

PRESENT AT THE CREATION:
The Telecommission Studies and the Intellectual Origins of
the Right to Communicate in Canada (1969-71)

by

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Canada

ABSTRACT

Present at the Creation: The Telecommission Studies and the Intellectual Origins of the Right to Communicate in Canada (1969-1971) explores the creation of the Telecommission Studies, and the production of its final report: *Instant World* in 1971. Although overlooked by Canadian scholarship, this dissertation argues that the Telecommission Studies pioneered the theme of “telecommunications and the people” as one novel attempt to change the Canadian communications public policy environment of the day, document its problems, and recommend a *new* perspective in the Canadian communications public policy discourses at the time by focusing on the concept of the right to communicate. Adopting a socio-historical approach, the dissertation begins with a critical examination of the different scholarly debates in the field of communication in an attempt to theorize the idea of the right to communicate within a group of intellectual threads—that vary from political, economic, public-policy, technological, and international studies. Then, it dissects the particular structure that existed in Canada during the work of the Telecommission Studies that helped creating a *missed opportunity* to sustain a *new kind* of public policy discourse focusing on the public interest and the right to communicate. With the use of textual archival records, newspapers, as well as in-depth interviews with key informants, the dissertation closely researches the Telecommission’s conferences, seminars, and reports, as well as offering a reexamination of the *Instant World* report that is often misinterpreted or overlooked in the Canadian communication scholarship. The dissertation finally argues that the work of the Telecommission Studies represents a serious yet a missed attempt to advocate a concept that public interest advocates and communication rights activists support and campaign in our present days, as a result of conflicting policy priorities, political agendas, and bureaucratic infighting—not to say a significant failure of imagination.



﴿ O my Lord, gladden my heart, and make my task easy for me,
and remove the impediment from my speech
in order that they may understand what I say. ﴾

(20: 25-28)

﴿ Glory be to You, we have no knowledge except what you have taught us.
Verily, it is You, the All-Knower, the All-Wise. ﴾

(2: 32)

﴿ My Lord! Increase me in knowledge. ﴾

(20: 114)



Dedicated to ...

... ***My father and mother,***

They were my first great teachers and role models, who have always believed in, and supported me. I am indebted to them for their love, devotion, wisdom and continuous prayers that daily traverse land, sea and ocean from Cairo to Ottawa! My only hope is to bring smiles to their faces, laughter into their hearts and make them ever more proud of me.

★ ★ ★

... ***My husband and soul-mate,***

Unlike my husband, I have never liked numbers, nor believed in the applicability of their rules outside boring textbooks. But everyday, both quantitatively and qualitatively, *Mahmoud* proves his equation of love: a sum of dedication, steady belief and support, especially on those days when I wondered, “What I am doing?!” He has cheerfully listened to talk of the Telecommission at dinnertime, TV time, and even shopping time with loving attention. All of this attests to “how much” he loves me, “to what extent” he believes in me and “to what degree” he can learn to like history, only because I like it!

★ ★ ★

... ***My children,***

They are the true inspiration, soul and laughter in my life. Although *Yomna*, *Ahmed*, and *Yassmeen* have an absolute human right to a “full-time” mother; they have innocently accepted the part-time mom that I could offer during the preparation of this dissertation. They experienced daily, through me, the anxiety and worries of the researcher. My 10-year-old daughter *Yomna* shared with me the excitement of research, findings and writing, and she cheerfully catered to me, bringing her favourite iced juices to support me during the long hours of writing. My 5-year-old son, *Ahmed*, never gave up asking me everyday, “Maman, what chapter are you in today?” until I wrapped the chapter up and finally passed him the good news. As for my 2-year-old daughter, the littlest *Yassmeen* joined me on trips to the library and to the National Archives, running innocently through the library aisles yelling, “Books!”—her very first word! All three supported me with little drawings and fingerprints on hand-made cards—and unavoidably the walls of the house. Happy faces, specially picked flowers, and of course the surprise candies, were my tributes of support from them, for which I was grateful. I hope to pass on to them my fondness for knowledge and human rights, and make up to them for the long hours they waited for me to play with them, read a book, watch birds, go for a walk, or just join them to watch their favourite TV show.

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List of Abbreviations

Ad Hoc	Administrative Head Office Committee
B & B	Bilingualism and Biculturalism
BNA	British North America Act, 1867
CAB	Canadian Association of Broadcasters
CBC	Canadian Broadcasting Corporation
CBR	Canadian Bill of Rights
CPR	Canadian Pacific Railway
CRC	Communications Research Center
CRIS	Communication Rights for an Information Society
CRTC	Canadian Radio-television and Telecommunications Commission
DBS	Direct Broadcast Satellite
DOC	Department of Communications
EBU	European Broadcasting Union
ETV	Educational Television
EXPO 67	The 1967 International and Universal Exposition
FCC	The Federal Communications Commission

IBI	International Broadcast Institute
ICT	Information and Communications Technology
IHAC	Information Highway Advisory Council
ITU	International Telecommunication Union
IW	Instant World
NCR	National Research Council
NGOs	Non-Governmental Organizations
NWICO	New World Information and Communication Order
PCO	Privy Council Office
PSG	President Study Group
UDHR	Universal Declaration of Human Rights
UN	United Nations
UNESCO	United Nations Educational, Scientific and Cultural Organization
WSIS	The World Summit on the Information Society

INTRODUCTION

Canada's Telecommission Studies: The *Untold Chapter of the Right to Communicate Story*

One of the particularities of public policy debates in Canadian communications is the recurrence of a consistent group of themes that have preoccupied communication historians, theorists, and researchers since the 1930s. These themes—technological nationalism; regulation versus deregulation; centralization versus decentralization; and state versus private ownership—have tended to stress the technological aspects of communications. However, there was a time during the 1960s and early 1970s when the Canadian understanding of communications public policy shifted dramatically, and there was a concerted attempt to focus on the human, social, and cultural dimensions of communications policy—in short, the public interest. This temporary shift occurred, this dissertation argues, through the pioneering efforts of the Telecommission Studies from September 1969 to April 1971, and its resulting final report *Instant World*.

This dissertation provides a detailed examination of this brief moment in Canadian communications history, and the period following it, when Canada missed an opportunity to sustain *a new kind of public policy* discourse by ignoring the recommendations of the Telecommission, in particular the idea of the “right to communicate”. Although the dissertation argues that this concept was historically *presented* in Canada, through the work of the Telecommission Studies, it details how and why it turned out to be a *missed opportunity* for Canadian communications public policy in subsequent years.

Chronic Patterns in Canadian Communications Public Policy

The technological focus in Canadian communications public policies can generally be traced from the late 1850s, as Maurice Charland argues, when an influential group believed that physical transportation—as a means of communication—was capable of creating a *national identity*. Political rhetoric planted this persistent theme in the Canadian mind during the construction of the Canadian Pacific Railway (CPR). Sir John A. MacDonald confidently stated, in his speech in the House of Commons on 17 January 1881, “The road will be constructed . . . and the fate of Canada, will then as Dominion, be realized. Then will the fate of Canada, as one great body be fixed” (as cited in Charland, 1986, p. 201).

Later on, technology was blended with the political discourse of nationalism, creating an ideological assumption that continued to exist even after the building of the CPR, repeating itself with subsequent discoveries such as the telegraph. Scholars (Babe 1990; Mosco 1989; Winseck 1998, for example¹) argue that an underlying faith in technological nationalism drew upon the link between telegraphs and railways to construct “the monopolization of the telegraphy industry” (Babe, 1990, p. 42) and other institutions in the 19th century, namely “the bureaucratic state, stock markets, and the press” (Winseck, 1998, p. 76). Similarly, with the introduction of telephony, the *mythical* relationship between nation-building and physical transportation led to assumptions of a similar role for this new medium, expecting that telephones would work in a non-

¹ There is a considerable amount of research that have taken this historical approach to policy issues in Canada by focusing on the limitations of such understanding, and taking a deeper critical analysis of communications public policy. A selective list of such research would include the work of Paul Audley (1994); Kevin Dowler (1996); Michael Dorland (1996 & 1998); Keith Acheson & Christopher Maule (1994); and Raboy (1990, 1995, 1998 & 2003).

discriminatory and just fashion, as the *Railway Act* of 1906 stated: “All tools shall be just and reasonable and shall always . . . be charged equally to all persons at the same rate” (as cited in Babe, 1990, p. 159).

State versus private *regulation*, competition, and pricing, were all part of another major theme in Canadian communications public policy research that was triggered by the new broadcasting environment in Canada in the 1930s. Policy-makers started to study the impact of broadcasting and search for the best ways to regulate it. This period was marked by the Royal Commission on Broadcasting of 1928—the Aird Commission²—that investigated the social, cultural, and importantly, the *economic* impact of radio broadcasting in Canada. Despite the continuous rhetoric of technological nationalism that remained in the Canadian experience with radio broadcasting, Winseck confirms that “the image of the Canadian State that emerges [during this time] . . . is of a state whose first allegiance was to promoting *economic accumulation*, second to maintaining *political legitimacy*” (1998, p. 108, *emphasis added*).

Thus, one can see the continuing ambiguity of public policies during this time, as on the one hand they claimed to promote economic benefits, while on the other, they continued to blend political and ideological goals. In other words, it was equally important for Canadian policy-makers to mythologize this arena of communications by continuing to claim its role of “creating Canada” (Charland, 1986, p. 205), and generously accommodating the ever-growing industry and its institutions and businesses. Still, the persistent major objective was the effective use of broadcasting as a tool of

² For a detailed account on this point, see Mike Gasher’s “Invoking Public Support for Public Broadcasting: The Aird Commission Revisited” (1998), in which he investigates the relationship between public input and policy formation through an in-depth analysis of the Aird Commission.

Canadian nationalism, resisting the siren call of broadcasts from our southern neighbors with their very different policy objectives.

A fourth recurring theme in Canadian communications policy research is the heated debate over *centralizing or decentralizing* communications regulation, especially with the advances of cable television in the late 1960s. The move to decentralize was initiated by Quebec, which in 1969 passed its own legislation dealing with cable television, and “began courting other provincial leaders to establish a united front against federal hegemony” (Babe, 1990, p. 213). The decentralization movement continued through the 1970s and the 1980s, with a considerable push from the prairie provinces, which feared federal intervention in their communications monopolies. It did not relent until 1978, when the Supreme Court confirmed federal supremacy in the regulation of cable television (Public Service Board vs. Dionne, 1978, RCS 191 as cited in Babe 1990, p. 308). One may argue that if Canada sought to bring the nation itself into being using communications, it would certainly allow the Canadian provinces and communities to self-regulate. Yet, this did not happen. Federal powers did not allow “provincial autonomy in broadcasting”, thus contradicting their own ideology of technological nationalism, legitimizing their position by regarding radio broadcasting as the new tool of creation the “nation”:

Without such (Canadian) control radio broadcasting can never become a great agency for the communication of matters of national concern and for the diffusion of national thought and ideals, and without such control it can never be the agency by which national consciousnesses may be fostered and sustained and national unity still further strengthened.

(1932 *Radio Broadcasting Bill*, as cited in Charland 1986, p. 207)

Thus, communications public policies have been transformed from performing their core functions to serve the public interest, and drawn into a politicized battle zone between forces advocating for centralization or decentralization, with political and economic justifications.

Prior to the debates over public versus private communications policies, and the question of which level of government should control communications, maintaining *Canadian content* in broadcasting was another consistent theme that Canadian communications researchers identified in their historical studies. Proximity to the American border and that country's attractive cultural broadcasts represented a threat to various public policy objectives. For instance, the creation of the Canadian Broadcasting Corporation (CBC) as the public carrier of "Canadian content" is one example of framing the role of Canadian communications policy in this regard. Later, the Royal Commission on Broadcasting of 1955—known as the Fowler Commission—made a clear recommendation that communications public policy should be equally concerned with the issue of programming content, asserting a need to ensure an "adequate proportion of Canadian programs for both public and private broadcasting" (Raboy, 1990, p. 119). The Canadian Association of Broadcasters strongly opposed this idea, arguing first that, it was not fair to expect Canadian broadcasts to compete with expensive American programming, and second, this would consequently weaken the popularity of Canadian radio (and later television).

However, with the adoption of the *Broadcasting Act* of 1968 and the creation of the Canadian Radio-television and Communications Commission (CRTC), Pierre Juneau—its first chairman—advocated requiring Canadian broadcasters (private and

public) to carry a certain amount of Canadian cultural content to resist American programming. He confirmed recently, “There were . . . important moments, non-technical or technical, in the history of communications in Canada [among them the decisions about] . . . public broadcasting in 1935-36; [and] . . . fostering Canadian radio and television programming in 1970” (Personal correspondence, 30 March 2007).

All the preceding debates have approached communications from the political-economic, public policy, and technological-nationalistic positions. This dissertation is an investigation of the emergence of a *different kind* of public policy discourse in Canadian communications: one focused on *the right to communicate*. In particular, it concerns itself with the dissection of one example of this emerging debate in public policy: the Canadian Telecommission Studies, launched by the Department of Communications in the fall 1969 to study Canadian communications problems and to recommend possible solutions. The end result of the Telecommission Studies’ work was a remarkable research effort on the idea of the right to communicate, summarized in the *Instant World* report, published in April 1971. Some analysts have seen *Instant World* as just a “wordy discourse on communications, technology, social needs and desires” (Yull, 1993, p. 38). This dissertation argues the opposite: that *Instant World* was not just “words”, but rather, a serious attempt to serve the Canadian public interest and to commit the government to enact this new kind of discourse through public policy addressing the people’s right to communicate using various means of technology.

This important human right—the right to communicate—had first been identified in an article entitled “Direct Satellite Broadcasting and the Right to Communicate”, published in August 1969 by Jean d’Arcy (then the Director of Radio and Visual Services

in the United Nations' Office of Public Information). Right-to-communicate activists and scholars, although they regard this article as the official birth of the idea of the right to communicate, contend that while d'Arcy launched his "right to communicate" concept in the *European Broadcasting Review* (EBU) article, in reality, he "did not specify in detail what he meant by the Right to Communicate . . . [instead, his article] inspired others to attempt formulations over the following years" (Richstad, Harms & Kie, 1977, p. 114). Many (Harms 1982 & 1983; Birdsall 1998; Raboy 1990 & Hindley 1977 for example) consider the Canadian Telecommission Studies to be among the world's pioneering efforts to conceptualize and apply the right to communicate, through the recommendations in its *Instant World* report and its accompanying reports, studies, seminars, minutes and proceedings.

"One of the most comprehensive and original set of materials in the development of the Right to Communicate came out of Canada in the years after the d'Arcy article," write Richstad, Harms and Kie, for example (*Ibid*, pp. 114-115). D'Arcy published his paper in August 1969, just a month before the Telecommission Studies were launched in September. Harms notes, in an edition of his collected papers which focuses on the history of the right to communicate,

In 1969, at about the time the d'Arcy article on the right to communicate was published, the Telecommission in Canada began its work . . . One finds in the report of the telecommission, *Instant World*, the tentative assertion that "if there be a right to communicate, all Canadians are entitled to it." That report goes on to argue that in practice this right would require that all Canadians be entitled to a range of suitable accommodation services at a price they could afford to pay. This is a first [sic] clear linkage between the right and communication services and resources. The results of this linkage can be followed in recent reports on the history and development of communication in Canada.

(1983, p. 204)

Despite Harms' optimistic interpretation of the Telecommission Studies and *Instant World* report, the reality was rather different. While it is true that the Telecommission studied the concept of the right to communicate and investigated the different ways to provide means or resources for the Canadian public to enjoy that right, it was never translated into an actual policy. The *Instant World* recommendations were interpreted only within the limits and contradictions of previous public policy discourses in Canada. Its recommendations were assessed based on their compatibility with economic, political, and technological values, which seemed to be more worthy, to policy-makers during this time, than the notion of a public right to communicate.

Still, it remains important in this dissertation to uncover the intellectual origins of the right to communicate idea in Canada, through an analysis of the network established between d'Arcy and the people at the Telecommission. The existence of this network was confirmed by archival research, which showed that d'Arcy was aware of *Instant World* and its contribution to conceptualizing the right to communicate during the early 1970s. As well, Henry Hindley—the executive director of the Telecommission Studies—confirmed in his personal diaries that “those responsible for the planning of the Telecommission Studies had been much impressed by Jean d'Arcy's paper on ‘Direct Broadcasting Satellites and the Right to Communicate’ in the EBU Review. Consequently, four very important studies were directed to the ‘Communications Environment’” (1979*i*, p. ii).

Nevertheless, the question articulated throughout the dissertation is about more than confirming relationships; rather, it addresses what the actors of the Telecommission Studies did with d'Arcy's article, and how they interpreted his vague understanding of

the right to communicate, formulating actual questions to investigate throughout their proceedings, conferences, seminars, and finally, their landmark report.

Contemporary Connections

The importance of studying the work of the Telecommission Studies not only highlights a heretofore un-researched moment in Canadian communications history, it also grounds the intellectual origins of current significant practices and campaigns led by human rights and communication scholars and activists, on both national and international levels, who have maintained that there is an increasing “urgency to establish global recognition of the right to communicate and the communication rights” (Shade, 2004, p. 81).

The idea of a right to communicate articulated by the Telecommission Studies in the late 1960s currently forms the core philosophy of more than one international campaign. Among them is Communication Rights for an Information Society (CRIS), an organization that emphasizes citizen involvement, the role of communities in societies, and the right to communicate, among other practices. CRIS started at the “Framing Communication Rights” workshop held in Geneva in 2003 as part of the World Summit on the Information Society (WSIS), which was sponsored and supported by International Communications Union (ITU); the United Nations Educational, Scientific and Cultural Organization (UNESCO), and a group of voluntary Non-Governmental Organization

(NGOs)³. Although the movement was initiated by the NGOs, they sought to include governments that were involved in the WSIS proceedings, to ensure that the movement “can lay the foundations for all citizens to benefit from information and communication technologies in terms of improved quality of life, social services and economic growth” (<http://www.itu.int/wsis/basic/about.html>). This clarification is important to this discussion, since it explains that these attempts were to convince governments to adopt such ideals in their public policies.

During the proceedings of WSIS, civil society groups—particularly the CRIS campaign—advocated the importance of treating communication as a human right, not only in the language of declarations, but rather in the actual practice of everyday life. It proposed that communication rights should be the core claim for WSIS and future civil society action plans through a group of themes, for example:

- Information and communication infrastructure (by establishing universal access policies through governmental, public, and private sectors to ensure the individual connectivity to communication infrastructures);
- Access to information and knowledge (by promoting public access and open standards points such as in libraries and archives, etc);
- The role of governments, the business sector and civil society in the promotion of ICTs for development (by encouraging the digital literacy skills and learning);

³ Canada was among the governments who funded for the WSIS in 2003 (it donated the amount of 1 million Canadian Dollars); for more information see: List of contributors available at: <<http://www.itu.int/wsis/funding/contributors1.html>> [Retrieved December 12, 2007].

- Capacity building: Human resources development, education, and training (by financing and investment in developing “physical” public access spaces, such as the libraries, community access sites for example);
- Building trust, confidence and security in the use of information (by focusing on privacy and consumer protection for example);
- Enabling environment (by creating a transparent and participatory structure of governance);
- Promotion of development-oriented ICT applications for all available fields (through the e-government, e-business, e-health, e-learning, e-employment.etc); and
- Cultural identity and linguistic diversity (by encouraging the role of governments to promote indigenous content, protect languages, and assist promoting the cultural information within societies) (www.itu.int/wsis/documents/doc_single-en-1160.asp).

As much as access to information and resources is an important focus of the right to communicate, issues of privacy are equally important in highlighting the significance of studying the work of Telecommission Studies. More than thirty years ago, the Telecommission Studies examined the ambiguities surrounding access to information and its possible threat to privacy rights. Particularly, it focused one of its conferences on the uses of new means of technology (i.e. computers, new at that time) and the possible invasion of privacy that could result from their use. Proceedings, discussions, and arguments of the *Computers: Privacy and Freedom of Information* conference held in Queen’s University from 21-24 May, 1970 are detailed in chapter six of the dissertation.

Currently, scholars argue that “privacy is . . . [an] important issue within Canadian policy discussions—so much so that it has become a media buzzword. Accounts of the loss or invasion of privacy, threats to and worries about privacy, and even the death of privacy appear daily” (Clement *et al.*, 2004, p. 262). Indeed, invasion of privacy has become one of the public’s major fears, especially with the growing human dependence on electronic means of communication, with increasing use of such conveniences as online banking and shopping. In such cases, privacy concerns have raised heated debate between advocates of human rights and defenders of free speech as one of the core concepts in the *Canadian Charter of Rights and Freedoms* on the one hand, and promoters of the economic gains to be had from what scholars call the “commodification of privacy”. For example, Valerie Steeves explains: “Our privacy, once an integral part of our human dignity and autonomy, has become simply a commodity that can be bought, sold or bartered—most often behind the scenes without the informed consent of the consumer-citizen” (2001, p. 52).

Viewed in this way, it is alarming to see that public policy has valued economic factors more, even when dealing with issues of privacy as a human right. For example, Bill C-6 (*The Personal Information Protection and Electronic Documents Act*, April 2000), although it stressed the necessity of obtaining an individual’s consent before using or disclosing his/her personal information, also emphasized the importance of promoting e-commerce in the global information economy. Consumers have become aware in recent years that websites sell information that individuals provide during online transactions, without asking their permission, and that this is an essential part of “e-commerce”. In

other words, the bill seems to contradict itself in asserting two ideals that contradict one another in real life: protecting personal information and supporting online commerce.

Government plays a role in this debate, according to scholars, many of whom view Bill C-6 as one example of the commercial bias that government adopts. Even in the wording of the Bill, the language of the market has prevailed over that of public interest and human rights. For example, the Bill uses the word “citizen” ten times, but the word “consumer” seventy-eight times (*Ibid*, p. 55). In short, as will be seen in the chapters to come, the importance of ensuring a practice of the right to communicate, and to privacy, both of which were topics the Telecommission raised and studied in detail in the period from 1969 to 1971, continues to be reflected in current debates within civil society by communication rights advocates and public policy researchers.

Present At the Creation: A General Overview

The title of this dissertation—*Present at the Creation*—signifies that the work of the Telecommission Studies genuinely produced a *new* understanding of the public interest through its assertion of a right of Canadians to communicate. This was a right that had not been formally articulated before this moment in Canadian communications history. In the following chapters, the dissertation will attempt to detail the way this new understanding of the public interest came about, through a historical analysis of the work of the Telecommission Studies.

Chapter one presents an overview of the scholarly debates in communications public policy research, arguing that they form an *intellectual thread* of ideas and positions, and not merely a single theory or approach. It identifies five different

approaches to research in Canadian communications public policy, which overlap in their arguments and analyses. The chapter starts by outlining the *political economy* approach that predominates in the Canadian vision of communications. This perspective critiques the power relations involved in studying information, and communications media as the information carriers. Babe confirms that, “power considerations figure prominently in Canadian communication thought” (2000, p. 310). The political economy thread asserts that media content, and the audiences who consume it, are both “commodities” sold in the marketplace. Market forces dominated by élites – particularly media owners – control the production and flow of information, and hence messages produced through the media tend to benefit the interests of that class. The strength of this approach is that it clarifies one reason behind the shelving the Telecommission’s *Instant World* report and its recommendations: namely, the political and economic power of communications as a commodity in the market (i.e. as a business) outweighs its power as a matter of public interest and human rights (i.e. the right to communicate).

Chapter one then moves to an examination of the *public policy* research thread, arguing that it also contributes to an understanding of the reasons why the Telecommission Studies were transformed from a novel attempt to a “missed opportunity” in the history of Canadian communications. This thread focuses primarily on a critical analysis of the different policy-related dialects involved in the public policy decision-making process.

As the chapter continues, it examines research into the role of *media technology*, which was greatly inspired by the ideas of Marshall McLuhan. It underlines McLuhan’s role in spreading the idea that media technologies could create a Canadian national

identity. The chapter argues that the Telecommission adopted the understanding that technology, “like democracy, includes ideas and practices; it includes [at the same time,] myths and various models of reality” (Franklin, 1990, p. 2). Also, the idea of the right to communicate is one of the important discourses that spread in the late 1970s through various international movements, pioneered by the work of communication researchers like Herbert Schiller, for example, as well the efforts of human rights advocates and activists.

Chapter one examines the fourth intellectual thread that helped develop the importance of the right to communicate: the *international flow of information* debates and the *work of Jean d'Arcy*. Using French archival resources on “the father of the right to communicate” (Birdsall, 1998), the dissertation explores the work and contributions of Jean d'Arcy, as well as the influence of his ideas on the work of the Telecommission Studies.

Weaving together the four intellectual threads, the dissertation proposes a theorization of the right to communicate by situating the discourses of democracy and public interest in the core argument of the Telecommission Studies. This provisional position argues that most of the scholarly debates in public policy research in Canadian communications have overlooked the right to communicate as the core of what constitutes the public interest, how democratic ideals can be applied in communications, and what are the possible techniques of participatory democracy using means of communication. The period from 1969 to 1971, although short in duration, represented a time of great importance in the conceptualization and understanding of how communications can serve the public interest, and advance the principles of access,

participation, and equality. The *Instant World* report questioned “how should society exploit the promise of technology while safeguarding against its evident dangers?” (*Instant World*, 1971, p. 23). Clearly, it pinpointed its goal and scope by reflecting what communications *must do* for Canadian society as a whole.

Chapter two details the dissertation’s research questions as well as the methodological procedures employed in this research. It starts by questioning what public policy is, and what are the stages of the public policy decision-making process. How can we situate the work of the Telecommission in these stages? Using Max Weber’s conceptualization of bureaucracy, it maps out the relevant administrative powers in the governmental setting, differentiating between a departmentalized and institutionalized Federal Cabinet, and the role of the Department of Communications as a “policy” department, during the Trudeau years. The chapter then argues that there is a particular political, administrative, and resource *structure* within the federal bureaucracy, which interferes with the adoption of any new, non-conformist attempt at public policy (such as was the case with the Telecommission Studies, which adopted a non-engineering perspective and ideas). Following this, the chapter argues that the Telecommission Studies applied a new model of deliberative democracy that “actively experiment[ed] with citizen involvement in policy making” (LaForest & Phillips, 2007, p. 80) in its proceedings, discussions, recruitment, and recommendations. The model is built on four dimensions: reciprocity; public reasoning; public process; and participation, all of which promote citizen participation in the decision-making process of public policy formation.

Chapter two goes on to explain the different research tools used in the dissertation, namely:

- 1) Historical documentary analysis of the archival records and governmental records of the Telecommission Studies, deposited in the Library and Archives Canada.
- 2) Informant, one-on-one, in-depth interviews with key players in the Telecommission Studies' work: Allan Gotlieb⁴, Betty Zimmerman⁵, Charles Dalfen⁶, Pierre Juneau⁷, and Spencer Moore⁸.
- 3) The chapter then explains the methodological strategies selected to analyze news items from *The Globe and Mail* and *The Toronto Star* in the period from January 1969 to January 1972, during which the Department of Communications was formed and the Telecommission Studies started its work, through to the publication of the Telecommission's final report, *Instant World*.

In situating the work of the Telecommission Studies, chapter three of the dissertation approaches this public policy moment by articulating the social, political, and technological context in which major events unfolded. Canada, in the late 1960s and early 1970s, was fresh from the international success of the Montreal World's Fair, where

⁴ Interview with Allan Gotlieb was conducted on Friday, 29 September 2006 at 3:30 p.m. in Toronto, Ontario: 5300 Commerce Court West, Stikeman Eliot LLP.

⁵ Interview with Betty Zimmerman was conducted on Friday 22 September 2006 at 3:00 p.m. in Ottawa, Reader's Digest Resource Center, Carleton University.

⁶ Interview with Charles Dalfen was conducted on Thursday, 5 October 2006 at 11:10 a.m. in Hull, Quebec: 1 Promenade de Portage, CRTC Central Building.

⁷ Interview with Pierre Juneau was conducted on Wednesday, 22 February 2007 at 2:30 p.m. in Montreal, Quebec: 165 St. Catherine.

⁸ Interview with Spencer Moore was conducted on Wednesday 4 October 2006 at 12:30 p.m. in Ottawa, Ontario: National Press Club, 150 Wellington Street.

countries from all over the world celebrated the triumphs of technology, much of it communications technology. This event provided important documentation of Canadian hopes and expectations for the future of communications as seen by the public, academics, professionals, industry, businesses, politicians, and policy makers. Looking more broadly, this period in the late 1960s and early 1970s was a time in which change was widely supported and actively promoted in Canada's social, political, cultural, and human spheres. In communications, in particular, there was continuous and fruitful contact by the Canadian delegation at the United Nations Educational, Scientific and Cultural Organization (UNESCO) Meetings of Experts, where issues such as educational broadcasting, the human right to communicate, and access to communication technology were discussed intensively. Parallel to that, within Canada, were the efforts of a Canadian pioneer in satellite communications, John Chapman, who submitted a very important recommendation to the government on the need for Canada to have its own domestic satellite, and to offer communications services important to Canada's future such as connecting the North to the rest of the country.

The chapter regards the Canadian vision of human rights as the backdrop to this understanding, and it was a powerful vision, despite the fact that Canada at the time lacked strong legislation ensuring civil rights. The initiative by Pierre Trudeau (then Minister of Justice) for a Canadian human rights charter, took many years to come to fruition, finally being enshrined in the Constitution in 1982 as the *Canadian Charter of Rights and Freedoms*.

Chapter three also discusses broadcasting policy in general, in and around this time, asserting the importance of two documents that witnessed the emergence of the

“public interest” concept in Canadian broadcasting: *The White Paper on Broadcasting* of 1966 and *The Broadcasting Act* of 1968, which were considered “the first formal recognition of some sort of ‘right to communicate’ ” (Richstad, Harms & Kie, 1977, p. 115). The outcome of this chapter is the realization of a new perspective in law and communications: the right to communicate and the public interest.

The institutional approach to public policy argues that the “organization and character of political institutions play a critical role in determining policy outcomes in Canada”. Yet, it asserts,

institutions are only a beginning point. The study of political institutions cannot take place in isolation from the study of ideas, and interests . . . Institutions do not suddenly appear, fully formed. They reflect conflicts among competing social forces that struggle to imbed their interests in these institutions”

(Bakvis & McDonald, 1993, p. 4)

Chapter four of the dissertation details examples of the four different levels of the communications public policy hierarchy, arguing that the character of each level greatly influenced the work of the Telecommission Studies and the fact that after the release of *Instant World*, instead of translating its ideas into public policy, it became instead just another “missed opportunity” in the history of Canadian public policy. The *first* level of the hierarchy was the Liberal leadership of Pierre Trudeau who, during his tenure as Prime Minister, expanded upon ideas about freedom of speech and the right to communicate that he had advocated earlier, in his days with *Cité Libre* magazine. The chapter focuses particularly on two of Trudeau’s themes: 1) his idea of the *Just Society* that became a motto during the late 1960s and 1970s and which became central for many communications officials during the proceedings of the Telecommission Studies; and 2)

Trudeau's great belief in media technology and its potential to apply his vision of a Just Society. This faith was reinforced by Trudeau's personal connection with, admiration of, and mutual friendship with Marshall McLuhan.

The idea of transforming communication space from "public" to "private" and vice versa represents the *second* hierarchy of communications public policy, which we will view through the positions and "battles" that the first Minister of Communications, Eric Kierans, went through during his short ministerial tenure (1968-1971). His deputy minister, Allan Gotlieb, regarded Kierans as an "agent provocateur", who advocated the use of communication technology to benefit the public (Interview with Gotlieb, September 2006). In elaborating on this level of the hierarchy, I discuss three examples to illustrate the *structure* of the missed opportunity: 1) the Post Office Crisis; 2) Telesat and the national interests' problem; and 3) the status of communications policy in Canada in general. Further on, the chapter discusses the idea of "information sovereignty" as the *third* level of communications public policy hierarchy: communications deputy minister Allan Gotlieb, whose ideas greatly influenced the Telecommission. This was particularly true of his ideas on the right to connect to and disconnect from information sources, direct broadcast satellite, and the assertion of a Canadian right to privacy.

Finally, the chapter concludes with an examination of an attempt to change the structure of public service in the field of Canadian communications public policy. It studies the example of Henry Hindley as the executive director of the Telecommission Studies. In arriving at this *fourth* level of the federal bureaucracy's hierachal structure, Hindley had a long history of public service and a considerable knowledge of Canadian communications. Using his personal diaries, deposited at the National Archives of

Canada, I uncover the details of his entry into the public service, starting with the Royal Commission on Government Organization (the Glassco Commission) in 1962. I then describe how his expertise on broadcasting was shaped during his work for the Fowler Broadcasting Committee from 1964 until he became executive director of the Telecommission studies in 1969.

In chapter five, I describe the setting that gave rise to the Telecommission Studies. Using the results of archival research, governmental documents, newspapers, as well as in-depth interviews, I detail how Allan Gotlieb came up with the idea of forming a research process, how and why he recruited its directing committee, and the tensions that, from the first moments of the Telecommission's existence, arose between it and existing governmental bodies in the broadcasting field, such as the Canadian Radio-television and Telecommunications Commission (CRTC) and the Canadian Broadcasting Corporation (CBC).

Using archival proceedings and minutes of the Telecommission, I shed light on how the Telecommission organized its conferences, recruited its consultants, planned and communicated the themes it would address. I also discuss two key pilot studies that the Telecommission initiated before embarking on its long-term plans: the communications pilot questionnaire, conducted by Thomas McPhail of Loyola College (now Concordia University), and the communications pilot seminar, also at Loyola, directed by Richard Gwyn (now senior columnist at *The Toronto Star*).

The work of the Telecommission Studies has been described recently by Pierre Juneau as "a very important event in the on-going development of the right to communicate. . . Of course, in dealing with an evolutionary phenomenon one may be

interested in . . . the dramatic development of telecommunication technology, for instance, which attracted the attention of the Telecommission" (Personal correspondence, 30 March 2007).

In chapter six, I argue that the theme of "communications and the people" was one of the most important and novel attempts in the history of Canadian communications public policy to develop a real conceptualization of the right to communicate and its relationship to the public interest. This chapter analyzes in detail the Telecommission's discussions of the Canadian communications environment of the day, its problems, the possible solutions it envisioned, and the possible recommendations discussed at the time, to use media technologies for the benefit of the Canadian public interest. In this chapter, I describe in detail four conferences⁹ that Telecommission organized to study these themes, their participants, submissions, results, and recommendations.

In chapter seven, I regard the Telecommission's core philosophy as articulating and urging the government to consider the importance of a human "right to communicate" in future legislation. The final outcome of the Telecommission Studies' work was the report *Instant World—Univers Sans Distance*, published in April 1971. I discuss how the right to communicate corresponds to the recommendations of the Telecommission on maximizing the public enjoyment of communications media. These included the right to send and receive information, the right to privacy, the right of access to the means of communication, and even the right "not to communicate" that Hindley proposed at the International Broadcast Institute (IBI) meetings in the 1970s. Using

⁹ *Communications and Participation* (Université de Montréal, 3-5 April, 1970); *Access to Information: How to Know and be Known* (Carleton University 15-17 May, 1970); *Computers: Privacy and Freedom of Information* (Queen's University 21-24 May, 1970); and *The Wired City* (University of Ottawa 26-28 June, 1970).

archival correspondence, I also discuss the feedback to the report from pioneering figures in the right to communicate movement, such as Jean d'Arcy and Stan Harms. This chapter is a reassessment of existing scholarly analysis of *Instant World* (e.g. Babe 1990; Raboy 1990; and Yule 1993), arguing that the report was revolutionary in pinpointing the problems of communications policy and trying to establish a new understanding of participatory democracy and citizen involvement by recommending the concept of the human right to communicate.

The dissertation has borrowed Raboy's idea of "missed opportunity" (1990) as the title for its conclusion and discussion of the main findings of this attempt to highlight the *untold* chapter of the right to communicate story. The dissertation concludes that the work of the Telecommission Studies was another missed opportunity for Canadian communications public policy to pioneer the concept of the right to communicate. In particular, I discuss the details of this missed opportunity, as well as its structure, starting with the differing policy priorities, political agendas, tensions between academics and the business understanding of communications in Canada, all of which contributed to missing the opportunity to enact this novel concept in Canadian public policy.

Charles Dalfen, former CRTC chairman and legal advisor of the Department of Communications, told me in an interview that, ironically, he himself worked on the policy recommendations drawn from *Instant World*. They were not translated into the *Telecommunications Act* until twenty-two years later, in 1993. Despite this important fact, we still do not see any mention of the right to communicate concept in any communications public policies. A discussion of the tension created by the

Telecommission's recommendations, as well as the expectations and opinions of parties involved at the time, is detailed in the conclusion.

Reflections on a Present Missed Opportunity

“What is the relevance of such an old story?” is the question this dissertation articulates, and its real contribution to the field of Canadian communications public policy history. Recalling John Durham Peters’ (1999) idea of how our past appears selectively in the present, I hope to show that in studying the history of communications at this important moment, we can inform the present and shape the future. This is exactly what the Telecommission attempted to do more than thirty years ago: to ask the unasked questions, delve into unknown areas, and research the technological “givens” from a social, economic and human perspective. By continuing to accommodate the communications business and industry, at the expense of the public interest and the human right to communicate, Canada not only missed one opportunity thirty eight years ago by ignoring the work of the Telecommission Studies, but has continued to miss more opportunities to this day.

One recent example is the recent elimination of the Law Commission of Canada. In November 2006, Justice Minister Vic Toews declared before the *House of Commons Justice Committee*, “There was nothing that the Law Commission did that was particularly unique.” He said this in defence of the government’s decision to stop funding the commission in September of the same year (Law Commission of Canada isn’t needed, The Canadian Press). Formed in 1996, the Law Commission of Canada aimed to provide independent advice to the government “on improving, modernizing and reforming

Canadian laws, legal institutions and procedures to ensure that they are aligned with the changing needs of Canadian individuals and society" (Justice Canada at:

<http://laws.justice.gc.ca/en>ShowTdm/cs/L-6.7///en>).

The government's decision was made despite the Commission's much praised attempts to approach law from a multi-disciplinary lens, creating an intellectual network among government bodies, academics, communities, research institutions, and importantly, the public, in an attempt to produce a *new understanding* of law and communication (among different disciplines). The decision was made despite angry feedback from academics, and activists, some of whom questioned: "Why cut funding for work that needs to be done?" (Geist, 2 October 2006). Others argued that these "Fatal cuts to [the] law panel [were] deeply ideological" (Ibbetson, 28 September 2006). Adamantly, the government insisted that "the commission didn't do its own research; it hired outside experts" —that was the sin that apparently deserved absolute execution (Law Commission of Canada isn't needed, 6 November 2006).

I raise this incident as a recent and relevant example of how Canada continues to miss opportunities to enact the right to communicate in public policy. The Law Commission of Canada ventured, in November 2005, in collaboration with the Social Sciences and Humanities Research Council of Canada (SSHRC), to research the concept of the right to communicate in Canada. In this attempt, the Commission announced a strategic joint initiative on the theme of "communications rights and the right to communicate" that focused on the role of law and governance in either sustaining or weakening the democratic communication environment in the light of new challenges raised by technological innovation. It argued that:

An umbrella-like right to communication could encompass a range of principles that are not reducible to either freedom of expression or the related communication rights. . . [it addresses issues such as] inequalities in access to media and information, including the ‘digital divide’; privacy, security and surveillance . . . intellectual property and piracy; media regulation in a ‘multi-channel’ universe; communication technology and democratic education; . . . political participation; . . . the relationship between state and market in the regulation of communication and media technology and content; . . . and the communication and media practices of civil society.

(Personal correspondence from Barney, May 2007)

As seen, the understanding that the Law Commission of Canada adopted for a human right to communicate did not come from human rights, law, or democracy advocates, but rather from an advisory governmental body. It adopted the most contemporary vision of the importance of treating the right to communicate as more than just freedom of speech or thought, as does the *Canadian Charter of Rights and Freedoms*. Rather, it advocated a deeper understanding of the importance of the human practice of all kinds of communication and information.

Evidently, Michael Geist explained, “the Law Commission of Canada had begun to pave the way for a new round of relevant research projects” that ranged from an examination of the legal implications of new technologies and the need for a new legal understanding of important rights like the right to communicate, and the right to privacy. It questioned the effectiveness of current legislation to accommodate, for example, recent versions of cybercrimes. Geist added that recently, with the support of the Law Commission of Canada,

Canadian experts have carried out innovative research to identify some solutions. . . [some] studied the trust relationship between consumers and their ISPs, . . . [others] focused on cybercrime, . . . examined workplace concerns in the new economy, . . . [and wrote] . . . on the impact of digital networks on privacy rights, and . . . tackled federal privacy legislation.

(Geist, 2 October 2006)

Ironically, and with great similarity to the situation faced decades earlier by the Telecommission Studies, Treasury Board President John Baird rationalized the decision to abandon the Law Commission's work using the discourse of economics, arguing that financial considerations were more valid and workable in terms of immediate outcome; as opposed to the discourse of public interest and the right to communicate adopted by the Commission. Baird's words were: "They weren't 'meeting the priorities of Canadians' or weren't providing good 'value for money'" (Law Commission of Canada isn't needed, 6 November 2006).

On the positive side, and realizing the importance the Law Commission of Canada's role, Ontario launched its own Law Commission of Ontario in 2007, headed by Patrick Monahan, dean of Osgoode Hall Law School, as the chair of the new commission's board of governors. Monahan strongly maintains that "governments keep killing law commissions because, 'They don't necessarily like having independent and credible voices on law reform out there in the community'" (Marlow, July 23, 2007).

The Law Commission experience shows that there remain powerful structures that continue to defeat attempts to reform public policy using novel approaches and philosophies. The Telecommission Studies is an example drawn from history, one which elucidates the failure of another outstanding Canadian public policy initiative, but one which remains as relevant and interesting as if it had just happened. There is much we can learn from this old story.

It is hoped that this project will reveal a significant, yet heretofore untold, story of Canadian leadership, an attempt to realize a concept that we are studying, advocating, and hoping to materialize one day in communications public policy in Canada, one that many

people around the world know better than Canadians do themselves. Even though the Telecommission Studies' report—*Instant World*—was shelved by many Canadian universities and communication department libraries, this dissertation aims to bring back into the light this serious attempt to translate the hopes and dreams of scholars and activists in public policy into a real enforcement of the right to communicate in Canada.

CHAPTER 1

Towards Theorizing the Right to Communicate Debate

Within Communication Studies Research:

Intellectual Threads

Since the United Nations' adoption of the *Universal Declaration of Human Rights* in 1948, communication has been considered one of the basic human rights, based on the juridical language of Article 19 of the declaration, among other subsequent covenants and treatises. Still, this human “right to communicate” undeniably lacks an established research literature related to communication studies, contrary to its solid grounding in the scholarly literature of law, international relations, and human rights. This is not to deny, however, that the right to communicate—as I have argued elsewhere—possesses very strong intellectual, philosophical, and historical origins that can be traced back to seventeenth century in the words of philosophers such as John Milton, John Locke, and Voltaire, through to more contemporary philosophers such as John Dewey and Jürgen Habermas.¹⁰

John Durham Peters argues, in his exploration of the history of the idea of communication, that human communication “is a rich tangle of intellectual and cultural strands that encoded our time’s confrontations with itself” (1999, p. 2). He suggests that if we want to understand communication within these intellectual strands, we have to “understand much more” (*Ibid*). In other words, we need to conduct a historical analysis

¹⁰ Dakrouy, Aliaa. (2003). *Is communication a basic human right? An intellectual history*. Unpublished Master's thesis. Ottawa: School of Journalism and Communication, Carleton University.

of ideas that are intertwined, and not merely adopt a linear view or understanding of a given idea in a given period. This chapter attempts to situate the “right to communicate” debate theoretically, within scholarly debates conducted widely under the umbrella of communication studies, by introducing a number of different intellectual positions that theorized, sometimes indirectly, a notion of a right to communicate. They do not consist merely of one theory of a right to communicate, but rather form *intellectual threads* that are intertwined as well as inspired by the advocacy of human rights research.

Within communications public policy debates, we can identify five such “threads” in which the right to communicate is an important, recurring theme, namely: 1) political economy research; 2) public policy research; 3) media technology research; 4) other research (first, the international flow-of-information debates, and second, the right-to-communicate advocacy debates); and finally 5) democracy and public interest research, in which I find the locus of a meaningful discussion of a human right to communicate.

The advantage of such categorization is to identify the main focus of each school of thought or field of study, discover its strengths and weaknesses, and discover how it can inform this analysis of the Telecommission Studies. At the same time, viewing the approaches as intellectual threads is advantageous because: 1) some of the ideas overlap each other (i.e. one idea might belong to more than one category, for example), and 2) several schools of thought regard the right to communicate as part of their intellectual territory. Despite the fruitfulness of these intellectual threads, each one belongs, theoretically, to a particular field of study. Hence, one of the main contributions of the dissertation is that it draws together this new and emerging literature that studies the right

to communicate as a central claim of those who advocate for the public interest generally, and communication rights in particular, in Canadian public policy.

In particular, the dissertation argues that the work of the Telecommunications Studies, although short in duration, established the intellectual roots for the use of communications to serve the public interest, as well as the rights of Canadian citizens to communicate in various ways (including the right *not* to communicate). The dissertation situates its core argument within the different scholarly debates in communication studies, as *Figure 1* below illustrates.

**Towards Theorizing “The Right to Communicate” Debate
within Communication Studies Research
*Intellectual Threads***

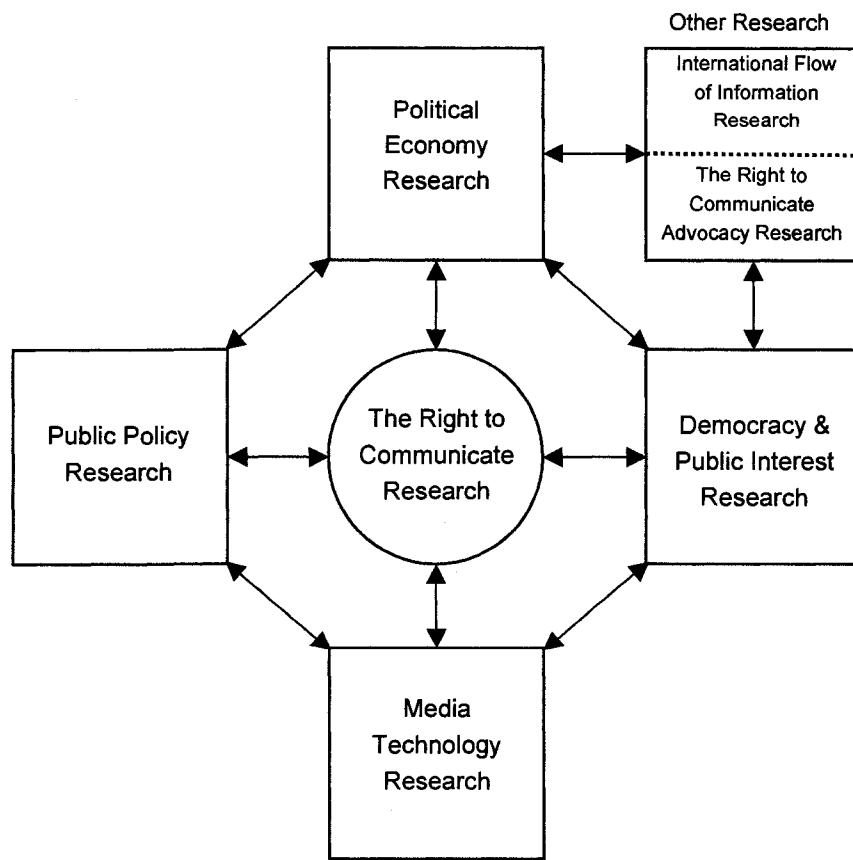


Figure 1: Intellectual Threads of Theorizing the Right to Communicate Debate

The dissertation argues that although they come from different intellectual backgrounds (i.e. economics, political science, policy studies, international communication, technology studies, and democratic theory), the five areas of scholarly research illustrated in *Figure 1* are linked by a common interest in *communications policy*. It also shows that there is a constant *interaction* among them and with other research conducted by advocates of the right to communicate through two important movements. The first is the international flow-of-information movement that started in the late 1950s with the non-aligned movement to decolonize communication and change its power relations. The second arises from the work of Jean d'Arcy as the father of the right to communicate. I have identified the relationship between the international research as running in two directions: it affects and is affected by the debates about the primacy of economic and technological aspects of communication on the one hand, and the socio-cultural and human rights aspects of communication on the other. Locating the “right to communicate” in the middle of the figure indicates the focus of this dissertation, which situates the origins and intellectual roots of research on the right to communicate in Canada by examining the work of the Telecommission Studies, which examined, perhaps for the first time in Canada, how communications could best serve the public interest. A detailed discussion of the Telecommission Studies’ proposal to the government on this point is in chapters four and five.

First Thread: Political Economy Research

As one important approach in critical theory, political economy focuses particularly on the distribution of power in society and the dominance of certain interests

over others. Karl Marx is considered to be a major influence on this tradition. But political economy came into being well before Marx. The approach known as “classical political economy” was widespread in the eighteenth century, and centered primarily on economic factors¹¹. Debates related to the human right to communicate might represent an important argument for the political economy tradition. If we consider communication to be a human right, then political economy will certainly criticize any exercise of power to limit it as a violation of the enjoyment of that right. Canadian political economy research is indeed a rich source of understanding about the relationship between communications and power relations in society, as it questions how and why decisions concerning economics and politics are discussed and applied in society.

In Canada, Harold Innis is regarded as one of the pioneers in the political economy of communication, as much of his work focused on the historical relationship between power, political organizations and communication technology. For example, in *Empire and Communications* (1950), and *The Bias of Communication* (1951), Innis tried to understand how empires (as symbols of power) were extended and transformed through social control and the structures of media and culture. Nicholas Garnham said that Innis’ most important contributions came from his study of the influence of technologies not only on their messages’ reception, but rather on media technologies as “mode(s) of coercion and production.” He noted that Innis’s understood media as including “physical transport systems” and studied “their relationship to systems of economic and political power” (Garnham, 2000, p. 28). Viewed in this manner, Innis’s political economy was *prophetic* in that it influenced subsequent approaches to regard the

¹¹ The approach concerns itself with questions of labour market, competition, welfare state, pricing, concentration of ownership among others.

development of communications systems as central to the economic structure and powers of the state. Garnham clarifies that Innis's adoption of communication as a field of study had a significant impact on the direction of research in this field, influencing it to include the history of modernity in which arguments focus on state formation, bureaucracy, and modes of persuasion and production, rather than a perspective that merely focuses on the state as a mode of coercion (*Ibid*, p. 29).

Vincent Mosco, among other Canadian political economists, regards the Canadian political economy approach, especially in relations to communications, as adopting a more *critical* stance than the classical or Marxist approaches, which are generally criticized for failing to relate to broader social dimensions. Mosco differentiates between classical and critical political economy, arguing that the former focused mainly on the role of governments and their institutions—such as the CRTC in Canada or FCC in United States “as regulator(s) of communications” responsible for managing prices, structure, and content (1989, p. 57). The critical approach, by contrast, views the role of the government as extending beyond simple regulation; it studies the ways *the process of regulation* serves mainly the interests of large, corporate communications companies, and “how these agencies have been the arenas of major conflicts between these companies and public interest groups” (*Ibid*, p. 57).

Mosco asserts that the underlying principle of political economy extends beyond conventional definitions, and he offers a conceptualization of how critical political economy can be applied to communications studies by identifying four basic characteristics: 1) understanding social change and historical transformation; 2) analyzing the wider social totality; 3) using moral philosophy and applying social values in social

practices; and 4) achieving social praxis—an ideal that has preoccupied many philosophers since Aristotle, through which a free and creative exercise of human activity is enjoyed (Mosco, 1996, pp. 27-37).

In brief, Mosco's approach to political economy is important in this dissertation as it offers a broader understanding of social analysis, particularly in Mosco's view that the relationship between communication and social processes is both *dynamic* and runs in both directions (*Ibid*, p. 72).¹² In other words, an analysis of a set of practices such as the Telecommission Studies necessarily involves an examination of the socio-cultural environment in which those practices happened. Similarly, Robert McChesney argues that scholarly inquiry into the political economy of communication embodies two dimensions. The first concerns itself with the nature of the relationship between communication systems and the social structure of society, while the second studies the influence of ownership of media systems (through government policies, for example) on the content of the media themselves. Thus, he believes that media *economics* “often provides microanalysis of how media firms and markets operate” and this relationship is indeed “indispensable to democratic theory” (McChesney, 2004, p. 43).

While information, according to Mosco, is “both a commodity and, within a society marked by the general tendency to commodification, [it] is a form of social control” (1989, p. 26), Robert Babe offers a different Canadian tradition of political economy to communications *policy* through what he calls “political economy’s realism.”

¹² Mosco says the political economy of communications addresses “questions about ownership and control of media institutions, identifies processes of media production, distribution and reception, and analyzes the connections between means of communication and more general means of production and reproduction in a capitalist world economy” (1989, p. 49).

Babe argues that this kind of political economy is an absolutely necessary tool to an “informed policy” in communications (Babe, 1995, p. 82).

From an economic perspective, Babe says economists analyze information industries and make recommendations to improve economic efficiency. He explains that the economic process is viewed as a process of commodity exchange, “whereby goods and services possessed by one are traded for goods and services held by another.” When both parties benefit from any existing differences in valuations of the commodities at issue, an exchange process will occur, in which money mediates to value goods and services. He explains that the valuation process is a result of the interaction of supply and demand. Basically, economic analysis helps to improve the production process; consequently, Babe argues, the criterion most frequently employed in economic analysis is “economic efficiency.” In this respect, Babe argues that information can be viewed either as (1) an economic input (a factor of production), an input in the process of producing outputs, or as (2) an economic output (a final commodity, price paid for its quantity made available for sale equals its cost of production and distribution), depending on the situation being analyzed (1995, pp. 14-16).

Still, Babe also looks at limitations to economic analysis of information. Unlike traditional factor inputs, information is not merely an input or factor of production substitutable for other factors of production like land, labor, or capital, but rather defines, permeates, and transforms other inputs and entire production processes since it changes the production function and thus the cost curves. As for information as economic output or commodity, information is treated as a commodity not dissimilar to other commodities for purposes of neo-classical economic analysis. However, contradicting Mosco’s

position, Babe argues that information has several characteristics that *weaken* its status as commodity: 1) its intangibility, 2) the absence of any final consumption, and 3) its nature as a public good. Intangibility of information raises the problem of quantifying information. To treat information as an economic commodity, there is an essential need to measure information in order to ascribe a price or cost per unit to it. Babe explains that, practically, the measures employed are concerned with the material or physical means of “encapsulating information” rather than the information itself. Also, there is merely accumulation, diffusion or transformation, rather than final consumption. Finally, with public goods, it is difficult to exclude those who choose not to pay from benefiting; also, the consumption by one neither affects nor is influenced by the consumption by others.

