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Public Policy Making in the Age of the Internet:
Governance in the Face of Sabotage and Bricolage

Gilles Paquet

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Public Policy Making in the Age of the Internet: Governance in the Face of Sabotage and Bricolage

Gilles Paquet

Gilles Paquet is Director of the Centre on Governance at the University of Ottawa and author of numerous studies in economics and public policy.

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Governance can be defined as effective co-ordination when power, information and resources are widely distributed. Collaborative governance (rather than top-down government) is required when citizens are faced with situations where no single institution or stakeholder can lay claim to all the power, information and resources necessary to resolve the problems confronting them. The new information and communication technologies are a source both of disturbance in this environment, and of new ways to foster collaboration in harnessing that turbulence. This article looks at the problems and challenges of public policy making in such a situation.

Introduction

Governance, as defined above, is a subversive concept. It challenges not only the view held by many in government circles around the world that government has all the information, power, and resources to deal with any problem it wishes to tackle, but also the presumption that it has the authority and legitimacy to support such unilateral action.

On these matters, one may surmise that the members of the Chrétien Cabinet are split in two camps: « les anciens » -- not the oldest members of the team necessarily -- those who believe strongly in such hegemonic views; and « les modernes » those who recognize that the federal government is only one of the meaningful stakeholders in most situations, and that its public policy making responses to the problems facing Canadians require collaboration with partners from the private, public and civic sectors.

Tension necessarily ensues between the two camps as those imbued with a centralizing mindset, and intent on imposing their worldview, (whatever the consequences) are confronted by those who see the role of the federal government as one of a more modest
sort: an animateur in a game without a master, a broker capable at best of creative bricolage.

For the “modernes”, the governance of the policy making process is of necessity collaborative. But collaboration is not simple: it demands a sharing of power by the stakeholders who resist it; it requires effective mobilization of the wit, imagination, and commitment of partners, while at the same time avoiding the perils of partnership: shirking of responsibility, abuse of power, etc. This in turn calls for the development of effective social technologies of collaboration (Paquet 1999a).

The impact of new information and communication technologies on this more diffuse public policy making process has been both disruptive and enabling: they have created a great deal of disturbance, but they can also be used to facilitate collaboration, and thereby help to shape more efficient responses to these new circumstances.

The disturbance factor is ascribable to a de-materialization and de-territorialization of the socio-economy generated by the new technologies that have made it more footloose, and therefore more volatile and less stable. The new technologies have freed individuals from the constraints of matter and space, making possible a greater autonomy of individuals and groups, and providing them with a much greater capacity to use these degrees of freedom to weave alliances and partnerships across borders of all sorts, or even to disengage altogether, to switch off. This new capacity to switch on and off increases both the degree of relevant uncertainty and the fragility of all national and territorial arrangements.

But these technologies also provide a means of improving communication, of reducing the transaction costs among partners, of fostering accelerated social learning, and of helping to make better use of collective intelligence (Paquet 2000).

What remains unclear in this high-speed, high-risk society is whether the new technologies (of which the Internet is the most obvious) will tend to increase the complexity of the issues tackled by public policy more rapidly and dramatically than they can help improve the potency of the technologies of collaboration to help cope with these problems. There are two schools of thought on these issues – the optimists and the pessimists – but neither of these groups has succeeded in putting forward an entirely persuasive argument in support of their elation or gloom.

Our core argument might be stated in three propositions: (1) the new information and communication technologies are not a factor that can be analysed in isolation: one needs to consider their impact in the context of the revolution in policy-making that is in progress – a revolution that has affected both the form and content of public policy making; (2) a certain cautious pessimism is in order in the short run, because it appears that the new technologies are mainly used to sabotage public policy processes, and have not been yet of much help in
ensuring the new required participation by all the relevant stakeholders in such processes; and (3) a certain cautious optimism in the longer run may be warranted, however, since the new technologies are likely to help the public policy makers to operationalize more effectively and quickly the sort of participation that would seem to be required in the new collaborative governance that underpins the process of creative public policy making bricolage. This is what e-governance promises.

