type regimes can only constrain the policy-making range of member states. The EU's 1997 protocol on public broadcasting (appended to the Treaty of Amsterdam; see Council of the European Union, 1997)

1. The Council of Europe fits into this category.

stands, at this time, as the only living example of a transnational cultural policy that supersedes economic imperatives ;

d. regardless of their weakened condition, national states continue to be the main site of communication and cultural policy-making. Cultural policy agencies in countries such as Canada and France have been fighting rearguard actions against the constraining effects of global trade agreements their countries have themselves signed. There is an increasing recognition of the need to bring these issues to global fora as a basis for legitimating the continuation of national sovereignty in cultural matters on an equal footing with trade rules. National governments that wish to do so can still actively regulate important aspects of domestic broadcasting and telecommunication industries, sustain public cultural institutions and subsidise national cultural production. But the extent to which this can continue will require agreement at a higher level ;

e. the transnational private sector has organised itself to achieve representation in official fora. No longer merely restricted to lobbying, transnational corporations and their associations are increasingly present at the tables where policy decisions are made. Groups such as the Global Business Dialogue for e-commerce and the Global Information Infrastructure Commission, speaking for the forty or so largest corporations in the IT sector, have become a powerful force in setting the global communication policy agenda, especially with respect to Internet, e-commerce and new media issues ;

f. less resourced and generally more distant from the centres of power, civil society organisations are less present in policy debates, but culture and communication is becoming – like the environment before it – one of the rallying points of grass-roots mobilisation. Global associations such as AMARC (community radio), Vidéazimut (video) the Association for Progressive Communication (Internet users), and Computer Professionals for Social Responsibility now represent alternative media producers worldwide, while umbrella groups with names like the Cultural Environment Movement, People's Communication Charter and the Platform for Democratic Communication are burgeoning ;

g. finally, amid all this bustle, cutting edge issues such as Internet regulation are increasingly "transversal" in that they cut across sites of clearcut jurisdiction. Controversies surrounding the creation in 1998 of

ICANN (the Internet Corporation for Assigned Names and Numbers) and its subsequent development typifies this (see below). At the same time, important issue clusters regarding transnational media and universal themes, such as the right to communicate, can be said to be "homeless" in that they are not being dealt with systematically anywhere.

What's wrong with this picture ?

This complex and multifaceted general structure makes it extremely difficult to intervene effectively in the new policy environment. Something akin to a global civil society may well be emerging, but for the moment its links to power and influence are tenuous. At this point, the only actor that has been managing to pursue an agenda with anything approaching consistency is the transnational private sector. Despite all the talk and some excellent independent reports on culture and cultural policy of recent years, concrete policy developments at every level are still being driven essentially by economic concerns. These focus today mostly on the new Nicts and particularly on areas of "convergence" between new and established forms.

The erosion of state power is particularly strong in the South, less so in the G8 and OECD countries. European countries figure prominently in both of these, but importantly, many European countries do not. New levels of global governance, such as the European Union, can function effectively only if they are not dominated by the more powerful units but on the contrary, strive consciously to flatten the differences between rich and poor, strong and weak, by redistributive economic and participatory political policies. Nicts are one of the keys to this process.

Nicts have opened the possibility for unprecedented freedom of expression and information flow, but if we are not careful, freedom from state control will be replaced by an even more insidious form of corporate control that is now taking place. Unlike state control, corporate control is first of all structural; it is built in to the architecture of information systems, by designs intended to maximise the possibility for efficient and streamlined profit-taking, rather than effective uses (Lessig, 1999).

In the past two years, restructuring in the communication industries has had a high public profile because of its impact on the mass consumer media that nearly everyone uses in one form or another. Mergers (for example, AOL-TimeWarner), high-profile court cases (US v. Microsoft),

and media events (the WTO in Seattle) have come to characterise the pressure points of the information society. This is only the tip of the iceberg. The corporate stakes of convergence lie in developing business and commercial applications; while for civil society, the stakes involve developing information literacy skills, educational applications and social and cultural uses. In public discourse, however, the policy dimension of these issues tends to be subordinated to their spectacular aspects, while less spectacular policy issues tend to achieve little public profile – and, consequently, low political priority.

This general trend must be reversed and arrested before the basic challenges of the knowledge society can be addressed. While it may seem trite to spell it out, let us recognise explicitly that Nicts are strategically critical in efforts to intervene economically on the one hand, and in the cultural sphere on the other.¹ The stakes of communication policy revolve around struggles over who gets to use these technologies, under what conditions, in order to promote which projects, and in whose interests.² A starting point for the Council of Europe's goals in this area could be to formulate a basic programme for IT development that unequivocally places people first.