Alternatively, Babe approaches information from the “power” and “essence”, as opposed to commodity perspective, as he evaluates information by its intrinsic qualitative aspects and by its expected effects on recipients, rather than by price alone. While the notion of commodity gives primacy to the quantitative and the static (“satisfying existing demands”), the notion of essence gives primacy to the qualitative and emphasizes the dynamic (“transformative effect of information with respect to whatever it comes into contact”) (*Ibid*, p. 17). While information as commodity is precise and objective, it is qualitative and subjective as “reality transformer” or essence information. Babe asserts that while information as essence is more ambiguous, less amenable to objective, “scientific” analysis, this does not minimize its great importance. Babe addresses the treatment of information and communication using three main approaches from the mainstream discipline of economics: the macroeconomic or sectoral approach; the

applied microeconomic or industry studies approach (industrial organization); and the theoretical microeconomic approach (information economics) (1995, pp. 28-36; 1994, p. 59).

At the same time he critiques these mainstream treatments. To show the impossibility of the “information commodity”, he illustrates that information economists have noted that the “information commodity” holds some unique characteristics. Here, it is important to mention that the advantage of this particular point of Babe’s analysis in the dissertation is his assertion about some basic characteristics of information (and hence communications, as the means to carry information), i.e. that it tends to be more of public interest than just a commodity in the market. This is an understanding that the Telecommission Studies shared throughout its studies and recommendations in *Instant World*, as will be seen in chapters six and seven.

These characteristics are considered problems when we consider information as a pure commodity. For example, information is “indivisible,” which means that partial information can be useless; it is a “public good” in the sense that many can simultaneously possess the same information; and it is accessible by people unable to pay, and so on. In addition, Babe discusses two implications: the problem of internal validity and the problem of external validity. Firstly, economists have not quantified and cannot quantify information since information constitutes “a central part of the foundations of economic analysis,” yet a fundamental inconsistency becomes apparent, “giving rise to a crisis concerning neoclassicism’s internal validity” (1995, pp. 36-40).

Since information is “indivisible”, the inability to devise a measure for information means, ultimately, that information stands outside of the neo-classical model.

Babe considers a more promising approach, which is to stop “force-fitting” information into the commodity mode and “to reverse the process, treating information no longer as commodity, but rather addressing ‘commodities’ as being informational and communicatory” (1995, pp. 36-40). Secondly, regarding the problem of external validity, Babe looks beyond “the pale of information-as-commodity and information-as-reduction-in-uncertainty,” to consider new analytical possibilities. First, he argues that the capacity to communicate, package and diffuse information means power. Babe explains that power is not a primary concern for most mainstream economists because “commodity-alone/reduction-in-uncertainty treatments” afforded information enable mainstream analysts to avoid considerations of power. Less restrictive conceptions of information restore considerations of power to economic analysis and thus entail the replacement of mere “economics” by “political economy”. Second, information is not restricted to a single place but instead permeates both time and space as well as generating or issuing more information. Third, information constitutes a “shared space”, a “symbolic environment,” or a “communications ecology,” in which people live (1994, p. 52).

As a political economist, however, economic processes, according to Babe, are viewed as special instances of more general “communicatory processes,” or in other words, he sees economics as communication: at the outset it is to be noted that a superficial similarity exists between the economists’ ‘market’ and the communicologists’ ‘communication system.’ ” Babe argues that both processes entail “circular flows.” In the market, a seller transmits property rights of a commodity to a buyer and in return gets money whose amount is determined “impersonally” through supply and demand. On the other hand, in a communication system, a sender transmits a message (information) by

means of transmission to a receiver, who decodes or interprets it and responds in some way (feedback). In the economic model's "market", the buyer and seller exert no influence on one another, but, in contrast, the "communication system" posits influence by the sender on the receiver, and more often posits communicators as engaging in dialogic interaction, interpenetrating and transforming one another through "mutual semiosis." He argues that all "artifacts" are informational, and that therefore all exchanges or transmissions of artifacts are "communicatory." For Babe, information is termed "epiphenomenal" in the sense that "it derives from the *organization* of the material world on which it is wholly dependent for its existence." He means the epiphenomenal quality of information, or what he termed "immateriality", that makes information so difficult to "appropriate" or seize (Babe, 1995, pp. 40-43).

Babe concludes that the mere existence of "form" and "matter/energy" is not sufficient to constitute information; language, which is "a code or codes assigning pre-arranged meanings to these forms," is also required. By this conception, Babe argues, information defies measurement for two reasons. First, information "is immaterial; information relates to the form matter takes, but is not the matter itself." Second, "forms have no meaning, or rather as symbols have no meaning, in and of themselves, but rather take on meaning because a code or language exists which imputes or ascribes meaning to them" (Babe, 1995, p. 82). Consequently, meaning (information) does not exist objectively so as to be countable, but instead exists only in subjectivity, that is in interpretation. Babe confirms that information and communication should engage the analyst in a social or methodologically collectivist discourse for two reasons. First, messages often simultaneously permeate many minds, producing, maintaining, and

transforming societies and the individuals comprising them. Second, any individual's interpretation of forms (signs, text, or information) comes not only from his/her unique life experiences, but also, and more importantly, from the shared languages or codes of the cultures and subcultures.

In the light of the previous discussion, and applying it to the history of Canadian communications, for example, Babe critically explains that *institutional powers* in society are spreading myths related to the use of communications that are “de-illusioning” and “de-mythologizing” us from the position of dissecting the power relations involved in such situations. For that, the political economy approach “highlights rather than obscures the reality of human volition. Nor does it sanction asymmetries in the distribution of power by invoking abstract powers. Rather it asks three basic questions: Who gains? Who loses? Who decides?” (*Ibid*). Importantly, he identifies three schools of political economy: liberal, Marxist, and institutionalist. All of them are concerned with, 1) questions of power, conflict, and change; 2) the basic aim to demythologize communications; and 3) emphasizing the interplay between legal and economic dimensions. However, he puts more weight on the third school—institutionalist—which he argues addresses the most common myth or ideology: the three part relationship between market, technology, and evolution that constitutes the “current system of power”.

It is important to mention here the significance of Babe's and Mosco's approaches since both have related political economy to *moral philosophy*: the core claim for human rights advocates for an equitable use of communications resources. This understanding is evident in the work of early political-economist Adam Smith in *The Theory of Moral*

Sentiments (1759) and *The Wealth of Nations* (1776), where he emphasized the notion of “self-love” as the “agent or engine for prosperity for all” (Babe, 1995, pp. 72-74). Therefore, Smith’s followers have criticized business persons and expressed great sympathy for workers and the poor. In our recent days, anti-trust policy advocates are manifestly expressing this intellectual position, fighting actively against the increasing concentration of corporate power. They have highlighted the “darker side of competition” in which the weak are eliminated and the strong get stronger. Refuting the claims of neo-Darwinism, liberal political economists encourage *active government* to ensure the fair practice of competition and progress toward equality in societies. Babe summarizes that this approach is certainly “a prescription for increased equality as well as for economic freedom” (*Ibid*).

Viewed in this manner, the dissertation regards Babe’s discussion of the *Institutionalist Political Economy* position as framing the work of the Telecommission Studies exactly in the midst of competing discourses that existed during the time of its work in Canada (the market forces, the effect of technology, and a determinism in adopting policies). Babe asserts that most scholarship in this field mythologizes the power relations in society—namely the Three M’s (*Market*, *Machine*, and *March of Time*)—by arguing that they are “natural and unavoidable”. Within communications studies, the myth of the *Market* is clear in the process of governmental privatization movement, deregulation, revoking social programs arguing that these are not necessary or important, and especially the notion that the “market will allocate resources in the best of all possible ways” (Babe, 1995, pp. 75-80). Francis Bacon, for Babe, is a clear representation of the second myth, the *Machine*—science and technology—in which he

maintained that technology embodies the great wealth of societies, representing one of the most powerful influences, comparable to the effects of politics and even religion. The mythology of *March of Time*—or the myth of evolution—came under attack from Babe who criticized this instrumental position for embodying a social Darwinism of selection and evolution of any problems in society. In other words, the myth argues that all forms of human activity serve as the “instruments” to solve social and individual problems, and since the problems are changing, instruments *must* change accordingly (*Ibid*).

Clearly Babe’s position strongly contradicts the neo-conservative position, which adopts the *Three M’s* myth and assumes that if governments would only leave the field of communications to grow by itself, it would automatically work in the best possible way: eliminating the less efficient economically, culturally, and humanely. For Babe, this understanding of power relations certainly “annihilates the pursuit of justice. It also constitutes a mystical apologia for inequity, environmental degradation, and imperialism” (1995, pp. 80-81). Therefore, he believes that the political economy approach is able to “unmask” these powers (of Market, Machine, and March of Time) and reaffirm the “free will and the efficacy of human intervention” (*Ibid*).

Collectively, it is argued here that the political economy approach represents one of the important threads in theorizing the right to communicate and situating the work of the Telecommission Studies within its intellectual context¹³. As seen in the discussion of political economists of communication—using the work of Mosco, Babe, and McChesney as examples—although they tackled different dimensions of the political, economic, and power relations of communications, they all believe that communication

¹³ Chapter three of the dissertation will situate the Telecommission Studies within its socio-cultural and historical context.

and information are important aspects essential to human life and existence, and a core component of democracy. Hence, they warn against practices that might threaten the enjoyment of this important right.

As will be shown, the debates adopting the political economy approach were among the strongest in the Telecommission Studies proceedings and conferences. In these debates, contributors and attendees cautioned firmly against business claims that deregulation would be beneficial to Canadian communications, and recommended strongly that government should maintain regulatory powers to ensure fair economic competition in the distribution of information. It will be also shown how bureaucratic and technocratic power relations were among the major forces that led to the shelving of the Telecommission Studies' report *Instant World* and the proceedings and debates of the Telecommission. Provinces, business, and industry were strong opponents of academics' proposals that the government adopt a communications policy enforcing a right to communicate in Canada.

Second Thread: Public Policy Research

The “public policy” theme is indeed fundamental in Canadian communications history, and represents an important thread in this dissertation, particularly in contextualizing how an idea such as the right to communicate, for example, could be translated (or not) from merely an “idea” to a public code, enshrined in legislation on the one hand, and in the practice of day-to-day life on the other. As Mosco affirms, “The growth of communications raises more than economic concerns” (1984, p. xi). As will be shown in chapters six and seven, the failure to translate what the Telecommission Studies

hoped for in its proposal on the right to communicate, into a “policy” until recent days represents a definite “missed opportunity” in Canadian communications. The missed opportunity was not just a result of “economic” processes, as the previous intellectual thread proposed, but rather, resulted from another group of intertwined conflicts and relationships related to *policy*, which affected the progress of such a novel approach to Canadian communications.

Classical policy research, as Harry Trebing defines it, is research “conducted by representatives of government, private entities, or the academic community, which seeks to analyze the nature and impact of government policies” (1984, p. 3). Ultimately, this type of research aims to influence the formulation of public policy, and to improve the role of governmental organization in different fields, such as communications, for example. Policy research covers different genres of policy that range from technical, economic, sociological and legal to communications. Public policy research plays an important role: 1) as an instrument in planning; 2) as a producer of philosophy; 3) as a critical evaluator of policy in real life; and even 4) serving the established agenda-setting functions of policy-makers. Scholars argue that policy research, particularly in communications, is “elusive” due to the very nature of the field, which is indefinable (unlike housing or transportation, for example), and in such cases, public policy research might be designated either as a “technological necessity” or as a “social responsibility”.

Here, it is important to realize that there are some particularities in the field of communications public policy in Canada. First, there is more competition than cooperation in the field; in other words, there are competing forces—especially if we borrow the political economic terminology—between government administrations,

ministries, committees, authorities, and programs from within the government on the one hand, and between the public and private sectors on the other. Second, there is a belief in the primacy of hardware (i.e. machines and other tangible items) over software (i.e. programs that run machines, and other intangibles that people produce). Scholars confirm: “Hardware is more easily accountable, measurable and calculable than is software, at least thus far and in most cases” (Ekecrantz, 1984, pp. 45-48). And they assert that “the technocratic form of policy analysis” has occupied the mainstream in the field of public policy for many years (Orsini and Smith, 2007, p. 3). However, the emergence of *new actors* in the field of public policy-making such as civil society organizations and human rights advocates has undermined to some extent “the state-based power-holders in the policy process” (*Ibid*, 2007, p. 2). Hence, public policy research has benefited from crossing disciplinary boundaries—often to approach new methodologies of analysis, such as feminist, and social movement analyses—and gaining more strength from the input of research in political science, governance, and sociology, among others. As a result, a new approach has emerged: *critical* public policy research.

Critical public policy research challenges the classical approaches that centered merely on state-based analyses to include more contemporary dimensions in public policy. For instance, it started to focus more on the relationship between public policy and social movements, citizen-empowering movements in the policy process, the mobilization of civil society, post-colonialism, and race and ethnicity in Canadian society, among other things. Notwithstanding, it attacks some established assumptions in researching public policy, especially within the Canadian context, such as the centrality of “methodological nationalism” as an epistemological assumption deeply rooted in

Canadian policy studies. It argues that with such an understanding, all social relations in society (cultural, economic, social, etc.) would be organized mainly on a “national scale” (Mahon, Andrew & Johnson, 2007, p. 42).¹⁴ In other words, methodological nationalism implies that any categorization (geographical, intellectual, administrative, institutional, etc.) that is not “national” is assigned a *lower* degree of importance and hence, gets a lower priority on the public policy agenda. A typical example of this methodology is analyses of federal-provincial relationships, or provincial-municipal government relationships, that merely focus on the national level¹⁵.

As a result, the public policy research thread informs the dissertation by highlighting that the trend during the 1960s and 1970s was to “overemphasize” the state as the main player in public policy-decision making. As seen in the introduction of the dissertation, nationalism was one of the important recurring themes in the field of Canadian communications history that have been strongly criticized by scholars like Mosco, Raboy, Charland, and Babe (1973). The latter argues, for example, that such an idea is no more than a myth propagated throughout Canadian history:

The national interest centers on the use of communications technology for purposes such as strengthening national unity, the development and protection of a distinctly Canadian culture, and the encouragement of an efficient and low cost inter-provincial communications network.

(Babe, 1973, p. 54)

¹⁴ Mahon, Andrew & Johnson argue that this position might have been workable in the pre-globalization area where the emphasis was merely on the special geography in which “nation-states were seen as the key actors of international relations (2007, pp. 42-43).

¹⁵ In his research on the impact of provincial-federal relations in policy formation in the 1970s, Simeon argued that even modifications to federalism that allocated more power to provinces “have not, however, made Ottawa powerless” (cited in Mahon, Andrew & Johnson, 2007, p. 44).

A second important consideration in public policy research, in our historical discussion of the Telecommission Studies' attempt to transform the right to communicate "idea" to a public "policy" in Canada, is the emphasis of this thread on the importance of creating *new channels* of public policy input. Researchers in this field confirm that "the role of the Canadian public in policy making has undergone a profound transformation over the past three decades" (Laforest & Phillips, 2007, p. 67). Studies showed that depending on *citizen engagement* is an extremely useful input for public policy-making versus the classical view that always relies on the traditional actors to discuss the policy, assess its value and impact, and decide on the alternatives. They have concluded that "such an engagement (of citizens) is to produce not only better policy, but more active, 'better' citizens" (*Ibid*, p. 67).

Similar studies have been carried out by public policy theorists who call for a new perspective on citizen participation through adopting the notion of "governmentality". They explain that Michel Foucault in his 1978 lectures describes governmentality as a "neologism of government and rationality" by which he means that governmentality does not refer merely to the government as a *central single institution* or even one/group of persons and institutions. Rather, he points out that governmentality means the "outcome of a multitude of thoughts and practices that shape assumptions about what government is, how it should be exercised, by whom, and for what purposes" (Murray 2007, p. 162). Therefore, and since it is a cornerstone in the practice of democracy, citizen engagement is seen as supplementing representative democracy in redesigning the conventional relationship between citizens and the state in the process of policy making. First, by having their input in the process of policy making, starting from identifying the problem,

discussing it, studying the alternatives, deciding on the options, and secondly, in the outcome, citizens are “holding government to account on the basis of reported performance at the back end” (Laforest & Phillips, 2007, p. 68).

Collectively, the public policy research thread informs our discussion about the fate of the right to communicate in Canadian public policy by explaining the tensions between federal and provincial powers. If the work of the Telecommission on the right to communicate is considered a missed opportunity, then public policy research can offer a comprehensive justification of why this opportunity failed to be translated into an actual public policy until the present day. Important justifications that could be derived from the previous discussion of the public policy thread include the existence of tensions between federal and provincial powers in discussing communications problems, or perhaps the problem of “governmentality” in the process of public policy-making in Canada during this time, and until the present day. A final reason was the need to view communications as a means to democracy, including public participation in the policy process—something that the Telecommission Studies not only argued for, but also applied in its proceedings and discussions, as will be seen in chapters five, six, and seven. Winseck confirms this idea by arguing that communications policy is:

more than just another aspect of industrial policy . . . telecoms have a significance that goes beyond the economic because of the historical relationship between communication and democracy . . . Telecoms policy builds on . . . promoting increased access to communications media and reasonable prices. . . balance between economic imperatives and social needs . . . balance between citizens’ and corporate rights to freedom of expression.

(1998, p. 3)

Concerning the role of communications policy to ensure democratic practices through the use of communications media, the next section addresses another theoretical thread: the research conducted to explain the role of technology in society and how it could be used to advance concepts such as citizen participation and the right to communicate.

Third Thread: Media and Technology Research

“The Canadian mind”, as Arthur Kroker argues, “may be one of the main sites in modern times for working-out the meaning of technological experience. ... A general fascination with the question of technology extends like a brilliant arc across the Canadian cultural imagination” (1984, p. 8). One reason for this understanding is Canadian geography that represents “an immense challenge to maintain east-west traffic flows in the face of powerful north-south attractions” (Janisch, 1987, pp. 1-2). For that reason, scholarly research focusing on technology is an important intellectual thread¹⁶ that plays a key role in situating the work of Telecommission Studies on the right to communicate within broader intellectual debates.

This was especially true in the 1960s in Canada, where major technologies were launched (such as computers and satellites). From this perspective, technology is in essence related to politics and democratic practices as, since Aristotle, “the instruments of our artful activity are properly subjects of political judgment because they are always oriented to ends that will contribute to, or detract from, a good civic life”, as Barney

¹⁶ Allan Gotlieb, the chairman of the Telecommission Studies and the Deputy Minister of Communications during 1969-1972, admits that one reason for his enthusiasm about the Telecommission experience stemmed, intellectually, from the ideas of McLuhan. “This one thread is a very important one . . . the conceptual thread, and the whole excitement of McLuhan being a Canadian and, of course, Trudeau had a high regard for him” (Interview with Gotlieb, Toronto, September 2006).

points out (2000, p. 55). Babe (2000) makes a similar claim that “technological change means human betterment” (p. 316, *emphasis in original*). For the Telecommission Studies, technology embodied the “means” by which we can communicate over distance¹⁷, access information, as well as representing a key component in practicing democracy. More recently, governments use technology in promoting e-government, e-voting, and e-democracy—practices that bring politics to citizens’ homes where they can interact and exchange opinions and positions with others in society. However, it is important to understand that technology is not the end in itself—an argument made by scholars like Mosco, who cautions against adopting such a position since it is indeed a “burden of social change”. That is because it places the hope on technology and not the *social institutions* where technology is produced (1989, pp. 71-73).

One of the chief contributions to communication research on media technology, especially in Canada, is the work of Marshall McLuhan. His ideas spread like wildfire, not only throughout Canada, but also around the world. Phillip Marchand says that by the late 1960s—the period in which Telecommission Studies worked—“he was being acclaimed in the pages of the *New York Times Magazine* as the ‘number one prophet.’ ... One Greenwich Village enthusiast, at about the same time, staged a multimedia event that was climaxed by his singing quotations from McLuhan’s works” (1989, p. 172).¹⁸ McLuhan’s personal secretary, Margaret Stewart recalls this time:

¹⁷ I am not claiming here that technology is replacing direct personal communication; rather I am emphasizing the significance of technology as a means of facilitating human communication especially over distances and in a place with Canada’s vast geography.

¹⁸ This chapter focuses on providing an outline of the way McLuhan’s ideas spread, particularly during the late 1960s, and affected the Telecommission Studies and its work in particular. Therefore, I will only tackle the notions of technological determinism, a trap that the Telecommission was trying to avoid falling into, and technological nationalism, which was

I also remember that, as Marshall's fame began to spread during the mid-1960s, Claude Bissell (President of the University of Toronto) arrived at the old Centre [for Culture and Technology] one evening with a group of wealthy Swiss McLuhanites. They implored him to return with them to Switzerland and become their "king"!

(Zingrone *et al.*, 1994, p. 24)

McLuhan and the Cult of Technological Nationalism

McLuhan's *Understanding Media* (1964) revealed to many a "magical" world: the new media of communication — radio, television, film, photography, satellites, and later computers — that were for many the means to "restructuring civilization." McLuhan argued that, with new electronic technologies, human beings had returned to primitive, tribal ways of communicating. Hence, the world had become a "global village" where people send and receive messages instantly. The media reduced the spaces between, and the separation from, fellow humans and hence could alter their behaviour, he asserted: "Our new electric technology that extends our senses and nerves in a global embrace has large implications for the future of language" (McLuhan, 1964, p. 80). For example, he believed that there was great potential in satellites, which for him exemplified how media could create a "global theatre." He told Ed Fitzgerald of CBC television in 1970: "You could say that with the satellite, the global village has become a global theatre ... [with] everybody on the planet simultaneously participating as actors" (cited in Benedetti & DeHart, 1997, p. 66).

McLuhan also promised that electronic media could foster education — one of the priorities of the times —through satellite distance education, allowing students from

spread during this period. I will also discuss McLuhan's relationship with Pierre Trudeau, which caused his fascination with media technology, from satellites to computers and data banks, and aspects of McLuhan's personality that affected his thinking, which in turn influenced the work of Telecommission Studies intellectually.

around the world to experience the same information environment, or bringing television into the classroom, where the learning and teaching experience would be totally “transformed.” He told CBC’s *Take Thirty* in 1965 that “TV . . . would blow the classroom to bits. . . . It would be exactly like bringing the Trojan horse inside the walls of Troy. . . . It would simply alter the entire pattern and procedures of the classroom and create an altogether new educational form” (*Ibid*, p. 124). It was not surprising, then, that some of his ideas connected to the deep Canadian belief in “technological nationalism” that arose with the building of the railroad hundred years earlier, a belief that technology has “the capacity to create a nation by enhancing communication” (Charland, 1986, p. 197). Some believed that Canada could use McLuhan’s ideas to guarantee its future. Betty Zimmerman recalled the McLuhan effect spreading throughout the CBC and CRTC during the 1960s: “All those words that brought to our vocabulary during this time were McLuhan’s” (Interview with Zimmerman, Ottawa, September 2006).

In Canada, media technology has traditionally been seen as an important element in the formation or loss of Canadian national identity: “Whether viewed from the side of domination or seduction, the lesson is the same: the Canadian identity is, and always has been, fully integral to the question of technology” (Kroker 1984, p. 12). Originally and historically¹⁹, technology served as a means to link areas of Canada and build national unity, starting with the railroads and later with radio as discussed in the introduction. Yet broadcasting policy, from the 1930s forward, although claiming to endorse this ideal by

¹⁹ The idea was well expressed by Charles Dalfen, the former legal advisor of the Department of Communications and former president of the CRTC who believed that technological nationalism was around even before McLuhan: “I think this is Canadian history . . . we use our transportation to achieve national objectives such as, you know, unifying the diverse geographic country. . . . That is historical, including the Canadian Pacific Railway, and [in the late 1960s, the equivalent was] the use of satellite in the broadcasting systems. So that is totally consistent with the history” (Interview with Dalfen, Hull, October 2006):

providing the nation with a single, common, national experience, in reality also contradicted it. In part, this occurred because regulations also permitted the broadcast of American programming using Canadian carriers — which Charland says exemplifies the contradictory nature of Canadian communications policy; namely that “the content of the Canadian identity would be but technological nationalism itself” (1986, p. 206), an idea of *form*, not content.

Correspondingly, Babe (1990) argues that the Canadian political discourse of preserving “sovereignty” by means of communications has primarily served to grant credence to a group of ideological myths²⁰ widespread in the late 1960s in Canada, such as in the case of the White Paper on Broadcasting. Following the publication of that document, debates occurred in the House of Commons leading to the passage of the 1968 *Broadcasting Act*.²¹ The Act assigned responsibility to the public broadcasting system in Canada to “contribute to the development of national unity and provide for a continuing expression of Canadian identity” (Clause (3iv) in Grant, 1973, p. 5). Secretary of State Judy LaMarsh argued at the time that the national unity mandate was of key importance, saying that it was “perhaps the most important feature of the CBC’s mandate in the new

²⁰ For example, Babe argues that within Canadian communications policy, there has been a constant urge to follow the doctrine of the “technological imperative.” This doctrine, according to him, implies that humans have no choice but to follow the current trend, or they will be left behind (1990, p. 9). This idea was clearly illustrated in the White Paper on Broadcasting: “There is no insulation from these new forces, no iron curtains of the mind to permit a comfortable slow pace of adjustment to new forces. *The era of the communications satellites is upon us*, still further complicating the processes of adaptation which the essential goal of Canadian unity will demand” (*White Paper on Broadcasting*, 1966, p. 6, *emphasis added*).

²¹ The *White Paper on Broadcasting* of 1966 used one of the myths that Babe identifies—technological nationalism—quite cleverly. It maintained in its introductory objectives: “This strong mandate did not arise from any narrow nationalism that sought to shut out the rest of the world . . . but rather from a clear conviction that the destiny of Canada depended on our ability and willingness to control and utilize our own internal communications for Canadian purposes” (1966, 5).

bill” (cited in Raboy, 1998, p. 93).²² This, in turn generated a heated debate on the contradictions contained in the bill (and later the *Act*), which emphasized the responsibility of the CBC and Radio-Canada to promote national unity on the one hand, without defining what was meant by “national unity.” Raboy asserts that promoting national unity on the airwaves “did not mean the same thing to all Canadians, but these indefinable words and this indefinable objective were about to become the overriding legal guideline for Canada’s public broadcaster” (*Ibid*, p. 177).

For McLuhan, all this discussion was meaningless, and from the perspective of his communication expertise, totally inaccurate. In a letter to Trudeau on 14 April, 1969, he attacked the CBC, arguing that the public television network, despite its size and capabilities, was dying because it was “attempting packaged programming, 19th century style.” He predicted that this would be the “fate” of any government bureaucracies that attempted to follow this approach (Molinaro *et al.*, 1987, p. 366). Even the idea of regulations requiring broadcasters to include Canadian content, advocated by Pierre Juneau around the same time, was not comprehensible to McLuhan. He wrote to Trudeau’s office, warning him against adopting this type of technological nationalism, arguing that it contradicted the very essence of his theories on the media. Rejecting the idea of a “fixed identity” for Canada, he explained to J. M. Davey in the Prime Minister’s

²² In the same House of Commons hearings Judy LaMarsh said: “I suppose ‘national unity’ is a phrase that is especially Canadian and means something to Canadians but might not mean anything to anyone coming in. Surely, it means about the same thing to all Canadians whether we are able to express it or not because it has been meaning that for, I suppose, a hundred years; certainly for the time of the CBC.” Her statement was not convincing to Liberal MP John Reid, who struck back saying: “Excuse me, I do not think it does. ... The idea of national unity, for instance, in the mind of Mr. Trudeau, is quite different from that in the mind of Mr. Paul Gérin-Lajoie [Quebec’s Education Minister at this time]. It is a pious word you cannot define and you cannot define how you are going to achieve it. This is the point” (cited in Raboy, 1990, p. 177).

Office his catch-phrase “the medium is the message,” saying that when Trudeau for example, “uses” the media, “he” then becomes their content. But the opposite is also true: when the media use him, then “they” become the content. He added:

Perhaps Pierre Juneau or somebody at C.R.T.C. would like to have this essay apropos the problem of “Canadian content”? The consequence for the discussion of the problem of Canadian content for the media is drastically simplified by noticing that the user is the content. If Canadians use or watch American programs or drive American cars, it is the Canadians who are the content of these things. The meaning is in the resulting interplay or dialogue between Canadians and these things, but there can be no question that the Canadian user of American things is the content of these things. ... It is unfortunate that the C.R.T.C. ever involved itself in the question of content, especially since it does not understand the nature of media at all, except as hardware.

(*Ibid*, pp. 427-728)

Therefore, McLuhan’s position in this regard was clear, and was expressed in one of the earliest correspondences — in December 1968 — between himself and Trudeau, where he refuted what was later attributed to him concerning the issue of technological nationalism. He pointed out:

One theme that may have some immediate relevance: Canada is the only country in the world that has never had a national identity. In an age when all homogeneous nations are losing their identity images through rapid technological change, Canada alone can “keep its cool.” We have never been committed to a single course or goal. This is now our greatest asset.

(Molinaro *et al.*, 1987, p. 359)

In other words, McLuhan’s ideas in this regard correspond with Babe’s argument discussed earlier in this chapter that attacks as well this ambiguity in dealing with communications as merely a realm of “nationalism”. Importantly, and drawing from the public policy research conducted on this issue, one can see that such an understanding is adopting an epistemological understanding of *methodological nationalism* that analyzes

policy issues based on whether they are *national or not* to determine their value and worth. Here, it is important to discuss at least briefly the notion of technological determinism, especially that it was one of the central attacks on McLuhan's (and Harold Innis' as well²³) approach to media technology.

McLuhan has often been accused of adopting a deterministic view²⁴ of technology, a belief that technology "shapes" society. Kroker refutes this accusation, arguing that McLuhan regarded technology "as reason." Compared to Innis's technological *realism*²⁵ and George Grant's technological *dependency*, McLuhan's approach is more of a technological *humanism*, that is seen by some analysts as "expansive, pluralistic universalistic, and creative . . . because it privileges the relationship of technology and freedom" (Kroker, 1984, p. 16).²⁶ In other words, McLuhan argued that any analysis of media technologies has to start with "human agency" in societies, something that strongly opposes a deterministic view of technology.

²³ Innis shifted McLuhan's ideas to include not only speech and writing as means of communication, but the use of language, words, etc. as important media (see Benedetti & DeHart, 1997, p. 106, and Molinaro *et al.*, 1987, p. 220).

²⁴ For example, Mark Dery says "technological determinism is the keystone of McLuhan's theories. . . . If Marx believed that class struggle was the *engine* of history, then McLuhan held that the *engine* was the engine of history" (2005, p. 97).

²⁵ Kroker identifies Innis' realism approach as studying the balance between the power relations (in empires for example) and culture (through history) (1984, pp. 14-15).

²⁶ Contrary to McLuhan, whose standpoint on technology is relatively "utopian" (Kroker, 1984, p. 15), Grant represents a very pessimistic view of technology. He argued that machines are not leading to a deterministic view within a given society, rather a tool of imperialism between other societies: "All instruments can obviously be used for bad purposes, and the more complex the capacities of the instrument, the more complex can be its possible bad uses . . . The phrase 'the computer does not impose' misleads . . . but it is an instrument from within the destiny which *does* 'impose' itself upon us, and therefore the computer *does* impose. . . Those machines have been and will continue to be instruments with effect beyond the confines of particular nation states. They will be the instruments of the imperialism of certain communities towards other communities" (Grant, pp. 18-21).

Asserting his influence on the work of the Telecommission, a group at one of the Telecommission's conferences brought up McLuhan's ideas, arguing that he was responsible for setting their high expectations for technology and society during this time. One of them asserted that McLuhan proved to be "a very dangerous man: He encouraged us to think in terms of an electronic tribal village with everyone communicating instantly with everyone" (Taylor to Gwyn, 13 July 1970). Yet, the Telecommission did not fall into the trap of disassociating "technology" from its "social" environment, as the deterministic view of technology does. Instead it adopted McLuhan's spirit and position on this issue. An example of this position can be seen in one of McLuhan's interviews with Ed Fitzgerald on the CBC program *New Majority* in 1970, where McLuhan campaigned for the ability of computers to transform societies to the age of the "cottage." He said that computers could run "the world's biggest factory in a kitchen . . . at instant speeds" (Benedetti & DeHart, 1997, p. 177). He stressed, however, that such technology should be situated within a "historical galaxy" that includes culture and other types of communications. Interestingly, Janine Marchessault explains that after her re-examination of the correspondence between McLuhan and Harold Innis, she discovered that McLuhan was criticizing theorists like Wiener and Deutsch for ignoring the importance of rhetorical forms, as "traditional arts." Wiener and Deutsch's approach analyzes communications media "ahistorically," McLuhan said, by disregarding older forms of communication. Marchessault adds that this type of thinking was condemned²⁷

²⁷ In his *Gutenberg Galaxy*, McLuhan, as Marchessault argues, refutes all technological deterministic claims that his attackers accused him of, as he squarely argues that "all of the technologies . . . are themselves products of cultures and his study is premised on an historical dialectic. It is also highly self-reflexive, probing and exploratory, dialogical and acoustic" (2005, p. 110).

by McLuhan, who said it was simply “a dialectical approach born of technology and quite unable, of itself, to see beyond or around technology” (2005, p. 84).

Perhaps this misinterpretation of McLuhan is not entirely the fault of readers who fail to comprehend his texts, but rather, that of McLuhan, who had a unique way of articulating his ideas²⁸. His son and collaborator, Eric McLuhan, explained that his father intentionally used a particular style of articulation to induce active participation from his audience: “My father decided early on that he would try as much as he could to write and present his ideas in aphoristic style. … It’s a poetic form.” He added:

Aphorisms . . . are incomplete, a bit like cartoons . . . [which] calls [for] a lot of participation on the part of the reader. … My father deliberately chose this form of statement because he wanted to teach, not tell or entertain. … He said … there’s no participation in just telling; that’s simply for consumers — they sit there and swallow it, or not. But the aphoristic style gives you the opportunity to get a dialogue going, to engage people in the process of discovery.

(Benedetti & DeHart, 1997, pp. 33-45)

Based on a re-examination of McLuhan’s *The Medium is the Message* (1967), Kroker reveals that McLuhan did argue that we cannot understand a given technological experience without studying its social setting, adding that, “We can only comprehend how the electronic age ‘works us over’ if we ‘recreate the experience’ in depth.” Kroker quotes McLuhan asserting that “any understanding of social and cultural change is impossible without a knowledge of the way media work as environments” (1984, p. 55).

I am resolutely opposed to all innovation, all change, but I am determined to understand what’s happening. Because I don’t choose just to sit and let

²⁸ It is interesting to mention here that McLuhan was a connoisseur of English poetry and the elocutionary arts that were introduced to him by his mother, who taught public speaking. For this reason, he believed that language was a “sensuous activity,” in which he found a relationship between the body and the spoken word. When he became fascinated with technology, he regarded it as means to — or extension of — this relationship (Marchessault, 2005, p. 7), an idea that was interpreted as representing a deterministic view of technology.

the juggernaut roll over me. Many people seem to think that if you talk about something recent, you're in favor of it. The exact opposite is true in my case. Anything I talk about is almost certainly something I'm resolutely against. And it seems to me the best way to oppose it is to understand it. And then you know where to turn off the buttons.

(McLuhan in Benedetti & DeHart, 1997, p. 70)

More than thirty years ago, James Carey was initially one of McLuhan's severest critics, firing attacks such as this one:

A serious critic of traditional logic and rationality, his argument is mechanistic, built upon linear causality. ... His terminology is ill-defined and inconsistently used and maddeningly obtuse. McLuhan is beyond criticism not only because he defines such activity as illegitimate but also because his work does not lend itself to critical commentary. ... It is a mixture of whimsy, pun, and innuendo.

(1968, p. 291)

Yet, with the advent of computer technologies, Carey later stated that it was time for "giving McLuhan some of his due." He admitted that "communication technology has developed along lines he [McLuhan] anticipated with great prescience" and that "McLuhan grasped the consequences of the globalization of communications, the extension of the body as image and the words as simulation for the human imagination" (cited in Grosswiler, 1998, p. 216).

As will be seen in the following chapters, the possibilities and limitations that media technologies were offering to Canada from the late 1960s (i.e. computers, satellites, and cable television for example), have represented one of the major debates that preoccupied the Telecommission Studies' proceedings and discussions. In this respect, the previous discussion on the scholarly research conducted on media technology represents indeed one of the important threads in this dissertation. Particularly, by illustrating the way technology is intertwined with national identity within the Canadian

mind, offering a justification of the reason behind the fascination of communications technology, especially during the work of the Telecommission Studies where major new technologies started to emerge (such as computer, satellites, and cable television). As seen, McLuhan's work was a major inspiration during this time. As will be seen in chapter three, these technological changes have created a new perspective on law and communications relationships through the focus of "communication" as a human right, public need, and public interest, and a main component in the practice of participatory democracy: the topic discussed in the following section.

Fourth Thread: Other Research

a) International Flow of Information Debates

It is useful here to highlight, at least briefly, another important intellectual thread that fed into the debate on the need for the right to communicate concept within communications policy not only in Canada, but within international spheres. The work of Herbert Schiller is useful in this context, as it asserts that despite the decolonization of many countries after WWII, there was no clear evidence of their independence in real life. He maintained that the idea of independence was an illusion, since American power was generally intertwined with the myth of the free flow of information that was carried by many international bodies, such as UNESCO, that ironically supported the imperialist powers while maintaining the status quo among the *have-not* nations.

To believe that the commercial and informational points that join these economically feeble nations to the technologically powerful American economy are beneficial to both sides of the union is to outdo Voltaire's good doctor Pangloss. If free trade is a mechanism by which a powerful economy penetrates and dominates weaker one, the "free flow of

information", the designated objective incidentally of UNESCO, is the channel through which life styles and value systems can be imposed on poor and vulnerable societies.²⁹

(Schiller, 1969, pp. 52-53)

Following World War II, communication became an important aspect of the debate over the international flow of information, particularly from the 1960s as a result of the rapid growth of communications technology. During this period there was a growing need among the newly independent countries emerging in Asia and Africa to confront the "cultural legacy" of their former colonial relationships which manifested itself in many of the forms of political cooperation such as the Non-Aligned Movement (Hamelink, 1999, p. 70). This movement arose out of the 1955 Bandung Conference in which Asian, African, and Latin-American countries met to discuss first establishing and then developing economic links between the countries of the South. A major step in extending this cooperation into the cultural realm was the 1973 Non-Aligned Movement summit in Algiers, during which a clear opposition to the developmental paradigm in the field of communications began to emerge. The summit is considered to be the first evidence of a need to establish a *new international information order* to tackle the issue of cultural imperialism; indeed, it stated in its Economic Declaration that:

It is an established fact that the activities of imperialism are not confined solely to the political and economic fields, but also cover the cultural and social fields, thus imposing an alien ideological domination over the peoples of the developing world.

(cited in Roach, 1999, p. 94)

²⁹ I think Schiller in this example was ironically using Voltaire's famous novel *Candide*, in which the character Doctor Pangloss (philosopher and teacher to the hero *Candide*) repeatedly uttered his famous rule that "all is for the best in this best of all possible worlds". Schiller suggested here that American imperialism is convinced, using the same rhetoric and practice, that what was good for America, would be good for the rest of the world.

Clearly influenced by the modernization/developmental discourse advocated by Daniel Lerner and Wilbur Schramm³⁰, the United Nations proclaimed the period 1961-1970 to be the “First United Nations Development Decade”³¹ with the blanket assumption being made that Third World countries would best achieve development by adopting the same media, cultural, political, and economic forms that were to be found in the industrialized, ex-colonial Western powers. Such adoption would, it was believed, in turn transform these “developing” countries into more “developed” ones.

However, even when adopting this belief, the technique of transferring technology proved its inability to transform life in the Third World. According to many observers and theorists³², it was simply unsuccessful in representing the people’s needs, hopes, and dreams in these regions, especially in the field of information and communications where “the primary beneficiaries (of telephony, educational television and satellite communications) have been foreign manufacturers, foreign bankers and national administrative and military elites” (Hamelink, 1999, p. 70). Yet, during the late 1970s,

³⁰ In 1958, Daniel Lerner, in his *The Passing of Traditional Society: Modernizing the Middle East*, advocated for the idea of modernization. He suggested that in order to achieve modernization, a society needs an efficient system of communication. “No modern society can function efficiently without a modern system of public communication” (Lerner, 1958, p. 213). Similarly, Wilbur Schramm in his *Mass Media and National Development: The Role of Information in the Developing Countries* (1964), asserted that there is no way to escape from modernization. He said bluntly about the under-developed countries that, “Unless they change, they will have to watch technological growth from the sidelines; social change will happen to them, rather than their playing an active part in bringing it about; they will be a part of the relatively inert mass out of which the leaders of development in their country are trying to fashion something “dynamic and vital” (Schramm, 1964, p. 19).

³¹ During this period, many Western governments and agencies generously sponsored a number of developmental projects in the south countries; most notable were the efforts of USAID (the United States Agency for International Development) which even now is one of the leading agencies in this area. However, such development is also the subject of some controversy over the imperialistic role of these agencies in the development of Third World countries (Thussu, 2000, p. 59).

³² Such as Samir Amin (1976; 1977&1984) and Mustafa Al-Masmoudi (1975 & 1985).

UNESCO as one of the UN agencies was a realm of heated debate between the minority Western countries, with their powerful resources and political forces³³, and the majority Third World countries with their powerful complaints and struggles.

Thus, within this international political environment, the 1976 UNESCO 19th General Conference in Nairobi recommended the establishment of a committee from a “reflexive group of wise men [to propose a] formula to resolve the conflict” (*Ibid*, p. 74). Chaired by Sean MacBride, the commission was comprised of sixteen experts appointed in 1977 by the Director-General of UNESCO, Amadou Mahtar M’Bow, who noted that the committee’s basic aim was to formulate possible ways to create a “freer and more balanced international flow of information and a more just and effective new world information order might be fostered” (Harley, 1993, p. 1).³⁴ The preliminary complaints investigated by the commission were centered on the Third World’s claim that there was: 1) an imbalance in the flow of news between the developed and developing countries; 2) that most of the news is controlled by the Western news agencies; 3) that Western news reporting is generally characterized by sensationalism and concentrates mainly on negative news stories when covering the non-Western regions; and most importantly, 4) that there is a Western dominance of ideas, information, and culture to the extent of threatening and disturbing the native cultures (*Ibid*, pp. 7-8). For this reason, the commission produced eighty-two recommendations for fixing the existing global

³³ He says that the Western minority tried to implement their general objectives which were: “[1] avoid the adoption of a legally binding instrument on the demanded New International Information Order; [2] to adopt a regulatory instrument only if it would reflect Western preferences; [and, 3] to maintain a consensus on the primacy of technical assistance in information matters” (Hamelink, 1999, p. 72).

³⁴ After the withdrawal of Marshall McLuhan due to a health condition, Betty Zimmerman joined the Commission to be the only female who contributed in such an important event. She is one of my informant interviewees.

information order, and suggested policy changes that would make it possible to implement a human right to communicate. Recommendations 28, 29, and 30 were concerned mainly with the developing countries right to communicate their identity, and culture. The Committee argued that:

Promoting conditions for the preservation of the cultural identity of every society is necessary to enable it to enjoy a harmonious and creative inter-relationship with other cultures. It is equally necessary to modify situations in many developed and developing countries which suffer cultural dominance.

(Traber & Nordenstreng, 1992, p. 53, *Italics in original*)

Here, and merging the previous discussion of the political economy of communication, commercialization of communications represented one major concern of the Third World, according to the Committee recommendations. Therefore, it asserted that the different types of communications systems (such as TV, radio, and film, for example) should reflect the culture, traditions, and developmental objectives of the social and political national system in each country. Although these recommendations promoted the establishment of national cultural policies that would promote national identity in the developing countries, many critics believe that these were merely vague and non-workable recommendations. Herbert Schiller was one of those critics who maintained that the report was not effective in “dealing with the systematic patterns in the control of communication technology” (quoted in Hamelink, 1999, pp. 74-5). Similarly, Hamelink added that another contradiction within the committee’s recommendations, that in practice, national policies have not established a “national” identity; rather they are to a great extent promoting more “global than local culture, and that there are few indications of a more intensive cultural dialogue in the world” (*Ibid*, p. 80). Further, similar claims

viewed the recommendations as a “disappointing” result that represented a failure to build a solid foundation for any future international communication order.³⁵

A New World Information and Communication Order (NWICO) was one of the main proposals in the MacBride Commission, including the assertion of the human right to communicate that had occupied several discussions in the UNESCO meetings. The argument made then defends the existence of the right to communicate as part of social justice and public interest principles.

As resources become more complicated and more costly, the gap between the “haves” and the “have-nots” in the field of communications will grow. And since communications resources are an essential part of the infrastructure of developed communities, their availability is becoming progressively more important.

(Harms, 1982, p. 18)

In the following years, this position represented a strong tide from advocates, researchers, and activists in the fields of communication and human rights. This is the topic of discussion in the following section, which develops the intellectual thread of theorizing the right-to-communicate debate.

b) The Right-to-Communicate Advocacy Research

Researchers argue that “social scientists who use archives enter a new world of information” (Hill, 1993, p. 2). And in this dissertation, I argue that the impact of the right to communicate advocacy research on the work of the Telecommission Studies in

³⁵ It goes without saying that despite the Third World critiques of these recommendations, the Western response also expressed a general dissatisfaction and criticism of the commission’s final reports. For example, the United States presented twenty seven pages of recommendations in this regard, claiming that the report was biased, and neglected the differing philosophies and standpoints of the other nations on the same issues (Harley, 1993, p. 92).

Canada is certainly *a new finding* that the dissertation views itself as establishing, especially through interweaving it with the different intellectual threads discussed in this chapter.³⁶ The work of Jean d'Arcy—generally known as the “father of the right to communicate”—prompted the Telecommission’s strong position, adopted in its studies, on the ideals of communications for the people, public participation, access to information, the right to communicate, and the right to know and be known, that were recommended in the Telecommission conferences’ reports. The following is a brief discussion of d’Arcy’s intellectual position, as well an exploration of his influence on the Telecommission Studies’ work.

The “Baron” of French Television: D’Arcy’s unique background contributed to his view of communication as a basic human right, and his ability to effectively advocate, defend and apply that principle throughout his career. The dissertation argues that first, his background greatly affected his intellectual position and it is important to understand how he framed the right to communicate concept. Secondly, it draws a parallel analysis of how his ideas affected the conceptualization of the right to communicate through his connection with the people of the Telecommission Studies.

³⁶ Since there is no available literature on Jean d’Arcy in Canada, I was fortunate to obtain a copy of a documentary written by a French author on his life and contribution to the field of public television: Sylvie Pierre’s *Jean d’Arcy: Une ambition pour la télévision (1913-1983)*. In this documentary, Pierre traced d’Arcy’s life and thoughts, not only through his published articles, but also by analyzing his archival records deposited at the Comité d’Histoire de la Télévision at the Institut National de l’Audiovisuel and the Musée des Archives Nationales. In addition, she conducted interviews with d’Arcy’s wife, Mauela d’Arcy, along with a group of intellectuals from the circle of artists, direct collaborators, technicians, and celebrities in Paris who worked closely with d’Arcy during his life. In her study, Pierre was mainly interested in highlighting aspects of d’Arcy’s life; importantly, the attitudes and opinions about his role in promoting a public television system in France. She concluded that his impact may be viewed as creating a new doctrine in French public television: “television d’Arcyenne” (2003, p. 25).

Jean-Gustave-Charles-Jules, Baron d'Arcy³⁷, was born on June 1913 in Versailles. His noble, aristocratic family had served France since the 11th century; yet despite a life of privilege, his social, cultural, and national ideals imbued him with an awareness of and dedication to human rights, particularly in the area of communications. For many French professionals working in the field of media, d'Arcy was “le baron . . . il ne vivait pas comme un bourgeois, c’était un aristocrate. Il avait une grande idée de la télévision autre qu’une ambition personnelle” (Pierre, 2003, p. 37).

D'Arcy earned a degree in law and commerce (Droit et Hautes Études Commerciales) in 1933, then started his military service as a sous-lieutenant on reserve in 1934. He worked in the intelligence field (Organisation de Résistance de L'Armée), and this was where his views about the importance of information in human life developed. In 1952, he began his career in French television, where his military skills and experience enabled him to develop an effective strategy for using the airwaves as a public venture. To accomplish this, he drew together a circle of professionals who helped him to better understand the technical challenges of television. For him, the modern form of war and the real challenge for the future was to liberate the media of communication from capital constraints and make it available to everyone. It was his strong belief that the greatest potential threat to the public's enjoyment of the benefits of communications media came from those who control the media, an idea elaborated in his later writings on media ownership and control:

Depuis toujours, le pouvoir savait que qui contrôle la communication, en fait, contrôle la société. De routes en péages, d'imprimatur en index, de relais de postes en cabinet noir, l'histoire de la communication entre les

³⁷ King Louis XVI awarded the d'Arcy family two titles — “comte” and “baron” — to which the remaining d'Arcys now in France are entitled (Pierre, 2003, pp. 44-45).

hommes est jalonnée de contrôles et de censures en vue de plus parfaitement gouverner.

(*Ibid*, p. 69)

The basic principle of d'Arcy's intellectual position, which is similar to that of the 18th century French philosopher Saint Simon, centers on the idea of "universal solidarity" between human beings, a world without borders, which could be achieved using available means of communication. Criticizing war and the prejudice of competing national institutions, which often violate this ideal of solidarity³⁸, d'Arcy asserted the need for international co-operation to ensure basic human rights: "Paix, famine, santé, travail, environnement, communications . . . englobent chaque partie de la terre, interagissent l'un avec l'autre et ne pourront être réglés qu'à l'échelon mondial" (*Ibid*, p. 41).

These political and intellectual positions shaped d'Arcy's ideas on the human right to communicate. Starting from his opposition to General Charles de Gaulle's policy over Algeria, he worked in 1944-45 as the director of social affairs at the Ministry of Prisoners, Deportees and Refugees. He was deeply touched by the people and situations

³⁸ I have argued elsewhere (Dakroury, 2004) that d'Arcy's ideas are similar to those of 18th century French philosopher Saint Simon regarding the idea of globalization. Saint Simon argued for "universal solidarity" or "association universelle," explaining that unless the human being is progressively aiming to communicate and interact with his/her fellow humans, s/he can never improve his/her capacities "L'homme n'exploite plus l'homme; mais l'homme, associé à l'homme, exploite le monde livré à sa puissance" (Saint-Simon, 1830, p. 38). The first step for Saint Simon was to form this egalitarian society where the networks of communication created "a universal bond." He believed that "humanity is a collective entity"; this entity grows and develops progressively over time, most importantly through inter-communication between human beings. In fact, this particular understanding of the social interconnectedness of human beings was one of the basic principles on which d'Arcy built his claim for a "right to communicate" in the twentieth century. D'Arcy (1977) argues that "all social organization rests upon communication among its constituent parts. All beings are dependent upon communication with their kind" (p. 46). In other words, d'Arcy viewed globalization as a unique opportunity for human beings to interact internationally without any barriers or frontiers. He said, "Mondialisation originelle: tous les hommes sont hommes, sans exception ni restriction, la dignité humaine est notre qualité commune" (Pierre, 2003, p. 82).

he encountered as a member of the French and Vietnamese delegations, and during this period expressed for the first time his engagement in the battle for human rights. In 1946-47, he became the director of the Ministry of Youth, Arts and Literature, where he began his encounter with radio and television. He then became the technical advisor to the Ministry of Information from 1948-49; a period in which he developed a noticeable admiration for and ultimately, a close friendship with Canadian scholar Marshall McLuhan. Sylvie Pierre confirms in her documentary that, “Tout comme Marshall Mac Luhan [sic], dont il sera un ami proche, il analyse la conséquence prévisible du développement technologique en matière de communication, et son influence sur l’information sociale” (Pierre, 2003, p. 74).

In a number of his writings and speeches, d’Arcy delved into McLuhan’s ideas. For instance, in his 1973 speech to the annual meeting of the International Broadcast Institute (IBI) at Nicosia, he echoed McLuhan’s words on the technological revolution and agreed that there was an ongoing explosion of communication possibilities, arguing that, “We are often enough but blind witnesses . . . if the shock wave has not yet reached us” (1977, p. 47). Another close friend with whom d’Arcy was in constant communication was René Cassin³⁹, a French diplomat, jurist, and prominent figure in the international sphere, who was one of the drafters of the *Universal Declaration of Human Rights*. Cassin was also a major influence on d’Arcy’s thought, in particular his deep

³⁹ René Cassin (1887-1976), was a French jurist and diplomat who received the Nobel Peace Prize in 1968 for his work in drafting the *Universal Declaration of Human Rights* which was adopted by the United Nations General Assembly on 10 December 1948. Cassin had a close relationship with Canadian professor and jurist John Humphrey during the drafting of the *Universal Declaration of Human Rights*. It is important to note here that he also served as the president of the European Court of Human Rights between 1965 and 1968.

belief in human rights. Both men advocated a human need for information, culture, and education as “nourriture spirituelle.”

Although he trumpeted the value of communication during the time of the drafting of the *Universal Declaration of Human Rights*, d’Arcy did not believe communication media were benign instruments. He denounced the use of television, radio, and other media as instruments of propaganda by the Nazis who occupied France from 1940-1944. He defended the international practice of Article 19 of the *Universal Declaration of Human Rights*, underlining that “La liberté de l’information et le droit de l’homme à l’information sont reconnus par de nombreuses constitutions nationales. La lutte pour la liberté de l’information a été une constante des peuples au cours de leur histoire” (Pierre, 2003, p. 83). Later, in 1961, d’Arcy was invited by Gibson Parker, director of the Information Centre at the United Nations, to head the Television and Audio-visual Division of the United Nations in New York. Throughout this period, he effectively shuttled between different places to attend conferences and advocate the democratic use of information technologies as a means of human rights. He expressed respect for the Canadian understanding of the role of information in democracies⁴⁰, and explained that for him, there were two possible understandings of the role of communications media: the first perspective included France, Italy, Spain and Latin America, which he felt lacked clarity about the democratic function of communications

⁴⁰ He says, as Pierre cites him: “En Angleterre, au Canada ou aux États-Unis, le pouvoir a moins le désir de contraindre l’information, car on sait très bien dans ces pays que la démocratie repose sur l’information” (2003, p. 138).

media. He viewed England, Canada and the United States as democracies that correctly acknowledged the importance of the free flow of information.⁴¹

Educational television was another area in which d'Arcy inspired the work of the Telecommission. He talked widely about the potential benefits of adopting an educational television system, to most of the UNESCO delegates and attendees, among them several players in this story: Eric Kierans, Henry Hindley (before the formation of the Department of Communications), to Canadian External Affairs representatives, including Allan Gotlieb. D'Arcy had argued since the 1950s that television should be used for educational purposes—an idea that was strongly endorsed in the Telecommission's seminars and conferences—asserting that this would be the only instrument of democratization of leisure services: “La télévision peut ainsi représenter pour l'homme un instrument d'enrichissement extraordinaire: cette fameuse fenêtre ouverte sur le monde, est pour l'individu un moyen de connaissance dont on se soupçonne pas la puissance” (*Ibid*, p. 180). He approached the subject from a human rights perspective, arguing that providing opportunities for learning to the French public using the popular medium of television would efface the distinctions between social classes in society and maximize social participation. Here, d'Arcy's aim was to influence the broadest possible spectrum of the French public, especially the less fortunate who had to leave school. His

⁴¹ Betty Zimmerman and Spencer Moore met d'Arcy on various occasions during their international involvement in the ITU, UNESCO, and other international bodies concerning broadcasting and communications media. They have expressed their great admiration and respect for d'Arcy, asserting that he was “a true aristocrat” (Interview with Moore, Ottawa, October 2006); and “a great person to know” (Interview with Zimmerman, Ottawa, September 2006). As well, Spencer Moore squarely held that d'Arcy is truly “the father of the right to communicate”, and affirmed that, “If we want to speak about a right to communicate, we have to start with Jean d'Arcy and his EBU article” (Interview with Moore, Ottawa, September 2006).

desire was to transform the means of communications from an “elitist” cultural tool to one for the general public:

Il veut toucher le plus grand nombre, s’adresser surtout aux hommes et aux femmes qui ont quitté l’école. Cette éducation des adultes met en lumière les limites de l’éducation scolaire. Il est alors possible de s’interroger sur la position de l’école par rapport à la télévision.