The Old and the New Approach to Public Policy Making

From the 1870s to the 1970s, the two assumptions on which public policy making was built in Canada were the widely held beliefs (1) that the public sector could do things better than the private sector; and (2) that governments had an almost unlimited capacity to engineer a redistribution of the benefits of sound policies throughout the population (Hardin 1974). So, when Canadians were faced with major challenges or crises, they turned to governments -- whether it be for constructing a railroad or putting a broadcasting system in place. These government interventions obviously generated winners and losers, but all unease about such potential inequities was put to rest by the belief that government would subsequently interfere with the redistribution of income and wealth so as to ensure that those who might feel maligned would be generously compensated.

This was the glorious era of “government knows best”, and of “the emergence of absolute social rights” bestowed on the population by benevolent government diktats. Despite many failures in the management of such interventions, until the 1980s, tolerant citizens allowed governments to continue to claim technocratic omniscience as policy-makers, and boundless benevolence as benefits equalizers.

In this old world of public policy making, one did not sense any requirement for wide consultation. For instance, a case study of the 1970s revamping of the Unemployment Insurance scheme would provide ample evidence of the top-down way of crafting policy that was still in good currency. It was a policy designed by a handful of people, under the leadership of Guy Cousineau, sold to Cabinet by the good offices of Bryce Mackasey, and pushed through the House of Commons as an enlightened way to fix the scheme in the face of the challenges posed by the massive entry of the Baby Boomers in the workforce.

The new public policy making operates quite differently.

First, it is characterised by the existence and persistence of what are recognized as “wicked problems”. Governments have become ever more ambitious in their endeavours, and as they have been confronted with increasingly complex matters of policy, they have had to
deal with thorny issues about which (1) what was to be accomplished was not really clear and (2) one could not count on stable relationships between means and ends.

One such wicked problem is the one confronting Canadians in dealing with the issue of health care. The multiple objectives pursued by health care systems are far from easy to synthesize. Moreover, the delivery of such required policies depends not only on governments, but also, and indeed primarily, on a multitude of partners in this socio-technical system. Canadians are already spending a larger percentage of their GDP on health than most countries in the world, and still Canadian morbidity and mortality indexes are much worse in Canada than in countries that spend much less of their income on health care. So it is clearly not simply a matter that can be resolved by throwing more money at it.

What is required in the face of wicked problems is the sort of experimentation with social technologies that is likely to lead to effective coordination among the stakeholders, and to an accelerated social learning about the ways to improved performance.

A second characteristic of the new era in policy making is that it is no longer possible for a few technocrats to design and implement public policy in isolation. Citizens are now demanding to be consulted; and most of the partners and stakeholders want to have a say in the design of policy responses to issues that concern them.

So, policy issues cannot be encapsulated in technocratic analyses. Interest groups have to be consulted; partners in delivering a policy response have to be creatively engaged; political realities have to be explicitly confronted. It is not sufficient to ensure that the policy option is technically feasible. One must also make sure that it is socially acceptable, practically implementable, and not too politically destabilizing. Policy analysts of earlier times did not concern themselves as much about these other dimensions because they considered themselves to be mainly technocrats. They have now become truly brokers and animateurs (Paquet 1996-97; Taylor 1997).

A dual third feature of the new era is the power of political correctness and the prevalence of the language of rights. Democracy is an ongoing, inclusive dialogue: no matter should ever be beyond discussion, and no decision should be regarded as having been fixed forever. But this sort of multilogue is now under threat. Political correctness has created a family of taboo topics that have been all but taken off the agenda; and the language of rights has generated a craving for definitive answers of a yes-or-no variety in a world where more-or-less approaches are a more effective way of handling the relevant issues.