Such a programme must be careful to avoid policies that end up working against the very goals they purport to promote. Policies which focus on national industrial development in the name of cultural diversity, for example, are often no more than dressed-up forms of protectionism. Human rights can too easily become an alibi for foreign aid and trade policies which favour the economic self-interest of rich nations and thwart the national and cultural sovereignty efforts of others. Freedom of expression – beyond the right to speak from a soapbox without fear of persecution – is often tied instrumentally to ownership of the means of communication.

1. Or, to put it another way, "Communication technology is unique because it is the infrastructure that simultaneously supports our actions instrumentally and serves as the means by which we give them meaning" (Taylor and van Every, 1993).

2. For example, as McChesney points out, "the Internet does not merely threaten governments; it also holds the potential to undermine corporate control of the media" (McChesney, 1998: 39). This goes a long way to explaining why media corporations are so anxious to establish themselves on the Net despite the apparent long haul in terms of tangible benefits.

In short, a programme for maximising the potential of IT technology that places people first would have to address and foreground the fundamental contradiction that has characterised the development of communication technologies since the great innovations of the mid-nineteenth century such as the invention of the telegraph, the popular book and the penny press: the contradiction between commerce and culture.

A people-focused programme for IT development would therefore recognise the primacy of subordinating commercial to cultural objectives, rather than regarding the private commercial sector as the motor for development, as is now the fashion in most basic policy documents.

The G8's Okinawa Charter on the Global Information Society, adopted in July 2000, illustrates the complexity and paradoxical nature of this issue. Long on generous textual formulations, the specific proposals contained in the Charter are all conceived with the global business agenda in mind. The proposals closely reflect the published calls of groups such as the CEO-based Global Business Dialogue for electronic commerce (GBDe), for which there is at this time no global NGO or civil society equivalent.¹ Most recent of a fairly important string of similar documents, the contradictions inherent in the Okinawa Charter typify the state of the emerging global communication policy environment at the turn of the century (G8, 2000).

This is fundamentally and ultimately a governance issue. Traditionally, approaches to communication governance have spanned the spectrum from the authoritarian to the libertarian, with a broad middle ground covering such institutions as public service broadcasting; postal, telegraph and telephone (PTTs); and commercial media (Golding, 1998). In actual practice, virtually every modern communication system in the world functions within a regime that is circumscribed and characterised by some degree of national regulation.

I would then suggest that a regulatory model for communication governance is the appropriate policy choice for ensuring that Nicts foster

1. At time of writing, a new network called the Global Society Dialogue had just been launched at the initiative of the European Information Society Forum, with the explicit intention of counterbalancing the activities of the GBDe by providing a civil society perspective on ICT issues beyond e-commerce. (<http://www.massmtec.co.uk/gsd/intro.htm>).

the general goal of cultural development. This raises the question of legitimacy for intervening at all in a sector which ought, by definition, to be "free". In itself, there is not necessarily a contradiction between regulation and the value of freedom: it all depends on what is regulated and how one decides to regulate – as well as on what basis regulation is justified.

The main justification for regulating communication is that regulation provides an opportunity for meeting non-market public policy objectives. This is especially important in a context where the meeting of such objectives has to be spread across a range of organisations within the complex world system that we have today.

In general, the role of regulation would be to determine the public interest with respect to media and communication, on an ongoing basis, and with regard to specific issues. This is too fine a job to be done by governments in the course of their general activities. It cannot be left to the media organisations themselves, for they have necessarily vested interests. The market place is too blunt an instrument. Citizens can individually and through their collective organisations articulate their expectations, but have no power for implementing them. So what is the solution?

A regulatory model appropriate to the new communication environment created by technological convergence must build on the basic "pre-convergence" forms that it has eclipsed. When these converge, approaches to regulation must converge as well.

To return to my starting point, none of this will soon make any sense unless the policy-making capacity that used to reside in individual national states is translated to the transnational level and made accountable to a global political constituency. This would then make it possible to begin thinking about intervening globally on a range of important issues that could include:

- regulation of commercial activities in the public interest, to guarantee equitable access and basic services;
- funding and institutional support for the creation and sustaining of public service and independent not-for-profit media;
- placing limits on corporate controls resulting from transnational concentration of ownership in new and conventional media and telecommunications;