(*Ibid*, p. 181)

While asserting the importance of public use of the means of communication, d’Arcy also cautioned about the threat of powers (be they government, private owners, etc.) dominating the media, alerting others that this would be a violation of what he called then the “human right to communicate.” It is an idea that is still researched now, after more than thirty years. He launched this concept only one month before the formation of the Telecommission Studies’ work in Canada.

D’Arcy’s Idea of the Right to Communicate: As an advocate of human rights, Jean d’Arcy adopted a belief that humans cannot live without communicating with each other. “Man has a specific, a biological need to communicate,” he said, and therefore, communication is one of the basic human rights. The principle applies to entire societies: “All societies spring from the communication” among their members, and if someone were to cut off this communication, then it is “equivalent to annihilating” that society (d’Arcy, 1982, p. 2).

In August 1969, Jean d’Arcy predicted that communication rights then outlined in the language of various legal documents (such as Article 19 of the *Universal Declaration of Human Rights* 1948, and the *International Covenant on Civil and Political Rights*

1966) would not be sufficient to accommodate the as-yet-unforeseen future development of communication technologies, or their social effects on the public.⁴² He pointed out:

The time will come when the Universal Declaration of Human Rights will have to encompass a more extensive right than man's right to information, first laid down 21 years ago in Article 19. This is the right of man to communicate. This is the angle from which the future development of communications — broadcasting, satellites, computers, videotape — will have to be considered if it is to be fully understood.

(d'Arcy, 1969, p. 14)

As seen will be seen in chapters five, six, and seven of the dissertation, d'Arcy's exact terms about the use of new media technologies occurred in more than one instance in the *Broadcasting Act*, the *Department of Communications Act*, as well as the Telecommission Studies' proceedings, conferences, seminars, memos, and the final report *Instant World*.

Despite d'Arcy's advocacy for the use of new technologies to facilitate human communication—a view which might be seen as technologically deterministic — in analyzing the article in which he warned against “enslavement to the machine” (*Ibid*, p. 14), we can see that this assessment might not be totally accurate. D'Arcy wrote that it had not been long since human beings were only able to communicate face-to-face. Due to technological advances and the increasing complexities of human social organization, they could now rely on many new media; however, these could be used to “restrict” their access, not only to information and communication, but generally, to expressions of thought and opinion. At this time, some human beings accepted that others would decide

⁴² The article “Direct broadcast satellites and the right to communicate”, published in the European Broadcasting Union Review in 1969, is the widely cited reference on the “right to communicate” concept in several works on the subject (for example, see Harms 1977; Birdsall & McIver 2002; and Birdsall 1998).

what was suitable for them to communicate. What is important, for him, is to assess to what extent “others” play this role in human life, and whether this could be changed.

Although humans have created effective means of communication — d’Arcy compared the new technologies to an “extremely fine-meshed nervous system, bringing each point on its surface within everyone’s range” (*Ibid*, p. 15) — he was discouraged that people were still incapable of using these media effectively in their societies. He believed problems arose from an assumption that technology has a certain magic, an exceptional ability to communicate over distance, without taking into account the need for humans to channel the use of technology to appropriate social and human needs. He pleaded with all involved in policy and decision-making roles in the field of communications to adopt a philosophy of change. “Let us not try to fit new tools into old structures. We must try and devise new structures based upon a new philosophy” (1977, p. 50).

In another instance, he wondered about the mechanisms for change, such as the possibility of co-operation between governments to accommodate advances in communications, calling for a new style of government that no longer attempts to restrict and control communications, practice censorship or manipulate information.⁴³ This new approach should follow an extensive rethinking of society’s needs, and should not be imposed coercively. d’Arcy advocated strongly for this idea in his speeches, at conferences he attended, and in dialogues with interested groups. For example, he

⁴³ He asserted, “The new tool always creates the new structure. What we should try to do is to rethink the patterns in terms of the era of the direct broadcast satellite, the computer and the domestic high-capacity cable rather than to attempt to force tomorrow’s tools into today’s structure” (1969, p. 16).

asserted at the Annual Meeting of the International Broadcast Institute (IBI) at Nicosia in 1973 that:

In America, [i.e. North America, we need] . . . not only . . . a new form of leadership, but also a new style of government, which may no longer rest on the restriction and control of communications, on censorship and manipulations of information. New agreements — amendments to existing laws or constitutions — codifying the inalienable freedom of communication will one day govern nations and power relations. A new form of government⁴⁴ must be found, a government which no longer derives its power from the refusal or the control of communications.

(*Ibid*, p. 49)

After the 1967 meeting of the UNESCO Committee on the Peaceful Uses of Outer Space, d'Arcy's ideas made waves that strongly affected conference attendees, among them Gotlieb, who used them later in drawing up the terms of reference for the Telecommission—especially d'Arcy's assertion of the substantial advantages of the direct satellite broadcast. At the 1967 meeting, d'Arcy argued that domestic satellites would meet the demands of education creatively, promoting development and national unification for various nations in the world that want to reach out to isolated geographical spaces (such as Canada's North⁴⁵). His position influenced the ideological stance taken by the Telecommission on the subject of satellites, in which the Telecommission asserted that people should have the “right of choice,” particularly about broadcast programming.

D'Arcy took this argument further, sounding an alert about the dangers of monopoly in communications media, and the fact that negative consequences would

⁴⁴ Harms, during the MacBride Commission proceedings, confirmed d'Arcy's idea of the need to change the telecommunications governing structure, not only through policies and positive laws, but rather implicitly, by changing “cultural values” in societies (1982, p. 5).

⁴⁵ D'Arcy specifies, in his talk on the role of satellite communications in Latin America, India and Brazil, Pakistan and Indonesia, that the satellite would fit well into the United Nations theme for the decade 1970-1980: the Development Decade (1969, p. 17).

disproportionately affect the less privileged. Therefore, he pioneered the idea of community media, which he believed would “raise the freer availability” not only of radio and television, but also multi-channel broadcasting and other audio-visual communications. These options would provide local communities with important tools for “self-expression.” One term that he originated —the “Cable City”— the Telecommission used in its work to the extent of dedicating a whole seminar to studying the concept (1969, p. 17). D’Arcy did not deny that his ideas might not be workable unless a strong regulatory mechanism was adopted to ensure access to these tools by the general public. “But to implement [that] a considerable amount of work remains to be done in the political, legal, administrative and organizational areas” (*Ibid*).

For d’Arcy, the claim by some nations that they needed complete control of communications technology to protect national sovereignty was not valid. He viewed such a position as following “the shadow of the 19th century which made communications the preserve of an *élite*” (*Ibid*, p. 18, *emphasis in original*). On the other hand, he strongly advocated that governments should promote “responsibility” by providing the public with access to all sorts of communication, in order that they might taste “the fruits of knowledge,” especially during the transitional period of adaptation to new technologies. These international meetings of experts were important in disseminating information about the nature of the problems arising from new communications technologies, alerting government representatives to their roles and possible actions, and developing the concept of the right to communicate through mutual dialogue between participants. Harms acknowledged the Canadians’ immediate take on d’Arcy’s concept of the right to communicate:

The most visible and best documented of these dialogues has taken place at international meetings . . . these dialogues have been going in the sense that the participants have been able to meet from time to time to further refine the concept [i.e. the right to communicate]. . . In addition, at the national level in, for instance, Canada . . . similar dialogues have been under way, and there has been some interaction between the international and national activities.

(1982, p. 1)

Although it was initiated by non-academics *per se*, the dissertation sees that the fourth intellectual thread holds a significant position in re-evaluating the practice of “communication” as a human right beyond the various international declarations and covenants. Particularly noteworthy was Jean d’Arcy’s prediction that it was equally important for us as human beings to advance a *new understanding* of the public enjoyment of the right to communicate rather than merely advancing *new technologies*. The dissertation argues that this novel vision has drawn activities and interest groups to the important role of “public policies” to ensure that all citizens within a given territory are given access to the means of communications. It is a trend that has been growing fast since the days of the non-aligned movement, through the MacBride Commission and in recent years, through WSIS and CRIS, as discussed in the introduction.

Fifth Thread: Democracy and Public Interest Research

The previous discussion showed the different positions that researchers who study communications have mainly focused on, highlighting aspects of political economy, technological nationalism, and the public policy decision-making process. Yet, merging these scholarly debates with right-to-communicate advocacy research, we can see that an important approach or position has been created within the communications literature,

namely, the focus on the democratic role of communications and their ability to serve the public interest. The dissertation regards this as its main contribution. It is undeniable that each of the preceding threads has contributed into the conceptualization of communications public policy and the right to communicate, focusing on economic, political, technological, and international aspects. Yet, this dissertation argues that there is an emerging intellectual thread that has grown over the last couple of years through the work of civil society movements and the World Summit on the Information Society, advocating the importance of ensuring a human practice of the right to communicate in “real life”. It sees that governments hold themselves accountable to enforce the practice of this right through enabling the general ordinary public to access means of communications, and by promoting the notion of the “public interest”. This dissertation particularly concerns itself to establish an intellectual link between communications public policy and the concept of the right to communicate by drawing upon historical evidence to demonstrate that the right to communicate was present in Canada through the work of the Telecommission Studies in the late 1960s and early 1970s on the notions of “democracy” and “public interest”.

Among the many different definitions of democracy that have been offered throughout history, the classical understanding of democracy embodies three important dimensions: equality, access, and participation. Traditionally, the term democracy originated from the Greek words *demos* or “the people”, and *kratos* or “rule”, which together mean “rule by the people”. In fact, various scholars have recently concluded that this term refers to more than a form of government or political practices, rather, it was a

way of living and a set of social practices in societies (see for example Sartori 1968; Macpherson, 1966).

Historically, the discourse of *participatory democracy* goes back to the ideas of Jean-Jacques Rousseau and John Stuart Mill, who regarded individual *participation* as the key criterion that defines the practice of democracy in a society. This position argues strongly that representative institutions in society are necessary but not sufficient conditions to produce democracy; there should also be a certain level of *individual interaction* and social and psychological *learning* of how to be engaged and take part in democracy. It is therefore the role not only of political systems to establish democracy, rather the *structure* of the society must actively enable participation, and herein lies the importance of communications in the construction of participatory democracy (Hagen, 1992, pp. 17-18).

Similarly, Jürgen Habermas regards *dialogue* or a “rational communicative consensus” as the core of what might be called discourse democracy, a form that introduces interactive rational persuasion into the decision-making process between members of society. For instance, in his *Theory of Discourse and Law*, Habermas expresses the view that classical political philosophy does not really provide a balance between popular sovereignty and the rule of law. In fact, he proposes a “communicative” model wherein “a regulation may claim legitimacy only if all those possibly affected by it consent to it after participating in rational discourses” (Shalin, 1992, p. 259). As a condition to achieve this rational communicative dialogue in society, Habermas emphasizes the importance of a “democratic environment” in which a true practice of

rational communicative consensus is present. In his *Between Facts and Norms*, Habermas emphasizes the necessity of practice:

Actors must form an idea of this context whenever adopting the performative attitude, they want to engage successfully as citizens, representatives, judges, or officials, in realizing the system of rights. Because these rights must be interpreted in various ways under changing social circumstances, the light they throw on this context is refracted into a spectrum of changing legal paradigms. Historical constitutions can be seen as so many ways of constructing one and the same practice --the practice of self-determination on the part of free and equal citizens--but like every practice this, too, is situated in history. Those involved must start with their own current practice if they want to achieve clarity about what such a practice means in general.

(1998, pp. 386-387)

In other words, participation for Habermas raises not only the opportunity to get involved in this rational discussion, rather it teaches individuals to engage in the critical consciousness necessary for social change. Along the same line, Barney adopts a definition of democracy as a “form of government in which citizens enjoy equal ability to participate meaningfully in the decisions that closely affect their common lives as individuals in communities”. He argues that this definition asserts three major dimensions of a true democracy: equality, participation, and a public sphere. For him, it is important not only to have “equality” to enable participation, he attaches great significance to the “equality of ability” to participate (2000, p. 22). In essence, this is the core importance of communications: to enable full democratic participation by providing ordinary people with equal ability to participate through the access of means of communication.

As for participation, scholars have identified three types of participation based on its role in democratic environment: 1) *instrumental* participation, whereby it is used as an instrument of power and influence in a liberal society; 2) *expressive* participation as a

tool of dialogue and communication; and 3) *learning* participation, which plays a role in teaching persons how to raise consciousness. Viewed in this manner, participatory democracy is a combination of the first two types of participation, in which people play a role in their society's public affairs, and here it is vital to show how this discussion is central to communications. Scholars have pointed out that participatory democracy could be effectively conducted *through* the media and *of* the media. In other words, democratization of the media means that citizens or ordinary people have a chance to participate in the media, importantly, through the notion of "public access" on the one hand. On the other, democratization through the media is a broader goal: to use the media of communications for social change (Hagen, 1992, pp. 22-23).

Applying this discussion to Canadian communications, the concept of universal access to communications at affordable rates might be seen, then, as one of the main goals of communications public policy during the late 1960s and early 1970s, under the Liberal government, especially that of Pierre Trudeau. However, Mosco shows that the ambiguity of the Canadian regulatory system "serves to eliminate potential for opposition just when the public interest lobby was opening up the process to wider intervention" (1989, p. 57). Similarly, Raboy proves that in Canada, communications public policy has favoured the primacy of the market economy as the "public service" ideal, justifying this position as a defence for cultural and national sovereignty. His research pointed out the failure of Canadian communications policy to adopt socio-cultural ideals such as the right to communicate as a result of a series of problems: 1) a "strategic retreat from criticism of the limits of administrative broadcasting"; 2) "blindness to the repressive potential of

broadcasting when used as a national policy instrument”; and 3) the “co-optation by entrepreneurs of positive sentiment towards local cultures” (1990, p. 335).

Raboy added that the federal government, instead of acting in defence of the public interest, has intentionally organized and enabled *non-public actors* to play the central role in the public policy system. Historically, the state favoured industry, business, and technology, as opposed to social ideas like the right to communicate, universal access, and public participation, among others. Dominant public policy ideology stressed the market economy as determining the social relations in Canadian society. Furthermore, Raboy said, the problem lay in “the lack of durability of prominent alternative strategies for social change” (1990, p. 337).

In conclusion, chapter one of this dissertation has attempted to theorize the debate on the right to communicate that occurred in the work of the Telecommission Studies by situating it within the major scholarly approaches. It argued that there were five different intellectual threads that conceptualized different aspects, all of which are necessary to a meaningful analysis of communications public policy in Canada. It has grouped these “intellectual threads”, arguing that although each is affiliated with a particular intellectual tradition, all of them assert the ideals of equality, freedom, and the right to participate using means of communications. The chapter then argued that the work of the Telecommission Studies (1969-1971) produced a strong intellectual current that went against the prevailing, established patterns of public governance at the time, through its research, its adopted positions, its advocacy, and its proposals for applying the right to communicate concept in the field of Canadian communications, through its conferences, studies, and published report: *Instant World*.

In the next chapter, the dissertation discusses the main research question as well as describing the methodology used for a historical exploration of the Telecommission Studies and its place in the history of Canadian communications public policy.

CHAPTER 2

Research Methodology

If research begins with curiosity, it is important for the researcher to move from that state of curiosity to formulate a question that guides the process of investigating his/her research. After going through the stage of curiosity, followed by conducting a review of the relevant literature, I discovered that virtually no scholarly research had focused on the work of the Telecommission Studies, its report *Instant World*, or its forty other specialized reports examining the practical limitations and possibilities of communication as a human right in Canadian communications public policy. Hence, this dissertation's core mission is to explore the intellectual origins of the right-to-communicate concept in Canadian communications public policy through a socio-historical analysis of the Telecommission Studies during the period of its work: September 1969 to April 1971.

To assess the contribution of the Telecommission Studies in the introduction of the right to communicate as a *new* perspective in Canadian communications public policy, this chapter starts with the question: What is public policy? And what are the stages of the public policy process? Then, it questions the relationship between the bureaucracy and the state's policy process. Following that, it maps out the relevant administrative powers during the time of the Telecommission's work. Further, it explains the democratic dilemma when administrative powers, instead of elected political powers, become decision-makers in the public policy process. Finally, the chapter details the methodological techniques employed to investigate these questions empirically in the

following chapters. Before doing so, it is important first to explain briefly the rationale behind choosing a historical approach to study the work of the Telecommission Studies.

There are two modes of historical narration: the first understands history as an uninterrupted series of causes and effects where “the past waited demurely for the historian to conjure it up,” as John Durham Peters explains in *Speaking into the Air* (1999, p. 3). In other words, some researchers believe that studying history involves simply an interpretation of events that stand unproblematically in their times and places. The second mode of historical narration tends to be more critical, as the historian adopts a constructivist ideal and acts like an “activist” who tries to bring “ages into alignment with each other” (*Ibid*, p. 3). Here, the dissertation adopts the second understanding of the “historicity” of communication, and using this approach, it argues that events and ideas that exist in the present day can be effectively decoded and understood only when they are compared with similar events in history. Peters, for example, makes this point in arguing that “the past lives selectively in the present” (1999, p. 3). Although the Roman Republic, for instance, existed in an earlier time than the French Revolution, Peters argues that the two events are more closely linked “intellectually” to each other than each would be to some events much closer to them in time.

This dissertation attempts to inform present practices in the field of communications public policy by unearthing a similar moment in history. For instance, as discussed in the introduction, the Law Commission of Canada went through a very similar experience to that of the Telecommission, although more than thirty-eight years separate the two. Still, both represented missed opportunities for Canada to frame a *new understanding* of law and cultural policies in Canada based on the right to communicate.

Thus, in the face of the different scholarly debates discussed in chapter one, and since any given theory/approach always has restraints on its results/claims that prevent a full accounting of its understandings and explanations, the dissertation has adopted a theoretical approach that draws from multiple *intellectual threads* rather than a single approach. In doing so, the dissertation hopes to provide a broader understanding of *why* the work of the Telecommission Studies did not result in the significant changes it recommended to Canadian communications policy, but instead produced one of a series of missed opportunities. As the literature review has shown, communications public policy in Canada was framed within a group of approaches that gave preeminence to market forces, existing political tensions, and/or the impacts of technology.

Therefore, in fulfillment of the stated argument and based on the previous discussion of the literature review, the dissertation concentrates on a group of research questions that help to explicate the work of the Telecommission Studies in Canada:

1. What were the Telecommission Studies? Who was involved in its directing committee?
2. What was the role of the Telecommission Studies in Canadian communications public policy history?
3. What were the intellectual standpoints of the Telecommission Studies?
4. What was the environment in which the Telecommission worked in Canada during the late 1960s? And to what extent did this

environment affect its work generally, and its vision of the right to communicate in communications public policy in particular?

5. How did the Telecommission Studies come up with the idea of a right to communicate?

6. How was the right-to-communicate idea framed in the Telecommission Studies' final report, *Instant World*? And to what extent did it resemble, or differ from established scholarly interpretations?

7. Why were the Telecommission Studies' recommendations not applied to Canadian policy until the early 1990s and even then, only partially?

Structure of the Missed Opportunity

Rather than using Raboy's idea of "missed opportunity" (1990) as simply an aesthetic description of the Telecommission Studies moment, the attempt here is to develop an understanding of the *structure*, or the organization, that made the Telecommission Studies just one incident in a series of missed opportunities in Canadian communications public policy. In doing so, we should first shed some light on the role of public policy, especially in communications.

Scholars have generally understood public policy as policy that serves the "public interest" (Wilson, 1981, p. 5). If this claim is true, we should have seen the recommendations of the Telecommission Studies translated into actual "public policy"

soon after April 1971, when they were published, for after all, they were in the main calling for communications to be used to better serve the public interest by bringing about a more participatory democracy in Canada. In fact, the dissertation argues that the exact opposite happened: that public policy during the time frame covered in this study *did not* serve the public interest, but rather served primarily the economic and private interests of the growing communications industry. It leaned towards accommodating communications as a “business” as opposed to the right to communicate. In the words of Daniel Drache and Wallace Clement, the “Canadian discourse remains narrowly elitist and technocratic, dominated by business interests” (Drache & Clement, 1985, p. xi).

In order to fully assess this claim, it becomes important to discuss the role of the *administrative* settings in which the Telecommission Studies worked, and the challenges it faced during the process of its research inquiries. In this sense, the administrative setting will explain to us the role of the regulator that controls the policy agenda, his location in the administrative hierarchy, and at the same time, highlight how the structure of communications policy-making in Canada represented, in and of itself, the reason for this missed opportunity.

Political economists believe that “power is structural and embedded within the rules of the organization” (Mosco, 1989, p. 98). In other words, to understand the outcome of decisions taken by a given organization, we have to understand the structural relationships and forces that produce the organization’s decision-making processes. This case is especially important in the communications field, since the organizational setting “places . . . the determining influence of *the means of administration* over that of the means of production” (*Ibid*, p. 159, *italics in original*).

The classical social approach to organizational networks is represented by sociologist Max Weber, who was among the first to study large organizations. He found that such organizations have similar characteristics, including a tendency to “maximize efficiency through hierarchical authority relations and the application of calculable rules by trained experts, while exacting complete loyalty from people and reducing them to dependent and depersonalized cogs in a machine” (Anderson, 1971, p. 178). For that reason, Weber argued that bureaucracy has become one of the most efficient patterns of mass administration, one that is governed by mainly by the principles of power, influence, and legitimization. Weber said that bureaucracy is highly effective because it systematically divides labour into a set of hierachal powers, each member of which is appointed to a certain position according to his/her competence, knowledge, and skills. Managers—or what Weber called bureaucratic élites—play a key role in the power structure in the twentieth century, especially in the field of communications, because “communication and information systems generally centralize the power to make strategic or key decisions” (Mosco, 1989, p. 30).

Therefore, one might see here that in the case of such an unconventional venture as the Telecommission with its focus on the right to communicate, this hierarchy of power might be disturbed and the established process of decision-making disrupted by including the right to communicate as a public interest ideal in public policy. Public policy scholars insist that an administrative power structure forms a system wherein relatively few people exercise a “coercive” authority to issue or determine decisions that are binding upon the rest of society (Bakvis & McDonald, 1993, p. 7). However, it should be noted that Weber did not deny that although “bureaucrats are dispensable; they may be

replaced by similarly trained individuals, but the succession of the nonbureaucratic heads may well be a crisis, precipitating innovation and change" (Littlejohn, 2002, p. 284). This remark might represent the contribution of the Telecommission Studies in a positive sense, as intersecting the boundaries between bureaucratic, academic, and public policy research to innovate and even enact an ideal such as the right to communicate. On the negative side, adopting Weber's perspective, one could see why a great deal of opposition might have faced the Telecommission Studies in carrying out its innovative work, since it was operating within a bureaucratic administrative setting.

Mapping Relevant Administrative Powers

Based on this understanding of the different powers involved in public policy formation, it is important to distinguish three important *spheres* related to decision making in communications public policy: first, political powers; second, administrative powers; and third, resources and financial powers.

Public policy theorists consider the cabinet—in Canada, the prime minister and his council of ministers—to be the most important power in the *political* hierarchical structure, given its authoritative and executive role in enacting policies. Historically in Canada, there were different types of cabinet organization: 1) the “chamber of political compensation” cabinet; 2) the “departmentalized” cabinet; and 3) the “institutionalized” cabinet. While the third kind corresponds with the time frame of the dissertation, it is important to compare it with the other two types in structure and operation.

In the nineteenth century, the Canadian cabinet was described as a “chamber of political compensation” as most appointments to the civil service were made by the

ministers to compensate political supporters. With increasing industrialization and urbanization, especially after the 1920s, the character of the Canadian cabinet changed to a more “departmental” type of organization. Particularly during the time of Mackenzie King, a small number of senior civil service positions were recruited based on their high level of education, which led to an improvement in the quality of policy advice during this time. This group “constitute a distinct political class in its own right with its own separate views and sources of influence” (Bakvis & McDonald, 1993, pp. 51-53). However, this type characterized by the absence of significant central agencies except for the Privy Council Office that coordinated the meetings of the Prime Minister.

The Lester Pearson cabinet marked the transition from the departmentalized to the “institutionalized” cabinet, characterized by the creation of more specialized central agencies to advise the cabinet. This type of cabinet structure continued to exist during the time of Pierre Trudeau in 1968, when he assigned advisory roles for cabinet operations to a more professional civil service and technocrats. In particular, Trudeau believed in “rational and informed” debates by his ministers, however, he “did not wish to see ministers beholden to a set of views developed by civil servants with departments”. Therefore, he assigned an important role to a group of central agencies to provide his ministers with advice regarding policies and decision-making in the form of “critical briefings and assessments of [their] departmental proposals . . . The immediate consequence, however, was an enormous paper burden and a rapidly escalating schedule of cabinet committee meetings” (*Ibid*, pp. 55-57). Trudeau’s ministers soon discovered that they were spending more time reviewing these central agencies’ documents and managing their meetings while spending less time looking after departmental matters.

On the *administrative* level, the Department of Communications that the Telecommission Studies worked under is considered to be one of the “policy” departments and not merely an “operational” one. In other words, it is considered to be of a “higher order” since its work is more “intellectual and advisory, including the organizations that manage government itself, and/or whose field of action is expert problem-solving. Such departments have a greater need . . . for highly educated analytical and creative staff” (Sutherland, 1993, pp. 89-90).

However, despite being a “policy” department, the Department of Communications was not able to enact the Telecommission’s policy recommendations on the right to communicate due to administrative constraints. The structure of this missed opportunity started from what is described to be “the center of the center: the prime minister’s department and the gatekeeper and secretariat to cabinet” (*Ibid*, p. 91): the Privy Council Office (PCO). Since 1940, the Privy Council Office had been regarded as the secretary to the cabinet, representing one of the most important and central agencies in the Canadian political power structure, especially during the time frame of the dissertation. The general role of PCO officials is to provide advice for cabinet ministers, and to manage the communication between ministers in different policy areas. However, this office has been a place where innovative ideas died, or at least were buried—as happened in the case of the Telecommission Studies. Public policy scholars could not deny that:

Departmental officials with responsibility for drafting a cabinet paper will find themselves convoked to meetings where polite PCO officers ask them carefully nondirective questions, much like reluctant anthropologists forced for career reasons to study a lackluster primitive tribe. The facial expressions of PCO officials which typically suggest great regret and

sadness provide clues as to what must be dropped in order to get past them.

(Sutherland, 1993, p. 91)

As will be seen in chapter seven, the Privy Council Office played a major role in turning the sense of urgency that the Telecommission Studies' report pioneered, to gradually fade away through the long-road bureaucratic process.

The third sphere of the decision-making process in public policy is the *resources and financial* powers level. Since the mid-1960s, Treasury Board has represented another level of hierachal power in the public policy decision-making, since this central agency is responsible for the annual allocations of each public department's spending, and for setting the particular rules for spending. In other words, it controls the purse strings. Treasury Board "has single-mindedly attempted to achieve some control over individual spending decisions of departments through reasoning rather than by re-centralizing authority, pinning its hopes on the fragile science of program budget theory" (Sutherland, 1993, p. 93).⁴⁶ Chapter five of the dissertation will detail the setting of the Telecommission Studies and the confrontations it faced to overcome issues of funding and control.

Collectively, we can see that the process of decision-making in communications public policy during the time of the Telecommission Studies' work was complex and involved more than one level of administrative power. Even if the Trudeau cabinet distinctly viewed itself as innovative in the way it institutionalized the power of decision-making by elected cabinet ministers with the help of a group of advisory central agencies,

⁴⁶ Mosco confirms that the main "financial and managerial decision-making is concentrated in fewer hands because these systems permit fewer people to understand the breadth and the detail of a complex organization like . . . government bureaucracy" (Mosco, 1989, p. 30).

it will be seen in chapters four and seven how this system represented a burden for the Telecommission Studies. In light of the previous discussion of the different spheres of power in the Canadian public policy system, it might be useful here to visualize the stages of the policy-making process and situate the stage where the Telecommission Studies initiatives stalled. These consist of five stages, as *Figure 2* shows:

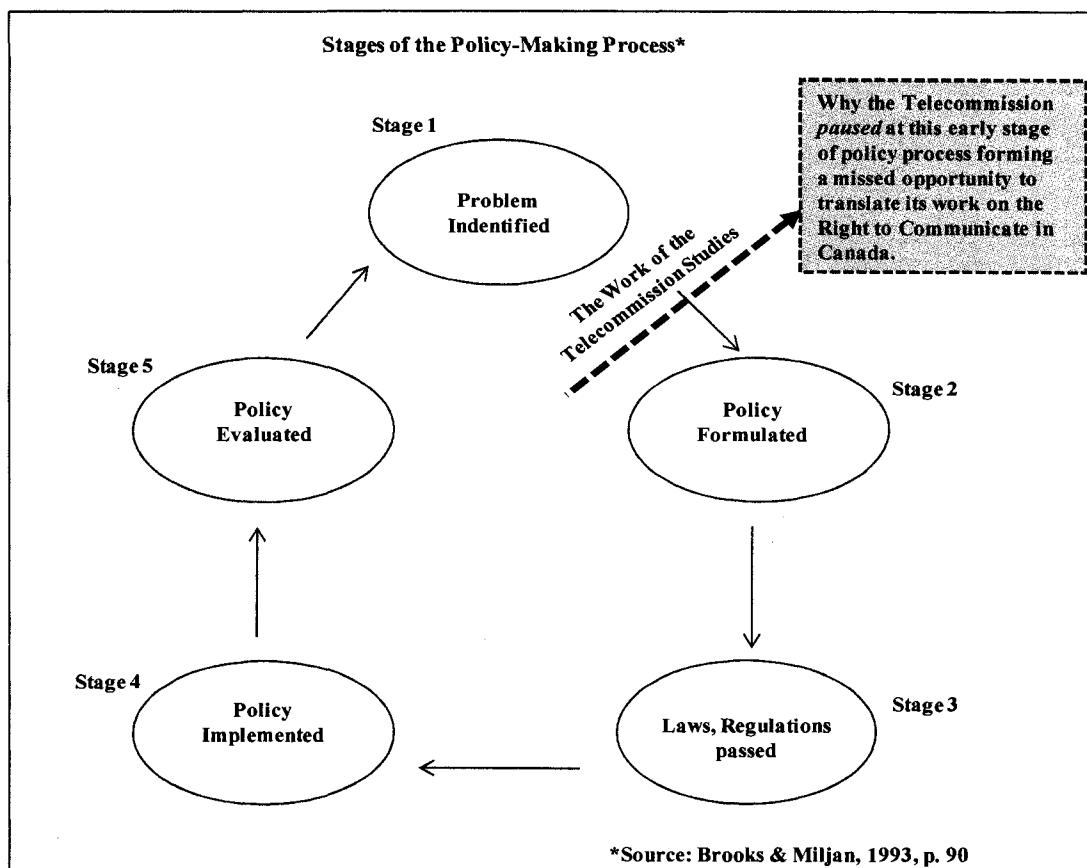


Figure 2: Stages of the Policy Making Process

The policy-making process starts with identifying the problem, followed by formulating a policy addressing possible solutions to this problem. The third stage is concerned with passing laws and regulations dealing with the proposed solutions, followed by implementing the policy, then finally assessing or evaluating the public policy as the final stage of the policy making process.

This dissertation questions the reasons *why* the work of the Telecommission Studies, despite its novel approach to Canadian communications public policy, has not reached even the second stage of policy making process to this day. The Telecommission identified the problem and recommended possible solutions by advocating the importance of including the ideal of the right to communicate in future Canadian communications public policy. Yet, this crucial recommendation was not formulated as an actual “policy”. Without question, although policy implementation appears to be “very simple and straightforward. The reality, however, is a bit more complicated” (Brooks & Miljan, 1993, p. 91). Policy implementation basically aims to transform the goals set by public-policy makers into actual results that are workable, manageable, and comprehensible.

Democratic Dilemma

Another important dimension in the analysis of the Telecommission Studies is to assess its contribution to the creation of a new way of conceiving law and communication in relation to the right to communicate. In doing so, the dissertation deals with new modes of democratic techniques in the process of decision-making in the field of communications public policy.

Initially one of the main functions of public policy decisions is to compromise between the competing values and interests in a given field. These decisions are made by the publicly elected representatives, who, in turn, appoint the bureaucrats to implement public policies. In other words, bureaucracy here is just the “machinery for translating political choices into action. It does not determine the ends of governance, but merely provides the means for accomplishing them” (Brooks & Miljan, 1993, p. 91).

In real life, this understanding is rather different, since there has been a constant concern from public policy scholars over the exercise of bureaucratic power to influence: 1) the process of policy decision-making, and 2) its implementation. The threat of bureaucracy, as Stephen Brooks and Lydia Miljan add, is in its members' "tendency to act in their own interest, which meant behaving in ways that might not be in the public interest. . . [And therefore, from a democratic perspective,] the power shifted from the elected politicians to the unelected bureaucrats" (*Ibid*, p. 91). Examples of such powers are the spreading uncertainty of policy goals; problems in the organization, coordination, and measurability; duplication; delay; and inflexibility. Sociologically, bureaucratic actions were analyzed and it was concluded, as sociologist Robert Merton argued, that administrators acquire some characteristics as a result of the nature of work in a bureaucratic setting. "If they appear to be cautious, inflexible, rule-bound, and conformist it is because these personality traits are reinforced by the reward/punishment systems of bureaucracies" (Brooks & Miljan, 1993, p. 95). It was then seen as "unwise to count on bureaucracies for non-bureaucratic solutions to public policy problems" (*Ibid*). Even with this justification, this understanding came under attack from scholars like Babe, who argue that government has its own agenda in the decision-making process of communications public policy:

This brings us to the heart of the matter: the role of government in structuring and restructuring industries, in propping up and dismantling monopolies, in allowing activities to converge or encouraging them to diverge, in all these roles government is not, nor can it be, neutral.

(Babe, 1990, p. 244)

Cees Hamelink—one of the present right-to-communicate scholars—asserts that it is one of the important roles of the state to create policy and regulation to balance markets and

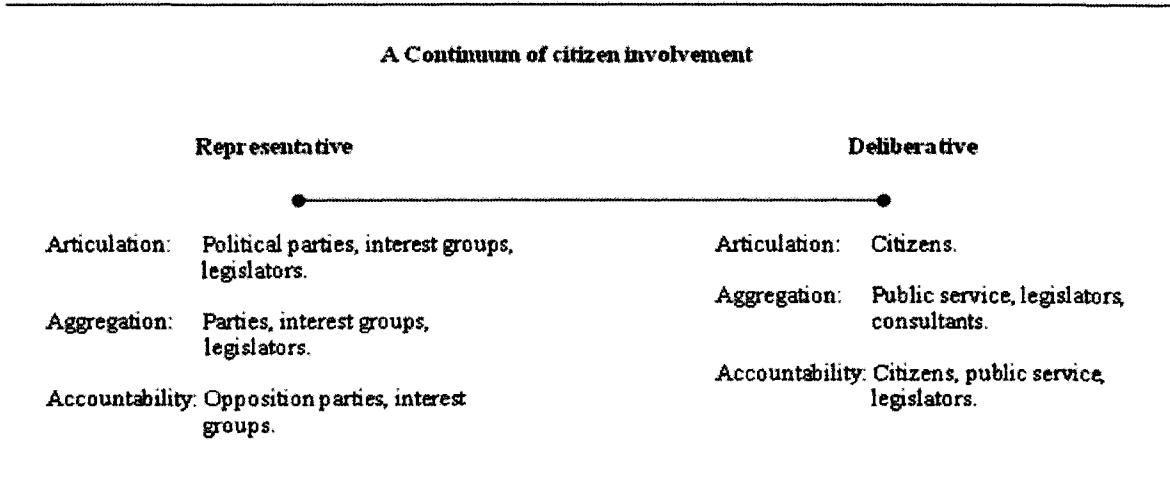
competition on the one hand, with public services on the other. He believes that a major goal of such regulation and policy is to ensure that communications “serves the objectives of human rights” (1998, pp. 69-70). For example, states (or elected politicians) should establish democratic institutions to realize human rights; to defend these rights, and importantly, to use democratic governance to ensure that such policies meet the public’s needs (*Ibid*).

Given the preceding ideas of both Hamelink on democracy, and Brooks & Miljan’s criticism of bureaucracy, the dissertation now considers the role of the Telecommission Studies in creating an atmosphere conducive to producing a communications public policy that asserted the ideals of human rights, participation, and democracy. To elaborate on this point, as seen in chapter one, a deliberative model of democracy rests on citizen participation in the decision-making process of public policy. Although the model was not practiced in Canada until the late 1990s, the dissertation will argue that the Telecommission Studies attempted, decades earlier, to apply a similar model of public participation in its proceedings, discussions, recruitments, and also the recommendations it proposed to the government in regard to Canadian communications policy. LaForest and Phillips maintain that,

It cannot be said that experiments with citizen engagement [such as earlier royal commissions for example] have fully transformed our democratic model from a representative to a truly deliberative one, but significant changes in the relationship between state, citizen, and civil society have certainly occurred. And these changes raise a number of key challenges for democratic practice and for policy making.

(2007, p. 77)

Figure 3 illustrates the difference between the two models of democracy in the field of Canadian public policy.



Source: Laforest & Phillips, 2007, p. 72.

Figure 3: Representative versus Deliberative Democracy in Public Policy

The deliberative model of democracy in public policy argues that citizens participate in the process of decision-making as “individuals” and not as “group” representatives. Hence, it advances a two-way dialogue in deciding on issues of public policy, rather than a one-way communication from the government to its citizens or the reverse. Public policy scholars argue that this mode of democracy promotes a “self-conscious and purposeful attempt” at citizen engagement. It requires, theoretically, four dimensions:

1. Reciprocity: there is a free and open exchange of dialogue, which is not merely discursive.
2. Public reasoning: government officials and the public are both given enough opportunity to justify their actions in public, with full transparency.

3. Public process: where all citizens have an equal opportunity to participate in such dialogue, and those who are affected by the final decision are especially encouraged to participate in the public policy process.
4. Participation: That every citizen has an equal opportunity to fully participate in the proceeding of discussions and be a part of the concluding decisions (LaForest & Phillips, 2007, pp. 71-72).

Prior to the preceding discussion, the dissertation argued that the work of the Telecommission Studies pioneered an early conceptualization of deliberative democracy in the public policy process in Canada in the late 1960s. It was carried on through the Telecommission's recruitment of specialists and academics, open invitations to the general public to contribute in the various proceedings (seminars, conferences, discussions, and debates), and recommendations for an up-to-date communications public policy that would be valid for the next fifteen years.

In order to assess this argument, and the questions posed earlier in the chapter, the dissertation examines the Telecommission Studies moment in the history of Canadian communications public policy by adopting a group of methodological techniques that enable us to assess its role, contribution, hopes, and eventually, its failure to achieve its goals. Five main pillars will be addressed throughout the analysis in the following chapters:

- a. Socio-historical context that affected the understanding of communications starting from the late 1960s to the 1970s.

- b. The intellectual transformation of the public policy treatment of communications, from a tool of public interest to an economic tool.
- c. The great debate between centralizing and decentralizing positions (federal and provincial forces) during the time frame of the study.
- d. The emergence of a new notion in communications public policy through the work of Telecommission.
- e. The *Instant World* recommendations and the role of bureaucratic powers in undermining—if not ignoring—the right-to-communicate concept and its potential impact on the history of Canadian communications public policy.

Methodological Design

In approaching the pillars identified above, the dissertation adopts a socio-historical approach to analyze the historical data related to the Telecommission Studies as a “style of historiography that seeks to explain and understand the past in terms of sociological models and theories” (Neuman, 2006, p. 430). As discussed in chapter one, the dissertation has mapped out the different scholarly debates that theorize the historical period of the study as well as the different territories that the Telecommission Studies might cover in its work. Adopting an “intellectual threads” approach will enable the dissertation to delve into the social, cultural, political, and communications policy environment in Canada during the time period indicated above, and where these had ongoing interactions with the work of the Telecommission Studies.

The strength of this historical critical approach relies on the fact that it is not only explaining the work of Telecommission Studies as a past event; rather, it investigates the

reasons why this historical event or moment occurred. What is more, “the relationship between society and biography is dynamic, reflexive, and interconnected” (Hill, 1993, p. 3).

3). In response, this approach projects forward onto current communications policies and events in Canada through major patterns that were discussed in detail in the introductory section of the dissertation.

One of the strengths of this dissertation is its heavy reliance on “primary sources” of data collection.⁴⁷ Most methodologists assert that original documents—such as diaries, journals, drawings, photographs, memos, personal movies, etc.—are invaluable sources of information to collect on the research topic. Bruce Berg confirms that “primary sources . . . involve the oral and written testimony of eyewitnesses” (2007, p. 269). Still, locating good and relevant primary sources requires “a great deal of detective work” as well as facing the challenge of evaluating this material, knowing the conditions under which it can be accessed, the location where it is stored, and other proximity challenges (Esterberg, 2002, p. 130).

Moreover, both reliability and validity occupy most researchers, that is, to what extent do their research and its results reflect the “real meaning” of the research problem under discussion? Certainly, this dilemma is lessened when using primary sources, since the materials I used are the original sources of information, without intermediate interpretations, except for the literature review explained in detail in chapter one. More particularly, and in order to maximize the sources of information about what really happened during this time in Canada and how it affected the work of Telecommission

⁴⁷ Some methodologists refer to the primary sources of data collection as the “raw materials” while the secondary sources – or the already researched sources – are the “cooked” materials (Esterberg, 2002, pp. 122-123).

Studies, this dissertation employed three research designs: 1) Archival research; 2) Historical research; and 3) Qualitative research. Still more particularly, the dissertation employed three different methodological strategies of those research designs, respectively: 1) Unobtrusive strategy; 2) Oral history strategy; and 3) Textual analysis strategy.

1. Unobtrusive Strategy⁴⁸

This strategy is chiefly characterized by a distinct way of measuring, testing, or answering research questions. That is, it provides a “mirror” of what is happening, or happened, without interfering directly in the process of data collection, as would be the case with research strategies such as surveys, questionnaires, interviews, observation, among others. Besides the analysis of physical traces and material artifacts that the unobtrusive strategy employs, a third and most relevant method is applied in this dissertation, namely, the *analysis of archival records* that enable the researcher to study human ideas and thoughts unobtrusively through the analysis of textual documents and records.

In this respect, and given the importance of the written document as an important medium of communication to record historical events, first, the collection of archival

⁴⁸ It is interesting to mention here that the origin of this strategy goes to a study conducted in the early 1970s in United States where social scientists wanted to trace mental and behavioural realities through studying human garbage. *Garbology* provided them with information about human consumption without asking them in person. Following this study, social scientists (and even media) scholars used this technique to analyze and get more information about topics that are impossible to investigate, such as patterns of exam cheating by tracing the exam sheets that has been discarded, and recently, a study about the Princess of Wales as a “contemporary goddess” by examining the historical descriptions of what was considered a goddess in the past (Berg, 2007, pp. 239-241).

textual documents from the Telecommission Studies, held at the Library and Archives Canada, were analyzed here. However, the research was not limited to the textual records of the Telecommission Studies, although they are a significant collection, representing more than “8,000 pages of background material packed with facts, forecasts, opinions, arguments, refutations, suggestions, recommendations, and—inevitably—a certain amount of nonsense” (*Instant World*, 1971, p. 229). In addition, a number of additional relevant archival documents dealing with the topic have been scanned and used. In detail, they are:

First: Archival documents and diaries⁴⁹ of the Hon. Eric Kierans, the first Minister of Communications, during the work of the Telecommission Studies. These include; a) his general correspondence (1955-1973), b) his speeches (1957-1972), and c) his reference materials and subject files (1940-1973), the latter consisting of press clippings.

Second: Archival papers of the Telecommission Studies (1969-1972), which include the records related to the administration, hiring, finance, conferences, letters and correspondence, minutes and proceedings, and memos, among others.

Third: Archival records of Henry Hindley, the Executive Director of the Telecommission Studies, which include: a) his personal papers covering the period from 1939 (when he emigrated from England to Canada) until his retirement in 1986. These papers include his diaries, entitled “Vanity and Vexation”—an unpublished document; b) his unpublished speeches to international conferences (UNESCO,

⁴⁹ It is important to note here that some of the textual fonds of Eric Kierans are restricted until 2012 by law.

IBI, etc.); c) his personal and official reports, novels, proposed articles for publication; and d) his personal correspondence during his work at the Department of Communications.

Fourth: The Deputy Minister's office files (1967-1968), which consist of series of files created by Alan Gotlieb while he was the Deputy Minister of Communications. They relate to the daily activities of concern of the department during that time.

In addition to these archival records, another unobtrusive method has been included in the analysis: the records of the House of Commons proceedings between 1969 and 1971, to analyze any public debates concerning the work of the Telecommission Studies. The attempt here is to identify directly the moment of the creation of the Telecommission and analyze its development through the archival data to evaluate whether or not the Telecommission conforms with what communication scholars described. And if not, to ask, what is the difference?

Now, although dealing with historical material "can provide a richer and more finely nuanced study than many other methods" (Esterberg, 2002, p. 133), we cannot deny that "archives are not popular" among researchers despite the uniqueness of their materials. Such research demands patience, Hill explains. "Compared to other types of social research, archival techniques seem unexciting and dull" (1993, p. v). However, this research strategy, as will be seen in chapters four and five, facilitated a unique opportunity to communicate with those who worked in the Telecommission Studies and the Department of Communications during this past time, via their handwritten memos and margin notes and comments. I cannot agree more with Hill, who contends that

“archival work is never the safe road, because we know not where it leads—or who may want to lead us in one direction rather than another” (1993, pp. 6-7).

Indisputably, it is the researcher’s role to decode the margin notes and make sense of what s/he finds in the *black box* of the archives, by linking the findings of merely written papers deposited in the archives to the larger picture of sociological, political, and historical context in which they were written and produced. Despite the uniqueness of the materials, two widely accepted criteria have been used here to assess the data: first, the credibility⁵⁰, and second, the representativeness of the materials. An emphasis is put here on the fact that all the contents of the archival boxes were accredited by their sender/receiver by signature, so that the thought or the idea of each paper can be attributed to him/her. Secondly, the time frame of the study was represented in the researched materials so that the Telecommission’s story can be written here from beginning to end.

2. Oral History Strategy

Complementary to the archival research design, a second, very significant methodological strategy has been used here: Oral histories of key personalities in the history of Canadian communications public policy who witnessed the work of the Telecommission Studies, the production of its *Instant World* report, as well as the feedback and debates after its completion, and with whom I have conducted a series of Informant One-on-One In-Depth Interviews. Before listing the names of these individuals

⁵⁰ In fact, we can say that almost all materials that this research depends on are drawn from federal government documents deposited at the Library and Archives Canada.

and outlining the techniques, it is imperative to outline the value of this strategy, especially for this kind of research.

The work of the Telecommission Studies is virtually unknown to most communication scholars and, even after my analysis of the archival documents, there remained unanswered questions and remaining thoughts and speculations as to details of this time in the history of Canadian communications. This is partly because access to some of the historical data is still restricted until 2010-2012, and others even longer, and because there is some history that is carried in the memories of personalities who lived through the experience, which can help to fill in the gaps created by the absence of some information from the archives.

Bruce Berg praises the value of the oral history⁵¹ method saying that it “allow[s] researchers to escape the deficiencies of residual and official presentations in documentary records,” adding that it even offers access to the unreported and undocumented, unpublished, and even unknown narratives of the topic under research. This enables the researcher to “reconstruct” history. Still, the main challenge is to locate “a population of individuals who possessed firsthand information on the subject area that the researcher desired to investigate” (2007, p. 276). For that specific reason, and parallel to the archival research in this dissertation, I have knocked on all possible doors to gain access to “live history” related to the work of Telecommission Studies during the 1960s. Indeed, I have been successful in locating what methodologists call “informant” interviewees, or persons of particular value to achieving the research objectives, due to

⁵¹ Oral histories are defined as providing a “considerable background and social texture to research . . . they also provide an increased understanding and lifeline between the present and the past . . . Oral histories are extremely dynamic” (Berg, 2007, p. 276).

several factors, such as their experience, willingness to assist in the research, etc. These individuals “can offer a variety of insights because they have had unique experiences in the scene” (Lindlof, 1995, p. 171).

Besides the countless advantages of this technique⁵², I have taken the chance to “dig for information and ‘get under the skin’ of the people who lived the event” (Hocking, Stacks & McDermott, 2003, p. 212) using a *non-probability purposive sampling*⁵³ strategy to recruit the informants. I interviewed a group of key informants⁵⁴, who were:

1. Allan Gotlieb, the former Deputy Minister of Communications and the chairman of the Telecommission Studies general committee.
2. Charles Dalfen, the former legal advisor to the Telecommission Studies and the recently retired chairman of the CRTC.
3. Betty Zimmerman, the former head of the CBC’s International Relations Department, and the Canadian representative to the MacBride Commission in the 1970s.
4. Pierre Juneau, the former President of the CRTC, former Minister of Communications, and a member of the Telecommission Studies.

⁵² For example, its ability to provide an in-depth understanding of the information gathered, allowing the interviewer to gain a variety of perspectives, taking more time to investigate the topic since there is often a pre-determined setting that is convenient to the interviewee, all of which are different from other in-person methods of data collection, among others.

⁵³ In qualitative research, as Thomas Lindlof (1995) explains, most sampling techniques depend not on principles of random probability but on purposeful selection that is intentionally slanted toward information-rich cases which is the case in this research.

⁵⁴ Details of their biographies and contributions in the work of the Telecommission Studies are fully explained in the appendix of the dissertation.

5. Spencer Moore, Chair of the National Press Club of Canada and former CBC International Liaison officer at the Telecommission Studies.

In the course of preparation for these interviews, semi-structured guidelines with a set of previously prepared open-ended questions were designed. They were used to open the discussion and leave the interviewees free to speak about their personal experiences and memories of the past, and exchange their points of view freely.⁵⁵ The questions were categorized into seven groups based on their relevance in filling the gap of information after I had gone through the archival documents. For example, questions covered 1) the launch of the Department of Communications and the formation of the Telecommission Studies; 2) people who worked in the Telecommission (their appointments, relationships, missing biographies, contributions, etc.); 3) the political relationship between Prime Minister Pierre Trudeau and the people working with the Telecommission; 4) the administrative powers that helped/hindered the work of the Telecommission Studies; 5) the international sphere of relationships (such as Canada's involvement in UNESCO meetings, etc); 6) the final outcome of the Telecommission—the *Instant World* report; and 7) the participants' general feelings about this experience and feedback on both political and personal levels.

Even with the strengths of this methodological tool (its value, its flexibility, the fruitful sources of information available, etc.), some methodologists still maintain that its reliability and generalizability are limited because it relies on people's memories and personal stories, which means the data may not be perfectly accurate. Others refute this

⁵⁵ I have deployed through these interviews “probing strategies” to extract more details from the interviewees because at some points, their memories were to some extent blurred.

criticism, arguing that the reliability in oral history depends principally on the topic of research and the methods of interpreting the stories. Additionally, one opinion says that, given that oral history depends on “individuals”, the outcome of the research cannot be generalized in the same manner as other types of research. Countering this position, others defend this unique method of data collection, arguing that at the heart of its conduct is the task of documenting human stories, which will remain “their” stories, hence, the issue of generalizability should not be considered a problem. Besides, this is an interactive tool and by the end of the research, “what is heard and how it is heard may be coloured by the person to whom the individual is speaking” (Babbie & Memaqisto, 2002, p. 344). Interviews were conducted in the cities of Ottawa, Montreal, and Toronto after receiving an ethical clearance from the Carleton University Research Ethics Committee on 5 September, 2006, as per the *Tri-Council Policy Statement: Ethical Conduct for Research Involving Humans* and the *Carleton University Policies and Procedures for the Ethical Conduct Research*.

3. Textual Analysis Strategy

In addition to the previous research designs (the archival and historical research), textual analysis (of the qualitative research design) was employed as a final methodological strategy in this dissertation. As discussed, it is extremely significant to contextualize the work of the Telecommission Studies within the socio-cultural, political, and media environment in Canada in the late 1960s and early 1970s..

The research relied mainly on the two major Canadian newspapers available through databases to Carleton University: *The Toronto Star*, and *The Globe and Mail*. A

purposive sampling technique has been used to select both the media type and the media texts to be analyzed, and here all news items from the period from January 1969 to January 1972 were scanned. The rationale behind picking this time frame is relevance, since the Telecommission Studies began its work in September 1969, and ended its work in April 1971. Therefore, for the sake of being consistent, I have maximized the time frame to start at the beginning of each year (1969 to 1972). During these dates, there was a high probability of finding news items dealing with the Telecommission's work, especially because the dates included the main activities of the Telecommission and related to it: the creation of the Department of Communications, the proceedings of the conferences, etc. All news items were scanned using first the keywords "Telecommission", "Department of Communications", "telecommunications", "communications", and "Instant World", for example. Finding that the results were not representative, I started searching using names associated with the Telecommission, in addition to the keywords, such as "Kierans", "Gotlieb", "Juneau", "Dalfen", "Bergeron", and "Hindley".

A few important points must be taken into account in regards to the methodological analysis:

- First, since the names "Trudeau" and "McLuhan" resulted in a vast number of items; I have only searched them for the exact period during which the Telecommission was conducting its work (September 1969 to April 1971).
- Second, when I found news stories covering events that were prior to the period of my research, I broadened the search selectively to research these particular

events. More precisely, this technique was employed to research “Kierans” from September 1968 until April 1971, since he entered the Trudeau cabinet as the Post Master General and was involved in a number of important events (concerning Telesat and the Post Office, for example) that were relevant to the study. Also, “UNESCO” was searched from the time the meetings of the Experts started in late 1968 because it was also important to document the media coverage of such involvements and analyze the attitudes expressed about Canada’s representation at these conferences.

- Third, the search was not limited to a particular section, but all pages in the newspapers were searched and any “hits” analyzed for stories relevant to the Telecommission’s debates, events, opinions, institutions, and names.
- Fourth, in the case of *The Toronto Star*, there was sometimes duplication in information since the item might appear in different locations in the paper in different editions on the same day. (The *Star* has several editions, with the “one-Star” and “two-Star” editions timed for early delivery to outlying areas and the final, “all-Star” edition printed later for city delivery. Stories might appear on different pages in different editions, and an individual story might be changed between editions.) In such instances, both items were compared in case there was any additional information in one of them.