Are there limits to diversity? How much is too much? Persons who insist on debating such issues are likely to be called bigots, and the discussion they try to foster quickly dies out. In our society of entitlements, the idea of a moral contract that outlines the responsibilities of citizens, as well as their rights, is politically incorrect: it is a taboo topic.
In the same spirit, the language of rights has become a conversation stopper. It is sufficient to claim “this is my right” to end the democratic multilogue. We are thus prevented from having debates about matters that are important, difficult, and essentially contested – i.e., matters such that reasonable persons might come to honestly disagree about it. One can see the deleterious effect of what is perceived as an absolute social right in such a context. And indeed, the idea of an absolute social right to health has been used most effectively as a conversation stopper: it has become sufficient to say – “we do not want a two-tiered system, we do not want an American-style system” to stop any critical thinking about reforms that would appear to be required to repair our health care system, because such a conversation might lead to some questioning of what has come to be regarded as the absolute social right to health. This cripples the policy debates.

**From Egalitarianism to Subsidiarity**

Not only has the formal approach to policy making changed, but the substance of policy making has also been transformed. Egalitarianism used to serve as the lodestar for policy making in Canada in the pre-1980 period. This is no longer the case. As a result, for instance, there has been a significant move away from universality as a mechanism and a guiding principle.

Instead of governments promising equality as the pot of gold at the end of the rainbow, and therefore a world in which the principle of universality would prevail, this has become the world of clawbacks: while officials continue to pretend that public policy making is designed to apply to all, they have found devices to ensure that benefits really reach only those who need them most. For the others, governments provide the benefit but claw it back at tax time. The result has been reduced coverage for the unemployed, clawbacks of old age pension and child benefits. We have moved from policies based on rights to policies based on needs (Paquet 1999b).

We have also seen the federal government unloading of many of their former responsibilities onto the private or civic sectors, or onto more junior levels of government, as it searched for alternative and more efficient mechanisms for delivery of “public” services. Program Review has introduced some Cartesian conceptual framework into these efforts, and proposed a doctrine of subsidiarity as the new lodestar of policy making (Paquet 1999c).

Subsidiarity posits that the individual should take care of himself or herself. The state acts only as a reserve army capable of coming to the rescue of the citizen but likely to do so only
in case of need. And if the citizen needs help, it is argued that this help should first be sought in the family, or through private transactions or solidarity relationships close to home. Only if these alternatives fail is help to be provided by governments -- first at the local level if it is at all possible (because the needs may vary greatly from place to place). In this context, policy help should be forthcoming from the federal government when and only when it has been established that help cannot be provided efficiently at the local or provincial level.

This shift from egalitarianism to subsidiarity connotes not only a reduced role for government, but also a reduced interest in broad redistribution. We have drifted very far from the grandiose plans embedded in the Canadian equalisation payments scheme of the 1950s, which aimed at nothing less than ensuring that everyone in the country would be guaranteed the same level of public service, wherever they might live in Canada.

One might say that we are now focused on the more practical task of reducing somewhat the unacceptable inequalities -- whatever this may come to mean at different times.

**Technology and Policy Making: Sabotage? Bricolage?**

Now what will be the impact of the new information and communication technologies, particularly the Internet, on this emerging new world of policy making which is facing more difficult and wicked problems, and must cope with the challenges of a move from government-dominated to governance-flavoured policy making?

The new technology can obviously help a citizenry that is more informed, or policy communities and interest groups that are much more sophisticated in participating in public policy making. But participation in public policy making can take two forms: taking part in the problem definition, design, and implementation of the sort of modest bricolage that policy making is capable of in a complex society nested in a globalized context, or taking part in the process of opposing, stalling, and sabotaging the policy that is in the making. Both “doers” and “stoppers” have an important role in the policy making process. But, recently, the new technologies of information and communication have been used much more extensively and effectively by the stoppers than by the doers.

This is true not only at the local level where the new technology of communication has permeated our local communities to such an extent that a massive protest can probably be organized in no time (City Hall being assailed by thousands of e-mails and other messages to which the elected officials would have to pay attention); but also at the global level, where
this technology has been used very effectively to muster support against some policy. The Multilateral Agreement on Investment (MAI) was not stopped by governments or opposition parties in legislatures (even though it was a badly designed policy) but by private citizens and interest groups that have found ways to be heard. The Internet has given the stoppers the capacity to organise very quickly, and the results of this organizational work were seen in Seattle, in Washington, in Davos, and in Quebec City in April 2001.