Finally, my main purpose in using qualitative analysis of newspapers was to find additional “eyewitnesses” to this historical moment, to answer the questions: What were the reactions of media when the Telecommission Studies was announced? Were there

doubts? Was there excitement? Or what? During and after the publication of *Instant World*, what was the feedback? Encouragement? Or disappointment? These articles are thus significant and relevant to understanding the Telecommission Studies as an historical moment.

In view of this discussion, the dissertation regards its main contributions as resting in its attempts to:

1. Show the new link between communications public policy and the concept of the right to communicate in Canada. While some previous scholarship in the Canadian communication field—such as Mosco (1984, 1989, 1996); Babe (1994, 1995, 1973, 1975 & 2000); and Raboy (1989, 1990, 1998 & 2003)—examined the period covered in the dissertation both theoretically and empirically, the dissertation's attempt is to draw upon deep-rooted historical evidence of the emergence of the right-to-communicate concept in Canada through the work of the Telecommission Studies.
2. Uncover the structural public policy relationships that explain why the recommendations of the Telecommission Studies were ignored and its final report *Instant World* was shelved. Also, by projecting light on this moment in Canadian history, it unveils reasons why Canadian communications public policy continued to miss opportunities to formulate a right-to-communicate policy up to the present day.
3. Add to a new, emerging literature attempting to study and theorize the existence of the right to communicate as a core concern for public interest and communication rights advocates involved in communications public policy-making in Canada.

4. Detail a much broader analytical focus on the Telecommission Studies' final report, *Instant World*, and its contribution in formulating an early realization of communication as a human right in Canadian public policy. Moreover, the dissertation challenges the existing scholarship that mistakenly views *Instant World* as merely a bureaucratic product, and not as a revolutionary attempt in its time to "change" the communications public policy tendency of valuing economic and technological factors on the *human* side of the field.

In the following chapter, the dissertation attempts to contextualize the historical moment during which the Telecommission Studies worked and how it was affected by the socio-cultural, political, technological and international changes that Canada witnessed during the 1960s. It will also question to what extent these changes affected the work of the Telecommission Studies.

CHAPTER 3

The Telecommission Studies Moment: A New Perspective on Law and Communications

There was a time in the late 1960s that marked the beginning of a new era for mankind when many human beings for the first time knew with finality that they were living interdependently on Spaceship Earth. At the same time there was a blending of emerging communication technology with the age-old traditions of two-way interaction, participatory communication. Perhaps a turning point occurred when man landed on the moon, and looked back at the earth. People nearly everywhere in the world shared that view through the new communication marvels. It was during this period that a new human right began to emerge, the Right to Communicate.

(Richstad, Harms & Kie, 1977, p. 112)

The founding of the Telecommission Studies in Canada's federal Department of Communications in September 1969 is an important moment in the history of Canadian communications. Yet this important moment and the events and philosophy surrounding it constitute an area virtually untouched in the field of communication studies despite its attempt to reform the view of communications in Canada from that of a strictly technological one dominated by engineers, industry, and bureaucrats; to a multidisciplinary approach that incorporates the socio-cultural perspectives of social scientists and academics in the field. Although much study has gone into the science, history, and politics of the creation of the broad Canadian communications grid, much less emphasis has been placed on the broader story of the sheer creativity of the coming together of social scientists, academics, business representatives, industry, public, and other interested parties nationwide to decide on the efficient use of the technological advances

in the field for the *public interest*. As will be seen, the Telecommission Studies approached communications technology armed with an understanding of the global and Canadian socio-cultural, economic, and political environments during the period of its work (September 1969 to April 1971). This chapter will shed light on the context within which the Telecommission worked, tracking the route that led to its vision by mapping the general social, political, cultural and intellectual atmosphere in Canada during this time. This is not to argue that the Telecommission necessarily adopted prevailing attitudes and approaches—for example, the widespread fascination with technology in and of itself—without regard for their social, cultural, and human consequences. Rather, this contextual information is intended to help explain how remarkable and challenging it was for the Telecommission, working within the ideological and empirical constraints of the time, to propose a novel perspective on law and communications—the right to communicate—in Canadian society. To illustrate the prevailing atmosphere, I have selected Expo 67 as a first stop on the road, arguing that this particular event emphasized the established belief in media technology and its capabilities, reinforcing the theme of technological nationalism that was already strongly embedded in the Canadian mindset, as discussed in chapter one.

The 1967 International and Universal Exposition

Expo 67 was both a coming out and coming of age for Canada. It stands as an important marker in Canadian history where new symbols of identity were communicated to a broader audience. Expo was successful in communicating the fact that significant processes of transformation were occurring within Canadian society. Expo was a real place, which provides a unity in meaning for the collision of these different processes, creating new symbols for Canadians to use in their self-definition.

(Macdonald, 2003, p. 156)

Expo 67 could be regarded as “a point of passage for Canada, a critical event which heralded an alternate vision of the country as a complex and at times fragile connection of multiple identities across a vast and varied landscape” (*Ibid*, p. 127). There was a tremendous feeling of optimism surrounding the World’s Fair; it was to be in part a showcase of new communications technologies such as satellites, which have been viewed as Canada’s new railroad, bringing Canadians from all parts of this vast land together as a people.

After the withdrawal of the city of Moscow in April 1962, the International Exhibitions Bureau in Paris accepted the city of Montreal’s bid to hold the 1967 International and Universal Exposition, better known as Expo 67. Many (Hindley 1979; Ostry 1993; and Affleck 1969) have concluded that Canada suddenly came “to life” then. Among the sixty-two participating countries, it was Canada’s pavilions from ten provinces, the federal government, as well as thematic and industrial pavilions, that captured most visitors’ attention and admiration.⁵⁶ A poll conducted after the fair showed that Canadian audiences⁵⁷ were extremely impressed with the event, and even criticized

⁵⁶ Canadian media during this event highlighted other advantages that Expo 67 achieved for Canada, among them increased tourism revenues, and a strong feeling of national pride over the ability to organize such a universally acclaimed job (Expo Runs Out Of Time...see the *Winnipeg Free Press*, 28 October 1967).

⁵⁷ The quantitative result of this poll showed that 42.4% of Canadian respondents felt that the “federal government has not spent too much money on Expo”” (Cormier, 2004, p. 44). However, and despite this poll result, at least one group of people regarded Montreal’s Mayor Jean Drapeau’s spending on building an island to house Expo 67 as totally unnecessary. Pierre Juneau, former CRTC chairman and Minister of Communications recalled that as head of the French production section at the National Film Board during this time, he accompanied a group of Dutch architects who visited the site at Montreal during its construction. “We stood up at the Jacques Cartier Bridge, seeing the trucks with loads to construct this island. One of the architects commented by saying ‘I don’t understand, why build an island? There is so much land in Canada. Why not do it in somewhere else?!’ ” At the same time, he confirmed that although this spending was criticized, it is “ridiculous to deny Expo 67’s success” (Interview with Juneau, Montreal, February 2007).

the federal government for not investing more money, arguing that “Expo brought world attention to Canada and therefore was good for both Canadians individually and Canada as a whole” (Cormier, 2004, p. 45).

Significantly, Expo 67 brought to light two areas of belief held by many Canadians: first, a growing faith in the notion of “nationalism” in the Canadian context,⁵⁸ and second, a sense of the importance of technology, especially communications technology, and its potential to reach both the broad public and specialized audiences. This idea was further developed in one of the UNESCO roundtables on the cultural value of film, radio and television in contemporary society held in Montreal in September of 1968; Expo 67 was cited as a principal example of the use of exhibitions as a means of mass communication.

Expo 67 proved to its attendees and participants, especially in Canada, that communications technology is able to create an instant communicative environment rather than the more traditional gradual development over several years through the cooperation of a variety of stakeholders (government, provinces, industry, and corporations among others). This is an idea that was expressed in the theme of Expo 67, i.e., Man and his World—Terre des Hommes, which interpreted the way human relationships are created, organized, and evolved in societies with the help of technology.

⁵⁸ A UNESCO sponsored study on Expo 67 argued that the notion of nationalism was experienced culturally during the fair by providing an experience for attendees to know more about different nations and their cultural celebrations through the “fun” of having passports, and visas while visiting the national pavilions. The experience played even an educational role of “school without walls . . . [but without the] . . . rigid structures and bureaucratic forms of educational institutions” (Affleck, 1968, pp. 18-19).

During the various exhibitions,⁵⁹ new trends in multi-media communication were employed, replacing the traditional static display of objects and/or images accompanied with explanatory texts as had been seen in previous international exhibits: “A large proportion of the creative input in Expo involved radical juxtapositions within the traditional media of communication . . . in a new and surprising ways” displayed in the Bell, Ontario and Air-Canada pavilions for example (Affleck, 1968, p. 4).⁶⁰

The patterns of communication created by Expo 67 offered a great degree of choice for methods of interaction through such elements as the physical architecture of its pavilions. For instance, Expo replaced architecture that could only be “observed” from a fixed point to one which the individual “experienced” through the stimulation of their five senses from different points. Attendees had fun with this in pavilions like Place des Nations in which the space itself created new ways for groups of activities such as ceremonies, theatre, as well other places to meet and experience the events. Even the names of the buildings were seen as a communicative tool through which people could feel, see, and experience the technology: “The Cuban Pavilion[’s] . . . exterior walls. . . included back projection screens for the direct transmission of audio-visual information—in effect, the building was ‘turned inside out’. The sharp line between

⁵⁹ The themes were: “Man the Explorer”; “Man the Producer”; “Man the Creator”; “Man in the Community”; and “Man and Agriculture” (ExpoVoyages Preamble, 15 March 1966, available at Library and Archives Canada online at: <http://www.collectionscanada.gc.ca/topics/index-e.html>).

⁶⁰ It is interesting to mention that although they were highly organized, the traditional mode of art exhibition displayed in the Art Gallery Pavilion of Expo 67 did not attract much of an audience, because they were unintentionally comparing it to the multi-media displays found elsewhere on the fair site; this may have been because the experience itself was run of the mill, unlike the multi-media presentations in other pavilions. Affleck comments “despite the superb quality of the paintings exhibited, the . . . gallery failed to evoke the strong environmental response characteristic of most of Expo . . . a strong feeling of being ‘out of it’ appeared to result from the traditional museum approach” (1968, p. 6).

exhibition hardware and software was blurred" (*Ibid*, pp. 10-11). The idea of choice in modes of communication would go on to become one of the important features of new Canadian communications means (such as cable television, video on demand, and satellites' multi-channels, among others).

Two ideas were disseminated in the "Man the Producer" pavilion⁶¹ that were particularly significant to spreading belief in the technological advances of the twentieth century in the cultural, social and intellectual climates of Canada at the time. The first was that human beings are capable of creating and inventing technologies, and second, that future technologies, especially in the field of communications, could have a huge impact on human life. For Expo 67 was a key moment in the conceptualization of a strong belief in technology's potential:

People are no longer awed by the latest model of wide-screen cinema, colour television, the latest model of an electronic computer, or the fully automated plant. However, the public mind is still fascinated and may be enriched by seeing how the ever-widening range of techniques and discoveries serve Man to shape the world of tomorrow.

(ExpoVoyages Preamble, 15 March 1966)

The obvious popularity of these themes at a major public event such as Expo 67 helps to confirm this dissertation's earlier claim that an intellectual thread that we have called "media technology" influenced, and was influenced by, a popular belief in technological nationalism in Canada and that these ideas, in turn, influenced the work of the Telecommission Studies. As evidenced by the quote from the Preamble to *ExpoVoyages*,

⁶¹ An example of how communications technologies occupied the main discourse during Expo 67 is the case of this particular pavilion—which was among a group of important thematic exhibitions, built in collaboration with most of the exhibition's participants—it declared in its handout that "through the multiplicity and scope of mass communication media, the public, at large, becomes quickly aware of progress and achievements in all fields of science and technology" (*ExpoVoyages Preamble*, 15 March 1966).

above, technology seemed at the time to promise a future filled with “fascinating” and “ever-widening” discoveries.

A sub-section of the “Man in Control” exhibit was called “Conversation with Machines” which was “allocated to the wonders of the computer. The viewers themselves [could] manipulate computers and observe their basic principles. Visitors [were] able to have simple mathematical problems solved by computer, and at the same time observe the process involved” (*Ibid*).⁶² In the same pavilion and in the *Communications Theater*, there was a presentation on the acceleration of communication in the past 2000 years which attracted a wide audience. Interestingly, it also displayed models of 10 satellites – from Italy, USSR, Italy, France, United States, and Canada – describing their importance in the fields of space exploration, communications, and weather observations. After the presentation, a group of specialists and scientists responded to the audience’s questions and provided more information on the sociological effects and implications of technology in society, using graphics produced with the help of demonstrators from various Canadian and international corporations.

An important characteristic of Expo 67 that is relevant to this dissertation is that it provided a pattern of *non-institutional* environments to the general public; there was no overt presence of bureaucratic institutions, with the exception of the Expo organizing committee and the sponsorship of private companies (such as Canadian National Railways, Bell telephone, Air Canada among others). Throughout the event, people in Canada experienced a “total immersion in the physical, sensual, psychic environment

⁶² I will refer to this point later in the dissertation when discussing how the Telecommission Studies investigated the case of computer technologies and their effects on different aspects of society (social, economical, cultural, and political).

rather through exposure to conventional fragmented, ‘hard sell’ exhibition techniques” (Affleck, 1968, p. 16). As will be seen in chapter five, the Telecommission freed its study and investigation into Canadian communications from the traditional bureaucratic settings of royal commissions and task forces, and pioneered a process of inquiry with the cooperation of interested groups in social, economic, technical, and inevitably of course, governmental agencies.

Upper Atmosphere and Space Programs Report 1967

The ideas presented at Expo 67, particularly those related to satellite technologies, reflected the contemporary hopes of using direct satellite broadcast (DBS) in the field of communications to reach all people in Canada. Allan Gotlieb⁶³, Deputy Minister of Communications and the chair of the Telecommission Studies, explains that an important thread that fed into a sense of excitement during this time in Canada, particularly for those who worked in the Telecommission Studies, was the Report on “Upper Atmosphere and Space Programs in Canada,” known as the Chapman Report (1967):

At that time, people talked about how trans-satellites could transform the world and could be a tremendous fact of sovereignty because it eliminates the ground sector and goes directly in the home; thus you lose control. And Canada, as you know, was always greatly concerned about losing control . . . the potential of satellite would reach the Arctic and every inch of Canadian territory . . . basically it was a sense of a great new world...this was a very exciting moment.

(Interview with Gotlieb, Toronto, September 2006)

⁶³ An in-depth biography and contribution of Allan Gotlieb will be detailed in the appendix of the dissertation. Yet, it is interesting to mention here that Dr. John Chapman was appointed by Gotlieb as his Assistant Deputy Minister Research during the work of Telecommission Studies.

By the mid-1960s, it was thought that satellites held out great promise for cultural, political, and social needs in Canada after the successful 1962 launch of the Canadian Alouette I—Canada's first designed and constructed satellite, built by Canada's Defence Research Communications Establishment jointly with the American NASA. The hope was that satellites would link the massive distances of Canadian geography, provide broadcasting to the north, promote programs in English and French, as well as wiring the country with long-distance telephone services. During this time, the government started to foster research on the satellite and its great potential, as well became a very active member of international committees on space programs.

On researching upper-space potentials, the federal government appointed Dr. John Chapman (1921-1979) to research the possibility of launching a Canadian domestic satellite for communications purposes, and submit his proposal for a space policy in Canada. Chapman's task force resulted in a white paper published in 1968 by the Department of Industry. Chapman is regarded as “the one individual who stands out as the champion of the Canadian space program . . . his foresight and influence although not always appreciated at the time by his peers, were essential throughout the Alouette . . . program, . . [and] the formation of the Department of Communications, . . until his death in 1979” (Jelly, 1988, pp. 27-28).

Chapman submitted his report in 1967—“Upper Atmosphere and Space Programs in Canada”—recommending to the government that it adopt a major change in its focus for the Canadian space program. He suggested that rather than concentrating on space science, Canadian satellites should be used to reduce the problems in communications and resource management caused by the country's geographical size. The main objectives

of this study were to examine the current (i.e. 1960s) position of, and decide on the reasons for, a space program in Canada, and to forecast future satellite programming; he says plainly that his main goal was simply answering: “what are we doing, what capacity do we have for work in the future, and how can we organize to give the best co-ordinated effort?” (Chapman Report, 1967, p. 3). According to Chapman, there were four different uses of domestic satellite communications in Canada that hoped to encompass almost all kinds of communications: 1) Provide telephone, telegraph and data communication in the Canadian remote communities where there was no similar facility present; 2) Distribute TV and radio programs from a center satellite position to group of stations, that would supply any local television and radio transmitters; this would hopefully form a “truly national” TV and radio program service to people in all parts of Canada. It would be also possible to broadcast both English and French programming in different time zones; 3) Improve long-distance telephone service in cost and in quality. And 4) provide an opportunity for educational television, especially in the rural areas in Canada to be received through their local TV distributors (*Ibid*, pp. 18-19).

The report advised the federal government throughout *not* to adopt technology blindly; rather the report believed that satellite technology should be adopted through Canadian aspirations, of independence, and social justice principles, and ensure that it would be used in Canadians’ best interests and kept under Canadian control (Chapman Report, 1967, p. 95). For some analysts (Strick, 1988), this recommendation was considered a *redirection* away from the earlier vision of a pure science and technology approach by the federal government, to one in which the socio-cultural perspective of technology would be foregrounded. For instance, it suggested the need to build a

Canadian industry to meet this new demand, as well as cooperation with the Communications Research Center Canada (CRC) to further study the environmental effects of these new technologies. Indeed, in his report Chapman translated the many hopes and expectations Canada had for this new technology during the 1960s; he strongly suggested the idea that the satellite communications systems would truly revolutionize communications for isolated communities which had never before had access to communications facilities.⁶⁴

The influence of space technology will be felt in every home in Canada. Modern telecommunications in the form of telephone and TV are a vital part of our home life, even to those who live in remote areas. It has come to be regarded as the right of every Canadians whether he lives in Toronto . . . or Resolute Bay . . . to be able to speak to any other person in Canada . . . to see the Grey Cup game.

(Chapman Report, 1967, p. 94)

Notably, one can argue here that despite being totally immersed in the “technical” aspects of communications, Chapman tried in his report to map out the *new* potential of satellites for Canadians as a tool of social change, for example, the idea of ensuring equal access to communications regardless of where one lives. Yet the importance of satellites is seen primarily to lie in serving the ideal of technological nationalism discussed in chapter one; the report uses this discourse to assert the “national” priority of bringing remote Northern areas into contact with the rest of Canada.

⁶⁴ As will be seen in chapter four, these ideas occupied most of the discussions of conferences, minutes, and proceedings of the Telecommission Studies.

UNESCO and the Canadian Connection

Professionals working in the field of communications in Canada during the late 1960s interviewed for this dissertation confirmed the positive contribution of Canadian delegates at international meetings such as UNESCO, the International Telecommunication Union (ITU), the European Broadcasting Union (EBU) among others. Betty Zimmerman⁶⁵ for example, confirms the involvement of the CBC in international cooperation with UNESCO from the late 1960s until the International Commission for the Study of Communication Problems (known as the MacBride Commission), published its report in late 1970s. Her assistant, Spencer Moore also notes the Canadian contribution, especially in the emerging field of direct broadcast satellites (DBS) was still in its infancy during this time:

At the time of the Telecommission, there was a special International Broadcasting Committee on DBS organized by the World Broadcasting Unions EBU, NANBA, ABU, etc. to consider “direct broadcasting satellites”, their transmission into countries of foreign broadcast signals without license, plus the legal ramifications of the distribution of TV signals on program copyright; particularly sports rights was of great concern. Allan Gotlieb and I were members of the Committee which was chaired by the Director General of Swedish Broadcasting Olof Rydbeck.

(Interview with Moore, Ottawa, October 2006)

During the 11th session of UNESCO’s General Conference in 1969, it was agreed that space communication held great potential for UNESCO programmes, especially in terms of dissemination of educational programming to distant areas in the world. The conference agreed to call more attention to this new area of communications technology, and it further organized a series of experts’ meetings among broadcasters, educators,

⁶⁵ An in-depth biography and contribution of Betty Zimmerman, as well as Spencer Moore will be detailed in the appendix of the dissertation.

communications engineers, social scientists and information specialists to study the implications of direct broadcast satellites in the future.

Both the Minister of Communications Eric Kierans and his deputy minister, Allan Gotlieb, attended a UNESCO meeting of sixty-one governmental experts on international arrangements in the space communication field from December 2-9, 1969, in Paris. The conference was convened to discuss ways to develop and effectively use direct broadcast satellites to enhance the flow of information and the right to communicate. Kierans was elected as the chairman of this committee, of which he recalled:

Imagination and creative planning were necessary to harness the potential benefits of space communication so as to fulfil [sic] diverse national needs. We must also recognize that . . . not all States are equally endowed with the financial and technical ability to adopt the new technology to their needs. It is therefore important to ensure a greater equality of opportunity. Co-operation and mutual assistance . . . must be our basic aim. Space communication represents part of the challenge of modernity. It will not wait for human procrastination. It is a challenge that requires the imagination and the co-operative effort of all.

(UNESCO, 1971, p. 12)

While he coated his proposals in a “nationalistic” discourse asserting the importance of adopting satellites for “national needs”, Kierans suggested the implementation of three different “social” objectives in any future communication satellite system: 1) the free flow of information; 2) copyright; and 3) education. These were agreed upon and, overall, the meeting concluded that:

1. The use of space communication must be for the free and balanced flow of information, news, and educational broadcasting, especially in developing areas.
2. Satellite transmission must be legally protected.

3. Broadcasters all over the world must be provided with equal conditions and opportunities to access and exchange news coverage (*Ibid*, pp. 8-9).

Allan Gotlieb also confirms this, noting that both Canada and Sweden took a particular interest in making all attendees of the Paris conference 1968 aware of both the great potential of and the possible threat from direct satellite broadcast within the flow of information debate. He recalls that:

I was in the foreign ministry at that time; I can recall I went to UNESCO conferences with Kierans. But I think that the main action in the communication were really taking place not in the UNESCO meetings but in the outer space committee of the UN, which created a sub-committee/panel on direct broadcast from satellites and we were very active then. Sweden and we collaborated. The Swedish representative, who was working as the director general of the Swedish Broadcasting Corporation, Olof Rydbeck and I, while I was the Canadian representative in that panel, we took the lead in kind of alerting the world to the potential and the threat of direct broadcast from satellite.

(Interview with Gotlieb, Toronto, September 2006)

Kierans and Gotlieb's input in these meetings drew Canadian media attention as well. The *Toronto Star* for example highlighted the Communications Minister and his deputy's involvement in the UNESCO discussion; the article also outlined how the meeting's recommendations would help to combat illiteracy in large parts of Africa, Asia, and Latin America in the following decade (New World TV Link-up Urged, 10 December 1969). As noted above, an important aspect of the Canadian scene in the late 1960s was the idea of space communication, which had been conveyed to Canadian officials in the Telecommission Studies through their involvement in the international discussion on the DBS sphere. A summary of these discussions can be grasped in communication theorist Wilbur Schramm's contribution in one of the UNESCO meetings 1968:

A new era in human communication opened in 1962 when, for the first time, press dispatches, news photographs, radio bulletins and live television programmes were relayed between continents by means of artificial satellites in outer space. In enhancing the range and scope of the mass media, space communication is certain to have a far-reaching impact on society.

(UNESCO, 1968, p. 10)

In brief, an important influence in popularizing the potential of communications technology for Canada during this time was Canada's involvement in the UNESCO proceedings and discussions. As will be seen in chapters four and six, issues of free flow of information, access to means of communications, and educational broadcasting represented major UNESCO themes that *Instant World* highlighted in 1971.

Canadian Human Rights Vision in the 1960s

The time frame of this dissertation corresponds to the period where Canada had increasing involvement in the international sphere concerning human rights, namely, from the late 1950s and to the early 1970s (Gotlieb, 1970f, pp. 20-21). During this time, Canada played an important role in United Nations activities after World War II. Many well-known names are associated with these efforts, from Prime Minister Mackenzie King's claims for a strong enforcement of human rights in the United Nations Charter during the 1945 San Francisco UN Conference on International Organization to the outstanding efforts of John Humphrey, the director of the Human Rights Division in the United Nations secretariat from 1948 to 1966, and one of the drafters of the *Universal Declaration of Human Rights*. As well, the Canadian contribution to UN activities resulted in some milestones in the history of Canadian human rights efforts, such as the

1944 *Ontario Racial Discrimination Act*, and the 1947 *Bill of Rights Act* in Saskatchewan for example (Tarnopolsky, 1970, pp. 60-62).

In 1960, although the government of Prime Minister John Diefenbaker had enacted a *Canadian Bill of Rights*, it was not adopted by all the provinces and was criticized for not enforcing the practice of human rights. Thus, in 1968 Pierre Trudeau, as Minister of Justice, proclaimed the urgent need for more powerful constitutional legislation not only to protect but also to guarantee the enforcement of civil liberties for individuals at both federal and provincial levels. He urged the need for a Canadian constitutional reform to protect fundamental freedoms and rights without the possibility of interference from federal or provincial authorities and powers. Hence, he raised the need for a “constitutional bill of rights in Canada [that] would . . . establish that all Canadians, in every part of Canada, have equal rights. This would constitute a major first step towards basic constitutional reform” (Trudeau, 1968, p. 11). This was especially timely in 1968 since it had been declared the “Year of International Human Rights” by the General Assembly of the United Nations.

In his proposal for a Canadian Human Rights Charter, Trudeau urged Canada to take a lead in raising the public’s awareness of their rights as well as encouraging the government to take positive action in initiating this reform, arguing that the 1960 *Bill of Rights* was “incapable of providing” the basic human values of rights (political, legal, egalitarian, and linguistic for example). He appealed for constitutional reform in order to adopt a Canadian charter of human rights, since it would constitute the formal recognition of social values, and fundamental freedoms on the one hand, and also because:

Elle reflète aussi le point de vue du gouvernement, qui croit que cette reconnaissance et cette protection ne seront adéquates que si elles s'appliquent à tous les canadiens, et cela de façon permanente, c'est-à-dire de façon constitutionnelle. La collaboration de tous les gouvernements sera nécessaire afin d'atteindre cet objectif . . . le gouvernement croit que cette charte n'est pas seulement une bonne chose en soi, mais aussi qu'elle trace la voie pour une réforme méthodique de notre constitution.

(Trudeau, 1970, pp. 7-8)

Trudeau traced the intellectual roots of human rights from medieval natural law and the 18th century concept of individual rights in the work of John Locke and Jean-Jacques Rousseau. In addition, he cited the *American Declaration of Independence* committing the government to a duty to ensure certain “unalienable rights”—especially, the right to freedom of speech. The proposed Charter also highlighted the significant contribution of the 1789 *Declaration of the Rights of Man and of the Citizen* in France that asserted the idea of free speech. That is why Trudeau suggested the inclusion of a group of previous human rights measures that had contributed significantly to a reasonable Canadian human rights vision; for example the *Saskatchewan Bill of Rights* that gave “a wider range of egalitarian rights” (1968, p. 15), as well as the recommendation of the Royal Commission on Bilingualism and Biculturalism (1969) which asserted “linguistic rights.”

Trudeau proposed endorsing an important category of human rights, i.e., political rights⁶⁶ in which he dealt with communication-rights-related freedoms—such as freedom of expression, association, and assembly—believing that these rights comprise a broad umbrella that covered matters of “belief, their expression and advocacy” (*Ibid*, p. 16).

⁶⁶ One of the interesting comments on the proposed 1968 Charter concerned its potential for transforming the social structure of Canada. Madison contended, “Like other developed nations, Canada has become a full-fledged, rights-based, liberal democracy. More than any other single factor, the Charter (which may be said to be Pierre Trudeau’s principal contribution to Canadian identity) has contributed to the creation of something like a common Canadian civic philosophy” (2000, p. 20).

Thus, he recommended pursuing Article 10 of the *European Convention on Human Rights*⁶⁷, which stated in part that:

Everyone has the right to freedom of expression. This right shall include freedom to hold opinions and to receive and impart information and ideas without interference by public authority and regardless of frontiers. This Article shall not prevent States from requiring the licensing of broadcasting, television or cinema enterprises.

Yet, tensions between federal and provincial governments represented one of the biggest challenges to enact or even process such a proposal at that time. Evidently, during the same February 1968 federal-provincial constitutional conference where Trudeau proposed his plan of the Canadian Human Rights Charter, debate showed to what extent “responsible Canadians are . . . unaware of the importance of effective protection of human rights” (Head, 1970, p. 236). When one of the provincial premiers suggested producing a judicial legislation of human rights in Canada similar to various movements to reform the protection of human rights in many European countries, another provincial representative strongly objected to this idea, arguing that such action leaned towards a republican form of government and not the parliamentary system of Canada. The discussion of the human rights enactment became a tensely political one⁶⁸ between federal government and provinces. While one side asked the provinces to approve this proposal for the great advantage of portraying a Canadian “personnalité internationale” and not as a nation internally divided, opposing views insisted that “il n’y a aucun doute

⁶⁷ The *Convention for the Protection of Human Rights and Fundamental Freedoms* was adopted by the Council of Europe members – an organization of 47 European countries – in 1950, and it is considered to be one of the first formal international legislations protecting human rights.

⁶⁸ Sabourin comments that “plusieurs provinces n’ont pas montré beaucoup d’enthousiasme à l’égard de l’inclusion de cette charte des droits dans la constitution alors que l’autres n’ont pas manifesté un empressement à considérer cette question comme une réelle priorité” (1970, p. 100).

cependant que les grandes libertés fondamentales . . . relèvent surtout de la compétence fédéral” (Sabourin, 1970, p. 101).

Regrettably, Trudeau’s proposal of human rights protection in Canada “has not so far aroused any particular enthusiasm . . . [among provinces] and has been accorded on the whole a reluctant, through quiescent, response by the legal profession” (Head, 1970, p. 243). Consequences of the different philosophical and intellectual understandings of the importance of human rights between federal and provincial pillars resulted first in the disinclination of Canada to sign international legislation of human rights measures, and second, to the delay of adopting Trudeau’s proposal until 1980. However, on the plus side, a clear understanding of the “right to privacy” did emerge and was agreed upon at this conference, yet with the rise of communications technologies, it becomes increasingly important to ensure the protection of fundamental rights and freedoms. This will be looked at in depth when the work of Telecommission Studies is examined in chapter (5). But as Sabourin noted, the electronic era came with real dangers:

La montée bureaucratie, la technocratie, la technologie, des moyens de communication rapides entraînent des problèmes très graves en ce qui touche les libertés fondamentales . . . il faut donc prendre des mesures pour s’assurer que ces personnes respecteront la volonté du peuple et de ses représentants . . . il est indéniable que l’ère de l’électronique entraîne une diminution de la vie privée de l’individu. Il existe un réel danger.

(Sabourin, 1970, p. 76)

Another major debate in Canada in the 1960s revolved around the issue of language rights, particularly the right to communicate in French.

*Official Languages Act 1969*⁶⁹

Trudeau wrote in his *Mémoires* (1993) that until 1960, many Quebecers wanted careers as federal public servants, but had no choice except to speak in English. This state of affairs was, according to Trudeau, “an emergency” that needed correcting by bringing French into the core of federal government institutions. Despite the fact that Canada’s constitution (which until 1982 was the *British North America Act* of 1867) stated that both English and French were the legislative and judicial languages in federal and Quebec institutions, there was no legal enforcement of this provision.

In the 1960s, Davidson Dunton and André Laurendeau had chaired a Royal Commission on Bilingualism and Biculturalism (B & B) during a period when many believed there to be “a ‘crisis’ in English-French relations” (O’Donnell, 1987, p. 27). The commission worked to suggest a mechanism for practicing a linguistic⁷⁰ human right in Canada in its six-volume report released between 1967 and 1970. According to Trudeau, “every Canadian citizen has the right to communicate⁷¹ with federal authorities, institutions, and agencies in the official language of his or her choice . . . the aim of these reforms was simple enough to grasp, but it postulated an order of things that was in stark contrast to the way they had been in the past” (Trudeau, 1993, p. 125). The *Official*

⁶⁹ Dorland and Charland argued that the main purpose of this *Act* (among other policies adopted by the Trudeau administration) “attempted nothing less than to roll back a century of the linguistic divisions of Canadian history” (2002, p. 225).

⁷⁰ Some views, like McRae for example, argue that there is a difference between classical human rights (as stated in the 30 articles of the Universal Declaration of Human Rights) and linguistic rights that only emerged in bi and/or multi-lingual states; the *Official Languages Act* 1969 is regarded as one important novel approach to the application of public language usage (1970, pp. 224-227).

⁷¹ The Telecommission Studies’ proposal of the “right to communicate” idea will be thoroughly discussed in chapter six.

Languages Act of 1969 was the Trudeau government's response to the problem and the recommendations of the B & B Commission gave suggestions for how to deal with it. The *Act* squarely asserts the necessity of federal institutions to operate in both official languages, yet does not impose on individuals the obligation to be bilingual or violate their right to speak their preferred language. For example, Book IV (1969) of the B & B Commission's final report recommended that the government should extend its support to other cultural groups in Canada other than those of British or French origin.⁷² Trudeau told the National Press Club, Washington, DC, 23 March 1969:

If ...we are able to accomplish our goals of a better life for Canadians and at the same time demonstrate to our citizens that the social structure *is* capable of change, that it *is* sensitive to the needs and demands of individuals, . . . then we shall have succeeded not only for ourselves but we shall have illustrate that diversity and non-conformity contribute to a more satisfying and culturally enriched life.

(Trudeau, 1972a, p. 4, *emphasis in original*)

It is important to note that the argument that this act is important from a human rights perspective does not attempt to refute the observations of some researchers that "the ideal of linguistic equality in Ottawa has never [previously] had more than symbolic status: both languages were used in the deliberations of Parliament, in Supreme Court laws, in records of parliamentary debates, and in important public documents" (Dorland & Charland, 2002, p. 224). In other words, although the idea of a fully bilingual federal government represented in itself a ground-breaking concept, in reality it had only been practiced at the higher "official" levels and not on provincial landscapes.

⁷² For more information see the *Cultural contribution of the other ethnic groups*, Ottawa: Queen's Printer, 1969.

To that extent, the idea of advocating for multiculturalism instead of biculturalism in Canada, as of 1971, certainly paved the way to a federal enforcement of a right to communicate not only for official-language minorities, but also for other minority cultures in the 1980s. Meanwhile, this idea was announced by Trudeau on October 8th, 1971, in the House of Commons in a statement that is worth quoting at length, since it will give us the sense of the atmosphere of change that enveloped Canada as of the mid-1960s:

A policy of multiculturalism within a bilingual framework commends itself to the government as the most suitable means of assuring the cultural freedom of Canadians. Such a policy should help to break down discriminatory attitudes and cultural jealousies. National unity if it is to mean anything in the deeply personal sense, must be founded on confidence in one's own individual identity; out of this can grow respect for that of others and a willingness to share ideas, attitudes and assumptions. A vigorous policy of multiculturalism will help create this initial confidence. It can form the base of a society which is based on fair play for all. The government will support and encourage the various cultures and ethnic groups that give structure and vitality to our society. They will be encouraged to share their cultural expression and values with other Canadians and so contribute to a richer life for us all.

(Trudeau, 1972a, p. 32)

Although Trudeau's speech asserted concepts like "cultural freedom", "cultural expression", and non-"discriminatory attitudes", it might be argued that the Act was in itself a political move responding to the dissatisfaction of francophones with existing linguistic practices and, importantly, the strong separatist movement in Quebec at the time. Not only francophones, but starting in the late 1960s, as a direct result of the implementation of the *Official Languages Act*, many cultural and ethnic groups (particularly Canadians of Ukrainian origin) felt overlooked and marginalized in Canadian society, believing that the official use of English and French implied that Canadian society would be only

bicultural, not multicultural as was the official stance. In fact, this is one of the most important of Laurendeau-Dunton's recommendations in the final report of the B & B Commission; they suggested that Canada should deal positively with the groups demanding recognition for the cultural contribution of "other Canadians" (Couture, 1998, p. 92).

Two important points could be derived from the preceding discussion. The first is the increasing tensions between Canada's federal and provincial powers. As seen, although Trudeau believed in the necessity of drafting a Canadian charter of human rights, he faced strong opposition from the provinces. Such tensions would grow throughout the late 1960s and the 1970s, and represented one of the major reasons for the failure to implement the Telecommission Studies' recommendations. The second point is related to the eventual passage of the *Canadian Charter of Rights and Freedoms* in 1982, especially Section (2) of the *Charter* that states key human rights, including the right to communicate. Although this development was not within the time frame of the dissertation, it must be mentioned that the *Charter* did address these so-called "fundamental freedoms", including freedom of conscience and religion; freedom of thought, belief, opinion, and expression, including freedom of the press and other communications media; freedom of peaceful assembly; and freedom of association. It will be seen in chapter six that the Telecommission articulated these freedoms by tackling the importance of the human right to "know and be known", to "connect and disconnect", and to "communicate". As well, it highlighted for the first time the urgent need to study the right of privacy as an emerging human right in Canada, especially given the ongoing advances in technologies for data processing and storage.

Broadcasting Policy in the 1960s

The era of the Telecommission Studies is also an important period to explore since it was seen, from a communication studies point of view, as “a crucial decade for the evolution of broadcasting ideology in Canada” (Raboy, 1990, p. 182). The discussion of broadcasting policy during the 1960s is very relevant to the dissertation as it highlights the existence of a public discourse on the “public interest” aspects of Canadian communications. In fact, the discourse changed significantly in subsequent years, when the major goal instead became the fulfillment of commercial and business needs from communications.

Following the recommendation of the Royal Commission on Broadcasting (the Fowler Commission) in 1957, the government of Lester B. Pearson realized that the 1958 *Broadcasting Act* was “beyond tinkering with” (Bird, 1988, p. 355), and issued a statement on new objectives, first outlining the changing atmosphere in Canadian communications, and second, highlighting the importance of crafting new legislation that would pinpoint Canadian problems and regulate the fast-growing field of communications.

Generally, if Expo 67, the *Canadian Bill of Rights*, the *Official Languages Act*, and the idea of direct broadcast satellites were landmarks along the route toward the Telecommission Studies, it can be strongly argued that the *White Paper on Broadcasting* of 1966 and the *Broadcasting Act* of 1968 were the most significant events during this period that contributed to the inception of the concept of the human right to communicate in Canada. As stated in its objectives, the *White Paper* intended to “develop and maintain a national system of radio and television broadcasting in Canada [as] an essential part of

the continuing resolve for Canadian identity and Canadian unity” questioning “what policies are therefore appropriate in a Canada that shares the common lot of all technologically advanced countries in the electronic age” (1966, p. 5). Consequently, the *White Paper* recognized the need for a *new* public policy that would accommodate the electronic techniques of communication in Canada. In particular, it proposed the need of all Canadian people to be able to access the then-existing electronic media of radio and television, and asked Parliament to provide necessary funds to ensure that this happen, arguing that:

There is no area of human endeavour that is more affected by the present pace of technological change than the means by which people communicate with each other through electronic devices. The Canadian system must be adaptable to change. It must have a ready capacity to adjust to new forces so that it may contribute powerfully in the future, as it has in the past to the essential goal of Canadian unity.

(White Paper on Broadcasting, 4 July 1966, p. 18)

This vision was seen by some scholars as an innovative public policy doctrine: “The white paper also showed that the government was ready to venture into new territory . . . [and] calling for ‘collective control’ by the people of Canada over ‘the new technologies of electronic communication’” (Raboy, 1990, p. 172). Further, the *White Paper* upheld what Dunton and Laurendeau had recommended a few years earlier, particularly the importance of “full network services in both official languages from coast to coast” (1966, p. 9).

It is important to understand the particular importance of the role of the *White Paper* in Canadian policy; the basic role of this type of document in Canada between 1939 to 1962 was as “strictly [as an] informational role in the policy process” (Doerr, 1971, p. 182). However, during the Pearson government (1963-1968), there was a major

change in the nature and the uses of White Papers. Essentially they developed into “policy instruments” by giving Parliament needed information to form a basis for judging a given issue, i.e., whether to approve the initiative or not, as well as informing the public of the intentions of the government regarding future policy and legislation.⁷³ This was certainly the intent of the Trudeau government starting in 1968. It started a practice of issuing *White Papers* on different aspects of Canadian life for the purpose of

promoting debate and bringing in Parliament and the electorate at an earlier stage of the legislative process . . . [It also aimed to] stimulate broad public discussion among interested groups and individuals so that the government [could] receive direction from those people who [would] be most affected by the policies. By opening the process at this stage, the government [hoped], in the long run, to improve its final legislation.

(Ibid, p. 185)

It would certainly be idealistic to believe that the announced objective of the White Paper was the only one that the government intended, and it would be even more idealistic to believe that such an objective always happened in real life within the political twists of the White Paper process. This is evidenced by the earlier discussion of how Trudeau’s White Paper on a Charter of Human Rights was challenged by the provinces. Nonetheless, the shift in the usage of the White Paper is important to note here, because it shows how governments were trying to change Canadian policy at the time, particularly in terms of broadcasting and communications issues.

The 1966 *White Paper on Broadcasting* was one of these steps for change. It brought together policies regarding different aspects of the communications industry in Canada during that time; for instance, it examined such things as the regulatory

⁷³ Doerr adds, “Such presentation also offered the government an opportunity to test the opinion of the members of the House and the public before introducing legislation in its final form” (1971, p. 180).

authorities, the structure of the broadcasting system, new television channels, programming and content, ownership of Canadian facilities, educational broadcasting, the community-antenna television system (cable TV), the national broadcasting service (i.e. the CBC), and the future of Canadian broadcasting. This idea was confirmed in one of the House of Commons debates in 1967, when Alphonse Ouimet, a former CBC president, testified before the Parliamentary Committee on Broadcasting, Films, and Assistance to the Arts, that there was a need for change in the new broadcasting system to accommodate the growing transformation in the communications field, such as the new uses of broadcasting in Canada in areas like educational and community broadcasting. Further, the debates also stressed the need for public input and participation in policymaking decisions, an opinion expressed also by the Canadian Association for Adult Education (Raboy, 1990, pp. 173-174). In this area, the White paper clearly articulated the idea of freedom of expression as one of its general strategies of future policy (which was subsequently translated into the requirement to hold public hearings on communications' decisions after the *Act* was adopted in 1968): "the right to freedom of expression should be unquestioned, but all broadcasters have a responsibility for the public effects of the powerful and pervasive influence which they exercise" (*White Paper on Broadcasting*, 4 July 1966, p. 7).

In another instance, the proposed *Act* underscores the importance of freedom of choice for Canadian viewers with a system conjoining public and private broadcasting, yet it demands from both carriers a "positive responsibility to contribute to a wide range of audience choice" (1966, p. 11). For that purpose, there was a strong affirmation of the role of educational broadcasting in the *White Paper*, through its reinforcement of the

mutual cooperation between federal and provincial regulators to license this type of broadcasting. Further, the *White Paper* highlighted the urgent need to include a right to communicate for Northern Canadians, emphasizing that “for Canadians living and serving in the north and other remote parts of the country . . . broadcasting service is of inestimable importance” (1966, p. 18). Chapter four will detail how this idea became one of the focal threads of discussions in the Telecommission Studies’ seminars, conferences, minutes, and reports, as well as in the speeches and correspondence of its chairman (Allan Gotlieb) and Minister (Eric Kierans).

One strong indication that the government was interested in the issues of communications during this time is the close personal involvement of Prime Minister Lester B. Pearson in the final draft of the Act. Pierre Juneau, the first Chairman of the Canadian Radio, Television and Telecommunications Commission (CRTC), a quasi-juridical body created by the 1968 *Act*, recalls that:

As the policy was being developed, the way it works in Canada, the minister responsible for that particular topic usually writes a proposal . . . and it goes to a cabinet committee with ministers, and then ministers debate it. That documents related to the creation of the CRTC went to that committee and most of the time, committees like that are chaired by the minister who is charged of that area. Mr. Pearson felt so strongly about broadcasting that he chaired the committee himself!

(Interview with Juneau, Montreal, February 2007)

Achieving Royal Assent in March 1968, the new *Broadcasting Act* was approved and enacted as the fourth Canadian broadcasting act, representing a dramatic shift of Canadian communications policies and ideologies from concentrating merely on

“broadcasting” to generally include the wider notion of “communications⁷⁴; this new *Act* was regarded by some analysts as “the most important statute” in communications legislations (Hallman & Hindley, 1977, p. 35). Before delving into the details of this *Act*, it is imperative to say that it was squarely viewed by early right to communicate scholars⁷⁵ as “the first formal recognition of some sort of ‘right to communicate’” (Richstad, Harms & Kie, 1977, p. 115). Certainly, the discourse of the right to communicate was most apparent in this document’s general section, yet it differs unquestionably from the legal documents that preceded it, which were purely technical, focusing on the carrier of programming rather than on the content of programming. In the final document, Section 2(d) outlines the idea of freedom of expression:

The programming provided by the Canadian broadcasting system should be varied and comprehensive and should provide reasonable, balanced opportunity for the expression of differing views on matters of public concern.

(*Broadcasting Act, 1968*)

Echoing Dunton and Laurendeau’s recommendations, it states strongly in 3(e) that “all Canadians are entitled to broadcasting service in English and French as public funds

⁷⁴ I will be arguing that the focus of Canadian policies from the 1968 *Broadcasting Act* on centered on the means of communicating using electronic transmission and not only wired-transmission over space (telephone, television, cable, satellite, computer for example) as opposed to Raboy who argues that the shift was from “broadcasting” to “communications” (1990, p. 182); I fear that “communications” might refer only to the wired type of communications.

⁷⁵ With the birth of the concept of the “right to communicate” in August 1969 by Jean d’Arcy, there arose a group of communication intellectuals, practitioners, and activists who are considered to be the first right-to-communicate scholars. They are Dr. Stanley Harms and Dr. Jim Richstad (Professors of Communication at the University of Honolulu, Hawaii); Aldo Armando Coccia (Professor of International Law at Buenos Aires University and Ambassador-at-Large for Argentina); Jerzy Mikulowski Pomorski (Professor of Economics at the Institute of International Social and Economic Relations in Krakow); Desmond Fisher (Director of Television Development at Radio Telefis Eireann in Dublin). For more information see: www.therighttocommunicate.com.

become available" (*Ibid*). In fact, this particular section of the *Act* is increasingly important in elucidating the historical roots of the concept of the right to communicate in Canada since it includes key components of a right to communicate. It says that the national broadcasting service has to maintain a set of requirements for Canadian audiences. Firstly, it should sustain a "balanced service of information, enlightenment and entertainment" for all age groups, different interests and tastes equally, which denotes that the idea of "flow of information" and the importance of keeping it balanced is certainly related to considering communication a human right.⁷⁶ Secondly, the *Act* also adds that it is vital to extend this service coverage to "all parts of Canada": an idea that affirms the "access" ideal and the significance of its universal application in Canada. In the end, however, the *Broadcasting Act* of 1968⁷⁷ has been criticized as being merely "ideological" rather than causing an unreserved change in the structure of the Canadian broadcasting system as a whole. Raboy summarizes this argument:

While it strengthened the idea of the public as the ultimate value in broadcasting, it tied that value to a specific conception of national purpose. This link between the public dimension of broadcasting and the highly politicized struggle for national unity that was only beginning to unfold would mark Canada's broadcasting politics from 1968 until 1980.

(1990, p. 180)

Doubts were raised just after the adoption of the *Act* about whether the legislation could accommodate the rapidly changing Canadian socio-political and technological climate.⁷⁸

⁷⁶ In the mid-1970s the International Commission for the Study of Communication Problems (the MacBride Commission) aimed to pinpoint this idea.

⁷⁷ Chapter two will discuss in detail the creation of this *Act* since one of its drafters was Henry Hindley, the Executive Director of Telecommission Studies.

⁷⁸ Raboy contends that even after the adoption of the Broadcasting Act of 1968, the Canadian policy was "already insufficient to deal with the technological and political climate. New development . . . required new agencies and new policies" (1990, p. 181).

Viewed in this light, there was a growing need to create a new entity, first to oversee the issues related to both the “medium” and the “message” (or the carrier and the content), which was a position that clearly produced the notion of “communications” and not merely “broadcasting”. Secondly, it was argued that the social milieu in Canada, particularly in 1968/69, exemplified growing demands for public participation in the process of decision-making in the field of communications. For that, the Department of Communications was established by the 1969 *Government Organization Act* [R.S.C. 1970, c.C-24.] in which it stated its duties as: “all matters . . . relating to (a) *telecommunications*; and (b) the development and utilization generally of communication undertakings, facilities, systems and services for Canada 1968-68, c. 28, s. 9)” (Grant, 1973, p. 587, *emphasis added*).

In fact, many argued that the creation of the Department of Communications in 1969 was a logical offshoot of the immense success of Expo 67. For instance, Bernard Ostry in his, *The Electronic Connection: An Essential Key to Canadian's Survival* (1993), confirmed this idea by acknowledging that:

In 1968, after the euphoria of EXPO 67, the new prime minister, Pierre Trudeau, had wanted to be seen as creating new initiatives in government. In response to public concerns, several new departments were created, namely those of consumer and corporate affairs, of the environment and of communication.

(1993, p. 9)⁷⁹

⁷⁹ Bernard A. Ostry (June 10, 1927 – May 24, 2006) was the Deputy Minister for various ministries including National Museums of Canada, Communications, Industry & Tourism, Industry & Trade, and Citizenship & Culture. In 1985, he took the position of chairman and CEO of TV Ontario until 1992. He was made an Officer of the Order of Canada 1988 for being “an outspoken advocate of cultural sovereignty, ethics in the public service and the preservation of public broadcasting” and was promoted to Companion in 2006 (Canada Governor General of Website, available at: <<http://www.gg.ca/honours/search-recherche/honours-desc.asp?lang=e&TypeID=orc&id=2556>> [Retrieved 25 May 2007].

The newly elected Trudeau government wanted to prove its ability to change the socio-political atmosphere and nothing would show that more than choosing the rapidly growing area of communications to reform.⁸⁰ Trudeau appointed Eric Kierans as the first Minister of Communications to perform a range of duties; according to the Act, these would be related to regulation of technical standards, communications policy research, representation of Canada in international communications spheres, and acting as intergovernmental channel between federal and provincial spheres. The Act itself specifically lists the following:

- (a) coordinate, promote and recommend national policies and programs with respect to telecommunications services for Canada;
- (b) promote the establishment, development and efficiency of communications systems and facilities for Canada;
- (c) assist Canadian telecommunications systems and facilities to adjust to changing domestic and international conditions;
- (d) plan and coordinate telecommunications services for departments, branches and agencies of the government of Canada;
- (e) compile and keep up-to-date detailed information in respect of communications systems and facilities' and of trends and developments in Canada and abroad relating to communication matters;

(Department of Communications Act, Grant, 1973, p. 587)

In summary, it has been argued in this chapter that during the 1960s and early 1970s there were rapid developments and changes in communications technology in Canada and elsewhere, which in turn called for new policies and a new understanding of law and communications. This particular period, as discussed in the introduction, was one when perspectives were very different than in subsequent times, especially in terms of the role of public policy in communications.

⁸⁰ I will explain in detail the relationship between the thoughts of Pierre Trudeau and the field of communications in the 1960 and early 1970s in chapter four.

The chapter explained how legislative initiatives such as the *White Paper on Broadcasting*, and the *Broadcasting Act* that followed, promised changes in keeping with the prevailing mood of the times. For example, section (3) of the *Broadcasting Act* 1968 squarely states the hope that in the event of conflict between the “private” and the “public” components in the Canadian broadcasting system, that conflict should be resolved in favour of the “public interest”.⁸¹ In other words, the priority and the obligation was clearly for serving the *public interest*, and not commercial interests. Raboy provides compelling evidence that from the 1970s onward there was an “increased tendency among political decision makers to think of the public as audience, consumer, and even stock market investor” (1990, p. 227). In other words, there was an ambiguity in public policy, meaning that its stated goal of favouring the public interest (in such documents as the *White Paper on Broadcasting*, and the *Broadcasting Act*), was contradicted by its new tendency to regard the public as merely “consumers”.⁸² Raboy confirms that even the CRTC, as a major regulatory agency in communications, “in spite of the explicit wording of the broadcast act . . . has protected the interests and guaranteed the profitability of the broadcasting industry” (*Ibid*, p. 235).

For these reasons, this dissertation stresses the significance of the efforts of the Telecommission Studies in advocating and campaigning for the idea of

⁸¹ Section (3-n) of the *Act* particularly states “where any conflict arises between the objectives of the Corporation [CBC] . . . and the interests of any other broadcasting undertaking of the Canadian broadcasting system, it shall be resolved in the public interest” (*Broadcasting Act*, 1968).

⁸² Evidently even the CBC (as Canada’s public broadcaster) could not manage to navigate against the strong commercial waves of the time; as a result of the “constraints of the marketing environment”, Raboy adds, it was “drawn . . . into a mode of operation increasingly based on mass appeal . . . resulting in the erosion of ‘the original public interest purposes of the organization’” (1990, p. 232).

“telecommunications and the people” and the right to communicate as key components in a communications public policy to serve the public interest (as will be detailed in chapter six). Yet, given the “ideological winds” at large in Canada from the mid-1970s through the 1980s, Raboy adds, “The public function of broadcasting has been rolled back” (*Ibid*, p. 336).

In the following chapter, the dissertation will detail examples of ideas and positions that affected the intellectual standpoint of the Telecommission Studies on the public interest and the right to communicate. It will particularly argue that a group of ideas was spreading within different spheres of power (through Pierre Trudeau; his Minister of Communications Eric Kierans; his deputy, Allan Gotlieb; and the executive director of the Telecommission, Henry Hindley) that fed into the intellectual transformation of communications public policy that the Telecommission Studies pioneered.

CHAPTER 4

Ideas and Networks:

The Intellectual Transformation of Communications Public Policy

This chapter locates a group of ideas and initiatives that aimed to transform the field of communications public policy in Canada during the period under examination by this dissertation. Drawing from the public policy literature discussed in chapter one, the dissertation particularly examines the ideas and networks between and among four different levels in the communications public policy hierarchy, arguing that each played a significant role in transforming the understanding of the role of Canadian communications public policy during that time, and focusing mainly on the idea of *public interest* and the right to communicate. Public policy theorists argue that the rational-hierarchical model of public policy implementation starts with an analysis of the elected officials responsible for designing the general scope and philosophy of public policy in Canada. Adopting this framework, the dissertation first examines the role of Pierre Trudeau, not only because he represented the highest level in the power hierarchy of Canadian policy-making, but also because of his unique political doctrine and philosophy, which greatly affected the way the Telecommission approached its investigation, especially concerning the treatment of communication as a human right.

Liberal Leadership: Trudeau and the *Just Society*

Scholars believe that Trudeau is “unique among the prime ministers . . . because prior to entering politics he wrote extensively about his philosophy of politics” (Doern & Phidd, 1992, pp. 126-127). From the time he took office as Prime Minister in 1968, Pierre Elliott Trudeau was described as practicing a new kind of politics through his own “capacity to communicate” (*The Globe and Mail* in Head, 1970, p. v), and his ability to represent the “heady mood of innovation that characterized Canada in the late 1960s” (Axworthy, 1989, p. 134). One can attribute some of the radical changes in Canadian society in late 1968 to his liberal ideas and enthusiasm for change. Trudeau asserted the role of intellectuals and policy-makers in advocating for change in his book *Toward a Just Society*: “[This] book is about change. More precisely, it is about how one group of decision makers anticipated, interpreted and reacted to the multiple changes which transformed the world and Canadian society between 1968 and 1984” (Trudeau & Axworthy, 1990, p. 1).

It was not surprising to find Trudeau advocating ideas about liberty, freedom and equality, starting with his proposal for a *Canadian Charter of Human Rights* in 1968, as discussed in chapter three, then trying to achieve them when he became Prime Minister.⁸³ These themes could easily be traced in his writings and speeches, starting in the 1950s when he and a group of friends, launched *Cité Libre* magazine⁸⁴ in Quebec, to express

⁸³ The proposal was described by some public policy analysts as a “brilliant and precise document” (Harbron, 1968, p. 94).

⁸⁴ The idea was hatched in Paris by Jean Marchand, and Gérard Pelletier, who were working with labour unions in Quebec, and Roger Rolland, who produced programming for Radio-Canada, among others. This group had met in Paris and vaguely discussed the idea of forming a magazine in Canada to express their opinions covering local and national issues.

their points of view concerning political, social, and cultural national matters in Canada. Observers say that although *Cité Libre*'s distribution did not exceed more than 1,000 copies, it offered an intellectual "rallying point for those fighting for individual freedom" (Stuebing, 1968, p. 30).

As one of Trudeau's close friends, Pierre Juneau remembers that *Cité Libre* was introduced to Canada in 1932 by a "remarkable man" — Gérard Pelletier⁸⁵. In 1952, Pelletier formed *Cité Libre*, which was not a typical magazine but a "sort of review . . . a very modest publication" that dealt with social and political issues, advocating ideas of justice, freedom of speech and the rights of workers — topics that were of great interest to both Trudeau and Pelletier. Juneau adds that undeniably, "*Cité Libre* created both Pelletier['s] and Trudeau's careers" (Interview with Juneau, Montreal, February 2007). For Trudeau and his friends, as he explained in his *Mémoires*, *Cité Libre* was "a means of influencing social and political thought, [however, he added,] but my status as a civil servant prevented me from putting my name on certain articles I wanted to write" (Trudeau, 1993, p. 65).

Trudeau regarded Expo 67 as the point of departure for the Canadian belief in the potential of communications technology and its use as *a vehicle for social justice*. For example, he wrote that "events of the magnitude of Expo 67 . . . serve to illustrate in dramatic fashion the richness of man's culture, [and his] unlimited capabilities"

⁸⁵ Juneau explains that Pelletier was inspired by "les jeunesse étudiants catholiques" — a group active in Belgium around 1920, which emphasized the importance of youth and advocating for workers' rights, etc. In 1935 in Montréal, Pelletier created "Jeunesse Étudiants Catholiques" and acted as its president until the 1940s. He believed that responsibility should be given to the younger generation and asserted that they should not be preached at with doctrines, but rather, one should work within their actual milieu. Juneau remembers that he joined this group only because he was very much impressed by Pelletier, who was a talented writer and journalist (Interview with Juneau, Montreal February 2007).

(Trudeau, 1972a, pp. 141-142), and that Canada adopted this vision during the Fair: “Nous avons, nous canadiens, proclamé l’Expo 67 . . . que cette terre devait être une Terre des Hommes” (Trudeau, 1972b, p. 17).

A few years later, in an interview with *The New Yorker* on 5 July 1959, Trudeau explained that the idea of justice for him was the starting point for his policies, and a crucial issue in Canadian society. It is difficult to tell, however, whether this view was stated as part of his charismatic style of public speaking, or whether it really was a utopian ideal that he hoped to achieve.⁸⁶ Whichever it was, he stated in his own words that:

Justice is the problem — the one about which I have been concerned the most, stated the most, thought the most . . . I was not dreaming the Just Society up as a catchword or cliché . . . To me, it summed up the total of the relationships in a society of free man. The Just Society is the kind of society freedom would establish.

(Trudeau, 1972a, p. 12)

After returning to journalism, following his work in the Department of Communications, Richard Gwyn explained in *The Northern Magus* (1980), his biography of Trudeau, that if Trudeau was not sure about the ends of his actions and policies, or what they might lead to, he was “crystal clear [about the] means. Problems would be solved by ‘reason rather emotionalism’, and by the techniques of ‘advanced technology and scientific

⁸⁶ Trudeau asserts: “I have long believed that freedom is the most important value of a Just Society, and the exercise of freedom its principal characteristic. Without these . . . an individual in society could not realize his or her full potential. And deprived of its freedom, a people could not pursue its own destiny—the destiny that best suits its collective will to live” (Trudeau, 1990, pp. 357-358).

investigation⁸⁷ . . . Planning of course would require planners, ‘*New guys with new ideas*’ (1980, pp. 94-95, *emphasis added*).

Although he stated that he hoped to use media technologies as tools of mass participation, Trudeau’s doctrine of change and tendency to rely more on the “new guys with ideas” in this field was not accepted by everyone.⁸⁸ It was heavily criticized by the media that favoured the “senior civil servants” or we might say the senior bureaucrats of the time. For example on 15 January 1969, the *Winnipeg Free Press* published an editorial by Shaun Herron entitled “Prisoners of the Elite,” which severely criticized Trudeau’s doctrine of consulting academics and experts—a style also adopted by the Telecommission as will be seen in chapters five and six—accusing him of favouring a new “technocratic-academic élite” spreading “illusions” through their theories:

It seems that Mr. Trudeau is greatly attracted by . . . his favored advisors [who] appear to be men whose chief interests are the technocratic adaptation of business administration to politics . . . I begin to see in Mr. Trudeau an intention to create a computerized processing plant where academics corrupted by power and technocrats in the processing of information . . . to replace the vital functions of the elected politician. . . . He is tempted to take it away from the senior civil servants and place them . . . under the domination of a technocratic-academic élite . . . whose *theories or illusions* can now be rammed down Parliament’s throat . . . My point is that Mr. Trudeau is the prisoner of the mythologies of the kind of people he trusts, his own élite; and they are the prisoners of their own trend theories.

(Butler & Carrier, 1979, pp. 87-88, *emphasis added*)

⁸⁷ Gwyn said, “Participatory democracy was the mandatory, rational corollary to rational planning within. Combined, these forces would create ‘the servant state, efficient yet responsive, scientific yet humanist’ ” (1980, p. 95).

⁸⁸ He says in 1968 that “it is our determined wish to make government more accessible to people, to give our citizens a sense of full participation in the affairs of government” (Bom, 1977, p. 40).

Allan Gotlieb,⁸⁹ on the other hand, recalls that Trudeau had a strong interest in communications technologies, and said that perhaps one of the intellectual influences on him was Michael Pitfield, one of Trudeau's closest friends and the assistant secretary of the Privy Council Office during this time. Pitfield, as Gotlieb remembers him, was "fascinated by the importance of satellite communications and computers, inevitably, he communicated a lot of that contagious excitement to Trudeau himself" (Interview with Gotlieb, Toronto, September 2006). Speaking of the powers involved in the public-policy decision-making process, scholars confirm that Pitfield "is without no doubt the official who most elicited concern in the Trudeau era" who assisted Trudeau since his prime-ministerial tenure to "shape [his] view that government had to be more rational, and fostered the Trudeau's fascination with systems and reorganization" (Doern & Phidd, 1992, p. 168). Yet even earlier, Trudeau had expressed his belief in the power of communications technology (e.g. satellites, radio, television, etc.)⁹⁰ as important factors in social change, at the same time asserting the importance of culturally and socially integrating these technologies into society, and the need to formulate a philosophy of technology. This seems to refute the *Winnipeg Free Press* accusation. In his 21 November, 1969 speech at the Liberal Party Congress, he explained:

⁸⁹ Gotlieb was one of Trudeau's close friends, and he recalls that he first met him in 1965. "I was a close person . . . his advisor; and when he became a Minister of Justice, he appointed me among a group around him to work on the constitutional reform. So, I worked directly under him in 1967-8; I wrote a foreign policy papers and analyses for him although not political . . . I helped him also in his speeches in his campaign" (Interview with Gotlieb, Toronto, September 2006).

⁹⁰ For example, he said, "I'm personally convinced that with the upheavals promised by automation, cybernetics . . . liberal democracy will not long be able to satisfy our growing demands for justice and liberty, and that it should evolve toward a form of social democracy" (Somerville, 1978, p. 197).

Qu'est-ce que la technologie? L'ensemble des techniques et des machines? Oui. Elle est tout cela, mais plus que cela. La technologie est avant tout la rationalisation scientifique de l'agir, et de l'agir en sa quasi-totalité, car il est impossible de limiter a priori le champ technologique. ... Il faut donc travailler à l'intégration culturelle de la technologie. ... On ne doit pas juger la technologie comme un bien absolu, mais comme un apport indispensable relatif et perfectible, comme un moyen privilégié que l'homme s'est donné pour prendre en main sa propre évolution.

(Trudeau, 1972b, pp. 84-87)⁹¹

Mass participation, then, was one of Trudeau's ideas during the 1960s and one that greatly influenced his ministers, as well as many of the newly formed federal departments of the time, including that of communications. Gwyn argues that Trudeau's utopian goal of achieving mass participation in Canadian society, although novel, turned out to be an illusion, because in a large country like Canada, it is virtually impossible for citizens to emulate the atmosphere of the Athenian agora, and to easily engage in political and social governance. This dream nonetheless was demonstrated clearly in Trudeau's 1968 election manifesto, which stated his goal "To make government more accessible to people, to give our citizens a sense of full participation in the affairs of government" (as quoted in Gwyn, 1980, pp. 100-101). In fact, analysts believe that Trudeau, in this particular aspect, was a political philosopher, since he was preoccupied with the *structural*, i.e. creating the mechanisms to establish governmental institutions that correspondingly make government more efficient (Radwanski, 1978, pp. 141-142). Stressing the point, Trudeau summarized his political doctrine in a speech addressed to the Canadian Club in

⁹¹ In a speech to the Liberal Party of Vancouver on 1 May, 1971, he confirmed that "Man's technical achievements in the past two hundred years have been breathtaking, but the test of our civilization will be the measure of control to which these achievement are required to submit in order to be at the service of society . . . we stand at this juncture in history in . . . great . . . need of a philosophy of technology. . . In the absence of a philosophy of this age we must give the appearance of a generation gone mad" (Trudeau, 1972a, p. 25).

Winnipeg on 23 May 1968, on aspects of freedom and liberty that he dreamed of achieving in his *Just Society*:

I am a pragmatist in politics, which does not mean that I do not have ideals. I have some basic principles which I like to see applied in our country and they can be very roughly and easily defined in terms of liberty, a democratic form of government, a parliamentary system, respect of the individual, . . . and so on.

(Trudeau, 1972a, p. 11)

An example of this is the way Trudeau applied his ideal of equality in the *Official Languages Act* of 1969, and the proposal for the Human Rights Charter in 1968, discussed in chapter three. Collectively, these very strong positions adopted by Trudeau during the time frame of this project, on the use of communication to encourage public participation and democracy, are significant. And it was reflected in the intellectual work, discourse, and even the vocabulary of participants, organizers and attendees of the Telecommission Studies, as will be discussed in chapters five and six. Marshall McLuhan was also an important influence on the thoughts of Trudeau, who declared in the House of Commons on 19 March, 1969 that “Mr. McLuhan speaks about the ‘global village’, and he is right: we are truly living in a global village” (*Ibid*, p. 166).

McLuhan Inspiring Effects

“Marshall McLuhan has helped us all to realize a lot of things” declared Trudeau in *Maclean’s* magazine on 3 April, 1969 (Trudeau, 1972a, p. 11). The relationship⁹² between McLuhan and Trudeau was another indication to the Telecommission that the

⁹² In the Public Archives of Canada, there are forty-two letters from McLuhan to Trudeau and 44 short letters from Trudeau to McLuhan, many of these personal replies.

political leadership believed in the importance of communications during this particular period marked by rapid change. Their relationship went back to 1968, when Trudeau was Minister of Justice, continuing through his Liberal Party leadership campaign and his terms as Prime Minister of Canada, until McLuhan's death in 1980.

Throughout their correspondence, McLuhan tried to give Trudeau some of his media expertise by advising him on the effective use of television⁹³. He offered some very flattering comments. For example, after seeing a videotape of a debate between Trudeau and Robert Stanfield, who ran against him in the election, McLuhan wrote to Trudeau on 12 June 1968, commenting that Stanfield's image was like a "Yankee horsetrader, shrewd as sabbatical or hebdomadal. I gather he is a distant relative of mine . . . your own image is a corporate mask, inclusive, requiring no private nuance whatever. This is your 'cool' TV power. Iconic, sculptural. A mask 'puts on' an audience. At a masquerade we are not private persons" (Molinaro *et al.*, 1987, p. 354).⁹⁴ In another instance, he wrote to him on 21 September, 1971, praising him as "immeasurably the greatest Prime Minister Canada has ever had" (*Ibid*, p. 439).

⁹³ He told Trudeau in his letter dated 12 June 1968, "The age of tactility via television and radio is one of innumerable interfaces or 'gaps' that replace the old connections, legal, literate and visual" (Molinaro *et al.*, 1987, p. 354).

⁹⁴ On 24 January 1969, McLuhan wrote him another letter in which he viewed Trudeau's face as "the very cool corporate mask" that McLuhan considered as Trudeau's "major political asset [that] goes naturally with processing of problems in dialogue rather than in the production of packaged answers." Conversely, McLuhan gave Trudeau convincing reasons to follow his advice when he told him "You are the only political image of our time able to use the T.V. medium without being forced to become a tribal buffoon or cartoon like De Gaulle. All the other political figures of the Western world are merely faded photographs on the T.V. medium" (Molinaro *et al.*, 1987, p. 362).

By contrast, other advice was very useful and sound.⁹⁵ For example in October 1968, McLuhan joined Trudeau and Bob McCormack — a producer for the CBC radio program *Talks and Public Affairs* — in a meeting organized by Richard Stanbury, the president of the Liberal Party, to discuss the idea of “participatory democracy.” (This topic was discussed at length in the Telecommission conferences, as will be explained in chapter six).⁹⁶ After the discussion, McLuhan chatted with McCormack and commented on the exchange to Trudeau in his letter of 17 October, 1968, in which he advised him to effectively use the medium of television to create what he called “government of the air.” McLuhan advised Trudeau that a strategy he should follow would be to meet student-power groups in high schools and colleges in small groups, not to use any formal settings involving lecturing or talking one-way to them, and importantly, instead of discussing their problems, Trudeau should discuss his own. He suggested: “If you could chat with the leaders of such groups on TV ... it would itself be participation in the highest levels of government, since these people represent one of the principal problems of government today” (in Molinaro *et al.*, 1987, p. 356). This technique, according to McLuhan, would be effective because it would be in a *bureaucracy-free* environment, a setting that students rarely experience, surrounded as they are by school, college and university bureaucracies.

⁹⁵ Marchand documents that although Trudeau “never followed this suggestion” the idea was very worthy, especially in this particular situation, when “student power” represented an actual threat to the government’s stability after the 1968 election.

⁹⁶ McLuhan apparently couldn’t help, even in these instances, flattering Trudeau. For example on one occasion he assures Trudeau of the inevitability of his charismatic influence on the students, saying, “During such discussions ... your natural, easy, flexible way would relax them and alert them to many features of the world in which they live, in a totally new way” (Molinaro *et al.*, 1987, p. 362).

McLuhan even went so far as to volunteer to contact the leading student activists at the University of Toronto on Trudeau's behalf. And he added more specific advice: "No preliminary briefing or scripting of any kind would be necessary or desirable. All protocol could be tossed aside. I feel confident that the obvious obstacles to this innovation can be bypassed. This kind of political mountain-climbing could be done in spite of all the obvious road-blocks." He concluded that such a program, if televised, would be not only political, but also educational (*Ibid*, pp. 356-357).

As of 1968, McLuhan, "saw himself in the role of advisor to this luminous politician," while Trudeau warmly accepted this friendship because he "genuinely appreciated people who had made a name for themselves in their chosen fields" (Marchand, 1989, p. 234). For example, he wrote Trudeau in December 1968 wondering if they could meet, and offering his services to the Prime Minister:

I am therefore very eager to be of help to you, perhaps we can invent a way of making this possible within the severe limits imposed upon your time. Do you think the telephone a practical possibility? Would a personal representative of yourself, visit[ing] me here, be another possibility?

(Molinaro *et al.*, 1987, p. 359)

Surprisingly, and despite their mutual admiration and continuous contact up to the time of McLuhan's death in 1980, McLuhan confided to one of his close friends that he was positive that Trudeau never "understood anything he said" after their first meeting in 1968. "There was no meeting of the minds [and Trudeau] didn't have the least comprehension of what I was saying" (Marchand, 1989, p. 234).⁹⁷ They had also some

⁹⁷ Marchand argues that McLuhan "loved to write letters to eminent people" he met or hoped to meet, such as Hubert Humphrey, Henry Ford II, King Carl Gustav and Jimmy Carter, among others. Yet his close contact with Trudeau was "the closest McLuhan even came to an ongoing relationship with someone in power" (1989, pp. 234-235).

disagreements on particular issues, such as the *Official Languages Act*, about which McLuhan wrote to Trudeau on 6 December 1978, saying: "I am trying to discover the line of reasoning that led to the adoption of a bilingualism policy as a means of unity, when it almost certainly has the opposite effect" (Molinaro *et al.*, 1987, p. 540). Given the importance of the subject and its centrality for Trudeau's own *Just Society*, he replied to McLuhan on 18 December 1978 strongly asserting his view on a right to communicate in Canada:

Surely unity would be greatly increased 'if we could all communicate with each other', and that far from being divisive the Official Languages Act was not intended to make people bilingual but to ensure that 'both the principal languages of the country would be fully respected at the federal level.' If each group feels that the other is not being favoured by the government, unity will be promoted.

(*Ibid*, p. 540)

Following McLuhan's death, Trudeau wrote to Corinne McLuhan on 7 January, 1981, expressing his sympathy and affirming the two men's longstanding relationship, assuring McLuhan's widow of her late husband's influence on his thinking:

Much will be said and written, and rightly so, about his marvellous intellect, his years of teaching, his global eminence as a social theorist, as a seminal scholar and writer. ... I have long valued his friendship, and have warm memories of our stimulating conversations. His letters were a constant delight, even when they included those terrible puns he used to urge me to use in political debate. Marshall's life and work increased my sense of pride in being a Canadian. His crackling mind provided me with much pleasure and many lasting insights. His work, I am sure, will live on to challenge thoughtful men and women of future generations.

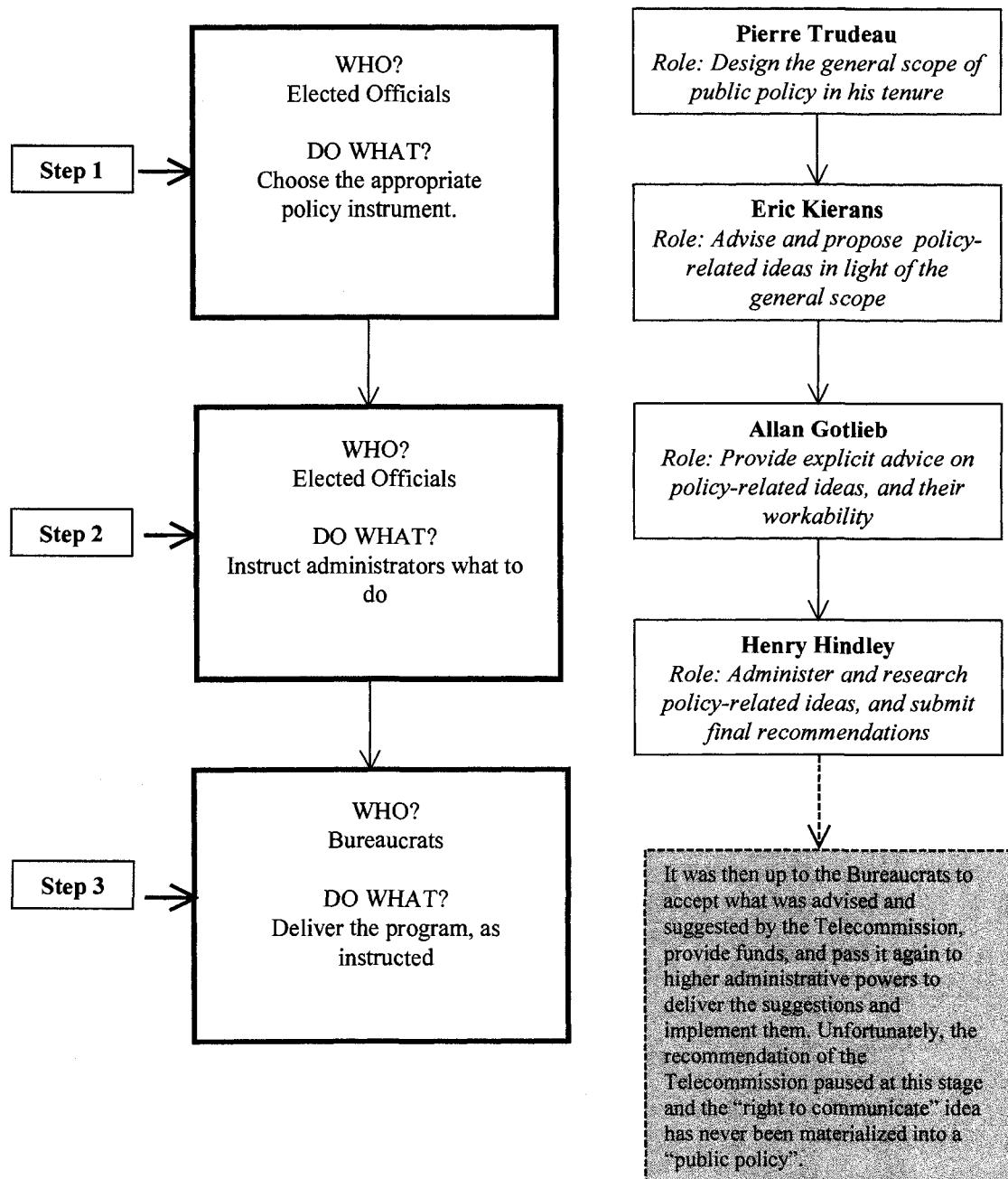
(Molinaro *et al.*, 1987, p. 547)

As will be seen in chapters six and seven, the ideas and philosophy of Trudeau represented an *inspiration* for many during the late 1960s, especially the people of the Telecommission Studies through his relationship with Allan Gotlieb. Whereas some view

the Trudeau government as “technocratic and arrogant”, others confirm that this might be due to Trudeau’s own interest in politics. They say that Trudeau was not interested in the economy, instead “language policy and the Charter of Rights were his chief interests” (Doern & Phidd, 1992, p. 119).

Figure 4 illustrates the different stages public policy analysts identify in the hierarchy of policy implementation in Canada. The dissertation has indentified (theoretically) four levels in the chain leading to implementing a given policy. However, what follows is a specific discussion of particular individuals who fulfilled those roles in the case of the Telecommission and the development of the right-to-communicate concept. First, the influence of Trudeau, who as prime minister was the highest level in the hierarchy and the “critical centre of the policy process” (*Ibid*, p. 52), in which he defined the general scope and philosophy of his public policies, as discussed in the previous section. Second was the first Minister of Communications, Eric Kierans—or the *Agent Provocateur*⁹⁸—whose main role was to advise and propose policy-related ideas in light of the general philosophy adopted by Trudeau. Further, the role of Allan Gotlieb, as deputy minister, was to provide explicit advice and expertise on policy-related ideas. Particularly during the late 1960s, there was a doctrine adopted by Trudeau to appoint a deputy minister to help enhance the control over the ministry, since the deputy minister would focus mainly on the bureaucratic process and ways to improve the details of work (Doern & Phidd, 1992, pp. 163-164).

⁹⁸ This is Allan Gotlieb’s term for Kierans, taken from my September, 2006 interview in which he summed up Kierans’ contribution to Canadian politics and communications.



Original figure from Brooks & Miljan, 1993, p. 93

Figure 4: The Rational-Hierarchical Model of Implementation

The fourth link in the chain of the policy implementation process, in the particular case studied in this dissertation, was Henry Hindley, whose task was to continuously research—and to administer others who conducted such research—the particularities of the proposed policy idea. This was his role in directing the research on the idea of the right to communicate in the Telecommission Studies. The final outcome of the process was up to the bureaucrats whose work entailed—administratively and resourcefully—passing the proposal/recommendation or not to the Parliament as will be seen in the conclusion of the dissertation. This was the stage at which the Telecommission's proposals were stalled, as will be seen in chapter seven.

Transforming Communications Public Spaces: Eric Kierans⁹⁹

Kierans was a real radical. A brilliant man . . . a totally unconventional thinker¹⁰⁰; and he was a non-conformist . . . he liked to disturb people intellectually . . . he likes to shake them up. He has a mission aside . . . he hated conventionalism; that is why he didn't last too long in the cabinet. But he was very exciting . . . I had a very wonderful relationship with him that I will never forget.

(Interview with Gotlieb, Toronto, September 2006)

Eric Kierans didn't merely play the role of the first Minister of Communications, but was indeed a major player in the intellectual climate of Canadian communications during his short public service (1968-1971); his thoughts and positions are evident throughout the work of Telecommission Studies. His role as one of the key players in this dissertation started when he got a phone call from Pierre Trudeau, to tell him that he had made it into

⁹⁹ A detailed biography of Eric Kierans is appended to the dissertation.

¹⁰⁰ "Kierans has been, in short, one of Canada's most prominent public commentators . . . He is probably best described as an 'engaged intellectual,' on the European model – a rarity in North American political life" (McDougall, 1993, p. 195).

his new cabinet as the Postmaster General and the first Minister of Communications. Eric Kierans had hoped to get a position more relevant to his economic background, but nonetheless found the field of communications appealing to both his interests and his belief in reform. He took on the portfolio with high hopes of applying new technological methods in the post office, building a Canadian satellite, and reforming Canadian communications public policies among other things. Some of these goals were partially achieved; others were not. During his short two-year tenure he made a reputation for detecting the field's problems, and made these his new battleground.

For Kierans, part of the battle was based on the fact that his appointment was to two very different areas: the Post Office and communications. Although these could be linked on "a conceptual basis", Swift argues that "they were in no way similar organizationally or politically" (1988, p. 208). First of all, the Post Office is one of the oldest federal departments in Canada; the Department of Communications had just been created and had to be built from the ground up. "It had no bureaucracy, no facilities, no paper clips. [For Kierans, it] was an opportunity to put new ideas about communications and information into practice for the twenty-first century. . . There seemed to be unlimited policy paths to explore. It looked fascinating" (*Ibid*, p. 208).

Before he started, he had to find a deputy minister; as a newcomer to Ottawa, he asked one of his friends and an advisor to Trudeau, Carl Goldenberg: "who shall I talk to in Ottawa?" Goldenberg said, "you should meet Allan Gotlieb, you will enjoy each other," Allan Gotlieb remembers. Over dinner at the Château Laurier, Kierans made some sharp critical opinions attacking one of Gotlieb's friends and great heroes, Marcel

Cadieux¹⁰¹, who was Undersecretary of State for External Affairs. Gotlieb was angered by Kierans' remarks and said "Wait a minute Mr. Kierans, I should be frank with you, I think this is absolutely wrong . . . this is totally unfair", he continued, "and by the end of this dinner, I got the job as his deputy minister . . . we had a wonderful relationship, really wonderful relationship" (Interview with Gotlieb, Toronto September 2006).¹⁰²

Both gained from their relationship: Gotlieb, who had a strong connection with Trudeau at the time, considers the job as "jumping three levels in the hierarchy" (Swift, 1988, p. 209). Kierans had the advantage of having Gotlieb handling the organization of his newly created department with all its challenges, expectations and unavoidable problems. Swift comments that "he had more than enough on his plate with the Post Office, a department still struggling to drag itself out of the nineteenth century" (*Ibid*, p. 209).

Historian John McDougall admits that "Only a fool, or an unforgivably sycophantic biographer, would try to make the case that Eric Kierans was a blazing success as a federal cabinet minister during his brief tenure, from 1968 to 1971" (1993, p. 105). However, it is undeniably true that throughout his short term in the federal government, Kierans tried hard to translate what he believed needed to be done into reality, over three different "battlegrounds": modernizing the Post Office; launching a

¹⁰¹ Gotlieb remembers that Kierans made these discouraging remarks because they "derive from his experience when he was a Quebec minister. But Cadieux was anti-separatist . . . he was one of the truly great Canadian I've ever known" (Interview, Toronto, September 2006).

¹⁰² Gotlieb recalls that "Kierans then looked absolutely astonished. And he left there saying "I want that man [Gotlieb] as my deputy minister! I want a man that tells me that I am full of bologna!!" (Interview, Toronto, September 2006).

Canadian satellite; and fighting bureaucracy in favouring a reform in Canadian communications in particular, and in federal policies generally.¹⁰³

The Post Office Crisis

The first challenge Kierans faced was to modernize the Post Office, updating its technology, and providing it with well-trained management and administration able to meet the technological changes of the 1960s; he considered “[this] task [as] urgent saying there is no alternative” (McDougall, 1993, p. 118). It is sufficient to say that this attempt was a nightmare for the freshly appointment minister; he became daily fodder for political columnists and cartoonists, who mocked the “dial-a-Kierans plan,” his first attempts at transforming the post office into a communication center where customers could find computer data transmission, telegraphs and telephone services. They called his proposal to create free phone service across Canada to facilitate the tools of communication between citizens and the government, a “dial-a statement” (Dial-a-Kierans Questioned by MPs, 30 October 1969, p. 4-News). It is generally agreed that although these attempts demonstrate Kierans’ “ambition that, it seems fair to say, was not characteristic of the government as a whole” (McDougall, 1993, p. 118).

¹⁰³ McDougall insists that whilst Kierans’ positive achievement in the federal politics “stand as little more than a footnote to his far more substantial contribution to the politics of Quebec, his failures in Ottawa are another matter, depending on how one reads them”. McDougall continues “If Kierans’s failures and broad inconsequentiality in Ottawa were merely a matter of limited abilities or insufficient effort, the story would be simply banal, certainly uninteresting. However, if his failures say less about him than they do about the conditions and people that he met there, then they may contain a lesson about Canadian public affairs precisely because he brought to national politics some extraordinary, strengths and worthy objectives” (1993, p. 105).

As Postmaster General, Kierans realized that the process of processing and sorting mail was extremely slow and ineffective due to the management's poor conduct and knowledge on the technical level, and the general attitude of resistance to change by the workers. Yet, this task "appealed to the modernizer in Kierans" (Swift, 1988, p. 211). Therefore, he proposed to the House of Commons a process of mechanizing the mail in order to reduce the operating costs. His idea was to divide the country into zones; each zone would have a six-digit postal code to facilitate the machine-sorting process. He also suggested ending Saturday mail delivery in cities, and replacing the older managers by younger staff. Kierans translated his thoughts on the role of government into maximizing changes in its political, economic, and technological areas, and that is exactly what he tried to achieve in his concept of the post-office as a *communication space*. He wrote on the importance of research, technology, and youthful gifted Canadians in the communications age in his *Le Canada vu par Kierans*:

La politique des pouvoirs publics doit consister à susciter et à financer les travaux de recherches et la technologie nouvelle; en revanche, . . . ce ne sont que des hommes nouveaux, jeunes et énergiques, qui nous permettront de réaliser des objectifs canadiens et un style canadien; ce sont en effet des hommes nouveaux qui pourront faire face à la concurrence tout en fournissant au Canada les talents administratifs et l'esprit d'initiative dont notre pays a besoin.

(Kierans, 1967, p. 88)

Kierans "naively believed that he could reform the Post Office" (Swift, 1988. p. 213); however, in the end, his plans for transformation were not accepted, and resulted in strong tides of criticism in daily newspapers. For instance, *The Globe and Mail* said in January 1969 that "He told us . . . [that] "all these are the waves of the future. It is my intention that the Post Office should ride those waves and not be submerged by them.

Having watched the Post Office performance of the past few months, we suspect who's going to be submerged. Us" (Government-by-Surprise, 24 January 1969, page 6-News).

As we have seen, Kierans tried to apply his economic expertise to restructuring the Post Office so that it could compete with the private sector, hoping that this strategy would promote what the government (and Trudeau as the head of the hierachal powers) claimed to endorse—the *Just Society*. He declared in the House of Commons, reminding everyone of what should be endorsed in Canada, from his opinion:

A just society, Mr. Chairman, depends on a thriving economy, for only an efficient, expanding economy can afford the costs of rectifying injustices, improving distributions of wealth and incomes and hope to reduce the burden of poverty. The institutions of such an economy and such a society must be efficient and thriving. The post office is such an institution.

(cited in McDougall, 1993, p. 117)

Telesat: Canada in the Space Age

If Kierans was criticised for his unsuccessful attempts in reforming the Post Office as the Postmaster General, one of his undeniable accomplishments through his position as Minister of Communications was the creation of Telesat Canada-- the world's first domestic satellite. Kierans was tempted by the idea of a satellite for national purposes, which grew out of with his wide expertise in the field due to his regular attendance of UNESCO conferences as discussed in chapter three. He was dedicated to the study of the direct satellite broadcast, and was the real key player in three different ways in advocating for the launching of a Canadian satellite. Firstly, this stance could be considered as his successful ministerial contribution after his Post Office fiasco. Secondly, it was a valuable opportunity for Kierans to apply his intellectual political philosophy and translate his theory of the role of the government in the relationship

between private and public sector into practice. Finally, the decision to acquire the satellite hardware from the American Hughes Aircraft Corporation rather than RCA Ltd. of Montreal “was the most politically charged decision that Kierans made as a federal minister” (McDougall, 1993, p. 133).¹⁰⁴

As of late 1967, there were ongoing studies in Canada on the use of satellites for national purposes, through the control of its own vast geographical land by facilitating means of communications (long-distance transmission of telephones as well as television signals and data).¹⁰⁵ For Kierans, this was what he was looking for, the theme of bringing to the northern land instant and constant communication with the rest of the country as well as developing the dissemination of the French-language broadcasting to increase ties between Quebec and the rest of the country. In one of his speeches, Kierans expounded this idea linking it to the *Just Society* philosophy of the Trudeau government:¹⁰⁶

If there is one thing that can be safely said . . . it is that Canada has one of the most extensive and efficient telecommunications systems in the world. However . . . it is also obvious that some regions are better served than others. And as might be expected remote regions like the Canadian north are among the less favoured . . . I am convinced that we must also be moved by concern for the quality of life and social justice. And I am certain that the Department of Communications has an important role to

¹⁰⁴ The idea will be further explained in this chapter.

¹⁰⁵ Such as the White Paper prepared in 1967 by Bob MacIntosh, who was a graduate student of Eric Kierans while at McGill (See Swift, 1988); as well as the Chapman report discussed in chapter one.

¹⁰⁶ Kierans appeared before the House of Commons Broadcasting Committee to refute those that said that there was no need of a Canadian satellite because it would be too expensive and hence should be totally commercial without any governmental role, and that with the time difference in Canadian zones, television broadcasting coast-to-cost would be “impractical” and useless. Kierans and his deputy minister, Allan Gotlieb defended their position, saying that the satellite would not only be for east-west communications but also “largely providing the North with communications facilities that are too expensive to provide any other way” (Seale, 7 March 1969, p. 23-News).

play on behalf of the Canadian people, not only in making economic development of the North easier, but also in fulfilling our government's commitment to social justice.

(Kierans, 1970, p. 2)

The work on the project of launching the Canadian satellite was relatively smooth; it was expectedly emphasizing the importance of control over the new domestic communications system, an idea that echoes the 1960s discourse of Canadian nationality.¹⁰⁷ Allan Gotlieb remembers that the Department of Communications held a national competition to name the Canadian satellite.¹⁰⁸ It is interesting to mention that one of the three judges in the selection panel was Marshall McLuhan.¹⁰⁹

¹⁰⁷ In this respect, The *Globe and Mail* wrote in 27 January 1969 that there was ongoing correspondence between Québec and France to arrange for Quebec engineers and technicians to gain training and expertise from the French -Germans scientists working on the "Symphonie"—the Franco-German communications satellite. Québec Education Minister Jean-Guy Cardinal says "the information . . . gained will help Québec to decide later whether to go ahead with the construction of a Franco- Québec satellite" (Howard, 27 January 1969, p. 3-News). In the same issue, Kierans told the press that "any telecommunications satellite would have to be decided by the United Nations and not through bilateral agreement between France and Quebec" (*Ibid*). For this reason, Kierans held that the government should act to bond Québec to the rest of Canada, as Québec hinted about its possible cooperation with France in the area of direct satellite broadcast. That is why Kierans thinks that it was time to apply in practice what the government drafted and stated in legal language and endless recommendation, in this case, the idea of bilingualism in broadcasting, as one of the Commission on Bilingualism & Biculturalism's visions.

¹⁰⁸ Terrence Belford of The *Globe and Mail* reported on Friday, 27 June, 1969 that according to the rules of the competition as announced by Kierans the proposed name should be related to Canada in English, French, Eskimo or Indian languages (p. B-5 Report on Business). Entrants should be Canadian resident and exclude the staff and family of member of the Department of Communications. The winner would be awarded a trip for two to the launching of the satellite at the Kennedy space Center in Cape Canaveral. Sponsors of the competition were the Department of Communications and many communication-related entities such as telephone companies, airlines, National Arts Center, the Queen's Printer etc. (Paris Letters Backed by Quebec, 27 January 1969, p. 6-News).

¹⁰⁹ The two other judges were Leonard Cohen, Montreal poet and novelist, and Gratien Gélinas, playwright and the founder of *La Comédie-Canadienne* (the Canadian version of *La Comédie-Française*).

However, there were constant inquiries in the House of Commons about the government's spending on the project, questioning if the satellite was worth the money, and criticizing Kierans and his officials. For example on 26 April, 1969, *The Globe and Mail* reported the heated debate against Kierans which accused him of giving the government only "one side" of the satellite story – i.e., its positive potentials, ignoring the government costs on the project, and the impact of direct broadcast on the CBC. Liberal Ralph Stewart charged: "the task force which wrote the white paper . . . wrote it in such as way as to sell the idea. I do not believe that white paper was a critical analysis; in fact there are those who feel it ignores certain unfavorable aspects" (Crane, p. B-2, Report on Business). Firing back, Kierans insisted that "the department as a whole and myself as minister are going to be pushing that corporation in every way to be as efficient as possible, to pay attention to costs and to be productive in every way" adding that "no one in the department, including the minister, wants to be associated with a project that is underestimated or overestimated" (*Ibid*).

Compared with problems that arose during the process of deciding who would build the satellite, these attacks were mild for Kierans. The problem started over the choice of either a Canadian-made satellite (by RCA Ltd. of Montreal) or an American-built satellite (by Hughes Aircraft Corp. of California). Perhaps an easy choice if one thinks only of it as a piece of hardware, but for Kierans and his department on the one side, and the rest of The Cabinet on the other, it was a complex decision that raised the nationalism question—if an American company built it, would it truly be a Canadian service?—to the economics and financials of which company could do the job more efficiently. For a former economist and nationalist like Kierans, the whole point was to

get the job done in such a way as to serve nationalist purposes but also at minimum cost to taxpayers. Competing firms had submitted their bids to the Telesat Committee: RCA bid \$42.1 million, while Hughes proposed two options – \$28 million with an American system, or \$29.7 million with 11% Canadian content. The committee recommended Kierans, as Minister of Communications, reject RCA's offer and accept Hughes', which he did. This outcome was not popular in a cabinet in which RCA "had 27 friends in a cabinet of 28" as Kierans remembers in an interview with McDougall in 1986 (*Ibid*, p. 138).

Allan Gotlieb backed Kierans' decision, arguing that it was more "nationalist" in three different ways, the first being that both he and Kierans believed a commercial manufacturer would be more efficient especially since Hughes Company was ready to transfer the technology to the Canadian contractor, Northern Electric. Secondly, they felt that it was a better bid than RCA's, and finally, Hughes was a well-established company and hence more reliable in the field. In an unexpected move from Kierans, who felt that the public should know the whole issue, he appeared on national television using his excellent communication skills to make his point. This style, says Swift "seemed to reflect [his exceptional] verbal expression, with thoughts coming quickly, in rapid-fire bursts. This . . . served him well in conversation, as the listener could not help but be impressed by a man who obviously has so much to say and was bursting with enthusiasm to say it" (Swift, 1988, pp. 184-85). In the television interview, he stated that he was "a 'little burned by' by RCA's 'flag-waving appeal' . . . [arguing that the] government 'would be paying to develop something that has already been developed – like reinventing the wheel'" (*Ibid*, p. 235).

Kierans felt that this was the battle that he had to win, since his top priority of getting Canada into space was on the line. He wanted to take full advantage of the great communications potential, and felt that, from an economic and national perspective, the job should be done as quickly, reliably, and cheaply as possible. To such an extent that Kierans threatened to resign from the cabinet after the heated debate over his political and strategic principles, asking “what if the RCA satellite . . . ‘flamed out’ on its way to orbit? The company was inexperienced, and this could well happen, he hinted. How would the government look if this happened after it had overruled both the board of Telesat and its own communications minister?” (Swift, 1988, p. 235). Comments have been made that “this episode demonstrates precisely how much economic and technical reality the cabinet *was prepared to ignore* in order to satisfy clients and constituents” (McDougall, 1993, p. 139, *emphasis added*).

After knocking on all possible doors from, researching all possibilities, rationalizing the options, debating the opposition, alerting the general public and rallying the media, he approached Prime Minister with a plea against the dangers of blindly following concepts like, it is a “Canadian” company, or it is for our “national sovereignty”, etc.. Trudeau “changed his mind, and it was not long before the rest of the cabinet followed suit” (*Ibid*, p. 146). Gotlieb comments that “nobody dreamed that RCA wouldn’t get [the satellite contract,] . . . everybody assumed it [would]” (cited in Swift, 1988, p. 232). Finally, in April 1971, Canada launched the world’s first domestic

satellite—Anik¹¹⁰—becoming in the process a pioneer in the field, an achievement that can be attributed both politically and practically to Eric Kierans.

Communications Public Policy Battles

After he moved to Ottawa to join the federal government, Eric Kierans had many doubts about the role of the bureaucracy, arguing that it lacked imagination, something that Kierans did possess, and which he tried to use during his ministerial duties. He wrote: “La bureaucratie a rarement la confiance, l’imagination et l’esprit d’initiative nécessaires pour se lancer dans l’inconnue” (Kierans, 1967, p. 52). That is why throughout his short ministerial term in the Department of Communications, he tried to apply what he felt was strongly needed within the government: a sense of community. It was surprising to see Kierans advocating for this concept since he himself never strongly identified with any one community¹¹¹. He felt however, that government should promote the interests of Canada as one whole community; for this reason he threw himself into a number of crucial debates on subjects beyond his own ministerial territory. For instance, he argued in the cabinet’s debates on unemployment issues, and on tax reform, among other unrelenting battles; in all of them, he realized that the cabinet “seemed unable to

¹¹⁰ Gotlieb remembers that the panel short-listed the word “Anak” in Inuktitut languages from forty thousand entries, and that they added two members to the judges’ committee (an Indian man and a Inuk women). The women laughed when they heard this word, and when asked about the meaning explained that it means “shit” in Inuktitut. Later Gotlieb adds “I had a party at my house, and Trudeau came and McLuhan participated in that. I remember McLuhan argued for “Anik” because he said that “Anik” means a little brother in the Inuit language, saying “it is strong!” (Interview with Gotlieb, Toronto, September 2006).

¹¹¹ It is interesting to mention that although Kierans, as McDougall puts it, was “a Canadian; among Canadians, a Quebecer; among Quebecers, an English-speaking Montrealer; among English-speaking Montrealers, a man of Irish and German descent. . . he lived at the margins of whatever community one might wish to say he was a part” (1993, p. 6).

reach beyond, or even see beyond, the corporate, professional, departmental, and regional interests involved" (McDougall, 1993, p. 106). Kierans adds in his 1986 interview with McDougall that these efforts "brought to [him] a series of lessons on the trials awaiting anyone who might attempt; to hold the government - or the country, for that matter - to an all- encompassing view of national needs and interests" (*Ibid*).

Overall, especially following his fights over the Post Office and Telesat, Kierans was overwhelmed with the existing government bureaucracy, especially in the field of communications. He felt that it should take more positive steps to open new windows for the Canadian public to experience the present and be prepared for the future and not to merely re-tell its past tales:

Un gouvernement fédéral doit être un gouvernement en mouvement, cherchant constamment à dépasser les réalisations antérieurs. Un gouvernement fédéral doit rechercher avec vigueur et hardiesse, de nouvelles possibilités afin de mettre à l'épreuve et d'exploiter les talents, la technologie et les ressources de la population.

(Kierans, 1967, p. 140)¹¹²

For example, when a new domestic system of communications in Canada was proposed through the launching of a Canadian satellite, it was strange to many observers that it took a new approach of ownership different from any other previous system (like telephone, radio, and television). Raboy considers this move to be the creation of a new bureaucracy in the communications field, saying of Kierans that

After finishing with the national interest, [he] went into a long philosophical discourse on communications, touching on such themes as

¹¹² He adds also that it was the government's duty to invest in research and technology and to devise appropriate policies to foster the merger and growth of large-scale corporations: "Les gouvernements doivent investir dans les domaines de la recherche et de la technologie; ils doivent mettre au point des politiques appropriées afin d'encourager les fusions et la croissance de grandes compagnies" (Kierans, 1967, p. 82).

the altering and conditioning of messages by the media through which they were communicated, the neutrality of technology, and the non-ideological nature of machines. But in spite of this bias, the new minister was politically astute enough to realize that the social aspects of his portfolio would have to be reconciled with the advancing technology.

(1990, pp. 193-194)

I would suggest that Raboy is wrong in this assessment, since a new bureaucracy was not Kierans' intention, on the opposite, as we have seen in the previous discussion. What is more, that he evidently appeared before the House of Commons Committee on Broadcasting, Films, and Arts contending that "we want this to be a viable corporation" adding that he and his officials in the Department of Communications had studied all possible options, and negotiated with common carriers so that together they could achieve the best possible option for Canadians.

This was the first time that the private sector was allowed to participate in a Crown Corporation. However, it was not strange for Kierans since he strongly believed that mixed ownership would bring out the best in both government and private sectors for the sake of Canadian consumers, arguing that "establishment of another Crown corporation would be the easy way out, and a more expensive route for the taxpayer. It would also reduce the pressure for cost and efficiency" as he told *The Globe and Mail* (Crane, 23 April 1969, p. 1-Report on Business). Meanwhile, the satellite system would be beneficial to government national policy in two ways; first, it would allow the CBC to provide both English and French languages programs to the whole country. Secondly, it would provide reliable telephone and communications links with the Canadian Northern regions—an issue that was (and continues to be) pressing for both the Northern regions and for the government.

For this reason, he declared in one of his speeches that his department had assumed a role of “leadership in some of the discussion and planning that are needed if we are to avoid becoming entangled in a web of false, wasteful duplication, incompatible systems and jurisdictional problems” (1970, p. 2). If we consider this from a political economic stance, in his own mind, Kierans tried to advocate the application of what he believed to be “true democracy” in Canada. He writes in his *Wrong Ends of the Rainbow*, that if the government assumed that democracy is the most just form in its society, it would require an economic system that

recognizes and protects the political ideals of fairness and freedom. These are not conditions we will achieve when we can afford them; they are fundamental to the social contract. We cannot be politically free if we are economically dependent. This notion is not a cliché; it has, or ought to have, direct application to our own society.

(Kierans & Stewart, 1988, p. 16)

In the communications field, he condemned concentration of media ownership warning of its negative consequences on the democratic environment in Canada.¹¹³ In the same vein, he was a staunch nationalist believer of freeing new communications technologies from powerful entities (be it corporations or national powers like the US) by adopting both an economic and political stance. That is why he thought that the government should control its own communications’ sources as a sign of communication sovereignty (Kierans, 1984, pp. 50-52).

On this point, he questioned the possibility of Canada of being an independent “equal” to the United States in an age where independence even between equals is

¹¹³ In fact, Kierans wasn’t just concerned about media concentration, but about any kind of concentration of “power and over-centralization—political, cultural, intellectual, academic, and, perhaps most important, governmental” (McDougall, 1993, p. 9).

difficult. Therefore, the policies of the smaller power, would surely be dominated by the greater power. This, for Kierans, was the first important feature of a plausible Canadian communications policy that “must . . . avoid excessive entanglement with the United States itself” adding that Canadian nationalism is not merely grounded on the material aspects (such as economic considerations), but rather “in concern for the political value of individual participation in the collective life of an autonomous community”,¹¹⁴ (McDougall, 1993, p. 19).

Secondly, he advocated *decentralizing* Canadian policies, particularly in communications, giving the provinces the right to decide what is best for them according to their own needs and demands. As a reformist, he believed that reconstructing Canada should start from the bottom-up, and only the regions know and are concerned with their own problems. This is a position that totally contradicts J.L. Granatstein’s model of the civil servant in his *Ottawa Men*, particularly where they hold that “power must be at the disposal of the ‘only civil servants in the nation with the vision and skills to make Canada the kind of country it could and should be’” (*Ibid*, p. 99). Here, it is worth quoting Kierans in length describing the rationale behind his own intellectual position on the benefit of decentralization within Canadian policies:

If I were a political leader, I would find it increasingly difficult to accept the doctrine that Canada, with its distinct economic regions and cultures, should be a strong, centralized country – a heartland centred on Ottawa, Montreal, and Toronto and with all the rest a periphery. In effect, I would be telling the best young people of my province, the educated and the intelligent, to go away. There is no room for you at home. To make provinces and communities more important is to insist that they strive for

¹¹⁴ Kierans says on this respect, “I must do what I can to contribute to the autonomy and integrity of the Canadian community, because if Canada can accomplish this – next door to the world’s largest economy, and itself so internally diverse in so many ways—then any country can. But, first, Canada must” (McDougall, 1993, p. 235).

more balance in their economies. An economic heartland, the metropolitan centre of colonial days, organizes an economy from the core outward and assigns specialized roles to the outlying regions, which lose their balance and sovereignty and become dependent, lopsided, and vulnerable to change.

(Kierans, 1984, p. 45)

For instance, Kierans, as Minister of Communications, did not promote the project of improving provincial communication while he was sitting in Ottawa drafting abstract policies and plans. Rather he said “it is essential that we as planners of communications systems understand the nature of telecommunications needs as expressed by the people themselves” (1970, p. 6). To that end, the Department of Communications held a joint event with Bell Canada at Memorial University of Newfoundland, visiting outport communities, and asking them, using tape recorders, about their problems and needs for communications services. Similarly, the department organized a conference in 1970 in Yellowknife in which

My senior departmental staff went to listen and to understand the nature of northern communications problems as voiced by the people themselves . . . they told us . . . how a lack of telecommunications had handicapped their progress. Not only are they depend on inadequate communications for the support of their lives and health, but they do not have the means to express themselves on a community and regional basis. A new attitude and awareness of their plight pervades our thinking.

(*Ibid*, pp. 5-6)

As we have seen, Eric Kierans, as Minister of Communications, intended to carry out a program of modernization and restructuring in his area in order to achieve Trudeau’s idea of the Just Society through establishing channels of communication and dialogue with the general public as well as the provinces. However, as a minister in the Trudeau cabinet, he was “restricted in what he could say” (Swift, 1988, p. 246). Structurally, one of the major

difficulties for him was the “collegiality” requirement in the cabinet, i.e., that every minister should consult other colleagues regarding a new policy or an initiative. For him, it was a disaster to engage in a procedure that “allowed central cabinet and bureaucratic organs, in the name of planning and ‘coordination,’ to qualify, if not totally undermine, individual ministers’ responsibility. . . [as a result,] . . . he resented the resulting limitation on his role” (McDougall, 1993, p. 100).

The 30 April, 1971 *Toronto Star* headline was “Fed-up Minister Quits Cabinet” reporting Kierans’s resignation from the Trudeau cabinet, because “he wanted freedom to speak his mind in public.” Trudeau accepted the resignation, adding that “there was no immediate issue that led to the resignation.” Jack Cahill of the *Toronto Star* reported that although everyone knew that Kierans was in constant disagreement with “almost every facet of the government economic policies;” the House of Commons was surprised by his resignation, asking Trudeau for more explanation. Trudeau explained that he tried to “persuade Kierans to stay and fight for his ideas inside the cabinet . . . but he’s an impatient man in terms of what he wanted to say” (in Cahill, p. 1-news). Gotlieb remembers that Kierans quit the government out of frustration; “he was fed-up with the whole thing” (Interview, Toronto, September 2006). Kierans resigned from his position after he sensed that “his government had neither the desire nor the ideological inclination to take on big businesses”¹¹⁵. His personal advisor, Richard Gwyn, suggested that “his personality and particular political style did not serve him well in Ottawa . . . he likes to fight, but sometimes he fights foolishly.’ Kierans was always willing to take on any issue or any colleague in cabinet, alone if necessary” (Swift, 1988, p. 253).

¹¹⁵ McDougall notes that “he found no excitement in being part of the government of Canada—only obstruction, frustration, bitterness, and, finally, ostracism” (1993, p. 11).

Despite his belonging to the political elite of his time, Kierans was truly an unconventional thinker, and a self-driven personality who took his duties very seriously¹¹⁶. Throughout his short career in the cabinet, and as the first Minister of Communications, he really “hoped to shake things up with quick reforms and appoint the right new people and let them turn things around while he undertook other projects . . . it proved to be impossible . . . where politics and entrenched grievances combines with an inert bureaucracy” (*Ibid*, p. 214). Despite the constant press attacks on him throughout his ministerial period, it was said that he has upheld his honour within the cabinet as a matter of principle. In a *Toronto Star* editorial, the newspaper issued a warning to the prime minister following Kierans’ resignation, praising Kierans as someone who “built up a reputation as an able, innovative administrator and a politician with a well-developed sense of social responsibility” adding that as a communications minister, he was “a restless man of questing, independent mind . . . In the days before charisma and efficiency became standards of good government, a politician was known by the ideas he advocated and the company he kept. If the two were incompatible, he was expected to either keep quiet about his ideas or drop his friends, Mr. Kierans has chosen to stand up for what he believes in and to walk out of the Trudeau cabinet”(Warning to Trudeau, 30

¹¹⁶ Allan Gotlieb remembers that ‘he’d get up at four in the morning and read his documents and come loaded for bear . . . he didn’t have anyone reading his documents for him’ (Swift, 1988, p. 249). Gotlieb also recalls that “If [another minister] came alone with a bad idea and Kierans thought that it was a waste of taxpayers’ funds, he’d take him on . . . the fact that he might need his support the next day for another issue – one where *he* needed support—Kierans never added those things together. And I think over a period of a couple of years he must have discomfited and probably alienated everyone in that cabinet. . . you have to have priorities and decide what fights to fight. But I think Eric wanted to fight every fight. And he fought them with *tremendous* passion” (Swift, 1988, p. 254). In another instance Gotlieb documents that Kierans “was one of the few members of the cabinet who could read a balance sheet,’ . . . [he] felt strongly that this gave him a right, if not a duty to try to plug the holes and correct the errors that he found in the proposals that other ministers brought to cabinet” (cited in McDougall, 1993, p. 113).