But “stopping” and sabotage are not necessarily destructive activities. Stopping a bad policy in its tracks is a good deed. It is part and parcel of participative public policy making. An organisation like Greenpeace has had much “positive” influence in this manner over environmental policy in industrialized countries. Yet sabotage is not always constructive. The rename-Stockwell-Day-Doris-Day phenomenon initiated by This Hour has 22 Minutes during the last election campaign is a case in point.

This was not simple political satire: it had the effect of stopping discussion of a legitimate tool of consultation — a referendum. There is much room for disagreement about the usefulness of referenda, and the conditions under which one should be used, but what was accomplished, through this Internet-based campaign, was that the very idea of a democratic referendum was “flamed” (as the hackers would say), and the debate about it was stopped by a small group of clever persons using the new technology.

It is fair to say that the new technologies have not been used to the same extent and as effectively yet in the “constructive” world of public policy. But as e-governance becomes more firmly entrenched, and initiatives like Government on Line proceed beyond the fixation on the new delivery mechanisms for existing services, powerful new instruments of participation in policy making may be expected to emerge. But we are not there yet.

Indeed, to the extent that there has been any reflection on the role of Internet in policy making, it has been focused on efforts to immunize the policy process from the effective actions of the stoppers.

The strategy on this front is inspired by the efforts of information technology experts in their effort to avoid information systems crashing in toto. As a strategy to avoid such outcome, they engineer deliberately some forms of partitioning, balkanisation of the system so that if one segment crashes under attack, the whole system is not affected. In a word, it is a strategy of deliberate decentralisation. Such a strategy has had the added benefit of muting the potential for redistribution.

When policy making is decentralised, it becomes much more difficult for any organised group to successfully try to derail the process. This explains why wide-based social movements like the feminist or the ecologist movements (that are so decentralised) are also
so difficult to counter effectively. If there are five or ten sites of power, one cannot easily stop decisions from being made.

But this decentralization approach (defendable though it might be for many other good reasons) may not necessarily help in making the highest and best uses of the informational economies of scale that Internet promises or in designing policy participatively: to ensure broad-based participation of all the stakeholders in the process of problem definition, policy design, implementation and evaluation of policy initiatives.

Why is progress so slow in using the new technologies of information and communication to ensure a robust form of citizen participation, and why are legislatures almost everywhere so hostile to such initiatives? This is easily understood when one realizes that stakeholders participation and involvement is quite a reframing challenge in a representative democracy where elected officials are supposedly empowered to take decisions without continually referring them back to their constituents. Here the world of governance is subversive in an even more fundamental way, for the “governance work” the citizen has to do strikes at the foundations of representative democracy (Cardinal et Andrew 2001). This explain why legislatures are very cool to these new ideas and are likely to encourage pseudo-consultations where officials pretend to listen to the citizenry but pay little attention to the views expressed.

The new governance regime also raises serious questions about the traditional notion of accountability. Indeed, this notion is completely transformed when one drifts from “government” to “governance”.
Accountability Transformed

In our Westminster political system, bureaucrats are seen as accountable upward to Parliament through their minister. Yet in the world of governance, bureaucrats are not simply accountable upward to the Minister, they are also accountable downward (so to speak) to the citizens, and sideways to the partners and colleagues in the private, public and civic sectors, with whom they have created networks and alliances in order to be able to despatch their work. This shift from “Westminster government” to “distributed governance” has transformed the experience of even the Canadian armed forces - a most hierarchical form of organization (Paquet 1997a).

The armed forces have traditionally been accountable to the Prime Minister. Yet since the Oka crisis, things have changed. At that time, the situation appeared out of control, bridges were booby-trapped by urban guerrillas, and there was a sense of anarchy in the small zone surrounding the conflict area. All the officials -- federal, provincial, and local politicians and bureaucrats -- were ducking for cover. This is the time when General de Chastelain initiated the practice of holding a press conference every evening at 7:00 o’clock to discuss the state of play, and to answer questions about the situation. He began to report to the citizenry directly.

Since then, many other issues involving the military have ended up being debated and resolved in the wider court of public opinion: the predicament of General Jean Boyle is a case in point. He left his position of Chief of Defence Staff when it had become clear during public hearings that he was unable to explain satisfactorily the mishaps at the Department of National Defence except by blaming subordinates and claiming that he had not been as fully informed as he should have. This was regarded by Canadian citizens as unsatisfactory a response and unacceptable an explanation. Some would say that General Boyle had failed to meet the expectations of the citizenry with reference to his burden of office (Paquet 1997b).

But the accountability of the armed forces has also been somewhat internationalised. For instance, General Romeo Dallaire and many of the Canadian officers who have served under the United Nations banner have seen their behaviour scrutinized, and their decisions questioned by international courts, by investigative commissions in other countries, thus broadening considerably the range of accountabilities for the Canadian armed forces.

Another meaningful event occurred when the Canadian armed forces were invited to help in disaster relief on the occasion of the 1998 ice storm that struck Quebec and Eastern Ontario. The Quebec Government agreed to the presence of Canadian troops on Quebec soil for that purpose, under strict conditions imposed by Premier Lucien Bouchard -- that the soldiers would not bear arms while on duty on Quebec territory. It revealed that the Canadian armed forces were also accountable in some ways to provincial officials.
Finally, one might add that with the Charter of Rights of the 1980s, even the Canadian armed forces have had to take into account a variety of decreed rights for citizens, and this dramatically changed the way in which officers deal with soldiers.

Indeed, even an institution as strictly hierarchically structured as the armed forces has developed a completely transformed accountability structure – a 360-degree accountability (Paquet 1999d).

One might illustrate this transformation of accountability in a variety of ways, but the so-called Human Resources Development Canada scandal of recent vintage is another classic illustration of this evolution. At the core of the difficulties experienced by the department is the simple fact that many departmental officials did not understand that they were also accountable to the citizenry, and should have been able to explain the policy, and what use had been made of the funds under their control, in a language understandable and acceptable to the citizenry. When it became clear that the bureaucrats were not able to do so, hell broke loose.

The fault does not lie exclusively with the bureaucrats when mishaps occur in this evolving world. Citizens also fail sometime in fully grasping the meaning of these changes. For instance, an important consequence of the dawn of 360-degree accountability that has not been completely understood by the citizenry is that it entails of necessity a softer notion of accountability than what has been in good currency for those schooled by the reports of the Office of the Auditor General. 360-degree accountability can only mean a much more diffuse accountability, and citizens have often found it difficult to shed their old rigid notions of what an adequate rendering of account means (Juillet, Paquet, Scala 2001).

**What can be Done: Two Paths**

Let me summarize my argument to date.

Public policy making is drifting from a top down authoritarian government regime to a distributed governance regime that is more inclusive and participative, and characterized by 360-degree and softer accountabilities. The social learning process underpinning the new regime is, however, crippled by the complexity of the new issues being tackled, by the need to engineer meaningful citizen participation, and by the difficulty in getting the multilogue going because of political correctness and the fixation on a language of rights.

The difficulty is heightened by the fact that the underlying philosophy of egalitarianism of the Welfare State is gradually being displaced by the subsidiarity philosophy of the Strategic State.
While the new technologies might serve in a constructive way in the design of public policy, they have been mostly used in a rather destructive way to stop policy processes that proved unacceptable to well organized groups.

Finally, one of the main reasons why the new technologies have not been as effective as they might have been in permeating the public policy making process, is that the sort of robust participation they enable runs against the grain of the representative democratic system in good currency. Consequently, the use of the new technologies has met much resistance in conservative circles (and these circles are the dominant circles in the public policy making processes).

In the face of such difficulties, how can policy makers react?

One possibility is the path of denial -- i.e., to refuse to admit that the problems are more wicked than before or that governance (in the sense I have defined it) is now necessary. This is the stance of the policy makers who have refused to believe that they have to engage the citizen and develop a 360-degree and softer accountability framework.

In the face of the citizens’ growing demands for inclusion and participation in public policy making, this strategy of denial can only lead into a trap known in French as “gouvernementalité”: i.e., government manipulation of information and public opinion as a way to subvert these demands by the citizenry.