April 1971, p. 6-News).¹¹⁷ Generally, on his contribution in the federal Department of Communications, historian McDougall writes:¹¹⁸

Kierans does . . . share one characteristic of many tragic [Canadian] heroes. His “downfall” was forged out of qualities that we would otherwise regard as virtues; in the circumstances that he faced, some of his strengths became weaknesses. His forthrightness and independence left him with few political allies and led him to eschew even a limited degree of political horse-trading and coalition building. His strong, almost moralistic commitment to principles and standards of conduct made him some outright enemies. . . . But one person can only do so much, and the public record supports the conclusion that Kierans pursued energetically and openly the kind of politics that was true to his nature . . . he exemplified the kind of politics in which he believed. If nothing else, his is an example that, were sufficient attention paid to it, might at least move Canadians to expect more of their political representatives than they generally do.

(McDougall, 1993, pp. 238-239)

Informational Sovereignty: Allan Gotlieb¹¹⁹

Because he occupied the position of chair the of Telecommission Studies' directing committee and was the progenitor of the idea of organizing this series of communication studies, Allan Ezra Gotlieb (1928-) was not just a key player in the work of Telecommission Studies, but is a living archive of this historical moment in Canadian communications history of the late 1960s. His intellectual positions—which had an effect

¹¹⁷ The editorial argues that “Prime Minister Trudeau has so far managed to ride out criticism of his economic policies. But Eric Kierans is a critic he ignores at his peril . . . if Mr. Trudeau does not start coming up with some better approaches to Canada . . . and a better understanding of the growing nationalistic feeling in this country, he may find that it is not just cabinet ministers who are abandoning his government. The voters are likely to start abandoning him too” (Crane, 30 April 1971, p. 6-News).

¹¹⁸ In the following few days of his resignation, columnists such as the Toronto Star’s Dianne Cohen paid tribute to his personality and contribution as Minister of Communications saying that ”When Eric Kierans quits the cabinet, we must all worry” (Cohen, 30 April 1971, p. 8-News).

¹¹⁹ A detailed biography of Allan Gotlieb is appended in the dissertation.

on the proceedings and work of the Telecommission Studies—can be summarized in three different intellectual ideas: 1) his notion of a right to connect and disconnect; 2) his analysis of privacy issues related to the use of new technologies (particularly computers and data banks); and 3) his assertion on the great potential of the direct broadcast satellite for Canada.

The Right to Connect and Disconnect

In one of his earliest speeches after joining the federal Department of Communications, Allan Gotlieb proposed what he conceived as a basic human right: the right of the individual to “connect” and “disconnect.” This is an important concept given the previous discussion of Canada’s vision of human rights during this period. Gotlieb believed that access to communication technologies should be inalienable as a result of the information explosion in Canadian society as of the late 1960s, since individuals depend on communications to get connected to the world. He suggested that a “new man” was formed as a result of the information explosion: The *communication man*, in constant search and need for information. Thus, he believed that one priority, if not duty, of his newly created Department of Communications was to ensure that Canadian national communications systems adopt these new realities and connect Canada together. “The complexity of modern technology and the expanding needs of contemporary society require that governments formulate *policies* to ensure an equitable distribution of technology’s benefits . . . we must begin at once to plan – and to plan in advance, if *technology is not to decide our future for us*” (Gotlieb, 1970b, p. 2, *emphasis added*).

Thus, it is not surprising that the Canadian policy approach of the day to communications came under attack from Gotlieb in his speech to the *Communication Theory and Signal Processing* conference¹²⁰. In the speech he said that the Canadian approach to communications policy is heavily reliant on two problematic perspectives – technological and economic – which he suggests led the government to look only at the economic consequences and aspects of this industry. Rather, he suggests, governments would do much better to approach this promising field using a *multidisciplinary* perspective so that all elements that have an impact on technology are fully studied and taken into consideration when drafting a national policy whose aim is to serve the individual Canadian.¹²¹ As chapters five and six will discuss, this idea was fully implemented during the work of Telecommission Studies. Gotlieb explains its importance thus:

L'approche pluridisciplinaire ajoute les facteurs: "pourquoi", "dans quel but" et "quels en seront les effets sur l'environnement." Cela revient à dire qu'il faut ajouter la sociologie, le droit, l'anthropologie, la psychologie, la linguistique et même la biologie à la technologie et à l'économique. De plus, et ceci est très important, il faut ajouter ces disciplines de façon à ce que leur apport ait en effet réel . . . il faut analyser et évaluer ces facteurs au cours de la conception du système et, au besoin, en *modifier la structure*.

(Gotlieb, 1970c, p. 2, *emphasis added*)

Despite his legal background, education, and professional career, he approached the field of communications in Canada from an anthropological perspective, since it allowed the study of the social impact of technologies on the individual, and thus helped legislators

¹²⁰ This conference was organized by the Departments of Communications and of Electrical Engineering at Queen's University, Kingston, Ontario, and held on August 25, 1970.

¹²¹ In effect, he argues that "communications law must thus be many-faceted and dynamic; and form a key part of the interdisciplinary approach to problem-solving" (1970c, p. 10).

ensure that they cover all different aspects of individuals' expectations and needs.

Humorously, he declared at one conference, that perhaps a plausible and a more workable solution was that "we [i.e. policy-makers and legislators] should all be social scientists at heart . . . this social, or more simply, human dimension, is essential" (*Ibid*, p. 10). To that extent he pinpoints one major problem in regulating communications in Canada during this period: the belief that a major transformation in Canadian society's structure, international image, sovereignty, and national identity, would happen only by adopting a given technology. While it is true that there are great potential benefits aligned with modern communications technologies since they enable humans to communicate (i.e., send and receive information) over distances of time and space with speed and efficiency, he didn't share the pervasive belief of legislators that technology, was a panacea for all human ills.

Consequently, one of the strongest themes in Gotlieb's position during his work in the field of communications in Canada (1969-1973), and which therefore influenced the work of Telecommission Studies (as will be discussed in detail in chapter five), was his understanding of and belief in a *human right to communicate*. At the time, this somewhat ambiguous terminology signified for him an understanding of a right to communicate as embodied in Article 19 of the *Universal Declaration of Human Rights*¹²². Gotlieb believed that this was the time where the goal of Canadian communications policy needed to ensure that the greatest number of Canadians anywhere in Canada had the maximum possible access both to information, and to the means of

¹²² It stated that: "Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers."

accessing this information at the lowest cost so they would be able to “connect” with the rest of Canada. Hence he affirmed in his speech at the *Computer and Privacy* conference at Queen’s University that one of the visions of his Department of Communications was that:

Our department sees, in an embryonic form, the development of a new notion or concept, or more exactly, of new human right: The right to communicate, or, in effect, the right to be connected. In a society dominated by information, which is what we are moving towards, no individual should be required to remain apart from the automated flow of information. The disadvantages would be too great, and the gap created for the individual could become impossible for him to span by other means.

(Gotlieb, 1970b, p. 3)

In other words, a right to communicate according to Gotlieb signifies providing *public access* to information and its resources. Undeniably, it is apparent that this assumption is coloured by the period of the 1960s in Canada, which was a time of change, with the creation of new government bodies to suggest new doctrines and policies for the future. What is key here, I think, is to highlight the importance of the *emergence* of this particular idea within this specific time-frame in an intellectual context that was the result of the political, social, and cultural climate in Canada.¹²³ Gotlieb was one of those who not only witnessed this period but played a significant role in framing, shaping, and ultimately changing it. During this period it was widely assumed that communications would link Canada’s population¹²⁴ in the face of the vast geographical area bounded to the east and west by the oceans, and north-south by the Arctic and US with its constant

¹²³ This will be fully explored in chapter five.

¹²⁴ On this particular idea, Gotlieb echoes the concurrent discourse: “At the political level, the electronic networking of information might help to develop and maintain the viability of that east-west axis of Canada which is essential to our very existence” (1970b p. 4).

“threat of cultural invasion”. Whereas Babe, as seen in chapter one for example, has criticized this intellectual understanding of technological nationalism in Canadian communications policy-making, suggesting that it is one of the myths of the history of Canada, he doesn’t deny that the idea has some merit in real life: “on occasion communication media have indeed been purposefully and successfully deployed in aid of nation-building” (Babe, 1990, p. 7).

Therefore, it was not surprising to be able to document serious attempts at discovering the existing problems and hoped for potentials of new communications technologies during this time in Canada. Gotlieb’s emphasis on Canada’s need to take measures in ensuring that Canadians have access to these technologies might be interpreted in two ways. The first is somewhat related to Babe’s pessimistic perspective that the attempt might be another way to further mythologizing Canadian communications history. In particular, Babe regards the most cutting-edge technologies of this time – satellites and computers – as deploying the myth of technological nationalism; namely that, satellites are “helping efface local culture by facilitating the spread of ‘global consciousness’ . . . [and secondly] likewise, computer networks extend the hegemony of transnational corporations, speeding instructions from headquarters” (*Ibid*, p. 8). On the other hand, Gotlieb’s belief can also be interpreted as a means for navigating the tide of new communications technologies in the 1960s and customizing future Canadian policies accordingly: “This ubiquitous information system will, we are told, again correctly, not be limited to a few select fields. It will be massive, all-embracing, and will involve virtually every area of human activity” (Gotlieb, 1970b p. 5).

For example, there have been major transformations in the methods of obtaining data and processing information since adopting computer technology. Before computers, it was difficult to access personal information since it was located in different places (i.e. tax data, social security, criminal records, etc.). Given these changes, Gotlieb, in his 1970 keynote speech titled *Communications in a Canadian Context*, delivered to the Electric Industries Association of Canada, pointed out two serious problems that needed to be avoided when drafting a Canadian policy regulating computer and satellite technologies. The first was the importance of crafting made-in-Canada policies and techniques pertinent to Canadian society and avoiding the use of an imported American vision of technology:

Ce pays que nous avons maintenu en tant qu'entité distincte, malgré des pressions politiques et économiques énormes provenant du sud, se trouvera en grand danger. Car si nous utilisons souvent les mêmes techniques que les Américains, nos objectifs ne sont pas identiques. Et par conséquent, notre façon de réagir face à la technologie ne peut pas toujours être la même . . . le Ministère doit dépasser ces considérations pour en arriver à une politique qui soit dans l'intérêt canadien, tant dans une région particulière que dans tout le pays.

(Gotlieb, 1970a, p. 2)

Secondly, he affirmed the role of government in approaching Canadian policy in the field of communications by intertwining both the hardware *and* the software. He strongly criticized the existing policy approach of adopting only “the hardware”—i.e., looking only at the technical aspects. It can be argued that his understanding attempts to look beyond the immediate consequences of technologies and presages an idea of individual rights of access to information. This, for him, would ensure that the public was able to use technology efficiently, equally, and reasonably, arguably the main role of government in participatory democracy.

The Canadian policy approach to communications systems development should not be taken as a denial of the value of technological development or of commercial competition. What is meant, and I hope that this is the meaning that you will take, what is meant is that we in government who have a mandate to serve the public interest must look beyond the hardware or even beyond commercial benefit if we are to satisfy the needs of the Canadian people.

(*Ibid*, p. 3)

Privacy Concerns

As noted above, while advocating for a Canadian public right to connect, Allan Gotlieb argued just as strongly for a Canadian right to “disconnect”¹²⁵. Consequent to the adoption of computer technology in Canada, there were growing fears of misuse of the data storage of personal information, especially critical and confidential information such as legal and financial information. In the May 23rd, 1970, edition of *The Globe and Mail*, Chris Braithwaite reported:

A.E. Gotlieb, deputy minister of communications, proposed a new human right: the freedom of every Canadian to disconnect or, in other words, a right not to communicate . . . ‘if this right is not established’, Mr. Gotlieb warned, ‘power will increasingly flow to those who know how to manipulate electronic information systems’.

(Braithwaite, 23 May 1970, p. B-2, News)

Certainly, one of the complexities of the issue of privacy is that it assumes different levels of importance in every society.¹²⁶ For instance, during the 1960s and ‘70s, there

¹²⁵ As will be seen in chapter five, this idea of a right not to communicate would eventually move from Canada to other countries through their connection with Gotlieb during conference meetings of UNESCO.

¹²⁶ Despite that the issue of computer and privacy will be dealt in length in the discussion on the Telecommission Studies’ report since it dedicated more than one conference and seminar to investigating this related issue; yet, it is important here to attribute the realization of this issue to Gotlieb since he was among the first who talked about it during this time as is evident from his writings and speeches.

was an unquestionable difference between capitalist and communist societies in understanding this concept. In the latter, it was essentially a non-issue, since individual privacy was counter to the governing philosophy of communist regimes. In Canada, Gotlieb was among the first to stress the pressing need to study how can Canada maintain individual privacy. He interpreted this as an obverse right to the right to communicate; namely the right *not* to communicate or the right to “disconnect.” For that, throughout his earliest writings and speeches, Gotlieb posed the question of whether society should allow any type of information concerning individuals to be collected. And once collected, should it be accessible to everyone? And “is there such a thing, in our society, as the right to privacy, and if so, has it acquired the status of a basic human right?” (Gotlieb, 1970b, p. 7).

While I am firmly convinced of the importance of indentifying and securing to every Canadian the right to communicate, I think we must recognize the equal importance of securing to every individual another right . . . the freedom of every Canadian to disconnect or, in other words, the right not to communicate. One of the fundamental principles of our society is respect for freedom of the individual, a freedom that can express itself in a choice between communicating and not communicating. Every man should be free not to avail himself of the information offered to him. But this only one implication of the right not to communicate.

(*Ibid*, pp. 4-5)

Both the 1948 *Universal Declaration of Human Rights* and the 1966 *International Covenant on Civil and Political Rights* (which came into force in 1976) stated privacy as a basic human right, yet, they did not impose any legal obligation on the states either to enforce and or apply it. Thus, although Gotlieb believed that laws cannot solve all

problems¹²⁷, he could not weaken the ability of the federal government in enforcing and protecting Canadian individual privacy everywhere in Canada, since privacy *was not protected* then by any legislation outside the province of British Columbia.

For Gotlieb, the real challenge of the Department of Communications as well as the Telecommission Studies was how to offer Canadians an information society with an access to all means of information whilst respecting and maintaining their privacy rights. Therefore, in the 1960s, he stated that it was time to approach this issue from a civil-rights perspective, where there could be a balance between the need for information and the right to privacy. For that, he appealed to Canadian governmental institutions not to make their laws static, but to consistently adapt the new trends of information in society promptly and translate that into policy so that every Canadian could enjoy his/her civil rights:

I am convinced that a variety of types of legislation will have to be adopted in the near future . . . I am convinced that, in order to deal successfully with the dangers inherent in a computer society, privacy will have to be protected in a much more effective way than it is now by existing law. . . The gap between technological development and legal regulation cannot be permitted *to widen and must quickly and decisively begin to close* . . . Government at the federal, provincial and municipal levels, law associations, universities, scientists, scholars and all concerned individuals have the responsibility *to propose solutions* designed to recognize and protect the needs of the individual in the new society which the computer and communications promise to bring about. . . we cannot afford to wait. *We must act now.*

(1970b, pp. 15-16, *emphasis added*)

¹²⁷ For example, the misuse of information gathered on any individual was not covered under law during this time.

Direct Broadcast Satellite

In his co-authored article¹²⁸ “The Transborder Transfer of Information by Communications and Computer Systems” with Charles Dalfen and Kenneth Katz (of the Department of Communications at the time), Gotlieb expressed his concerns about the problems raised by the technology of computer and data storage outside Canadian borders, by contextualizing it within the crucial practice of transborder flow of information by electronic means. The key issue for the authors was how to maintain a balance between competing values: maintaining sovereignty (by protecting and controlling information on the one hand), while maintaining the principles of the flow of information (by exchanging and importing information on the other). This is a crucial issue that required a great deal of investigation of contending concepts of public versus individual rights.

Initially, there was a convincing and very sound rationale for regulating the means of communications, despite its obvious competition with the notion of the individual right to communicate. Gotlieb, Dalfen, and Katz outlined the history of this from the 1865 *International Telegraphy Convention* whose Article 31 spoke of “the right of the public to correspond by means of the international service of public correspondence”. However, the same *Convention* maintained in its Article 32 quite the opposite position i.e., that “states reserve the right to stop transmission of any private telegram which may appear

¹²⁸ It is interesting to mention here that this article was awarded the Annual Francis Deak Prize for outstanding scholarship in 1975. Gotlieb remembers it as “a very clever and well interpreted article . . . it will give you a sense of the intellectual climate, the legal climate, and international climate. . . The article actually won the DEAK prize and it is given once a year from the American society of international law for the best article which appeared in the American Journal of International Law every 3 years . . . so we were very proud of that” (Interview with Gotlieb, Toronto, September 2006).

dangerous to the security of the State or contrary to their laws, to public order or to decency" (1974, p. 228).

If these conflicting problems represented a challenge in the past, with the advances of communications technologies (as in the 1960s by forming a "wired world"), the problem became even more serious at both the national and international levels. Taking the case of Canada, Gotlieb, Dalfen and Katz explained that it is undeniable that the issue of nation-building occupied a central point in the discourse of connecting western and eastern Canada to combat the massive flow of information from south-north between Canada and United States. As they explained:

The flow is, from a Canadian standpoint, more than a flow: it is an onrushing flood of information of overwhelming social, economic, and cultural significance. The problems that arise for Canada, in trying to derive maximum benefit from this outpouring of information, and yet stimulate the development of its own values, are exceptionally difficult and possibly unique in scale.

(*Ibid*, p. 229)

The flow of information changed dramatically during the 1960s, as a result of the changes in communication technologies, especially in three areas: 1) the movement of information in the form of transmission of television programs; 2) information about resources and environment, and 3) access to personal information using remote technologies (satellites, coaxial cables or microwave systems).

Thus, the impact of communications technology had effectively transformed the traditional view of sovereignty usually expressed in a geographical and spatial sense, to an "informational sovereignty" (1974, pp. 255). For instance, since the spread of direct satellite broadcasting, there had been growing fears that national/strategic information might be invaded through airing unwanted programming to the public, threatening

cultural and national sovereignty.¹²⁹ For example, individuals' fears of losing their privacy if their health, consumer, and/or insurance information was transferred outside Canadian borders to corporations in the US. As will be seen in chapter five, Canada documented these fears of US companies establishing data banks on Canadians citizens in the United States by conducting a series of governmental studies, among them a Task Force in 1972 dealing with *Computer and Privacy*, as a result of the Telecommission Studies' report on the issue. Still, sovereignty and identity are the two major unsolved questions in this period: "Public perceptions of the issues are . . . colored by fears about the deleterious impact of technology on individual values and governmental decision-making ability" (*Ibid*, p. 247). For this reason, starting in the early 1970s, UNESCO took initiatives to discuss and guide the use of satellites while maintaining the free flow of information¹³⁰; as seen in chapter three, Canada was a pioneering country in this regard.

Throughout his involvement in the UNESCO meetings of experts, Gotlieb questioned the whole international legal system of managing satellites' distribution. He first expressed his doubts about the ethical impact of the space communication technologies on the national, international, and human right levels arguing that if technology has opened new arrays in international society, it at the same time opened another possibility of monopoly and restriction of communication resources. Therefore, he cautioned that efforts should be made to ensure that technological resources are used, distributed and legislated to ensure the maximum equitable practice between nations.

¹²⁹ This particular threat was advocated by non-Western regions, especially in the East (India, and Pakistan for example) where they considered Western programming as very provocative and hence not suitable for their cultures; see Gotlieb, 1970d.

¹³⁰ See the 1972 17th UNESCO *Declaration of Guiding Principles on the Use of Satellite Broadcasting for the Free Flow of Information, the Spread of Education, and Greater Cultural Exchange*.

Outlining the Canadian response to this problem, Gotlieb emphasized the importance of creating an efficient international organization to organize the use of the direct broadcast satellites, to include all states as members; he stated that each member should have equal voting power, and that open and universal access to all countries including non-members must be provided, since outer space is basically a natural resource available to all human beings.

This is why I believe that, in the area of space communications, so much importance attaches to innovation in the institutional and not just in the technological field. It is not sufficient to be efficient. We must be efficient in a way that wins the confidence of the greatest possible number of countries in the fairness of the system.

(Gotlieb, 1970d, p. 361)

Gotlieb was a strong believer of the *potential* of direct broadcast satellites both nationally and internationally, by adopting the concept of “access” that would dominate most of the Telecommission Studies’ conferences’ and seminars’ discussions. For instance, direct broadcast satellites possessed the ability to reach geographical regions that had not been covered previously by television or radio, as well as providing a variety of programming genres, and could effectively be used for educational and developmental purposes, especially in nations with a scarce population spread over a large geographical area such as Canada. However, he added that this does not deny inevitable problems, especially in programming and content and which may be socially, culturally, and politically harmful. So he cautioned the international community of this, noting that while regulating the unwanted broadcast behaviour may eliminate some problems, it might also be considered as censorship, a practice rejected by Gotlieb from a human rights perspective.

In 1969, for the first time in Canada, a joint conference was held between the Department of Communications and the International Law Association, addressing the

legal problems of international communications. Gotlieb hoped that this conference “would mark the beginning of a rapid expansion of co-operation between lawyers and other experts from government, industry, the universities, and the public at large” (Beesley *et al.*, 1970, p. 287).¹³¹ This important event marked a change in the Canadian approach to communications to what was viewed by conference attendees as a “politique de grandeur”; in other words, to accommodate the growth of scientific technology in the field of communications by taking into account the socio-political and cultural aspects—precisely, the path that the Telecommission Studies took under Gotlieb’s direction was:

[Policies in Canada] have long ago been freed from the dead-hand control of ‘institution-its’ – a concept which may be defined as the pursuit of abstract institutional forms and organizations and patterns as ends in themselves, without regard to the concrete social purposes and objectives for which those institutions were designed and which alone give those institutions their meaning and *raison d'être*.

(*Ibid*, p. 290)

The ideas expressed during this conference provided a hope that the Canadian public service would be able to imagine how a means of communications can enfold access to the human right to communicate in the national and international spheres. It was agreed that it would be dangerous to adopt a narrow policy restricting Canadian practice of freedom of speech and choice by these new means of communications. Instead, optimists expected that Canada would maximize the practice of “open society” values in the field of communications and not remain enslaved to outmoded scientific assumptions, ideas, and legal positions that narrowly focused on the use of communications for national purposes only that was the norm prior to the 1960s. Writing at the time, Beesley *et al.*

¹³¹ Alan Beesley was the head of the Legal Division of the Department of External Affairs during this conference which was held in Ottawa on Friday, 24 October, 1969.

wondered if this might well be changed with the new administration (i.e., the formation of the Department of Communications) under a “forceful and colourful . . . man” like Eric Kierans, the Minister of Communications, and confidently asserted that “one wonders if Canada could not, here, give a lead to other countries in seeking to eschew old-fashioned nationalistic symbols, in favour of the shaping and sharing of commons values in the interests of a more inclusive, integrated world community” (1970, p. 296).

Allan Gotlieb was one of the key players not only in the work of the Telecommission Studies, but also in communications public policy hierarchical process in general, during his tenure at the Department of Communications between 1969-1972. This is evident from the ideas that he tried to highlight, the dangers of ignoring them, and the use of governmental intervention to enact them through policies or regulations. Firstly, his vision of what might be called “the use and abuse of technology,” cautioned policy makers about the misuse of the hardware itself, warning them not to become so fascinated with the machines that their needs are allowed to “supersede our own needs. But the connection [with technologies] can be created . . . by the very existence of the machine as a part of our social, industrial, and intellectual environment, an environment which in turn is modified by the existence of the machines itself” (Gotlieb, 1971, p. 2).

Secondly, he suggested that investigating and protecting individual privacy was the foundation with which “we have built our democratic political order” (*Ibid*, 1971, p. 5), and, therefore, that Canadian citizens’ civil rights to freedom and equality protected before the law must not be threatened by social institutions. For this reason, the government in Canada should take immediate action to protect these individual human rights and abandon its “laissez-faire” approach to technology, and also develop

collaboration between all sectors involved. In his speech to the Canadian Cable Television Association in 1972, Gotlieb suggested that

There is a great need in this country for good studies combined with perceptive analysis, to identify these services, the sectors of the public to which they will be attractive and when they are likely to emerge as practical reality. . . Often governments are seen as the instrument for performing these study functions. While government activity in many cases can be justified it should never be the sole resource. A healthy interaction between government and industry is very desirable.

(1972b, p. 3)

In other words, he did not want the communications industry to depend merely on classical regulatory interventions where the government holds the sole responsibility for studying public needs. Rather, it should consider those needs directly to build a “self-regulated” industry: “I am sure that we all seek that perhaps somewhat utopian goal of the self-regulated industry” (*Ibid*, p. 6).

Changing the Public Service: Henry Hindley¹³²

Unknown to most is the role of Henry Hindley (1906-1987) who held the position of the Executive Director of the Telecommission Studies—as Allan Gotlieb points out¹³³, virtually no reference to his contribution in the communications’ literature in Canada despite his influential role in its public policy history and public service. There is however, a rich treasure in his archival papers; as Hill notes, it is rewarding to find that

¹³² A detailed biography of Henry Hindley is appended to the dissertation.

¹³³ Allan Gotlieb squarely emphasizes the role of Hindley in managing the Telecommission Studies and writing its final *Instant World* report, saying that he “was the pen” of this process: “Hindley was an extraordinary gifted writer. He was the best writer in the government of Canada. Fascinating, very original, tremendous opinion of himself, very egotistical, but a very fine man” (Interview with Gotlieb, Toronto, September 2006).

“each new box of archival material presents opportunities for discovery . . . [and] each archival visit is a journey into an unknown realm that rewards its visitors with challenging puzzles and unexpected revelations”(Hill, 1993, p. 7).

The Glassco Commission and the Entrance to the Public Service

Although impressive throughout, the time of Hindley’s life and career most relevant to this dissertation starts with the period when he joined the public service, which is a story itself. In his memoirs “Vanity and Vexation,” Henry Hindley describes the time after he immigrated to Canada as “the most miserable year of my life” because he had no visible means of support for several months, adding that in December 1960, “for the first, I hope, the only time in my life I gave up expecting that ‘something would turn up’” (Hindley, 1979b, p. 1). He was broke after quitting the Mines Company in Winnipeg; he was working as a salesman in a small Toronto-based insurance company, renting a small apartment whose rent he was unable to pay for months on end. Because he was broke, he was reluctant to engage socially with friends or neighbours, with the exception of Willa and Grant Glassco “who could not have been kinder and often arranged for someone to give me a lift at weekends to their estate at Maple, which they called ‘the farm’ (*Ibid*, p. 3).¹³⁴ Hindley thinks that his friendship with Glassco was the greatest influences that changed his life and career. He remembers that he first came to know Glassco when Hindley’s ex-girl friend invited him one day to introduce him to one

¹³⁴ Hindley says that he appreciated Glassco’s invitations to his estate where he enjoyed good food, and intellectual company with the Glassco family and friends. One day he remembers “after Sunday lunch at Maple one day, Grant Glassco said “Henry, Willa says you look half starved—are you short of money?” I said indeed I was and before I left he handed over a cheque for \$300 with no strings attached. This godsend saw me through until at last I got a job” (1979b, pp. 10-11).

her Canadian friends, who turned out to be Grant Glassco. He continues, “it was my friendship with Grant that brought me to Ottawa in 1961, as I shall recount; my happy 18 years might never have been materialized” if he had not met him. He believed that Glassco “was a very great Canadian and I have always thought it scandalous that he was never awarded the Order of Canada” (1979a, pp. 5-6).

In September 1960, Hindley wrote in his diaries that he read about Glassco’s appointment as chair of a Royal Commission on Government Organization, and thought to approach him for a job, but decided not to, lest Hindley would be embarrassed. A day after a visit to the Glassco’s farm, Grant told him “Henry, I should have liked to have you come to Ottawa to work for my Royal Commission” (1979b, p. 16). Hindley was told that Glassco had recommended him to a number of people and set up some job interviews for him; however, Glassco also told these others that although he felt Hindley was smart and worth hiring, they should feel under no obligation to hire him. Hindley arrived in Ottawa in 1961, and was interviewed by Frank Milligan, the director of research for the Committee. Milligan asked him about what special qualifications he had to be working on an inquiry into government organization. Because Hindley had prepared himself for the interview, he knew that Milligan had been in the London School of Economics during World War II; he recalled that he replied hesitantly, trying to impress his prospective boss “well, . . . whenever I can get hold of the *London Observer* I always do the Torquemada crossword . . . my shot was right on the target; Frank’s gloomy face was suddenly gloomy no more as he broke into the laugh . . . and said “you’re hired” (Hindley 1979b, pp. 17-18).

Throughout his long experience in the public service, Hindley's side of the story certainly confirms the positive view of civil servants expressed in Granatstein's 1998 *The Ottawa Men*, as he argues in his personal diaries that the senior bureaucrats in England were not to any extent flexible in mentality or process, while in Canada and within his sphere of work, he found the total opposite. Hindley emphasized that "the Canadian scene is not precisely comparable, for the pool of people is smaller and warm friendships often develop between senior bureaucrats and their ministers" (Hindley, 1979c, p. 1).

After joining the research co-ordination staff of the Glassco Commission, Hindley formed friendly relationships with his colleagues, particularly Mark McClung, Hugh Hanson, and Don Yeomans.¹³⁵ During his early months of civil work, he was engaged in preparing a group of Organization Memoranda known as "Org. Memos" developed to provide essential information about the commission as well as on the people working in it for new researchers coming from the private sector. After proving himself to his bosses, his research group was assigned work studying the machinery of government and the bureaucratic structure as a whole. In particular, he was responsible for studying the structure of federal bureaucracy outside the capital¹³⁶, a project in which he suggested

¹³⁵ Mark McClung, Henry Hindley's best friend, was a former Rhodes scholar, who served in naval intelligence during WWII; he then became an early advocate of women's rights not only in Canada but in North America. Hugh Hanson was an "opinionated product of the University of Toronto" and the London School of Economics, as Hindley calls him. Don Yeomans was Hindley's closest friend and served as the Commissioner of the Canada Corrections Service.

¹³⁶ He believed that there were a lot to be made in providing information about the out-of-town federal units unknown to the rest of public employees; therefore, he intentionally planned to visit a group of provinces to touch the reality. Hindley realized in these trips that a lot of governmental organization should be done in terms of recruiting employees¹³⁶, distribution of role, and even providing information related to that the Later, he recommended the requirement of providing federal information service in each city (later prepared/provided by Information Canada).

creating “lines of direct and functional authority and responsibility from and to Ottawa” (*Ibid*, pp. 17-18).

Importantly, Hindley worked on another research project drafting a skeleton of a “satellite department” in which all relevant operations were carried by Crown and private corporations. He recommended that such a department would include only a small staff to assist formulating related policies, advising the minister and his deputy with efficient programs, and estimates of financial details. This recommendation was described as “brilliant invention” suited to many of the government departments, since one of its great advantages was to relieve the deputy ministers of the responsibility of the detailed administration and operational works in their respective governmental units, such as the Department of Justice and Manpower and Immigration. Hindley reflects that “the notion of ‘satellite department’ has become . . . an element . . . [of] ‘conventional wisdom’, a supposed panacea for organizational problems of whatever kind. A great danger for the management consultant is not so much of ‘inventing the wheel’ but rather of trotting out very old wheels for reinspection” (*Ibid*, p. 28). In 1965, Hindley’s research on the machinery of government was interrupted when he was appointed to join the “Project Team on Broadcasting”; he remembers that:

I had no idea then that this event marked the beginning of a new phase in my life. From [this point] right down to February of this year (1979) my work, although extending into many other fields from time to time, has been dominated by the problems of broadcasting and, more recently, other forms of telecommunications in Canada. In an odd way the wheel of my career came full circle, from my first job, with Telephone Rentals in London, was in the telecommunications field and so was my last before I retired in 1975.

(Hindley, 1979c, pp. 29-30)

All members of the broadcasting team were accountants or engineers; he was the only person who focused on the programming. Apparently, this project was not so appealing to the CBC. Hindley notes that “our appearance was far from welcome to the upper levels of the CBC hierarchy” since this corporation had been already “investigated to death” by various Parliamentary studies, commissions, and inquiries, and the last thing they wanted to see, according to Hindley was other royal commission doing another round of investigation.¹³⁷ For Hindley, there were major problems within the CBC workplace; for example, there was a “sudden swelling” of its staff which meant that CBC management had to negotiate contracts with its new employees’ unions since many of them were affiliated with American companies which was really problematic. This however was nothing compared to what Hindley considers as the real “disaster” for the CBC: the endless chain of administrative rules, regulations, and operational manuals that, as he recalled, “none of us [research team] ever before encountered in any other organization” (*Ibid*, pp. 30-35). For example, Hindley recalls

visiting a senior administrative officer who sat at his desk with his back to an odd semi-elliptical book-case perhaps nine feet in frontal length, the shelves of which contained nothing but manuals and books of rules, directives, and regulations of every conceivable size and kind . . . I was disappointed when, to answer an enquiry from me, this official swivelled his chair around and instantly selected the appropriate volumes.

(1979c, pp. 35-36)

As the person assigned to draft the Glassco Commission’s report on broadcasting, Hindley concluded that the CBC was too “steeply pyramidal” with too many stages between the people who produce the events, and their top management. Despite his high

¹³⁷ Hindley says that ironically, there has been always “a curious love/hate relationship between the Canadian public and the CBC; almost everyone agrees that we must have it but almost as many complain that it is no use or not doing its job properly” (1979c, pp. 30-31).

esteem for and friendship with Glassco, he criticized him for editing the draft report in order to avoid any tension with policy-makers in the field during this time: “Grant also snipped away at my draft with ruthless scissors in the process of eliminating passages touching on public policy, with the result that his final product lay open to the criticism” (*Ibid*, p. 39).

By the end of summer 1962, Hindley was looking for a job and thought about moving to a management consulting firm, until he was stopped by Frank Milligan who told him not to commit himself to anyone until he heard back from Bob Bryce, who was the Clerk of the Privy Council and Secretary to the Cabinet during this time. Three days later, Bryce called him and invited both of Don Yeomans and Hindley to join him at the Privy Council Office to work on implementing the Glassco recommendations, which was another adventurous experience for Hindley.

The Broadcasting Years (1965-1969): Fowler Committee to Telecommission Studies

In the spring of 1965, Hindley was appointed the Secretary of the Advisory Committee on Broadcasting (the Fowler Committee) after it fired its original secretary, the amixotic Gordon Sheppard. Duties were distributed in the committee such that every member of the research team wrote a draft of a particular chapter; Hindley’s task was to tie these chapters together and produce the final edited version, consistent in content and style for the Committee’s final report. Hindley describes his job as a job that “needed a delicate touch and a lot of tact, for no writer is ever very happy to have someone else messing about with his deathless prose” (1979d, p. 13).

During the course of the Fowler Committee research, Hindley noted that the Committee had “naturally given careful attention” to the Glassco report on the CBC as well as the published response of its chairman Alphonse Ouimet¹³⁸. To refute criticism of the report, Ouimet formed a group, which came to be known as “the President’s Study Group (PSG)”, which unhappily for the CBC, confirmed that Glassco had been right in many respects and that “a major reorganization was undoubtedly called for,” a result that was totally rejected by the CBC board of directors (*Ibid*, pp. 14-15). In drafting the chapter concerning the CBC, Fowler recommended opening it with a quotation because he wanted that anyone who needs to get a fast and accurate impression of the thrust of the Committee’s report would only need to read the quotations at the beginning of each chapter.

Hindley recalls “we had a lot of fun competing with each other in unearthing suitable items” (*Ibid*, p. 16). Interestingly, Hindley recalls that one big defect of the CBC during this period was that its response to any criticism was to stress the “excellence of its programs” (*Ibid*). The Fowler research team suggested starting the CBC chapter with a quotation of Molière in his *Le Misanthrope* in which he described *Le Mot Juste*: “‘que dites-vous de lui?’, ‘Que de son cuisinier il s’est fait un mérite, et que c’est à sa table à qui l’on rend visite’”. Another suggestion was to include Shakespeare’s sonnet 66 “strength by limping sway disabled, and art made tongue-tied by authority, and folly – doctor-like—controlling skill”. Hindley says that all of the Fowler Committee members thought that it would be “too cruel” to do that to the CBC (1979d, pp. 16-17).

¹³⁸ Hindley says in his diaries that Ouimet thought of him during the preparation of the Glassco report on the CBC followed by the Fowler Committee as “the evil genius behind the almost personal criticisms that both [i.e. reports] contained” (1979e, p. 4).

Hindley's broadcasting years continued when he was asked in 1966 do a draft for one of the "most urgent" projects: the preparation of a White Paper on Broadcasting. He explains that policy decision should be made by the cabinet on the recommendation of Fowler Committee on broadcasting, something that "proved difficult to secure adequate attention to its 400-page report proposing sweeping changes" (Hindley, 1979e, p. 2). He recalls that it occurred to him during this time to write a draft memo to the cabinet in the form of a multiple-choice quiz, which was "in itself was a form of 'decision-tree', for example":

Broadcasting licenses should be issued to (check one):

- (a) the highest bidder;
- (b) a supporter of the party in office;
- (c) the applicant offering the highest quality of service;
- (d) a male or female friend of a Minister;
- (e) a Civil Servant.

(*Ibid*, pp. 2-3)

Lester Pearson was really anxious to get on with the new broadcasting legislation, as Hindley describes, and was personally interested in the communications field as explained in chapter three. He met Hindley's boss during this time—Ernie Steele, Under-Secretary and the third member of the Fowler Committee, when Steele showed him Hindley's quiz on a casual basis. Surprisingly, Pearson "was delighted with the quiz and told Ernie to tidy it up and submit it as a formal memorandum to Cabinet . . . but Judy [Judy La Marsh, Secretary of State between 1965-68] uncharacteristically thought that would be indecorous, so it was translated into conventional form" (1979e, p. 3). ¹³⁹

¹³⁹ Judy La Marsh in her *Memoirs of a Bird in a Gilded Cage*, recalls that Hindley "worked over several broadcasting reports, and this was thoroughly hated by everyone in the Kremlin (the usual style of reference by C.B.C. employees to the huge C.B.C. administration building on Ottawa's Bronson avenues" (1968, p. 232).

Starting with the publication of the *White Paper on Broadcasting*, Henry Hindley started to play a more important role in the government as instructing policy officer. For example, in the fall of 1968 the Undersecretary of State asked him to prepare a memo to the cabinet on the Educational TV (ETV)—a topic of great interest to the Prime Minister during this time. Interestingly, Hindley says that he learned to his great disappointment that the Interdepartmental Committee on Educational Broadcasting restricted him from accessing any of ETV'S documents, minutes and files. During the meeting between Prime Minister Pierre Trudeau and Michael Pitfield, he asked about the project and Pitfield replied that “nothing much was to be expected unless I [i.e. Hindley] was put back on the job”, and this exactly what happened (Hindley, 1979f, p. 3).

Prior to his return to his office, Hindley dated the draft memo to the cabinet which the prime minister and Pitfield wanted which Hindley has been working on before the interdepartmental committee excluded him from its work. Hindley recalls that “the Under-Secretary was astonished to receive it within a few hours of talking to me and asked how it had been written so quickly; the answer, of course, was that it had been written in the preceding August at about the time that his interdepartmental committee has been set up” (*Ibid*, pp. 3-4).

Although Hindley played an important role in the public service as policy advisor in different disciplines, including most importantly perhaps, communications, he did not deny his frustration with the bureaucratic processes which he and other advisors were trying to reform and implement in Canadian policies and regulations. For example, he documents in his diaries an incident on the way ETV project was processed by the government. He says that then Secretary of State Gérard Pelletier asked him to

accompany him to the cabinet committee meeting in which the ETV memo was to be discussed. He remembers the whole story, worth quoting in length since it shows to what extent the senior bureaucrats at that time were resistant to innovative ideas:

[In this meeting,] Pelletier was subjected to a merciless attack by some Ministers, supported by Simon Reisman, the Secretary of the Treasury Board . . . Simon, his scathing attack on the memorandum under discussion, said unctuously that Ministers would be saved much time and trouble if only inexperienced departmental officials would take the trouble to consult the Treasury Board secretariat before persuading their Ministers to sign impracticable recommendations to their Cabinet colleagues . . . this was too much for me, . . . and, with Gérard's permission, I asked Simon "when you say, 'the Treasury Board secretariat', Mr. Reisman, whom exactly do you mean? Every detail in my Minister's memorandum to Cabinet was fully discussed with Mr. Grenier, of the appropriate Programs Division, and his assistant Mrs. Janes." . . . Simon, looking as if he were about to have an apoplexy, beat both hands on his chest like King Kong and shouted "I mean ME!"

(Hindley, 1979f, pp. 4-5)

Just after this meeting, he had dinner with Pelletier who asked him for his advice in relation to the ETV issue. Hindley suggested to him that he should go directly to Prime Minister Trudeau with whom he had a good relationship, and threaten to resign "if all this nonsense is ratified in full cabinet" (*Ibid*, pp. 5-6). The problem was then solved by transmitting the whole issue to the CRTC to decide on, and although Hindley was not sure whether Pelletier met Trudeau or not, he says that "the most gratifying personal outcome for me was that I was able to sense an assurance of Gérard's confidence in me as an impartial advisor. This was important" (1979f, p. 6). Such was the climate in Canada inside the corridors of communications officers, planners, ministries who wanted "change" and reform, out of which the Telecommission emerged and worked.

As a result of his long expertise with both governmental policies and struggles and communications in Canada, he was appointed in 1969 as the executive director of the

Telecommission Studies and the “pen” of *Instant World*, its final report and policy recommendations to the government. Indeed, the colourful life that Hindley lived was full of achievement; he felt strongly that he should have been more praised for his work, and was disappointed that he wasn’t. This point was not expressed directly in his archival material or correspondences, but rather in his own diary which he starts by citing the biblical verse which says: “Then I looked on all the works that my hands wrought, and on the labour I had laboured to do: and, all was vanity and vexation of spirit, and there was no profit under the sun” (Hindley 1979a).

Collectively, what has been shown in this chapter is that in the late 1960s and early 1970s, a group of politicians and civil servants held a novel understanding of what communications public policy could offer to the Canadian public. In particular, the civil servants involved in this initiative attempted to apply principles that the highest level of the public policy hierarchy called “The Just Society”—concepts of freedom, equality, and participatory democracy, evident in the philosophy of the prime minister of the day, Pierre Trudeau—to the field of communications.

Public policy scholars argue that the main role of this group of senior civil servants (which included deputy and associate deputy ministers), under the Westminster system employed in Canada, is to advise their senior ministers on: 1) administrative matters; 2) instruments of the government in the policy fields; 3) departmental and governmental organizational capabilities, and 4) other economic and political factors affecting the process of policy-making. In short, they are the “policy minds” as some scholars regarded (Sutherland, 1993, p. 94). As seen, the ideas and positions held by Kierans, Gotlieb, and Hindley promised to transform communications public policy in

Canada. They raised new ideas about connection and disconnection; informational sovereignty; the right to be heard; providing means of communicating with the peripheries in Canada (such as the North), and proposing the idea of enshrining the human right to communicate in future public policies. Their intellectual effects will be seen in chapters five and six, which offer a detailed discussion of how these innovative public servants translated their thoughts and hopes into research on the possibilities, boundaries, and workability of such ideas, all contained in the details of the Telecommission Studies' work.

In his introduction to *The Ottawa Men* (1998), Jack Granatstein explained that one key factor that helped Canada to overcome problems from the Depression era until the end of the 1950s, were the efforts of the Canadian public service. He considered them an extraordinary group of civil servants who collectively have great influence and power in Ottawa . . . men who changed the way government operated . . . a collection of friends and colleagues who looked, sounded, and spoke alike; lived close together; and, to a surprising extent, socialized with each other during the work week and on vacations . . . Their openness to ideas set them apart from the rest of the bureaucracy and determined their reaction to the country's problems.

(1998, p. xxi)

Granatstein argued, however, that this ceased to apply to the period after 1960 when civil servants “are pronounced lazy and expendable and are told that they can’t manage their way out of a paper bag” (*Ibid*, p. xiii). In this chapter, I have argued that although the period under discussion is after 1960, the key players in the Telecommission Studies, to a great extent, followed Granatstein’s conceptualization of the *Ottawa Men*. Indeed, through both archival investigation and in-depth interviews with key informants, one

realizes that they tried to open the mind of the government of the day to the existing problems and future potential of communications technologies.

Further, they pinpointed an important, albeit unidentified, dimension of Canadian communications policies and regulations: the right to communicate. Whether or not their recommendations and suggestions were translated in to federal policy, they should not been seen as having failed in what they were doing. On the contrary, it might be seen as paving the way to the future realization of the importance of the communications field in Canada, and the conceptualization of a right to communicate that today has become a significant field of research.

CHAPTER 5

Setting up the Telecommunication Study Mission

The Telecommission with respect to telecommunications regulation . . . is thought of . . . as the long awaited tide to wash out parasitic elements and conflicts in various Acts, Regulations, policies and procedures, and to bring the various powers to enact appropriate regulations, long range planning with definite goals and objectives, resulting in improved spectrum management and, finally, policies to serve the individual.

(Réal Valiquette, 17 December 1969)

Prior to his appointment by Order in Council as the special advisor to the Postmaster General and the designated Deputy Minister of Communications (as the Department of Communications was not yet formed in early 1969), Allan Gotlieb remembers a group of events that greatly influenced his future plans and general vision of the newly created department. Taking into account the context described in chapter three, Gotlieb believed that this was the time to investigate the whole discourse of communications in Canada, gathering as much relevant information, outlining its problems and trying to solve them by recommending new mechanisms to the government.¹⁴⁰ The Telecommission was described by the media as a “sweeping one-year inquiry . . . [that] will not only make an outside and objective study . . . [but it] will reveal a profile of the telecommunications manufacturing industry in Canada, the

¹⁴⁰ It is important to note here that the dissertation uses the term “communications” as the general umbrella term for all communications media and technology, as opposed to the term “telecommunications”, which is a sub-section of communications. Yet the word “telecommunications” was preferred by the Telecommission, its conference attendees, and those involved in all its proceedings. So beginning in chapter five, where the dissertation starts to present the archival findings, you will see this term frequently. In order to reduce confusion, I will not attempt to change the quotes from references, correspondences, and interviews to use the dissertation’s preferred term, communications. I will leave quotes as said or written.

structure of telephone companies, . . . their ownership . . . [and the] control of all carriers” (Too many questions remain, 1 October 1969, p. B2-News).

The first step was to avoid as much bureaucracy as possible, especially if he had to deal “with people at Treasury Board and the Public Service Commission and other entities” he recalls, until the project was brought into existence on April 1, 1969 (Interview with Gotlieb, Toronto, September 2006). Therefore, he got the idea of forming a study group to gather the needed information, that he eventually called the “Telecommission Studies” which stood for “Telecommunications Study Mission”, in Canada. It was mistakenly conceived as a “fast-working royal commission”¹⁴¹, and widely as a “task force”.¹⁴² Conversely, Eric Kierans explained in the Department of Communications’ first annual report: “I should stress at this point that the Telecommission was not conceived as a body, such as a royal commission or a task force, but rather as a *process*” (1969/1971, pp. 2-3, *emphasis added*).

Although not categorized as a “task force”, the Telecommission Studies’ process and prospective borrowed some of a task force’s characteristics. As a source of information, a task force is a less expensive option than a royal commission, and its outcome is more workable and flexible since it is serving only as an “advisory” tool for the policy-makers. After the Trudeau government came into power, task forces were considered preferable because of their closeness to the political executive and mix of “intra-governmental” and “extra-governmental” advisers, and not having to rely merely

¹⁴¹ For example, *The Globe and Mail* stated in an article on page 6 (News) on 1 October 1969 and another on page 5 (Report on Business) on 7 October 1969 the existence of a “fast-working royal commission announced by Communications Minister Eric Kierans” (Too many questions remain, 1 October 1969, p. B2-News).

¹⁴² See for example, Raboy (1990), Babe (1990), and Rideout (2003).

to public service advisors. At that time, politicians usually used a task force when producing urgent public policy. Conversely, royal commissions were regarded as “bureaucratized machinery” serving “as important devices permitting the government to informally explore the ‘limits’ of intended action” (Wilson, 1971, p. 120), but which tended to consume more time, money, and more importantly, their recommendations and outcomes were usually “confined to the musty shelves of the federal archives . . . [and] left to the tender mercies of the executive with no continuing pressure group remaining behind to urge decision and action” (*Ibid*, p. 114).

When preparing the Telecommission Studies, Gotlieb confirmed this, saying that a “Royal Commission would have required a government decision in the cabinet and a complete, very ubiquitous, and probably non-productive protocol. So, we just invented it in the department” (Interview with Gotlieb, Toronto, September 2006). Therefore, it was intentionally planned that the Telecommission should not follow either form of “governmental” inquiry, and this was a great advantage, in terms of relaxing the tensions and pressures that accompany any official governmental inquiry¹⁴³, on the one hand, and maximizing the participation of all possible interest groups, intellectuals, and even the public in this process, on the other. Kierans argued in the Department of Communications’ annual report that “in this way we have been able to involve the participation of numerous federal and provincial agencies, of representatives of industry, professional groups and universities and of 11 departments of the government of Canada

¹⁴³ Royal commissions have to publish recommendations and findings to the public, whilst task forces, an “informal” administrative tool to gather information, are not required by law to publish reports within a time frame or according to legal obligations. This might be viewed as an advantage sometimes when general input are required from academia, industry, or the general public, where sources request that their input be anonymous.

in some 50 studies" (1969/1971, p. 3). In fact, this was an asset to the Telecommission in that it attracted media attention at the time. For example, *The Globe and Mail* printed a story on 7 October 1969 entitled "Telecommission to Ask Advice from Outsider", highlighting that the work of the Telecommission would be open to any interested parties wanting to "assist" the federal government "in formulating a national policy to guide the development of communications in Canada" (Telecommission to Ask Advice from Outsider , p. 5-Report on Business).

For Gotlieb, the next important step was to recruit the directing committee of the Telecommission Studies, and since it was exclusively Gotlieb's idea, he was by default the chairman of this committee. He needed, however, to recruit a group of people who could facilitate his job administratively on the one hand, and accomplish it with the highest efficiency in terms of content and intellectual understanding of Gotlieb's line of thinking, to meet the expectations of his own brainchild: the Telecommission Studies. On 21 July 1969, he wrote to Gordon Robertson—the Clerk of the Privy Council at the time—asking for his advice. Robertson replied to Gotlieb few days later thanking him for sending the "provisional" profile of the work program of his study mission, commenting: "You have mapped out what appears to be a very well-conceived and demanding program, which should provide a good start towards the accomplishment of the government's objectives in the formulation of telecommunications policy and legislation" (Robertson to Gotlieb, 24 July 1969).

Robertson added that the time frame predicted in the preparation of the Telecommission Studies' final report seemed an excellent fit since it would coincide with the government's need to have its legislation concerning the launch of the Canadian

satellite in place by the end of 1971. In this letter, however, Robertson cautioned Gotlieb about two important factors which, he believed, were key to the Telecommission Studies' success or failure in its challenging endeavour:

[The first, is to] appoint an editorial director right from the start. He should be a person who has a good general grasp of the field under study or someone who could be expected to acquire it rapidly. Ultimately, his functions would be to prepare the final report, but probably his greatest utility would be to oversee the preparation of all studies right from the beginning, to ensure that they would be what required in the preparation of the final report . . . [The second, and the more challenging one for Gotlieb:] The success of the Telecommission in my view, may depend to a great extent, on the support and co-operation that you are able to obtain from the department and agencies, especially the CRTC, which clearly has a major interest in this matter.

(Robertson to Gotlieb, 24 July 1969)

Gotlieb was in full agreement with this advice and tried to find someone to fulfill Roberston's suggested post of editorial director, who at the same time was familiar with policy issues in communications in Canada.¹⁴⁴ Through his contacts, Henry Hindley was recommended by Gotlieb's friend Michael Pitfield, who had worked with Hindley on various projects, as discussed in chapter four. Hindley recalled that he had decided to go for a vacation in Europe and could not cancel the trip, but Gotlieb, who only met him a couple of times, assured him that "it would be satisfactory if I reported for duty on my return . . . [since] the study had barely started" (Hindley, 1979f, p. 24).

¹⁴⁴ Gotlieb replied to Robertson on 30 July 1969 saying that "I am entirely in agreement about the importance of obtaining the support and cooperation of other department and agencies, especially the CRTC. We are making very positive efforts to enlist the help of all concerned in the proposed studies. We agree that it would be desirable to invite senior officials of departments and agencies to participate on the directing body of the Telecommission where they would feel a special responsibility to see its work through and on it." (Gotlieb to Robertson, 30 July 1969).

After more than thirty five years, Gotlieb seems very satisfied with his choice in picking Hindley¹⁴⁵: “Nobody could have written *Instant World* except him because he had massive amounts of information that was coming in. He had the ability to synthesize the software and hardware. . . He spent years on that, he was the intellectual part of the Secretary of State and cultural policy . . . He was a man of great discipline and intellect, beautiful writer, and wrote the most complicated things in the most simple terms” (Interview with Gotlieb, Toronto, September 2006).

As for the second bit of advice, Gotlieb was in accordance with Robertson in his suggestion regarding the CRTC involvement as well, and included Pierre Juneau—the first CRTC chairman—as one of the five directing committee members of the Telecommission Studies. However, it should be noted that this nomination and contribution of the CRTC was only “honorary” rather than a direct involvement in the proceedings of the Telecommission, as there was a tension between the two bodies. This was evident in a letter Pierre Juneau wrote to Gotlieb few months after the Telecommission Studies started its work, alerting him that the Telecommission should only be concerned with “communications” and not with “broadcasting”—the exclusive domain of the CRTC, as if the CRTC feared the interference of the Telecommission’s research in its territory. Secondly, Juneau in the same letter pinpoints that he had a higher

¹⁴⁵ Gotlieb says that he respected Hindley for his ideas and also his struggle in the government despite his personal status: “He was a very fine man . . . he was a bachelor, he was an outsider, because I don’t think it is any secret that he was a homosexual [and] at the time . . . [some people] were not sympathetic with him. He apprehended and he was open about it and people have ultimately come to accept his honesty about it. It is hard to reinvent those times but this was always an issue in this time” (Interview, Toronto, September 2006). Later, after his retirement, Hindley asked Gotlieb on various occasions for a reference letter or recommendation, which Gotlieb said he cheerfully sent on his behalf.

priority in using his time and efforts for the CRTC exclusively, asking Gotlieb to "limit" the CRTC involvement to the absolute concerns of his corporation.

Dear Allan,

It is becoming more and more obvious that I must make sure in the months that come that the time of our staff is used with great economy. Our staff is relatively small and in many areas it is new. We now are preparing for public hearings (confidential) . . . I also have to appear before the Parliamentary Committee and the Senate Committee. Many important and very complex decisions have to be released between now and next summer. Moreover, we are a new organization which started with almost no staff and therefore we have numerous administrative problems.

(Juneau to Gotlieb, 15 January 1970)

Diplomatically, Gotlieb replied to Juneau assuring him that he had given instructions to his Telecommission's team that an examination of broadcasting policy lay "outside" the terms of reference of their Telecommission. However, he admitted, "Naturally, I regret your decision that CRTC staff will not be able to participate in the work of that section, to which I know they would have made a valuable contribution" (Gotlieb to Juneau, 23 January 1970). Tension over another incident is evident in the correspondence between Juneau and Gotlieb, where Juneau expressed disappointment at an accusation made by Henry Hindley regarding the CRTC's position at one of the Telecommission's proceedings, which one of Juneau's staff had attended:

The minutes of the meeting of the committee on Communications environment . . . were brought to my attention yesterday. They include the following sentence:

"Mr. Hindley reported that the chairman of the CRTC was disturbed by certain aspects of the studies . . . since there was a danger that the policies of the CRTC might become the subject of debate in public or in seminar studies" . . . [refuting this allegation, Juneau continues] . . . As you know, this affirmation is basically inaccurate. The policies of the CRTC are constantly subject to public debate and criticism . . . the CRTC sees no "danger" in it. I am told this was clearly stated at the meeting by the representative of the CRTC . . . I fail to understand the mental process that could have led to such a statement.

(Juneau to Gotlieb, 8 January 1970)

This incident was confirmed in February 2007 when interviewing Juneau, who explained that for him as the first CRTC chairman, there were too many challenges in terms of running this commission within the hostile atmosphere coming from foreign broadcasters whose licenses had been denied.¹⁴⁶ He explained that there were more than three hundred stations, most of them affiliated with U.S. companies, clamoring for licenses, and since the CRTC had to hold a public hearing for each station, and study each application thoroughly, Juneau and his staff did not have enough time to spend on Telecommission Studies work.

Gilles Bergeron was the third member of the directing committee, working as the assistant to Gotlieb in operations and technical issues, while de Montigny Marchand, the fourth member, was the director of research and co-secretary of the Telecommission Studies, heading study groups, organizing conferences, and managing consultants, and organizations' submission.¹⁴⁷ He started his contract with the Department of Communications on 1 December 1969 after leaving the University of Montreal¹⁴⁸. His tasks were to: 1) direct and guide the team of liaison officers who are responsible for all the studies (about fifty officers); 2) coordinate the work of the teams responsible for the establishment of the terms of reference in each study; and 3) organize rationally the communication between the various groups in order to ensure that questions to be studied

¹⁴⁶ The *Broadcasting Act* limited foreign ownership of Canadian broadcasting stations, which angered many stations, given the volume of airwaves coming from south of the border.

¹⁴⁷ Because Bergeron was assigned his job as of 1 January 1971, there were not many details about his contribution in the archives, but Gotlieb mentioned him briefly in the interview saying that “Bergeron who was a very, very high quality individual, very distinguished scientist in the Communications Research Center (CRC) who came to the core of our thinking” (Toronto, September 2006).

¹⁴⁸ Gotlieb said the following about Marchand, who had been a deputy minister in several departments prior his work in the Telecommission Studies: “He was very, very sensitive and also [had] a great sense of national unity in the country” (Toronto, September 2006).

that required interaction be included in the work schedule (Records of Telecommission Studies, 1 December 1969). Hindley in his personal diaries admits that, due to deteriorating health¹⁴⁹, as of 1970, de Montigny Marchand was “doing all the real work, chairing or monitoring the work of the project teams, and organizing six conferences or seminars on several aspects” (Hindley, 1979*h*, p. 1). The last member of the Telecommission was Paul Tellier, who was assistant secretary to the cabinet at the time, and thus a member of the Privy Council Office.¹⁵⁰

In setting the expectations and particular duties of the Telecommission Studies, the Cabinet Committee on Broadcasting decided in its record that since there was a growing need to set a communications policy in Canada as a result of the recent and continuous development of this field, it was decided that:

- (c) the intention of the Department of Communications to proceed with setting up a Telecommunications Study Mission for the purpose of conducting a comprehensive review of national telecommunications and of submitting recommendations to the government, from time to time but with the total submission to be available by the end of 1970, with respect to national telecommunications policy including recommendations for appropriate legislation . . .
- (d) the Study Mission would have as its core a group of Department of Communications senior officials.

¹⁴⁹ Hindley wrote in his diaries that while attending a conference on remote-access computers in Austin-Texas early 1970 he was hospitalized with chest-trouble, and he was diagnosed of a tumour on the lung; that was eventually turned to be false diagnosis when hospitalized in Canada (Hindley, 1979*h*, p. 1).

¹⁵⁰ It should be noted here that there was no mention in any archival documents covered in this dissertation about Paul Tellier’s role, or his contribution to the work of the Telecommission. It is not clear as to why Gotlieb included him on the committee; it might have been to provide general advice from a high-bureaucratic level, or to facilitate the bureaucratic communication between government entities. According to the *Instant World* report (p. ix), Paul Tellier left the public service in July 1970. Yet, on the Privy Council Office website, it states that *Paul M. Tellier* occupied the Clerk of the Privy Council and Secretary to the Cabinet from August 12, 1985 to June 30, 1992. <http://www.pco-bcp.gc.ca/default.asp?Language=E&Page=clerk&Sub=FormerClerks&doc=FormerClerks1985-1992_e.htm> [Retrieved in December 2007].

(e) it was anticipated that the total expenditure for study contracts would not exceed \$ 200,000.

(from D.J. Leach, Supervisor of cabinet documents, 26 May 1969)

This decision was considered as the commencement of the Telecommission Studies, empowering Gotlieb and his team to inform the policy-makers in the cabinet about the potentials, problems, and recommendations in the field of communications in Canada. The inquiry of the Telecommission was extremely appealing to people like Eric Kierans, who wanted to change and reform the field, especially after his Post Office problems, as detailed in chapter four. He expressed his support to Gotlieb, asserting the advantages of this inquiry to both the social and economic levels of Canadian society:

Je m'intéresse aux travaux de la Télécommission et j'espère que celle-ci contribuera largement à la formulation d'une politique cohérente et rationnelle dans le domaine des télécommunications . . . vous portez à mon attention . . . un certain nombre de questions importantes à savoir: . . . iii) l'impact de l'évolution de la technologie des communications *sur le milieu social et politique*. Ce sont des questions fondamentales qui sont susceptibles d'avoir de très sérieuses répercussions sur l'économie canadienne au cours de la prochaine décennie.

(Kierans to Gotlieb, 26 January 1970, *emphasis added*)

Starting from this point, Allan Gotlieb sent letters of introduction and invitations to his targets: governmental and other agencies related to communications (such as the CBC, CRTC, Canadian Broadcasting League, and National Film Board, among others); representatives of communications industry (such as Northern Electric Co. for example); all of Canada's provinces; consultants; universities and educational institutions; and any other entity that might be interested (including the general public). The letter was pretty standard, stating that they were embarking on a communication study program that would provide the basis of a comprehensive "re-statement" of the laws of Canada in the field of

communications. A list of proposed areas of study was attached to this introductory letter which will be detailed later in this chapter, and in chapter 4. It asserted that the Telecommission Studies aimed to complete all studies by July 1970, and present a White Paper to the cabinet by November 1970, and if the government decided to proceed, legislation would be enacted prior to the launch of the Canadian satellite in late 1971. Gotlieb admitted in the letter that “we realize that this is an ambitious program with early targets” (Gotlieb to McPherson, 29 July 1969). Thus, he urged all respondents to send their first impressions on the Telecommission’s approach as well as any specific comments as soon as they could

Gotlieb also shuttled between various conferences and talks to attract the public to the Telecommission Studies’ process. *The Globe and Mail* printed Gotlieb’s assertion that the “task of building the necessary groundwork for the [government’s future national telecommunications’ policy] is too important to be left in the hands of the Government alone or the Government and one or two sectors of the industry” (Telecommission to Ask Advice from Outsider, 7 October 1969, p. 5-b, Report on Business).

The fields of the Telecommission Studies comprised eight different sections: legal, economic, international, technological, information and data systems, the communications environment, communications and government, and a group of special studies (such as satellites and Northern development). Each of these sections or perspectives was divided into sub-themes to study a particular topic. For example, in the legal considerations section, there were six different areas: legal and constitutional basis for the regulation of communications in Canada; history of regulations and current regulatory setting; concept of a communications common carrier; relationship between

the function of common-carriers and broadcasters; relevance of the American legislative experience to the Canadian situation; and relevance of regulatory experiences in other countries. Indeed, it was a “sweeping” series of studies in Canadian communications. The Telecommission Studies strongly embraced concepts of participation and social development in Canadian society, rather than merely focusing on technology and its impact.

Telecommunications Environment Pilot Project

Scanning the Canadian communications environment was the first action of the Telecommission before designing its entire mission. In early summer 1969, the Telecommission’s administrative head office directing committee (hereafter the Ad Hoc committee)¹⁵¹, targeted communication intellectuals and academics in Canada by inviting them and their affiliated departments and universities to map out the communications environment in Canada. They hired Dr. Thomas McPhail of the Communication Arts & Sociology department at Loyola College as the consultant for what they called the “pilot project”, and he contacted all participants on the Telecommission’s behalf. Later, in August 1969, McPhail began his mission by surveying the academic segment of the Canadian communications environment, sending a questionnaire to all post-secondary educational institutions that taught communication, with the intention of determining the extent to which communication courses with a behavioural or social sciences orientation were taught in Canada. Jean Bruce, Telecommission research officer, explained in her

¹⁵¹ “Ad Hoc committee” was the terminology used in almost all the archival deposits on the Telecommission Studies as well as through the correspondence of the committee members themselves.

letter of introduction attached to McPhail's questionnaire, that the focus of the Department of Communications was to compile a record of all current (i.e. 1960s) university research projects that related to the "interaction of communications technology and Canadian society" in sociology, psychology, anthropology, political science, linguistics, law and management sciences.¹⁵² She added that:

Since we recognize that communications studies are relatively new in Canada, our inventory is intended to show not only what is being done, but also the gaps in present research. The field is of increasing interest and concern to government, universities and the communications industry alike, and we invite your opinions on how cooperation between all three can best be achieved, as well as your assessment of research priorities in this inter-disciplinary field.

(Bruce, 6 August 1969, Records of Telecommission Studies)

The questionnaire consisted of eight questions that varied from the general to the specific. General questions included whether the university had a communication department or not; offered graduate, undergraduate programs, or both or not; and the number of students enrolled. More specialized questions asked if the university was offering courses dealing particularly with the social impact of technological changes in society; whether the university foresaw an increase in social sciences-oriented courses in the next five years; and if they already had such courses, they were requested to send the Telecommission the course descriptions, goals, and the names of professors teaching or willing to teach them (McPhail, 4 August 1969). Two main goals behind McPhail's questionnaire were: to know the current and future orientation of teaching about communications in Canada, and

¹⁵² Copies of the letter of introduction and invitation were sent to a list of 34 universities and departments all over Canada. For example, Acadia, Carleton, Dalhousie, Guelph, Lakehead, Laurentian, Loyola, McMaster, Queen's, Simon Fraser and Trent Universities, and the universities of Alberta, Calgary, New Brunswick, Ottawa, Toronto, Saskatchewan, Victoria, Waterloo, and Western Ontario, among others.

the degree to which it focused purely on technology or incorporated social and human perspectives. He then fed these results to the Telecommission's directing committee to suggest future plans in this field. A second goal was to build a list of academic experts and suggest names to the Telecommission for future recruitment in its seminars, conferences, and studies. While receiving feedback from the universities' communication departments, the Ad Hoc team had prepared another questionnaire, directed this time to three target groups in the Canadian communications field. It consisted of two sections; the first covered the current state of communications technologies, while the second was concerned with future and possible recommendations to improve communications.

The first target was television and radio broadcasting institutions such as the CBC, CRTC, and Canadian Association of Broadcasters (CAB). The first section of the questionnaire explored current plans and programs in broadcasting and their social impact on ethnic and linguistic groups in Canada. The questionnaire also asked whether broadcasting networks in Canada helped to create a "national" image. It touched upon the content of radio and television programming as well, to explore the impact of CBC Northern Service programs on the ethnic and linguistic groups in Canada, including "[in a reflection of one rather typical racist attitude of the times] unsophisticated groups . . . like Indians and Eskimos" (Bruce, 6 August 1969, Records of the Telecommission). As well, the pilot project was interested to know the degree to which the general public got information from radio and television services, and if the French language was broadcast in predominantly English areas such as Toronto. Regarding concerns for the future, the project opened up, in its second section, the question of the possible impact of multiple-choice cable TV on the public: Would it fragment national and regional audiences into

local, ethnic, and linguistic groups? Or would it contribute to the development of Canadian “city states”? And what would be the reaction of the public to multiple-choice? Did they really want it or not? The questions also covered some “theoretical” matters such as the possible impact of TV on increasing individual passivity—one historical thread of communication theories—and it questioned whether the Canadian audience would rather stay home and watch football games rather than to go and actually see them? Would the audience be more aggressive or violent when watching too much TV? And so on.¹⁵³

The pilot questionnaire dealt with the use of television and radio for educational purposes¹⁵⁴, mainly to explore the effects of TV and radio on learning capacity, and whether televised education motivated students of different ages. They wanted also to know whether the broadcasting institutions had done research to indicate numbers of students who preferred to learn through lectures or books, rather than televised learning. Generally, the project’s overall intent was to find out what was happening in this new realm of communications, to study the possible future tendencies of people to learn at home using television, and whether this was desirable or not, not only from the students’ perspective but that of the whole society.

The third main area examined by the pilot project was directed to the National Research Council (NRC), Northern Electric, and the Universities of Montreal, Waterloo,

¹⁵³ The archival records did not include the results of this questionnaire; however, as will be seen in discussing the preparation of the pilot seminar, Telecommission took into account all these aspects in its planning, and discussion of different topics.

¹⁵⁴ The idea was discussed before in the Fowler Committee in chapter (2), where Hindley expresses his interest on the topic, and mentioned in his diaries that he was working in drafting the bill for the creation of a Canadian Educational Broadcasting Agency with Pierre Juneau in 1966 where he was the vice-chairman of the BBG (Hindley, 1979f, p. 3).

and York's environmental studies, to research whether computers had yet been introduced to the classroom or not, and if yes, what the effects were on students. The Telecommission needed to know if any of the universities (like the York University's Institute for Behavioural Research) had conducted experiments or studies examining the use of computers and any "dangerous" effects on spoken and written language. Interestingly, the general feel of these questions was the impression that computers might be harmful to human behaviour. For example, it questioned how the human "social animal" would be affected if s/he used computers to work at home, in terms of social relationships with others. Would "shopping-at-home" be enough for people who considered going to the store a social event? And what would be the impact of such new behaviours on family and other human relationships? The project went on to ask philosophical questions such as whether the human being needed a basic level of personal contact or communication, as electronic systems "provid[ed] fewer reasons for those contacts" (McPhail, 4 August 1969, p. 3). It also surveyed the needs of cities for new buildings and public places (such as schools, libraries, banks, and offices). Finally¹⁵⁵:

Will our cities need far fewer of their present essentials in the next twenty or thirty years? Buildings where people now meet . . . will we be more static? Have less reason to go to places inside and outside a city? How will this affect us socially and psychologically? How are the individual's freedoms and basic rights being affected by current developments?

(Bruce, 6 August 1969, pp. 3-4)

As seen, the communications environment pilot project could be considered a "sweeping" project that tried to investigate different aspects of socio-cultural issues related to

¹⁵⁵ The project targeted a group of specialized institutions to research these questions; among them for example, the University of Manitoba Environmental Studies,, Sir George Williams' Center for Human Relations and Community Studies; University of Montreal's Centre de Recherche en Urbanisme, among others.

communications technologies. Importantly, it was also inspired by the general feeling in Canada during the late 1960s—described in chapter three—that communications technologies held great promise for Canadians not only as a “national” instrument as most of the discourses asserted. Rather it questioned, as seen in Bruce’s letter of introduction, the impact of such technologies on Canadians’ rights and freedoms: an idea that will be further elaborated as we discuss the proceedings and seminars of the Telecommission, which in turn introduced the “right to communicate” concept in Canada.

Telecommunications Environment Pilot Seminar

Eric Kierans questioned in *The Globe and Mail* that “technology is taking us in a certain direction, but do we have to let it take us in that direction?” (Crane, 19 September 1969, p. 4-b, Report on Business), and that the telecommunications environment study would examine that direction, and whether it was reflecting what the society wanted or not. *The Globe and Mail* continued, reporting Kierans’ “dissatisfaction” with much of the legislation covering Canada’s communications industry, complaining that “some of it went back to the Nineteenth Century and that many other areas are beyond existing laws” (*Ibid*).

Prior to gathering information¹⁵⁶ from the pilot questionnaire, the Telecommission Studies prepared a two-day pilot seminar at Loyola College in Montreal in November 1969 to investigate the possible areas that should be envisaged to achieve its goal of covering the field of communications’ problems in Canada.

¹⁵⁶ There was also a consensus among all study groups, workshops, participants, and seminar planners on the need for further research in the field, even leading to a suggestion to consult non-Canadian research institutes in areas where Canadians had no experience to draw upon.

The Ad Hoc Committee considered two areas for its proposed seminar to investigate: a) how Canadians could exploit or make use of communications technology with respect to fostering Canadian identity; and b) how to increase participation and the idea of the public's right to contribute. The main characteristics of this debate were sweeping "grand" questions such as national identity; decentralizing the bureaucratic flow of information; reforming communication institutions; allowing people maximum participation through information technology, among others. It seems as if this was the long-awaited moment for the participants in the pilot seminar (communications theorists, academics, representatives of the communications industry, and others) to hope and dream. It was a positive indication of the Telecommission's intention to seriously survey the communications field in Canada.

On 20 October 1969, the Telecommission formed a special committee to discuss, plan and communicate all relevant preparations and suggestions with corresponding study groups in the organization of its pilot seminar. The committee included Spencer Moore, Christine Sirois,¹⁵⁷ Richard Gwyn,¹⁵⁸ Henry Hindley, and Thomas McPhail. The committee met weekly to prepare the seminar program that hoped to glean as much information as possible about the Canadian telecommunications environment. Naturally, the committee suggested many ideas that proved not to be workable; for example, having a formal research team responsible for the entire work of the Telecommission. They eventually realized that this idea was implausible. Therefore, it was decided to go through

¹⁵⁷ She was the administrative and research officer of the Telecommission Studies, managing all correspondences, conferences, and seminars.

¹⁵⁸ Gwyn was a young journalist when he worked closely with Eric Kierans during his 1968 liberal campaign writing his speeches. Further, he was his special advisor throughout his work for the Telecommission Studies, where occupied the assistant to the deputy minister of Communications.

more systematic intellectual stages; longer in process, but more efficient in outcomes. On 20 October 1969, after a long discussion, it was decided that the pilot seminar would:

- Accept submissions from all interested groups (business, academics, intellectuals, industry, government, etc.);
- Limit the invited participants to twenty-five “qualified individuals” in each panel, including six to eight officials representing various institutions or agencies concerned with communications;
- Encourage free discussion between attendees at each seminar, and assign a rapporteur to each group to document and record the comments, since committee members strongly agreed that such debate is the most valuable outcome of any seminar in that it reflects real events in real life; and
- Encourage equal representation French-speaking participants, especially from younger generations (Minutes of the organization meeting, 20 October 1969).

Four days later, the Ad Hoc Committee met again in the Department of Communications building to discuss the preparation of invitations. All members agreed that the people to be invited “were to be restricted mostly to theoreticians, sociologists, and so on with a knowledge in communications” because they did not want “broadcasting . . . [to be] the only voice in the seminar” (Minutes of the organization meeting, 24 October 1969). They decided to invite Dr. John Chapman¹⁵⁹ to brief the participants on the technical aspects of

¹⁵⁹ He was the research assistant to Allan Gotlieb, the Deputy Minister of Communications, and one of the important players involved in setting up the Telecommission, its studies and conferences, as explained in chapter (1), and one of those who influenced the thoughts of the Telecommission as will be described in chapter (5).

the four different systems the Telecommission was interested in: a) computer utilities (particularly data banks); b) non-broadcasting transmission systems (such as closed video circuit); c) satellites; and d) the wired city (including telephone systems, videophones, and residential computer terminals).

They also decided to hold the seminar over two days: the first day would be the introduction to Telecommission's goals for the project, presented by Gotlieb and Bergeron, followed by Gwyn on the nature and purpose of the telecommunications environment theme. Following that, the seminar would be divided into three discussion sub-groups: 1) telecommunications and the individual; 2) telecommunications and institutions; and 3) telecommunications and the social environment. On the second day of the seminar, the rapporteur would report, followed by an open discussion (Minutes of the organization meeting, 3 November 1969). On 10 November 1969, the Ad Hoc Committee met the three sub-groups assigned to set an agenda for the theme discussions.

Telecommunications and the Individuals

This group emphasized the importance of researching the relationship between "man and machine", asserting that it was considered generally, and by many in Canada, to be a "black box", and wondering whether technology could control people although it is supposed to serve them. To achieve this, they proposed researching the relationship between communications and the individual in several dimensions: 1) as a right and a social benefit; 2) as a utility controlled by industry; and 3) as a consumer product, so that communications might be used to realize both national and individual goals. Further, the group suggested viewing the potential of "two-way" cable as a means of maximizing the

individual's role in the communication process. Perhaps, it was thought, this multiple-choice channel option would allow people to become more involved in their community. The group recommended inviting a lawyer to further the discussion about the notion of individual rights in society, especially with the new medium of technology—the computer. They eventually ended up inviting the Minister of Justice to one of their seminars, as will be detailed in chapter four (Minutes of sub-group 1, 10 November 1969). This sub-group proposed covering the following issues in its seminar workshop:

- a. Information overload, impact, resistance, measurement.
- b. The individual, alienation from information systems, feedback, participation.
- c. Equalization of access to information systems by regions and economic classes.
- d. Hardware versus software, discrepancies in the rate of development.
- e. Privacy.
- f. The wired city and its impact on family life, work and education patterns.
- g. Language, effects of telecommunications on language.

(Pilot seminar programme, 10 November 1969)

Here it is important to highlight the serious questions that the sub-group proposed as it tackled the practical possibilities that communications technologies offered for individuals, and asserting the importance of researching the practical limitations of such potentials or possibilities. For example, the idea of equal access to information systems regardless of where Canadians live is a key component in a possible practice of a human right to communicate. Similarly, controversy over the primacy of hardware versus software is one of the recurrent themes in Canadian communications history, and one the Telecommission seriously tried to grapple with.

Telecommunications and the Institutions

This group argued that the Telecommission should adopt a broader frame of reference for institutions, and see them as encompassing a broad range of human relationships, varying from family to nation, believing that the speed of information flow would break down the hierarchical structures of institutions, improving action and decision making, especially in inter-governmental communication. It was proposed that even communication between the general public and the political system could increase or decrease “depending on how we use technology. We can make people feel that they are close to and part of the decision making process . . . Are we going to have one way or two way communications between institution and the public[?]” (Minutes of sub-group 2, 10-11 November 1969). One of the important suggestions made by this group was the urgent need to discuss the issue of centralization versus decentralization¹⁶⁰ of decision-making in communications.

The concept of the “global village”—one of McLuhan’s concepts that became widely popular during these times, as mentioned in chapter one—greatly dominated the discourse in this sub-group. While members of the sub-group suggested examining the concept of instant communication using technologies in relation to national identity, they also asserted the need to research this relationship, raising serious questions related to the workability of such a concept in the presence of different communications entities or

¹⁶⁰ On this issue, the deputy mayor of the City of Edmonton wrote to Kierans requesting more governmental attention to Alberta and Edmonton, especially in the field of telecommunications. He asserted that “The national regulatory authority must function in harmony with provincial and local jurisdictions in the interest of equitable treatment of all consumers . . . The City of Edmonton although an integral part of the National Communications Networks does not receive a share of Message Tool Revenues. Therefore, it is considered that this brief contains information relevant to the current hearings of the Telecommission Sub-committees” (Weinlos, 3 March 1970).

institutions. For example, the sub-group asserted the importance of researching the concentration of the decision-making process in communications, the centralization of information and its relation to creating power in societies, and the issue of the distribution of information in Canada and whether it was equal in quality and quantity or not.

Drawing from the political economy thread discussed earlier, the sub-group argued for example that economically, many important communications projects were not profitable for the government, such as Northern communications development, yet does this mean that the government should withdraw from them for purely economic reasons? The questions boiled down to: When and where do we ask the government to step in? and What are the strength and weakness of each option? The final recommendation was to advise the Telecommission's Ad Hoc Committee to institute a program of research to provide guidelines for the government in the field of communications in Canada, and at the same time to continue to do research to help the government develop workable and efficient strategies in this regard (*Ibid*, p. 3). Finally, the group discussed some additional themes of the seminar, among them:

- a. The impact of information systems on government, corporate, and university structures.
- b. Centralization or decentralization of decision making in institutions.
- c. National identity, information ownership and location of data banks.
- d. Government, shifting relationships with constituents, techniques for feed-back.
- e. Education, use of public information systems.
- f. The impact of the wired city on family life, work, and education patterns.

(Pilot seminar programme, 10 November 1969)

Collectively, the telecommunications and institutions sub-group presented a fruitful understanding of researching "institutions" as influential powers in the field of

communications. As seen in chapter one, the process of public-policy decision making involves a large set of hierachal powers and relationships among different institutions. Hence, it was important for the Telecommission at this stage, before starting work on a proposal for a communications public policy, to study the relevant institutions involved. For this reason, the sub-group recommended that more participation was needed from business and industry to learn more about their understanding of the field and get feedback from these sectors on the Telecommission's work in order to forecast future opposition or tensions, given the potential difference in ideological standpoints (i.e. socio-cultural versus economic).

Telecommunications and the Social Environment¹⁶¹

This group did not reach any formal conclusions; however, its discussion centered on similar recommendations for further research in the field, the importance of experts, and cooperation between government and industry representatives. One of its important recommendations criticized the Department of Communications' general priorities as placing too much emphasis on the engineering and technological aspects of satellites. The group believed that this preoccupation with "engineering delights . . . [means the department is] not [focused] enough on solving serious national problems of communications (between language groups; between rich and poor) through a less dramatic use of telecommunication" (Minutes of sub-group 3, 10 November 1969).

¹⁶¹ The leader of this sub-group was Sandra Gwyn, former colleague of Eric Kierans at McGill, and wife of Richard Gwyn.

The group argued that although communications offered great potential for Canada, negatively, this development was breaking people into even smaller groups, minimizing face-to-face communication, both issues that deserved significant attention and further research from the Telecommission in its future seminars. On the positive side, communications encouraged people to “becom[e] much less willing to accept top-down bureaucratic decisions . . . indeed, institutions . . . may be becoming obsolete” (Minutes of sub-group 3, 10 November 1969). It was then decided to focus on:

- a. the telecommunications arts;
- b. demography, urban planning and the impact of information systems;
- c. language and the effects of telecommunications on bilingualism;

(Pilot seminar programme, 10 November 1969)

On Saturday 15 November 1969, Eric Kierans, and Rev. John J. O'Brien, the vice-president of Loyola College, welcomed the attendees and participants to the Montreal pilot seminar, marking the first official launch of the Telecommission Studies' work. The seminar then proceeded, as planned, with the technological briefing of Dr. Chapman, entitled “State of Telecommunications Art to 1980” followed by a talk by the Engineering Vice-President of Bell Canada, Gordon Inns, on “Telephone Network Systems”. Before the discussion of the work of the three sub-groups, Richard Gwyn outlined the challenges that faced the Telecommission's work in the “wired city”, especially that it focused on “non-broadcast transmission systems”—the topic of the speech given by Gordon Thompson of the Communication System Studies at Northern Electric. Following the morning briefing, the seminar divided into three workshops, each comprising 10-12 participants with one moderator and one rapporteur. The purpose of these workshops was to identify issues for future research and discussions in the three

previously mentioned fields. On the second day of the seminar's morning session, two basic goals had been achieved: agreement on the issues to be tackled in the next project; suggesting the guidelines for government future action. The session was praised for creating "such a lively and spontaneous debate" for the first time in the communications scene in Canada (Minutes of the seminar rapporteur, 15-16 November 1969).

Two main recommendations were made to the Department of Communications. The first was based on the criticism that the Department of Communications had been "set up before it was designed, before anyone has really thought what it was supposed to achieve. It was hoped that the Department would be positive, constructive and imaginative in its development as an 'encouraging department', rather than simply a regulatory body", the rapporteur added (*Ibid*). Therefore, most of the participants and attendees appreciated the fact of the Telecommission Studies¹⁶², and hoped it would try to develop a "vital and creative" Department of Communications. *Ideas in Exile*, a book by J. Brown was highly recommended for future meetings. A second main recommendation was that the Department of Communications should have a mandate on software issues which should not be left only to private industry to develop and research: "Let's make a distinction between planning and prediction . . . Bell Canada doing the planning and we come behind to mop up. Planning occurs when we do the planning and Bell fits in where it can" (Minutes of the seminar rapporteur, 15-16 November 1969).

¹⁶² Similar to this pilot seminar, participants requested that the Telecommission maintain a loose structure in future seminars so that members would feel free to communicate their feedback and comments to the department, and hence decisions would not be left entirely to the bureaucrats: "In this country we seem to lack an adequately financed permanent group who can work in experimental and creative programming and research. Is it possible (that) the Telecommission Report recommends the establishment of such a group?" (Observation by participants, 15-16 November 1969).

This comment so angered the Bell representative in the seminar, Gordon Inns, that he wrote to Gwyn few days later denouncing this attack on his organization and arguing that “such statements can only cause ill feeling and engender distrust and lack of cooperation” (26 November 1969). This incident proved the extent to which the Telecommission had stepped into territory dominated by technical and business entities in Canada. Since the Telecommission’s orientation at this stage was to consult mainly academics, there were only few representatives of the communications industry—even so they complained to Gwyn that they felt “out-of-tune”, surrounded by academics and intellectuals at the Loyola seminar. Inns, for example, voiced his disappointment that, as a communications specialist, he found it very difficult to communicate with other groups since there were different frames of reference, and criticized academics for their use of terms such as “software”.

The Telecommission’s Ad Hoc Committee, in considering this immediate feedback after the seminar, realized that the approach taken throughout the pilot project used very “simplistic terms and linear metaphors”, as the rapporteur had documented. The committee decided that breaking down the area of study into too many categories would not be workable. Therefore, it focused its objectives on adding more cultural, social and political content to all other future studies, especially studies dealing with communications and the *public interest*. Minutes of the organization meeting reported that:

Members reacted strongly¹⁶³ to the suggestion that we would all be Americanized in 10 years if nothing was done, but the solution, it was

¹⁶³ Decrying this idea, one member commented, “We must stop drinking at the technical fountains of the U.S., and stop relying on the research findings of the U.S.” (Minutes of the seminar rapporteur, 15-16 November 1969).

agreed, would not be to cut off the American input in order to survive the technological evolution, but rather to reinforce the Canadian contribution.
(Minutes of the organization meeting, 27 November 1969)¹⁶⁴

Finally, it was suggested that a historian like W.H. Morton be invited to speak about what the Canadian identity meant, so as to further investigate the “very pessimistic” perspective about an American “invasion” of Canadian communications expressed by pilot seminar attendees and presenters.

The Pilot Project’s Results and Plans

Feedback on the pilot seminar poured into Richard Gwyn’s office in the following weeks. One important remark from the archival records of the Telecommission noted that the feedback from academic institutions, since they were the principal group involved in the Telecommission Studies at this stage, could provide an intellectual framework for their study.

Jacques de Guise, of the Institut Supérieur des Sciences Humaines at Université Laval, represented one of the very positive views of the Telecommission Studies generally, and on the progress of the Loyola pilot seminar particularly. After participating in the seminar, he expressed the idea that the Telecommission was valuable, especially that it sought universities’ and intellectuals’ help in mapping what he called the “grandes

¹⁶⁴ Interestingly, the issue of media ownership in Canada was among the ideas that interested Allan Gotlieb during this time. He sent a letter to Gilles Bergeron asking him to pay attention to one study dealing with vertical and horizontal integration in Canadian communications industry: “Do you think we should have a Telecommission study of this question in Canada, perhaps of the Department of Consumer Affairs, or a study of whether a Canadian communications commission should have the power to prevent a horizontal or vertical merger in national communications?” (Gotlieb to Bergeron, 21 July 1969).

lignes” of communication policies. He could not deny the feeling that it was not like the government to delve in such fields of research.

Les gouvernants n’ont pas l’habitude de priser beaucoup les opinions de ces gens qui font fi souvent des principes souverains de rentabilité ou d’électoralisme ou de respect des droits acquis, principes qui paraissent être les postulats d’action d’un gouvernement efficace. Je pense que cette initiative est tout à l’honneur du gouvernement. Elle manifeste un certain souci de légiférer avec le plus de compétence possible, une certaine largeur de vue . . . et peut-être plus encore, la recherche d’un dialogue qui peut être fécond entre les gouvernements et le gouverné. Peut-on souhaiter que ce dialogue acquière une certaine permanence.

(de Guise, 12 December 1969)

As for the Telecommission’s recommending a communications policy, de Guise argued that the social impact of technology was timely and of great significance, especially the distinction proposed during the Loyola seminar of software versus hardware. He added that Fowler had also recommended further study. However, given the limited time assigned to the work of the Telecommission, de Guise recommended: a) announcing an “année des communications” to inform the general and specialized public of the issue; b) inviting specialists in like Hermann Khan or Arthur Clark to talk about the politics of communications. Importantly, he said that one of the struggles that would face the Telecommission was the broad definition and scope it took in its research relying on industry specialists and representatives,¹⁶⁵ arguing that it would not be plausible to suggest a policy or regulation encompassing radio, telephone, television, telegram, and computers at the same time. Therefore, he suggested: c) focusing on new technologies and their impact on the individual environment, and using academic experts in these new

¹⁶⁵ Such as Gordon Inns of Bell Canada, who talked on the first day of the Loyola seminar. De Guise criticised his presentation, arguing that “personne d’autre que monsieur Inns ne semblait s’intéresser au téléphone ou au télégraphe” (Inns, 12 December 1969, p. 3).

areas. Finally, de Guise offered the help of an informal group of scholars¹⁶⁶ at Laval concerned with communication topics inter-related with the Telecommission's scope, as well as the help of the Centre d'Études Nordiques at Laval on issues of Northern communication development.

Academic responses continued, even from non-attendees such as Michel Chevalier of the University of Manitoba, who expressed his disappointment, from a theoretical perspective, on the way the seminar proceeded. He accused the Department of Communications of defining "a big snowballing thing called communications, and saying jump on or be left behind". The danger was that this perspective "lean[ed] toward the environment being a function of communications technology, rather than the reverse" (Chevalier, 15 December 1969). He asked the Telecommission to structure its future research in the direction of the use of communications only as a tool for participation, and social interaction. Further, Chevalier advised Gwyn to be careful to consult experts in the field.

This was similar to the comment by Benjamin Singer (of the Department of Sociology, University of Western Ontario) who admitted that the Telecommission's task was not easy in that it attempted "to write future history... envisaging a series of hypothetical communication roles and attempting to appraise the effects to be expected" (Singer, 19 November 1969). He therefore suggested the study of *the social effects* of technologies, such as the increase of human passivity or violence, and to find ways in which communications technologies could increase the ability to cope with changes in

¹⁶⁶ This group consists of Marcel Gilbert, Roger de la Garde, Lyne Ross, Lysette Blain-Mailhot and Jacques de Guise.

societies, such as cultural styles, music, and fashion.¹⁶⁷ Similarly, Frank Peers, of the University of Toronto's Department of Political Economy, was intrigued by the seminar but argued that it would be more helpful to have narrower discussion. He felt that the Telecommission needed to inform participants about its future legislative scope: would it lead to a new broadcasting act? Or legislation alongside the old act? (Peers, 24 November 1969).

Three conclusions were made by Henry Hindley, the executive director of the Telecommission Studies. First, that studies should not be allowed to run so loosely in the future; second, that the undirected and unstructured group discussions did not reach the principal intention of Telecommission's goals; and third, that the initial volume of outcomes from this pilot project exceeded expectations and could not be handled by the Telecommission's officials and administration. Hence, Hindley instructed the Ad Hoc steering committee to strictly follow his re-categorization of the Telecommission's themes to:

1. Telecommunications and public participation;
2. Access to information and the right to know;
3. Computers: Privacy and freedom of information; and
4. The wired city.

From the preceding discussion of the process of setting up the Telecommission Studies, details of minutes, and correspondences, one can see the real challenge that faced the Telecommission in its risky venture, since it attempted to research problematic ideas that

¹⁶⁷ He even addressed the kind of changes Eric Kierans pioneered during this time using telephone messages.

dominated the field of communications in Canada a long time ago. For example, the idea of technological nationalism which pervaded most of the discussions, has been used critically to study the ways communications technologies are distributed throughout Canada, wondering whether every Canadian has access to, or the choice to access, the same information regardless of where she/he lives. Generally, one can argue that this phase of brain-storming ideas, proposals, discussions, and unavoidably, debates, represented a healthy debut for a novel research inquiry such as the Telecommission. As seen, opinions from academics, social scientists, industry and business representatives were surveyed and incorporated into the final structure of the Telecommission's themes, which will be discussed in detail in the next chapter.

CHAPTER 6

Telecommunications and the People

There was skepticism about the D.O.C., academia, and industry. Some thought the D.O.C. was inept, and that academia were belly-aching when they had no alternatives to suggest. Others questioned the impartiality of industry-originated research, and wondered about the dedication of industry to change when the goal of business is to make money. . . . Some felt that the title of the conference was misleading . . . Some members thought that the stated objectives were irrelevant, that the government had already decided [what] to do . . . and wanted the participants to agree to the recommendations.

(Minutes of Workshop 3, Wired City conference, 1970, pp. 6-7)

The above epigraph represented the real challenge that faced the Telecommission Studies to propose recommendations to solve what was embedded in the Canadian communications field between apprehensions, problems, skepticism, optimism, and pessimism between all parties involved in during its work from late 1969 to early 1971.¹⁶⁸ This chapter discusses one of the novel attempts that concerned itself, for the first time, with the relationship between communications and “the people” in Canada, emphasizing the urgent need to change the existing policies and regulations to include this vision and encompassing the new trends. Observers maintained that

¹⁶⁸ The Telecommission Studies had proposed more than one recommendation to solve the communications problems in Canada and forecast future possibilities using the information, discussions, and debates generated during its series of seminars, conferences, and reports. Particularly, the Telecommission planned for eight areas closely intertwined with the field of communications in Canada: 1) Legal considerations; 2) Economic considerations; 3) International considerations; 4) Technological studies; 5) Information and data systems; 6) Telecommunications environment; 7) Telecommunications and government; and 8) Special studies. For the focus of this dissertation, I have compiled only the relevant conferences and their reports into the theme of “telecommunications and people” proposed by Henry Hindley in his final report: *Instant World*.

New regulatory laws are certain to be framed as a result of the study because government officials already admit existing legislation is decades behind the development of electronic information system . . . what laws there are, the government officials admit, are hopelessly outdated and scattered through a motley array of departments and agencies which do not always have common interests.

(Doig, 18 September 1969, p. 11-News)

The proposal produced more than one conference followed by reports on:

“Telecommunications and participation”, University of Montreal, 3-5 April 1970); “Access to information: How to know and be known” (Carleton University 15-17 May 1970); “Computer: Privacy and freedom of information” (Queen’s University 21-24 May 1970); and “The Wired City” (University of Ottawa 26-28 June 1970). Allan Gotlieb describes this stage of work of the Telecommission: “It was exciting for a while. . . I mean it was all new frontiers. People were coming out with ideas and proposals. I don’t know ...you might know that we had 40 or 50 studies! . . . I mean, it was enormous and I personally took a special interest in the computer and privacy studies . . . which I think one of the original studies on the subject” (Interview with Gotlieb, Toronto, September 2006).

Telecommunications and Participation

The Department of Communications should fire half its engineers and hire social scientists instead . . . if you don’t tell the systems designer now what’s needed, 15 years from now you will blame him—and then it’ll be too late for him, or you, to do anything about it.

(Records of the Telecommission, Report 6-a, 1970, p. 40)

In trying to avoid shortcomings, Richard Gwyn¹⁶⁹ started the preparations just after the pilot seminar ended in November 1969, sending out instructions to the seminar participants to request their suggestions, comments, or criticism before the Ad Hoc committee decided on the shape and style of the conference, especially non-governmental participants.

Based on the assumption that increasing participation of groups and individuals was key in the decision-making process in Canadian society, the Telecommission believed that technology developed new patterns of participation worth studying and researching in this seminar. Namely, using communications, participation would increase public involvement in the decision-making in the areas of politics, social and ethnic groups, mass media, and on the personal, creative, human interaction level. Gwyn asked participants to send their inputs to the organizing committee given that: "It was agreed that the general assumption on Telecommunications and Participation should be rewritten in order to become less determinist" (Gwyn, 7 January 1970).

¹⁶⁹ Richard Gwyn (1934-) was born in England, studies in Stonyhurst College and the Royal Military Academy, Sandhurst and immigrated to Canada in 1954; since 1957 Gwyn has been working as a journalist. In the period from 1968-73 he was executive assistant to Eric Kierans, and executive Director and Deputy Minister of Communications at the Department of Communications. Since 1973, Gwyn joined *The Toronto Star* as its Ottawa-based columnist. In 1985, Gwyn was appointed The Toronto Star's International Affairs columnist based in London. Upon his return to Canada in mid-1992, he contributed weekly in a variety of international affairs for TV-Ontario, Studio 2, and in CBC programs such as Sunday Report and Morningside. He is the author of several political books, including *The Unlikely Revolutionary*, *The Northern Magus*, and *Nationalism Without Walls: The Unbearable Lightness of Being Canadian*. Although he expressed his interest in this dissertation, he apologized in not being able to share his memories on Telecommission due to his extreme busy schedule.

Prior to receiving feedback, the seminar organized four panel discussions¹⁷⁰: political aspects; social processes; participation through the mass media; and techniques for creative participation. It illustrated to what extent the field of communications in Canada was dominated by technical understanding hugely ignoring the social dimensions of the technology.¹⁷¹ To that extent, one engineer attendee at the seminar angrily voiced an “impassioned plea” to the seminar sponsors, organizers and participants, saying “technology can give society just about what it wants. But what does society want? It is up to you to tell us” (Report 6-a, 1970, p. 1). The question generated a heated debate between two camps of participants and attendees: The technological determinists, and the social, human, and communication intellectuals.

The optimistic vision of the seminar’s participants argued that the potentials for individual participation would surely increase with the use of communication technologies. For example, they wondered what would be the lives of people in the Pond Inlet on Baffin Island, where Inuit operated a small, 20-watt radio transmitter to give voice to their own community; or the miners in the Saguenay region of Québec and their wives staying-up late to watch educational broadcasting TV, if they were given new tools

¹⁷⁰ This seminar comprised more than 70 participants (23 Francophones, 39 Anglophones and the rest were bilingual). They combined a varied and interesting collection of disciplines (6 political scientists; 7 sociologists; 6 computer specialists; 2 psychologists; 6 engineers; 4 lawyers; 9 broadcasters; 6 journalists; 2 filmmakers; 4 educators; and 10 other attendees) (Telecommission report 6-a, 1970, p. 1).

¹⁷¹ Gotlieb confirms that the social dimension of communications technologies was totally ignored in the Department of Communications doctrine before the Telecommission Studies. He says “I know one of the first things that I did in the DOC is creating one research . . . the CRC (Canadian Research Center & Dr. Chapman), so we had a second input responsible for licensing and regulation (Burgeron), and later on we had a assistant deputy minister in planning. But we had no socio-economic inputs, so one of the most important things that I had to fight very hard in the Treasury Board . . . it was terrible over the bureaucratic work . . . is trying to create a socio-economic branch and Richard Gwyn was the head of that. Again, all of these needed to be seen and integrated into the thinking of government level or regulatory level” (Interview with Gotlieb, Toronto, September 2006).

and equipments of self-expression that were accessible, cheap, and easier to use. This position regarded the seminar as a momentous opportunity for Canada to create “a kind of Jeffersonian democracy based on social and political participation” (*Ibid*, p. 4).

On the other hand, the pessimists insisted that information technology does not necessarily “change for the better”; rather, its power, as Alan Westin of Columbia University put it, “is quite the opposite from its apparent promise”, arguing that one of the inevitable aspects of expensive information technology “reinforce[d] those who already hold power . . . big government, big corporations, big union, big churches and big universities” (*Ibid*).¹⁷² This anti-technology stance has been clearly detected from this camp, especially after the organizers planned an interactive demonstration of audio-visual communications that only led to frustration.¹⁷³ Severe accusations were voiced at this point—one academic said “I am not going to be part to any scheme by bureaucrats to shore up their tottering empires,” while another businessman attacked the academic anti-technology position angrily: “You are nothing but a bunch of kooks tossing out way-out ideas that are humiliating to industry” (Telecommission Report 6-a, 1970, pp. 5-6).

Looking at the papers submitted by the technology camp, it is evident that they were riding the strong tide of belief that technology would solve all problems in Canada on every frontier. For example, as a computer industry representative, R.A. Manson of IBM-Canada, put it, the computer could make “great changes in the manner and degree

¹⁷² Similar to this view, Léon Dion from Laval University agreed that information technology “accentuates the predominance of the government over the legislature, the bureaucracy and the judiciary. It amplifies the power of speech, and encourages politicians to hide in the secrecy of technicalities” (Telecommission Report 6-a, 1970, pp. 4-5).

¹⁷³ This experimental demonstration was prepared by Jean Cloutier of the Audio-Visual Center at the University of Montreal. There were no details about this experiment in the archives, except for the brief mention that a report would be produced on this particular experience.

of participation of individuals in our society—whether in the political process; in planning our social environment; or in enhancing people's creativity in their work and their increasing leisure time." The influence of the computer evoked "the possible return to the democratic societies of ancient Greece" (*Ibid*, p. 16). It was not surprising then to find a similar defence by another partner of the technology industry. R.J. Lathan of Bell-Canada claimed that the telephone could ultimately solve the problem of participation in Canada: "the telephone is probably the 'major mode' of participation today" (*Ibid*, p. 17). For him, telephones offered radio open-line programs, recorded announcements and information, weather reports, news, and even dial-a-prayer.

In this regards, and although he admitted that the issue of communications and participation itself was "largely outside [his] immediate area of experience", G.A. Fierhller, president of Systems Dimensions Limited, went as far as criticize the very existence of the participation topic in the Department of Communication's agenda. He argued that "the Department of Communications could take the point of view that its responsibility is to discuss the method rather than the end use of telecommunications . . . the questions that I believe should be asked is 'why' such participation is desirable" (Fierhller, 8 April 1970, p. 1). Generally, he disagreed with almost all themes the seminar discussed on the role of communications in social participation. For example, he expressed doubts about the workability of cable television to have a "window into the community", arguing that this way is not the reason behind bringing cable TV in Canadian homes. Instead, he asserted that "Cable TV is bought to improve picture quality, bring in more American entertainment and provide viewing of local football

games. I believe we are deluding ourselves if we think there is much other incentive behind obtaining CATV" (*Ibid.*)¹⁷⁴

Throughout the seminar proceedings, a more meaningful discussion about what participation is, was bounced between communication and sociology academics. For example, Arnold Rockman of York University stated that participation is about sending and receiving messages, yet the key issue would be to determine "who" is sending, and "to whom"? The issue for him was to stress the difference between the active sender who constructs his messages according to his own values and frame of references on the one hand, and between passive media receivers who "are largely filled with American-produced programs reflecting American . . . values" on the other. The critical aspect of this issue in Canada, according to Rockman, was more than "a subliminal psychic invasion," and rather a concern with national identity and a plea to pay more attention to French Canadian claims to be seen and heard on English-Canadian radio and television (Telecommission Report 6-a, pp. 25-26). Accordingly, he recommended that the Telecommission should assert through its research and recommendations that Canada was "a nation of producers" – message senders on the provincial and national level.

Donald Snowden of Memorial University, contended that participation through communications was diminishing the gap/division between the Canadian public into those who "have" and the alienated "have-nots." Therefore, the ultimate goal of new

¹⁷⁴ Further, G.A. Fierhller, president of Systems Dimensions Limited warned against using the technology in political purposes, such as public debate on TV. He said: "If, despite all these qualifications, more participation is provided through television debates with electronic means for "yes" or "no" answers, we must be prepared to live with the results. If we have unrest today, we must be prepared for riots tomorrow once the electorate is ignored on several issues by their elected representatives . . . but our present governmental system shelters us from such direct plebiscites and the assumption that this is necessarily going to lead to better social decision is at least debatable" (Fierhller, 8 April 1970, p. 2).

communications technologies was the efficient use by society, of a tool for ordinary citizens anywhere in Canada to “equally” participate in his/her society decision-making on all social levels. He added that “A nation which does not continuously involve the collective intelligence and experience of its citizens as a deliberate act of policy in shaping the destiny of the country, is a nation with an especially regrettable dimension of poverty” (Snowden, Records of Telecommission Studies, 1970, p. 9).

Communications’ role in producing social change and political development, particularly the discourse of centralization versus decentralization, was one of the important ideas Snowden contributed to this seminar. Coming from a rural area himself, he argued that people living in rural areas in Canada are convinced that central cities plan not only the policies that affect them—indeed, their whole life, where, and how they live it, which creates a strong tide against such policies. He said that centralization “has became the measurement of first excellence and that this excellence has become the standard of measurement of the dimension of life in Canada” (*Ibid*, p. 1). Snowden strongly emphasized that “participation means nothing if those who participate are not well equipped to do so” and he adds “there has been appallingly little effort by governments to equip their citizens to work in fruitful partnership with the policymakers, planners and technocrats” (*Ibid*, pp. 8-9). New communications could offer new hopes for community development in many places in Canada (such as Newfoundland, Prince Edward, Island, Quebec and the Canadian north), giving voices to the voiceless people. This might be seen by many who feared technology as “a weapon” that invaded their societies, yet, for this reason, it was the role of the Department of Communications to

allot the same opportunity for all Canadians to enjoy the positive uses of these tools (*Ibid*, pp. 1-2).

Along the same lines, Léon Dion from Laval University differentiated between two kinds of participation; the first focused on “integration” as its mechanism of mobilizing people through political and public affairs efforts. The second was using “delegation”, where all members of society are in a full contribution –and this is exactly the kind of participation mechanism that the government should focus on, in future communications’ policies. Yet, to achieve this goal, government needed to renounce what he called the “scandalous under-exploitation” of the social possibilities of communications and further research in this field beyond the usual technical dimension only. For example, communications could use hot-lines for citizens to communicate instantly with officials, or televising debates between public figures in the presence of public groups. The key was, according to Dale Thomson of the Johns Hopkins University, governmental knowledge and understanding of the subject, as well as its political “colour” and position. For example, the flow of information in a democratic society would have more “inflow” of information than “outflow” in terms of both the quality and quantity of messages. The challenge for the Department of Communications, in this case, was, first, to “know how” to influence the government to adopt a democratic communication pattern, although Thomson could not deny his doubts on its workability for the Department of Communications, since it is “headed by busy men and my personal concern is that they will not have the time or facilities to understand the communications process in Canada” (Telecommission Report 6-a, p. 20). Therefore, he strongly

recommended that research should continue, since “many of the questions . . . remain unexplored. In fact many of the questions remain unasked” (*Ibid*, p. 21).

CBC and CTV were the only broadcasting organizations who offered their thoughts on this topic. Although Spencer Moore, the CBC International Liaison Officer, praised Gwyn for the seminar idea, commenting that it “will provide an excellent atmosphere in which to absorb and obtain a feeling of the dimension of the new communications possibilities. We feel that it important to expose more of the CBC’s senior people to this experience” (4 March 1970). He explained that his involvement in the Telecommission’s Ad Hoc was merely a matter of doing his job, a statement which could be interpreted as another unenthusiastic response by broadcasting organizations on the Telecommission work, especially as the CRTC did not participate also for the reasons discussed in chapter three:

The CBC’s input was as experts in the field. There was little for us to gain from the Telecommission except hopefully to influence the ministry to make the right regulatory decisions in the broadcasting and associated fields. But writing the contributions to the Telecommission studies was considered to be a great chore by our engineers. My work, while a member of the commission was to see that the CBC contributions were done on time.

(Personal correspondence, 11 August 2007)

The telecommunications and participation seminar produced a group of recommendations viewed as enhancing optimism on the relationship between technology and the social environment in Canadian society. Particularly it recommended the reinforcement of local and community identities by giving them means of self-expression in order to link people to the government. Similarly, an emphasis was on the “nation of producers” idea, in which government will play a more significant role by researching means of giving

communities access to technology as simple as a “do-it-yourself” radio station. The “key to effective participation” as the final report of this seminar concluded “is know-how” (Telecommission Report 6-a, p. 39).

Access to Information: How to Know and be Known

Throughout the three-day seminar co-sponsored by the Departments of Communications and Regional Economic Expansion, held at Carleton University, from 15 to 17 May, 1970, the debates continued, and opposing positions grew wider between the supremacy of “hardware” versus “software” in future Canadian communications’ policy. “Technologists” and “humanists” were constantly warning of the invasion of technology in human life not being fully researched, to the extent that one social scientist expressed his position as “sick and tired of being made to feel the villain for all the world’s troubles” (Telecommission Report 6-b, 1970, p. 2). While businessmen fired back arguing that the very existence of the communications field is purely technical or economical, asserting that “if we remove all considerations of cost then of course technology can achieve anything you want it to” (*Ibid*). The seminar consisted of five panels¹⁷⁵: Technology; Social Aspects; Business Aspects; Information Overload; and Data banks and the public interest, where arguments discussed could be easily categorized in two threads, the technology of information, and sociology of its access.

Concerns were expressed throughout by the seminar’s attendees and participants that communications had increased social inequalities in Canada instead of reducing

¹⁷⁵ The seminar had more than 90 participants including businessmen, engineer, scientist, social scientists, social workers, economists, lawyers, educators, and computer scientists.

them. For example, Thomas McPhail of Loyola College voiced that he was “extremely concerned . . . that technological needs have, by default, taken precedence over the quality and substance of human life” (Telecommission Report 6-b, 1970, p. 5). Similarly, Benjamin Singer of the University of Western Ontario stated that in Canada, instead of studying how to fit communications technology into human life, we are doing just the opposite –resulting in “unplanned” technological starvation for the least powerful in Canadian society. For him, technology had not improved the political and social order; for example, Canadian information systems are dominated by the values of English- and French-speaking-middle class, while ethnic groups (such as native peoples and other Canadians) do not subscribe to these values.

The criticism voiced in the seminar was not towards the technology itself as much as the ways it was being adopted and applied in Canada. The idea was raised by David Hughes, a participant who argued that one way to overcome the barrier of access was through introducing the “alternatives.” Hughes was an organizer of a citizens’ group in Thunder Bay, who believed that although cable systems reached 84% of the households in the city, all programs was not reflecting the reality of the community. This group wanted to use one of these channels for community purposes as “a platform where anything can happen.” The citizens’ group had used public library funds to create a public affairs program called “Town Talk” by setting up cameras in the lounges of the library where people could talk on any subject. This way, Hughes says, “people would literally create their own programmes” (*Ibid*, pp. 9-10).