Canadians were exposed to this strategy during the last election campaign when leading officials argued that centralisation was the only guarantee if citizens wanted to preserve what Canadians had come to refer to as their basic and absolute “social rights”. The choice, according to the Chrétien doctrine was between a strong central government or chaos. This enabled the Liberal Party to present itself to Canadians as the guardian of the cherished redistributive schemes and to avoid discussing critically the needed repairs to these schemes.

Another path is e-governance, i.e., the decision to embrace an exploration of the use of the new technologies as means of catalyzing the process of collective intelligence. This second approach is based on the redefinition of the role of the state from its former core redistributive function to a new dual core function based on connecting/disconnecting -- a sort of Etat commutateur -- and facilitating social learning -- a sort of Strategic State. The central challenge for the new state is to build bridges among partners. The state becomes a facilitator of discussion in a public policy making that is no longer top down but truly all inclusive.

Collective intelligence is at the core of this new policy making regime in the new socio-economy, and public policy making is geared to better use of collective intelligence and to accelerated social learning. This entails a triple strategy of intervention: a strategy of
connexity to ensure that no one is excluded; a strategy of catalysis to ensure that all the blockages to social learning are eliminated; and a strategy of complétude to ensure the requisite action by the state through additional organizational or institutional interventions when there are governance failures (Paquet 2000).

Which of these two paths will prevail? Gouvernementalité or Strategic State?

In the short run, one is bound to be pessimistic. We seem to have little real capacity for collaboration. We still look at things in terms of competition and confrontation — region versus region, federal government versus provincial government, management versus labour. We are not committed to thinking about serious joint solutions to real problems, even when new technologies would appear to hold the promise of developing creative technologies of collaboration.

Does this mean that no progress can be anticipated? No; the outlook is more promising in the longer run.

Canadians would appear live in a state of torpor, and many observers have publicly denounced it. As a result, public policy making in Canada is more in the nature of bricolage. It is not rooted in sweeping revolutionary interventions, at least not since the Trudeau days, for the citizenry would not react well. While this can lead to despair about ever righting the wrongs, some benefits emanate from such torpor.

Anyone who has attended a soccer game in Italy or certain other European countries will understand the merit of a certain degree of tolerance and torpor. There is no torpor there, but tension and violence. The band that accompanies the visiting team must be kept in a cage, and away from the hometown fans, for fear of what the home town fans might do to them.

Canadians are not such an emotional people. They do not get excited easily. Their relative torpor may preclude their hotly debating the disappearance of universality or the reforms necessary for our health care system to thrive, but this does not mean that the world of policy making is not evolving. Slowly, gradually, unnoticeably, adjustments are made every day to our policies as a result of necessity. Without much debate about visions, grandiose schemes, utopias, and chimeras being carried out in the public forum, bricolage is at work. Ten years from now, a highly transformed health system will be in place as a result of that silent tweaking, even without grand debates. It might happen without Canadian citizens even noticing it.

**Silent Tweaking**
The new information and communication technologies will obviously play a most important role in this process of silent tweaking. After a stage where the fear of sabotage will have been the central concern, one may expect that the new information and communication technologies will transform public policy making slowly and in an evolutionary manner.

At first, the silent tweaking will deal mostly with retooling -- delivery systems for public goods without much being change in the public policy process. Then, in the intermediate run, as the technology of service delivery evolves, the structures too will have to evolve. Consultation will become less a deceitful contraption and more truly an effort to listen. In some circles, prospective leaders are already debating the ways in which the parliamentary system might have to be modified to accommodate these new expectations of the citizenry. But it is only later -- in the longer run -- and perhaps even after the fact, that Canadians will become aware that they have reframed completely their governance structures.

This is the Canadian way.

Malcolm Ross (1954) put it very aptly almost half a century ago when he suggested that Canadians are “the people of the second thought”, that their central characteristic is prudence. This has led Canadians to heed John Maynard Keynes's advice to economists – avoid dealing with big problems, emulate the dentists and deal with the small holes (Gordon 1975).

Perhaps that is our Canadian destiny, and we should embrace it rather than deny it, and be satisfied with modest public policy making bricolage, even if it is Internet-based bricolage.

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