Another positive experience of extending access to isolated community in Canada was brought up by Duane Starcher of Educational Television at Memorial University

where an experiment on adult education was conducted in six small rural communities in Newfoundland and Labrador (about 800 miles from the university) by video receiver to playback tapes to a total of 224 students. Distant-telephone networks between students and the university failed due to technical problems, even after the CRTC decision that all cable providers should dedicate one of its channels to educational purposes—a “meaningless” position for Newfoundland, as Starcher explained, as there were no cable systems in the entire province. Memorial then organized a twenty-five-week “video-tape credit course” where students were to record their questions, send them to their university, and video tapes were mailed back to these communities. The experience was so successful in the 1970/71 academic year that it was extended to another thirteen communities (*Ibid*, pp. 10-11).

The seminar speakers emphasized the importance and social benefits of a national information service that made use of the development of computerized data banks. One example of these benefits was free public access to a wide range of vital information related to health services, federal, provincial, and municipal government services, job opportunities, housing and real estate services, counselling centers, educational opportunities, etc. However, while it was squarely asserted that this service should not involve government¹⁷⁶, yet, some form of subsidy was needed to provide the service across Canada at affordable rates without regional discrimination.

¹⁷⁶ Michael Harrison of Southam Business Publications suggested that “the government has no place in the operation of the nation’s media . . . I also believe, however, that government should give support to research and development into information generation and transfer systems that could be supported economically with private means” (Telecommission Report 6-b, 1970, p. 15).

By the end of the seminar, it was agreed that three days were not enough to draft policy recommendations for the Canadian communications; instead participants agreed to “define the right answers and to suggest ways in which the right answers could be achieved, rather than to recommend precise answers” (Telecommission Report 6-b, 1970, p. 44).¹⁷⁷ Collectively, eleven concluding recommendations were made to help Canadians know and be known.

1. The seminar concluded that “access to information is, or should be, a right of citizenship”, similar to other fundamental rights (such as freedom of speech or assembly for example) and that “every citizen should have a Right of Access to Information, resulting in a corresponding Right to be Heard, and in both official languages” (*Ibid*).
2. Severely challenged by the business representatives in the seminar, the second recommendation centered on the “ultimate” responsibility of the Canadian government to ensure access to information. Representatives could not help hiding their suspicion of “the almost inevitable bureaucratization of anything the Government puts its hands to” on the one hand, while government supporters imposingly advocated the claim that “we are getting to the stage where communications is becoming just as important as electricity . . . indeed,

¹⁷⁷ Ironically, the only inquiry about this seminar raised in the House of Commons was “how much” was spent: “how many invitations were issued? . . . Was the reception associated with the seminar held before or after the actual seminar or was there a reception both before and after and, if so, what was the cost of the reception and what portion of this cost was the responsibility of the Department of Communications? . . . What was the total cost to the Department of Communications for its involvement in this seminar” (House of Commons, Debates, note No. 1954, 2 June 1970).

communications is the Government" (Telecommission Report 6-b, 1970, p. 45, emphasis in original).

3. For many at this seminar, and perhaps for the first time during this historical period, it was time to stop thinking about communications merely as "broadcasting." Strong claims were made for the urgent need to develop a national "communications policy" similar to national economic policy or national welfare policy in which government should be committed to endorse the development of communications in Canada "according to more socially-meaningful lines"¹⁷⁸.
4. For Canadian individuals, regional location should not be contingent or dependent to his enjoyment of the national communications coverage. This was one of the strongest issues that preoccupied all seminar workshops and debates, and while it was agreed that any future national communications policy should provide "a minimum level" of services to all Canadian citizens regardless of where they live, participants failed to define precise minimum levels of communications, and according to whom? A Torontonian would consider a touch-tone phone the minimum service while a Newfoundland would like a phone itself as a service minimum.
5. Government should take serious steps to "equalize" the costs of communications throughout Canadian regions either by reducing the costs, or providing a national flat rate for telephones for example.

¹⁷⁸ One workshop concluded that "what is now urgently needed are safeguards, rules and overall policy governing all aspects of the content, use and users of social and technological data banks" (Telecommission Report 6-b, 1970, p. 45).

6. One of the strongest suggestions of the seminar, and echoing McLuhan's "the medium" and "the message", participants called for divorcing communications hardware from the software. Yet, they did not reach an agreement of who should own and control the medium in this case—public, private, or mixed ownership? The question remained open.
7. To ensure the "freest" possible flow of information from the sender to the receiver, participants advocated eliminating all and every type of censorship. One possible way that gained popularity at the seminar was to establish a national cable network with multi-channels financed totally from subscription fees. This way, the data transmitted from the system on demand would reflect the receiver national or regional interest without constraints imposed by advertisers.
8. It was concluded that only 10% of the people in Canada understood how to use information, therefore, participants agreed that "if access to information is made a right of citizenship, the public will have to be taught to use information systems" (Telecommission Report 6-b, 1970, p. 47).
9. Creating a communications research center or institute was an important obligation by the government to continuously understand the interplay between the information technology and its effects on the public.
10. Without any abstention, participants decided that the government should take serious steps to develop an information service on communications technologies formed in cooperation between universities, industry and government whether there was be a research center or not.

11. The Department of Communications needed to develop on-going task-forces to gather information about the people's needs for communications in all deprived areas. The seminar concluded, proposing the novel idea of having a "national teach-in" program where people could speak about their needs and be asked their opinions. This idea was widely accepted, believing that creative ideas¹⁷⁹ should be tried, concluding that "the new communications environment is creating the new Canada. We'd better find out what kind of Canada Canadians want" (Telecommission Report 6-b, 1970, p. 49).

Soon after the end of the seminar, Gotlieb received positive feedback from attendees who asserted that the role of the Telecommission in marrying the technology of information with the process by which it was disseminated through multi-disciplinary study of social and human perspectives: "The impact of the Telecommission will be felt not only in Canada but in the world where it will have an influence on the orientation and development of the industry of communications" (Jaubert to 27 May 1970).

Computers: Privacy and Freedom of Information

This conference is a step, and no more than a step, in exploring the potential—and I emphasize the word potential, invasion and circumscription of privacy which may be brought about by the rapid development of computerized information systems and data banks . . . there is a very clear potential social cost which must be matched against the quite obvious social and economic benefits of computerized data banks. It is precisely the kind of issue which we must explore and resolve if we are not to permit . . . a wholesale technological pollution . . . which

¹⁷⁹ One participant admitted "I favour the idea. . . Quite possibly it won't work, but I'm in favour of the attempt anyway" (Telecommission Report 6-b, 1970, p. 49).

could end up with us re-ordering our social behavior and priorities to suit the mechanical convenience of machines.

(Kierans, 1970b, p. 4, emphasis in original)

One of the most important efforts of the Telecommission in successfully transmitting new perspectives to the government was its conference on “Computers: Privacy and Freedom of Information” at Queen’s University from 21 to 24 May, 1970, sponsored by the Departments of Communications and Justice, the Canadian Information Processing Society, and Queen’s University.¹⁸⁰

Preparation for this conference started just a few months after the creation of the Telecommission Studies, when Richard Gwyn took responsibility for contacting interested parties to submit their proposals on the shape the conference would take. He started in November 1969 to communicate with interested groups in the computer technology field such as the Canadian Association of Consumers, representatives from provinces, credit companies, banks, and the House of Commons. As well, broadcasting institutions were on Gwyn’s list, but, were not very interested in the topic. CBC’s International Liaison Officer and the representative in the Telecommission, Spencer Moore, replied to Gwyn’s request confirming that “our interests at this stage is in seeing the papers and commenting only” (23 October 1969). Recently, asking Spencer Moore about the particular input of CBC during this seminar, he said that:

The majority of the CBC studies were technical in nature written by members of the CBC Engineering Department in Montreal. In the late 60’s the CBC engineering department was large group with national, even world specialists in many broadcasting and associated communications fields It played a major role in Canada’s national communications discussions and in the International Telecommunications Union in Geneva. Included in its work at that time were the technical and

¹⁸⁰ This point will be further discussed in Chapter seven.

operational requirements for national distribution of the French and English networks, including the arctic.

(Personal Communication, 11 August 2007)

To effectively plan, and pinpoint the role of everyone organizing the conference, Henry Hindley interfered in this stage, drafting a memorandum that had been circulated to the organizing committee. Hindley formed six different committees to organize this event¹⁸¹. The main objectives of this conference were: 1) to examine and discuss the problems arising from the operation of information systems and data banks on personal privacy and right of access issues; 2) to raise concerns about Canadian data banks physically stored in the United States, a fact threatened personal privacy; and 3) to record all opinions and suggestions from interested and involved groups in the design, operations, and use of computer systems on the theme of the conference: "Right of Access, and Right to Privacy." One important qualification made by the organizing committee was that all submissions/discussions should be within the Canadian context, since the outcome of the discussion would be in the form of legal or regulatory recommendations to the Canadian government. Therefore, it was important to ensure

¹⁸¹ Namely, 1) A conference committee chaired by Gwyn that concerned all conference related organization; 2) Ad Hoc finance committee chaired by R. Hayes of the DOC to deal with cost related issue preparations, the Departments of Communications and Justice having contributed \$5000 each to cover the expenses of the conference and the \$100 honorarium given to each panelists; the committee decided on \$85 registration fee, as revenues for the Telecommission work. 3) A program committee chaired by Professor Calvin Gotlieb, director of the Institute of Computer Science at the University of Toronto who was responsible of the structure of the three days conference. 4) An arrangements committee chaired by H. Hilles of the DOC to arrange the budget with the cooperation of the conference co-sponsors. 5) A publicity committee, chaired by F. Howard of the DOC who responsible for coordinating and distributing background materials to participants and departments involved; communicate with selected journalists; draft and print conference program; organizing between the programme committee and the conference rapporteurs, among others editing jobs. 6) An invitations committee handled invitations to the conference, and circulated the list of attendees to all members of conference committees (Telecommission Studies Records, 23 September 1969).

background texts on Canadian laws, federal and provincial responsibilities, as well as writing the report in one of the official languages with simultaneous translation to the second one throughout the discussions if needed.¹⁸² Finally, the Telecommission hoped to draft a guideline of conduct¹⁸³ for anyone involved in the operations, manufacture, and regulation of the computer and data banks (Records of Telecommission, 23 September 1969). Five panels proceeded to discuss the two most important issues: the right to privacy and freedom of information through looking at: 1) Data banks: existing technology and practice; 2) Data banks: Direction of development resulting from needs and technology; 3) Objectives for securing privacy and freedom of information in data banks; 4) legal and regulatory means of reaching objectives; and 5) professional and technical means of reaching objectives.

The Right to Privacy in a Computerized Age

It was overwhelmingly agreed by the conference that it could not define what privacy means fully and adequately since it is “may be one of those things like beauty, truth and freedom—something that exists only in the eyes of the beholder” (Telecommission Report 5-b, p. 13). The conference had an “unusual nature” compared to previous gatherings and followed the Telecommission’s seminar format, says Gwyn,

¹⁸² Ian Rodger from the *Financial Post* was appointed to write the final report of the conference.

¹⁸³ A list of about 150 persons were invited to the conference, including manufactures, government representatives, information educational institutions, universities, consumers, lawyers, technicians, banks, among others. Eric Kierans has invited himself provinces to attend as well, among them, for example, British Columbia Prime Minister stating that “it is clear that we are to have the best of both worlds—sufficient privacy and sufficient freedom of information—rules of conduct by all concerned must be established very quickly” (27 January 1970).

because it was not intended to have a direct input on policy, but rather operate as an exploration of the issues created by the impact of new information technology upon the Canadian social environment, and to elaborate a philosophy of privacy (Gwyn, 15 April 1970). The Telecommission realized that there was growing public and professional concern about the possible invasion of personal privacy as a result of the advances in the technology and organization of computers and data banks. “A considerable amount has already been written and said on this subject” Gwyn argued, however “much of it has been in isolation, and very little has particular reference to the Canadian scene” (13 November 1969).

Justice Minister John Turner emphasized in his speech the historical value of this conference as a novel Canadian contribution to the intellectual legal and jurisprudential inquiry to privacy issues¹⁸⁴. He reported that personal privacy has been intensively studied in the United States for more than seventy years since the publication of an article in the *Harvard Law Review* titled “the Right to Privacy” where the young Oliver Wendell Holmes argued, that privacy is a right which each individual “determine to what extent his thoughts, sentiments and emotions shall be communicated to others” (1970, p. 6). Importantly, Turner added, this article had prophetically cautioned against “mechanical devices” that might threaten this right. In 1965, as a result of the government plans in the poverty, health, and education realms, the US Bureau of the Budget proposed to establish a “national data center” to organize and retrieve information about citizens in the United

¹⁸⁴ At the conference Turner asserted that the “erosion of privacy is the beginning of the end of freedom. For privacy is the foundation of the principle of autonomy, at the core of human dignity. The right to privacy not only goes to the core of our being as individuals but also the core of our being as a society or state. A state that demeans its individuals demeans itself a society that mocks the privacy of individuals mocks itself” (Turner, 1970, p. 6).

States, a proposal that strongly rejected in Congress hearings in 1966. From that moment on, a renewed concern with computers and privacy had been launched in the United States, Britain, France, Sweden, and Denmark in an effort to regulate the practice of information privacy using computers “legally.”

Yet, the notion of privacy according to many sociologists attendees at the Queen’s conference was more than a legal concept; it was an analogy to “human dignity”¹⁸⁵ and the human right to master his/her personal space and belief which should be ensured by Canadian society as well as legislations, otherwise, warned Gotlieb:¹⁸⁶

The individual may come to feel to an ever-increasing extent that he is spied-on in an information-dominated society, and his behavior may be influenced to the point where he prefers to act in the same way as those around him and not set himself apart. The result would be an atrophied society whose members would show no initiative or willingness to innovate

(Gotlieb 1970b, pp. 10-11)

Eric Kierans, as well, in his keynote speech to the conference, acknowledged the difficulties arising from dealing with the computer topic generally. One of these is the subject itself: the computer is a very recent subject of public debate, and very little is known about data bank location, nature, function, ownership, technology, how information is collected, stored, and transmitted. Any attempt to develop a Canadian national policy in this respect required getting more information about the information

¹⁸⁵ Ontario MP Tim Reid, one of the panelists who introduced a bill on data banks and privacy into the Ontario legislature in 1969, has revealed that for many high-school students in Ontario, feel that their students records represented a great pressure on them by teachers, schools, and even their parents to conform with unaccepted invasion of their privacy. For example, on student discovered that a personal letter was opened by his school principle, and admitted that “his dilemma” ‘If I make a fuss, someone will put on my record that I’m unreliable, a troublemaker” (Telecommission Report 5-b, p. 14).

¹⁸⁶ Gotlieb says that he took a personal interest in this topic which he believes that it was “one of the original studies on the subject” (Interview with Gotlieb, Toronto, September 2006).

system. A list of legal imperatives that should be included in the policy options was proposed by Minister Turner in this regard that included:

1. What will be the authorized agencies to collect information and stored it in the systems; private or public;
2. Who will have access to the collected information, under what conditions, and for what purpose?; and
3. What kind of information will be transmitted? To whom? And for what purpose?

Power relations involved in the play between technology and its use by governments, commercial organizations, and research corporations was another problematic area attached to the study of privacy. Information is power and there is a tendency of governments to “abuse citizen entitlements [to information] under the guise of privacy” (Turner, 1970, p. 10). If the government in Canada is aiming to use this technology to create a participatory democracy, then privacy of communication should be “essential if citizens are to think and act creatively and constrictively . . . external restraints, of which electronic surveillance is but one possibility, are thus repugnant to citizens of such a society and to the society itself” (*Ibid*, p. 6). Still, how can this be achieved when the Canadian government had not attempted first to build a confident relationship with the computer industry?¹⁸⁷ At this conference, it was time to change:

¹⁸⁷ That is why Kierans believed that this conference was changing this frigid relationship: “The need for cooperation between government, industries and universities has become virtually an after-dinner speaker’s cliché. This conference, is an example of that concept in productive action” (Kierans 1970b, p. 5).

Government and the computer industry have talked very little to each other in the past . . . the Telecommission is providing one opportunity for an exchange of views. This conference, in its particular field, provides another link in the chain. But a great deal more dialogue is needed – a system for exchanging information about information.

(Kierans, 1970b, p. 7)

Privacy versus Freedom of Information

A firm position taken by many sociologists, and academics at the conference was that no legislation should be enacted to protect privacy without first ensuring that freedom of information was legally protected as well. For example, Hugh Lawford of Queen's University was one of the strongest opponents to right of privacy legislation, arguing that any pressing desire to protect privacy in Canada would eventually distract the society from enforcing a human right to access to information:

Le désir de protéger ce droit à la vie privée nous fait ignorer le plus grand danger qu'emporte l'ordinateur . . . la création d'une société fermée dans laquelle l'information tombe sous un contrôle rigide. L'étude suggère qu'aucune action ne soit initiée qui ne puisse sanctifier un droit à la vie privée à moins qu'un droit de première importance ne soit fourni pour la protection de liberté d'information.

(Lawford, 1970, p. 1)

Lawford doubtfully asked that if the issue of privacy was philosophically that fundamental, why had Canadian common law failed to develop a legal right to privacy? The answer, for him, was that Canadian common law reluctantly¹⁸⁸ believed that recognizing a right to privacy jeopardized a more fundamental right: the right to free speech. He confidently asserted that "I believe that most Canadians would agree that the

¹⁸⁸ For example, claims by doctors, lawyers, and even journalists to have a right to protect their confidential communications between patients, clients and sources of news have been rejected by Canadian courts simply because this overrides the superiority of freedom of speech in Canada.

way our law has developed has been the correct one . . . where a conflict arises between the right to free speech and another right, we should maintain our bias in favour of freedom of speech" (Lawford, 1970, p. 4).

Prime among the problems of adopting privacy laws in Canada was the threat imposed upon democratic communications and the degree of openness in the government. It was argued that intelligent monitoring of government performance requires that the people have the ability to access all information when needed. Yet, how this could be achieved if the documents circulated from the government itself to the public? The 1960s system of handling government documentations was though— the *Public Archives Act*, although seen as “far from satisfactory” since the criteria set to disclose government information was not decided by the public, which constitutes in itself a violation of the public right to know (Turner 1970, p. 11).¹⁸⁹ With the advent of computer technologies and privacy laws, government officials would be the only party authorized to access these documents. The computer permits the creation of a system where access to government information is strictly controlled and monitored for privacy reasons or the claims of its creators (i.e. government officials). “The computer permits the creation of a system in which access to government information can be rigidly controlled and usage of government information can be strictly monitored” (Lawford, 1970, p. 7).

¹⁸⁹ Although this system was strongly criticized during the conference asserting that it was not until recently (i.e. 1960s), the Canadian legislation to govern the governmental documents adopts the “50 years rule” in the archives. In other words, any document that is fifty years old is open to the public; a position that totally denouncing the public prompt access to information. Comparing the Canadian system to others (Sweden, British, and American) that enacted a Freedom of Information Act, it was time to change in Canada and establish a more comprehensible method to access governmental documentation.

Similarly, there was a perceived danger related to government power to exercise and control of: how the information can be collected, verified, and to whom and under what conditions information can be transmitted. The danger according to many participants at the conference (including government officials like Gotlieb, Kierans, and Turner for example) is the confrontation between the individual wants to access to information and the restraints imposed upon him/her societal power relations. A heated discussion concentrated on the crucial gap that would arise between the few who collect and manipulate information on the one hand, and the many who are manipulated (especially if they are unaware of this manipulation), that threatens the very practice of democracy in Canadian society: “it would make participatory democracy all but a sham; a new transistorized eliteism [sic] could manipulate our wants and needs” (Turner, 1970, p. 10).¹⁹⁰ Creative legislation was needed to ensure the public right to know as one fundamental cornerstone in the practice of meaningful dialogue between the public and their governmental in the process of decision-making. The rights to privacy and to freedom of information were seen therefore by reformists, like Eric Kierans, as not contradictory or conflicting ideals but complementing each others:

I have publicly expressed concern about Canada’s need to develop sound and imaginative policies so that we, as a nation and as individuals, can truly benefit from the advances that are being made in communications

¹⁹⁰ Turner went on in his speech alerting the conference attendees of the many possible examples that threaten their personal privacy as a result of technologies: a remote controlled amplifier with no larger than the head of pin can capture a conversation and transmit it by wire for 25 miles; cameras can take photos in a dark room in two blocks away in moonlight is equipped with infrared film, among many others examples of invasion of personal privacy. In the end, he outlined, “The corollary to all this . . . is that your telephone can be tapped, your office bugged, your files photographed, your physical movements monitored, your communication recorded – all this without your having any right or recourse or any protection in law . . . the open society has become the bugged society. The struggle for freedom is being mortgaged to the parabolic microphone. The zones of privacy are being occupied. There are no more sanctuaries” (Turner, 1970, p. 5).

technology . . . beyond any doubt, the marriage of computers and communications, of data processing and telecommunications, represents one of the most significant technological advances of our time.

(Kierans, 1970b, p. 2)

In this regard, *Instant World* suggested adopting a system of information classification on the basis of control that included three sets of variables: 1) data source (public record, supplied by individuals, or other sources); 2) data distribution (internal or external); and 3) data inspection (automatic, request of individual, or forbidden). For example, a police file would be classified according to these variables as: supplied by other sources, distributed externally, and with a forbidden inspection (1971, p. 45). In addition, *Instant World* as will be seen in chapter seven, will suggest incorporating the legal concept of “invasion of privacy” into Canadian federal and provincial laws.

Government Policies or Self-Governance Measures?

Two recommended proposals for action at the Queen's University conference were: one, legislation to protect individual right to privacy, and the second, while strongly denouncing this proposal, as it constrained human access to information, and called for a different guideline to limit the control and power of information system operators (i.e. government, private corporations, industry, etc.) through a self-governance professional procedure.

The dilemma posed throughout this conference's proceedings could be reasoned as a chain of consequences. First, information data systems about individuals are increasingly useful to the government public sector in its planning (tax records, medical statistics, police fields, census data, etc.), to the private sector in their operations

(banking, credit, insurance, etc.), while social scientists need more information to research and study society. Secondly, the current rules governing collecting, storing, and disclosing information are poorly defined within Canadian law; a situation resulting in poor individual protection against the misuse of information.

Thirdly, with the new technological trends of computer systems, individual information would be available to access by anyone through terminals of remote-access believed to increase the possibility of retrieving without restrictions or permission. Finally, various proposals were introduced to regulate the use of data banks either by the government, industry, or by the users themselves. Instead, Calvin Gotlieb,¹⁹¹ the conference chairman, argued that the important question was whether effective regulations could be formulated and then enforced or not? For him, it is not that difficult to regulate this medium while ensuring that individuals pay no cost from their freedoms or rights.

Based on the assumption that no Canadian citizen can simply eschew society if it has to keep records of personal information (like a birth certificate for example) even if

¹⁹¹ Calvin Carl Gotlieb (1921-) is considered as the “Father of Computing” in Canada. He is Professor Emeritus in Computer Science at the University of Toronto. Gotlieb received a PhD in physics from the University of Toronto in 1947, and is the founding member of the university’s computation centre in 1948. In 1951, he began teaching computer science where he was interested in shifting the focus from hardware to computer applications and software, and eventually to the socioeconomic implications of computer technology. He is the key founder of the Computing and Data Processing Association of Canada in 1958 (now the Canadian Information Processing Society, CIPS). Gotlieb has also founded in 1964 the first graduate department of computer science in Canada at the University of Toronto. He is an expert in mathematical, business and scientific applications, timetables, graph theory, international development and seaway calculations since 1950. In 1994 Gotlieb received the Isaac L. Auerbach Medal by the International Federation of Information Processing Societies and he is a Fellow at a group of prestigious computer associations, for example, the Royal Society of Canada, the British Computer Society and the Association of Computing Machinery. In 1996 he was awarded the Order of Canada.

this personal privacy is undeniably ill-defined in the Canadian law¹⁹², Canada has to ensure that his personal information (or privacy) are not misused. Perhaps a meaningful suggestion would be to interpret firm rules to those who work (design, handle, store, and access for instance) in the field of information generally, and not merely only computerized data banks, “since a system which contains information about a person may take a wide variety of forms¹⁹³, ranging from a telephone book to a security file” (C. Gotlieb 1970a, p 6). For that, Calvin Gotlieb proposed implementing a legal concept of what is “invasion” of privacy in Canadian law that should be broadened to include any situation of wiretapping (telephone or closed-circuit cameras), credit bureaus, health system, legal system, etc. on the one hand. On the other, technical measures should be improved to ensure more security control on the individual information transfer by the manufacturers, designers, and programmers.

Affiliated to the Department of Communications, David Parkhill¹⁹⁴ adopted a similar approach advocating government involvement in fostering computer technology in different aspects of Canadian society, believing that computer technology has transformed information into a commercial commodity that is more complex than electricity or telephone services. Parkhill envisaged in his speech the potential of treating

¹⁹² C. Gotlieb referred to David Gornfield’s paper “The Right to Privacy in Canada” published in 1967 in the *Faculty of Law Review* that was sent to all seminar participants as one of the background papers. Gornfield in this paper argues that there are different forms of invasion of privacy in Canada while it is a real threat to people in different incidents from the courts’ rooms, there are very few protections for privacy in the statutes or the common law (1967, pp. 119-120).

¹⁹³ In his speech, Calvin Gotlieb classified a list of what he thinks information systems such as bank account, payroll file, medical report, personnel file, police file, credit record, tax file, telephone book, voters’ list, sales prospects’ file, membership list; newspaper morgue, court records, welfare list, census record, among others (1970a, pp. 10-11).

¹⁹⁴ Parkhill was the assistant Deputy Minister of Communications and the director general of policy plans and programs of the Department of Communications.

information as a utility in the near future that would include almost all aspects of human life, such as professional utility (i.e. legal, medical, law enforcement, scientific, engineering, pharmacy, agriculture); business utility (i.e. credit, real estate, marketing reports, regulation, prices, trade data); consumer utility (i.e. consumer testing and satisfaction reports, products availability, advertising); and general information utility (i.e. political and economic data, historical, travel, weather, entertainment). Parkhill promised that a new society would see a different way of life: 1) Growth of service retailers; 2) Economic abundance; 3) Individualized computer-assisted instruction; 4) Decentralization; 5) Universal access to knowledge; 6) Greater freedom of choice for consumers; and 7) True participatory democracy. He went as far as to imagine a new Canada with the advent of this technology:

By aggressively and imaginatively exploiting the promise of the information utility, Canada could leap frog decades of normal development and become the world's first post industrial society. Within this new Canada, the universal availability of information power could magnify by orders of magnitude the economic and intellectual capabilities of our people and lift the nation in a gigantic quantum jump to an unprecedented level of achievement.

(Parkhill, 1970, p. 14)

Still, on the darker side, technologies embody negative effects such as the invasion of privacy, but he adds, that it is to the government to take "stringent measures" to ensure that people access information freely with no over-riding at others' privacy. In this debate, the President of the Canadian Information Processing Society, Mers Kutt, allied with sociologist Thomas McPhail of Loyola College in favour of a "self-policing" operated by the professional groups involved in the information technology themselves. Kutt defined the role of his association in safeguarding the individual right to privacy, as

first, implementing a professional standards and code of ethics for all members involved in handling information¹⁹⁵. And of course, in this regard, all involved parties should cooperate to establish these self-governing tools of regulations. Secondly, educate professional associations' members about the delicacy of the problem and its importance for individuals through a group of conferences and publications. Explain the even the innocent misuse of data files can greatly affect people's life. And thirdly, Kutt believes that computer societies can play an important role in preventing potential problem by help the government in drafting any related legislations on this issue's dimensions to ensure that individual have the right to access information stored about him (Kutt, 1970, pp. 1-4).

McPhail, throughout the conference, expressed his worries that if the government regulated information systems to ensure individual privacy, it would default limit intellectual social research since it depends to a great extent on data collection and analysis to study society. Therefore, he agreed with Kutt's suggestion of establishing an ethical code of conduct within information systems operators (industry, social scientist, designers, engineers, etc.). This argument seemed very sound to attendees, even non-Canadians, such as, A.E. Ende of the US Federal Communications Commission, who expressed his agreement in favour of a non-licensing approach arguing instead to setting standards and policing them. "He said that licensing tends to be based on criteria taken from past experience which may no longer be relevant. Once embedded . . . these criteria are difficult to throw out" (Telecommission report 5-b, 1970, p. 86).

¹⁹⁵ Kutt explained that while advancing information capabilities for the benefit of whole public, through establishing for example, a national medical data bank, someone could misuse information files and try to blackmail one individual about his/her history of mental disorders.

For the conference chairman, this conference was “undoubtedly an ambitious project to attempt in a two and a-half-day meeting” (C. Gotlieb, 1970b, p. 3), yet, it had successfully achieved various objectives. It shed more light on the social impact of adopting technologies; it cautioned about the immediate adoption of computer data banks without fully studying the consequences on Canadian individual privacy one the one hand, and national purposes on the other; and it opened the debate on what suitable approach would benefit this industry: government legislation or a self governing code of conduct? Finally, it highlighted the importance of access to information and the right to know one the one hand, and the right “not to communicate” on the other, which will be discussed in chapter seven.

This seminar was so widely successful that Kierans¹⁹⁶ sent a special letter to Calvin Gotlieb thanking him for his organizational and management efforts asserting the major contribution of the seminar to the pinpointing of access to information through computers while maintaining a right to privacy at the same time.

From all sides I have heard of the outstanding work you did to make the Kingston conference . . . the success it was. May I add my personal congratulations and thanks. . . It was a great pleasure for me to meet you. I hope that many other opportunities will arise for this kind of cooperation between government and individuals from outside government such as yourself. I am certain that without such cooperation government will be increasingly helpless to fulfill its responsibilities.

(26 May 1970)

¹⁹⁶ Eric Kierans humouresly in his keynote speech had asserted the importance of multi-disciplinary perspective when dealing with such novel realms of technology: “The need for cooperation between government, industries and universities has become virtually an after-dinner speaker’s cliché. This conference, is an example of that concept in productive action” (Kierans 1970b, p. 5).

The Wired City

I do not say that these technology [sic] are not desirable or useful but I am very concerned that we deliberately make ourselves dependent on them. When we then, rationalize and then justify the displacement of man, particularly when those essential human contacts are disrupted, I think we need to call a halt.

(K. Izumi, the seminar keynote speaker, 9 May 1970)

Sponsored by the Departments of Transport and Communications, Central Mortgage and Housing Corporation, and the University of Ottawa, the Telecommission organized its seminar on the Wired City at the University of Ottawa, 26-28 June 1970¹⁹⁷ to map out the communications environment problems in Canada but this time from a “technological” point of view. The main objective of the seminar was to explore any problems that might arise from future implementation of intra-city multiservice communications systems—what the Telecommission referred to as the “wired city”—from 1970 to 1990 and to include them, along with their social implications, in the Telecommission proposed recommendation to the government. There was a considerable ambiguity over what a “wired city” means, even for those in the workshops and seminar preparation who expressed doubts of its “inevitability” given that some of the proposed services already existed in Canada, except for two-way interactive video facilities.¹⁹⁸ Kierans expressed his department’s understanding and his confident conviction, that the

¹⁹⁷ It was reported that this seminar attracted more than 120 participants and attendees for its importance for governmental, industry, and business sectors.

¹⁹⁸ For this reason, conceptualization of what a wired city means exactly was pointed out in the Telecommission final report on this seminar explaining that wired city “clearly means much more than this. It means a quantum jump in communications technology—and a corresponding change in the social environment. It means, in practical terms, communications systems so complex and sophisticated that children can be educated at home, housewives can shop at home and businessmen, even if they do not work at home, can conduct their business via videophone, closed-circuit television or high-speed data links” (Telecommission Report 6-d, 1970, p. 2).

“wired city” concept offered, in his speech to the Canadian Cable Television Association, “a state of communications capacity” with which Canada was linked together with different types of communications:

In a sense we already have wired cities and even a wired country. Virtually every home in Canada has the paired-wire communications capacity of the telephone . . . however the present state of development is considerably less than what I have in mind when I use the term “wired city.” What I think we must envisage when we use this term is a . . . communications capacity so well-developed and sophisticated that the range of services received through it will limited more by the taste and budget of the individual consumer than by the physical shortcomings of the system.

(Kierans, 1970a, p. 2)

Kierans added that his department’s consultants and experts had been exploring social, economic, and technological applications of this domestic communications expansion in Canada and have “come up with some pretty impressive” lists of more than 115 services and activities¹⁹⁹. For him, it was possible to imagine this life-style, that will depend on computer in daily activities, where shopping, education, banking, entertainment would be available anywhere in Canada—a predication that proved true in our current life. Kierans asserted that such a vision was plausible if his department—with the cooperation of different sectors of communications industry—would be able to create the communications capacity to communicate and interconnect using the “long-line communications system” enabled by the technologies of microwave, cable, satellites among others (*Ibid*, pp. 4-5).

¹⁹⁹ For example, Kierans mentioned some of the services that might represented a wonder during his time, yet, it become a normal fact in our daily life such as the cashless-society transitions, computer assisted education, legal and medical advices, electronic shopping secretarial assistance, and encyclopaedic information system among others (1970a, pp. 1-2).

It is important to note here that the conference started to gain relative media attention even during its earliest period of preparation late 1960s, since it involved communications' industry, business, and governmental organizations rather mainly academic and social scientists with their unadventurous opinions. For example, *The Globe and Mail* questioned Kierans's vision on working at home using future communications with headlines "New Girl Friday – a computer", while he confidently predicted that: "I think I can safely predict that computers will have a great, if not greater, effect on family life, working, habits, education and entertainment as both the automobile and television have had had in the past"²⁰⁰ (9 March 1970, p. 5-News).²⁰¹

However it should be pointed out clearly here that, although this seminar was dedicated to study the technological feasibility of the proposed wired city, the Telecommission had clearly pinpointed that if seminar participants and organizers believed that communications technology was "inevitable" and "there" to simply to be applied, they would have, as the Telecommission report explained, "miss[ed] the whole point of the seminar" (Report 6-d, 1970, p. 4). According to the Telecommission, a wired

²⁰⁰ In Kierans' speech to the Etobicoke Riding Liberal Association, he foresaw the day when the boss and his secretary could work at home by choosing their own hours "thanks to home computer terminals." He adds that in the near future there will be no need for "bulky filing cabinets" or consuming time in storing, searching, or retrieving data since "once the boss and the secretary finished a letter for example, they could have it transmitted to any point in the world where communications and compatible terminals were available" (New Girl Friday – a computer, p. 5-News).

²⁰¹ Along the same lines, *The Toronto Star* focused on the use of two-ways cable television and computer in shopping as one of the realm of Kierans' wired city where housewife in "the not-too-distant future" will do her shopping by computer and cable TV set, this opportunity will allow her to see what's in the store, at what price, and make her order by just "pushing buttons" (18 September 1969, p. 11-News). Meanwhile, media highlighted the negative potential of the proposed data banks if stored in the southern neighbours' possession, for example, *The Toronto Star* printed later in December 1969 "Flows of data to US worries Ottawa" quoting Telecommission spokesman "we don't entrust that kind of information to anybody else" (*Ibid*, p. 1-News).

city “is not simply” a technological or economic concept, although the very practice of this new service should prove its merit in the market place; rather, a wired city represented a new window for an active participatory democracy where the people in Canada would not remain seated as passive audiences, but be able to create and produce, accept or refuse the software and programs, as the report of this seminar clearly outlined:

Above all, the Wired City has a critical social dimension. If knowledge is power, then making information available in massive quantities to all citizens by way of individualized two-way information system – demand television; information retrieval; computer-aided instruction—could effect a major change in the power structure.

(*Ibid*, p. 4)

The “How” and “Why” Questions

For Eric Kierans, ensuring Canadian cultural and political sovereignty in the context of the wired city was a serious question. He felt that the seminar should consider carefully the relationship between the owners and users of this new hardware emphasizing two points. The first is to ensure equal access of the potential production of the hardware unit to all users, while the second, is the problem that will arise if the owner of the hardware wants to compete in the field²⁰². For that, Kierans in his opening speech at the seminar, asked participants and attendees to rightly ask two important questions: the first is “how” question; how a wired city could be done? Using which equipments? At what price? And when it would be available? The second is the “why” question which he thought as the:

²⁰² The idea of the conference appealed to Kierans who he set very high hopes that “the wired city will be an interconnecting system linked to other wired cities to form what might be called a wired nation. This implies a national policy on development and standards. And once we have a wired nation we might as well go on to say that a wired continent, and who knows even a wired world” (1970a, p. 16).

only question that really matters . . . [because] in a sense the “why” question becomes a “how” question . . . how can we shape this awesome technology to our social needs and objectives instead of allowing it to determine our objectives for us, and how can we make sure that we really are increasing the sum total of human communication instead of simply increasing the speed, volume and efficiency of mechanical information exchange?

(Telecommission Report 6-d, 1970, pp. 6-7, emphasis in original)

This idea was picked by the media, again, and printed in big type like *The Toronto Star's* “Machines Against Man: Kierans fights to control computers” coverage, in which it reported Kierans’ call for an urgent need for a governmental political philosophy to deal with these developing communications, cautioning that: “The same marvellous technology which would be used to usher in an era of individual communications can, just as easily, be misused to suppress and diminish that individuality” (Doig, 23 September 1969, p. 7-News).

Meanwhile, throughout the proceedings, participants reached a prevalent consensus that any governmental policy dealing with this topic should ensure that machines liberate humans and not the opposite.²⁰³ The issues of how and why were raised during the series of five panels and its open discussions: technology; communications and transportation; urban environment and communications; urban commerce and communications; and urban social environment and communications. Following that, Telecommission workshops briefed the attendees on the major points and findings on the

²⁰³ In fact, this general feeling was widespread as a result of Professor K. Izumi’s talk, the chairman of Human Information and Ecology Program at the University of Saskatchewan, in which he talked about the “abuses of technology” and communications. In one of his correspondence with Richard Gwyn he confirmed: “I have hit upon the . . . misuse of telecommunication technology but I should add that I do appreciate the many other exciting potentials that can enhance the human experience if we understand its true nature, again information” (Izumi, 9 May 1970).

one hand, and proposed general recommendations for all parties involved in creating the wired city.

The general findings of the workshops centered on the possibilities of the implementation of the wired city in Canada in the light of regional disparities and underprivileged areas, and how can their views be translated in a communications policy convenient in cost and feasible to use. Yet, the first step, according to workshop-1 was to technologically educate the public about the work of the Department of Communications on technology and not merely impose this technology on them. Particularly, the workshop members believed that technological education will relatively reduce the resistance to change; hence, it suggested targeting various interested groups in different spheres to seek their involvement (youth; the disadvantaged; suburbanites; and the rural inhabitants of Canada). Also, it was suggested that at least one television channel should be devoted to Parliamentary proceedings, and that the CATV systems should be compelled to dedicate one channel (or more) to communities and ethnic groups across Canada. For example, workshop-7 argued that:

The major idea of the Wired City is to construct one large grid which would incorporate various communities of interest within the one large community. In this type of environment, people should be given the physical means to plug in and to disconnect themselves from the system at their own will.

(Minutes of Workshop-7, 28 June 1970)

“A city is for people” was one of the interesting themes in the urban panel of the seminar, where a general tone of pessimism shaded the discussion alerting from the negative possible implications of the wired city. One reason was David Abbey’s paper, for the Ontario Institute for Studies in Education, which described a “sort of Luddite angst . . . an

image of total communications as totally inhuman" (Telecommission Report 6-d, 1970, p. 14).²⁰⁴ Abbey admitted that he was 'fearful' that more communications over distance created a challenge on human urban environment in particularly in four different ways:

1. A wired city which has no direct supply from or to other parts of the province(s), or one in which line charges to these were expensive, it can use the communications technology to foster its self of "we" as opposing to "them";
2. Creating a sense of self-neighbourhood, by using the wires to build local banking, shopping, sports, library access and research, production of drama, etc.;
3. The wired city can also create a sense of nationalism rather provincialism by providing communities at distance supply or feeds. For example, it can help local Ontario residents who want to learn a second language or continuing education for adults especially in remote areas; and
4. The wired city can finally, "strangle us all, too. Because we may put our head into the ground and get choked on the technology itself" (Telecommission Report 6-d, 1970, p. 14).

For all four reasons, Abbey cautioned the seminar that many people will just "back off" from the wired city project because they would want to "retreat into the safety of the

²⁰⁴ His paper was titled "Beware! Wired City Ahead" which interested Richard Gwyn of the Telecommission Studies directing committee who asked him to elaborate more on the ways to help people to understand how to plug in and become active participants rather passive receivers. Particularly he asked him "do you feel in shape to take a second 'cut' at your paper, using it as an occasion to try to push the government toward becoming sensitive to the issues that this technology will create and to devising the right kind of multi-disciplinary approach to solving them" (Gwyn to Abbey, 5 June 1970).

personal world that they can smell and feel and see . . . if we design our cities on the assumption that wiring will bring about community an productivity then we better work hard at helping people to understand how to plug in" (Abbey, 1970, pp. 5-6). Following his talk, most seminar participants acknowledged that while communications offered great opportunities, they nevertheless, embodied undeniable problems that, were foreseeable in the near future, such as, the concern that "more information may be too much information" (Telecommission Report 6-d, 1970, p. 33, emphasis in original).

Workshop-3, proposed studying the possible effects that could be harnessed to adopting the wired city and the technology of communications to decentralize powers, particularly employment opportunities, in existing and developing metropolitan areas. Many participants voiced their fears of government control of this new system arguing that often the government cannot communicate with their citizens about its plans, that the "management of change is inept" in the government, and that the only aim of the government is to become in control: a position that was clearly laid down in this workshop minutes:

Many questioned whether it was our right or anyone else's to play God . . . people in industry play God all the time because they don't know the final consequences of their actions. [Others] . . . felt that "government shouldn't be mucking around in running these things"; . . . [and] they'd rather have government run a utility than the cable companies . . . many were opposed to any more government control, and one person said he would "fight socialism with guns and knives."

(Minutes of Workshop-3, 28 June 1970, pp. 3-4)

Therefore, it was recommended that the future wired city should produce major changes in the political order by using communications to open ways for the Canadian society to self-expression and more engagement in the process of decision-making. In fact, de

Montigny Marchand, Chairman of workshop-4 emphasized this suggestion should be treated as a “national priority” especially for the drop-outs, the dispossessed, and the poor segments in society and not just the “elite” who can afford these new services²⁰⁵. On the other hand, the government had to ensure that the hardware of the wired city is public to avoid future monopoly of the one-authority control of the system, and even “though [the objectives of the wired city] will not be implemented for another 30 years . . . [they] must be decided now” Marchand concluded (Minutes of Workshop-4, 28 June 1970, p. 2).

Most of the workshops agreed that whatever the structure of the wired city, more studies and research from a multi-disciplinary perspective was needed to map out the social and political changes in the proposed system since the essence of communications technology is change. However, the role of government was essential given that “government has the possibility of writing into the law now that whenever industry think of taking on a project of this nature, that they be compelled to look at the social consequences, as well as the engineering aspect (*Ibid*, p. 4).

Positive feedback sent to Gwyn, Marchand, and Allan Gotlieb praised their work, requested follow-up research on this timely topic, suggested further recommendations when drafting any future white paper for the government, and even requested an exchange of reference and experts on this topic between the Telecommission and the universities. For example, Donald Gow of the School of Public Administration at Queen’s University asked Gotlieb to nominate several members of his department to arrange a series of talks to his graduate seminar on the wired city. He explained in his

²⁰⁵ One group expressed this fear by arguing that “the new technology is benefiting only a small percentage of the population” (Telecommission Report 6-d, 1970, p. 36).

letter that his seminar concentrated on four questions: do we want the wired city? Can we afford it? Who will operate it? And who will control it?

And therefore, the background papers submitted to Telecommission during the course of this seminar were invaluable for his students exploring the topic. Gotlieb agreed in his reply and authorized Marchand to deal with any arrangements. In the end, the Telecommission Studies' proposed plea for the government is eloquently summarized by Kierans who says:

If we have learned anything in the past few years, it is that our technology cannot solve all our problems and that it indeed creates new ones . . . if we as a society prove ourselves incapable of either recognizing or understanding these interdependencies between technique and ultimate purpose, we stand the risk of becoming the prisoners of our shortsightedness and the slaves of our technology.

(Kierans, 1970b, p. 14)

Collectively, this chapter has introduced the main position that the Telecommission Studies adopted—in its venture, vision, philosophy, and recommendations to the government—for a future communications public policy. It has realized an undeniable fact of that time, that Canadian communications policy was focused almost exclusively on the technological dimension, ignoring the socio-cultural potentials and perils that these technologies could hold for the Canadians. These results correspond adequately to the findings of the literature review discussed in chapter one. They are consistent with Mosco's assertion that Canadian policy makers were preoccupied with economic and technological aspects of communications, such as "issues of pricing, competition, concentration, cross-subsidies, and others [that] have shaped the research concerns of policy analysts for years" (Mosco, 1984, p. x). Equally, Babe (1990) endorsed a similar argument, maintaining that this conduct was totally predicated on the assumption that the

role of government was primarily “structuring and restructuring industries . . . propping up and dismantling monopolies . . . allowing activities to converge or encouraging them to diverge [etc.]” (p. 244). Hence the significance of the Telecommission’s choice to focus on the theme of “Telecommunications and the People” in its core seminars and conferences, and, as seen in chapter five, its pilot project and pilot seminar.

It is argued here that with the Telecommission’s theme, “Telecommunications and the People”, detailed in this chapter, a *new* concept emerged within public policy debates in Canada during the time frame of the dissertation. It interpreted the public interest as related primarily to “the people” and their human right to communicate, to access information and communications technologies, on the one hand, and to disconnect, to privacy, and to be left alone if they wished, on the other. This idea had been launched by Jean d’Arcy, but as a concept only vaguely formulated, a skeleton without flesh. It was the work of the Telecommission Studies that took this idea and researched it, contextualized it, articulated and defined its limitations and possibilities in real life. Therefore, it was not surprising to see Kierans, by the end of this attempt, holding a strong political position that if we—as researchers, policy-makers, and the public or society generally—could not realize the difference between “technology” and “ways to use and employ” this technology, we would definitely be, as he said, “the prisoners of our short-sightedness and the slaves of our technology”.

In the next chapter, the dissertation provides a re-examination of the Telecommission Studies’ *Instant World* report, analyzing its major claims, particularly those related to the idea of the right to communicate.

CHAPTER 7

Instant World and the Right to Communicate

Mr. Speaker, I am pleased to present to the House today “Instant World”, the general report of the Telecommission. The tabling of this document and its release to the public marks the completion of the first and perhaps the most difficult phase of a process of study and consultation on the state of communication in Canada, and on the needs, present and future, of the Canadian people . . . the Telecommission report is to date the most complete and most coherent discussion of telecommunications problems and opportunities in Canada, I earnestly commend it to the attention of all members of this House and to all Canadians who have an interest in the rational and equitable development of telecommunications facilities in our country.

(Eric Kierans, House of Commons, 7 April 1971, pp. 4984-4985)

The final report of the Telecommission Studies—*Instant World*—represents the core manifesto of the Telecommunication Study Mission’s venture as it is mainly centered its discussion and recommendations, for the first time in Canada, on the importance of adopting a “right to communicate” as a *new* concept in the communications public policies. *Instant World*, in fact had proposed “no recommendations” as Henry Hindley wrote in his diaries, rather it “carried strong *plea* for federal/provincial co-operation” (Hindley 1979*h*, p. 2, *emphasis added*).

In other words, what this report included was not merely some results of a royal commission or a task force that finished its job, rather embodied a hope and an opportunity for Canadian communications public policies to pioneer the idea of treating communication as a human right. Such idea: 1) forms an intellectual framework of claims for public interest in communications; 2) represents a visionary understanding of democratic media practices; and 3) was one of the persistent themes in the subsequent scholarly debates surrounding the

international flow of information, imperialism, and cultural dominations that emerged in the mid-1970s.

Before the chapter attempts its analysis of the report, it is interesting to mention briefly the story of naming *Instant World*. While Hindley was editing the final draft of the Telecommission's final report, Gotlieb started to wonder about and search for the right title to summarize the efforts, and the core idea carried throughout almost two years of research and investigation. He remembers that "no one could think of a good name, but things like *Plugged In*, and *Only Connect*" were not convincing enough for him. He dropped in one day on J.H. (Si) Taylor—one of his Oxford colleagues whom he admired for his beautiful writing and strong intellect, and who had been working at the Department of External Affairs and Foreign Ministry. Taylor told him "give me a couple of hours, and I will think about a name" and within few hours, he called him saying "*Instant World*²⁰⁶ . . . and I [Gotlieb] said 'that is it!' . . . So the name was from a diplomat" as Gotlieb recalls (Interview, Toronto, September 2006).

Instant World: Inside and Outside Canada

It is striking but true that *Instant World* is more widely appreciated outside Canada. Bernard Ostry confirms that because this report is "free of jargon", it "was

²⁰⁶ *Univers Sans Distance* was the French version of *Instant World*, which was planned to be published early 1971. Yet, due to troubles and disagreements between Hindley and Fernand Doré, the French translator, it was delayed until April, 1971. Hindley was disappointed that Doré merely took charge of translating Hindley's English version instead of using the background materials to write an independent French version. It seems that the withdrawal of the first assigned writer, Pierre de Bellefeuille and the time limit rushed the Telecommission only to accept the translation which appears to have upset Hindley. Also, there were some serious clashes between Hindley and Gwyn on editing one chapter which was "eventually soothed by Gotlieb" as Hindley recalls in his diaries (1979h, p. 1).

widely read and admired around the world, perhaps more abroad than within Canada” (1993, p. 11). For example, only few months after its publication, Gotlieb and Hindley were invited to talk about *Instant World* by various international organizations, such as the UNESCO’s World Intellectual Property Organization, in Lausanne-France in Spring 1971; the International Broadcasting Institute (IBI) annual meeting held in Amsterdam May 1972; and at the First International Conference on Telecommunications in Tokyo, October 1972. Hindley was surprised to find the Japanese communications’ officials translating *Instant World* into Japanese to benefit from the Canadian experience in dealing with challenges in communications technologies (Hindley 1979*h*, pp. 1-2).

These international meetings were important intellectual arena, as they witnessed the birth of the right to communicate advocacy research starting from the mid-1970s. Hence, bringing the Canadian attempt to study the right to communicate was a moment of pride for Canadian attendees, among them Allan Gotlieb, who confirmed in one of the meetings that he was particularly “pleased that the work of the Telecommission should have caught the attention” of such institutions (Gotlieb, 1972*a*, p. 2). He noted that he would not consider himself as a “chauvinist” if he argued that communications technologies occupied Canadian interests. As for example, he proudly recited historical hallmarks in the Canadian communications field: 1) the first long-distance telephone call was made in Canada; 2) that the world’s first domestic satellite was Canadian; 3) that Expo 67 was the first international fair to focus on multiple-image innovations; and 4) that Marshall McLuhan was “one of a limited number of Canadians to make a mark on the world scene” (*Ibid*). However he expressed concerns that such leadership in this field might be interpreted as an obsession with technology and the belief that “technologies . . .

introduce themselves . . . [and] descend from the clouds” as Babe accused the Telecommission (1990, pp. 4-5). Conversely, prior to the publication of *Instant World*, Gotlieb clearly clarified that for the Telecommission:

We do not expect communications, however abundant or sophisticated, to remake our society; we do hope that they will widen our range of choices, by widening our knowledge of them; that they will make it easier for individuals and groups to exchange ideas and impressions and hence gain in understanding though not, as an automatic corollary, in amicability.

(Gotlieb, 1972a, p. 4)

In other words, *Instant World* did not suggest that the capabilities of technology are unlimited and unavoidable in society, rather it stressed the importance of using the communications “tools” to provide the Canadian public with more options and alternatives. On this point, Gotlieb cautioned the IBI attendees not to adopt what the IBI newsletter distributed then, which stated as “the need for institutional innovation to match new developments in communications,” which he considered a deterministic view to re-organize the social, cultural, and political institutions to meet the technology, and not the reverse—as it should be. Deriving from the Telecommission experience, which he admits was: “fragile: we have barely reached the stage of learning how to define the right questions,” he argued that it was important to balance the interests between “software” and “hardware.”²⁰⁷ He added that while it was true that the Canadian satellite “Anik” was merely hardware, it had been utilized to deliver cultural software for the Northern

²⁰⁷ Gotlieb recalls that the issue of superiority of hardware versus software was one of his big criticisms of the Department of Communications’ policies until he ended his tenure as the Deputy Minister of Communications in 1973: “As I say, the one thing that really bothered me is separating the content and the container. Before the creation of the DOC, the Telecommunication technology was regulated by the department of the transport . . . licensing the radio system was on purely technical ground . . . the view taken in *Instant World* argued that you cannot license them only on technical ground, you have to license them based on the economy and the social impact . . . on the totality. So that was the basic thrust of *Instant World*” (Interview with Gotlieb, Toronto, September 2006).

regions. He confirms that “what is true beyond doubt in my own mind is that far often we have let hardware take the lead, allowed the technology to establish the rules of the game as it were, and then almost literally scrambled to develop software” (*Ibid*, pp. 3-7). The statement is historically true in Canada, as chapter one showed; the Canadian mind has always been preoccupied with technology, linking it to ideological assumptions that over the years became a myth that dominated policy-makers and involved groups’ understanding. Therefore, according to the Telecommission Studies, it was the time to act immediately and highlight the socio-cultural dimensions of communications technology, and direct the public-policy decision makers to the more efficient way to employ merely the hardware to the service of public interest. In fact, Gotlieb felt so strongly about the need to redefine existing regulatory bodies that he voiced his fears to the Prime Minister directly:

I met with Trudeau on some occasions to discuss the work in communications . . . and I arranged for a long personal meeting with him which I wrote in the documents that I have written [he means the publications he wrote discussed on chapter (4)], . . . The government was wrong in divorcing the software and hardware in two different departments [the Department of Communications, and the Canadian Transport Commission]. Shortly thereafter, the gap was closed because Gérard Pelletier was appointed as the Minister of Communications and he took on the responsibility of CRTC. So the two came together in the same ministry and that changed the whole structure, and flow of advice.

(Interview with Gotlieb, Toronto, September 2006)

It is true that communications regulation during this time was divided between three governmental bodies: the Department of Communications on technical aspects of the radio spectrum, followed by satellites and computers; the Canadian Transport Commission responsible for the common carriers; and the CRTC, which was in charge of aspects of broadcasting. Yet, it was undeniable that the Department of Communications

through Telecommission's *Instant World* tried to establish an understanding of a fruitful framework of these intertwined and often problematic policies' relationships; an effort that has been viewed by some scholars like Raboy who regarded the Department of Communications in this particular instance of "playing a dual role" in the field. Since its first role is "industrial" while the second is "acting as a think-tank charged with drawing out the theoretical potential of new communications technology" (1990, p. 216). While, others, like Babe, who mistakenly I think, launched severe criticism of *Instant World*, accusing it of embodying myths of "technological imperative" and "technological determinism," quoting phrases like: "Technology has fundamentally transformed the human condition twice before . . . how the third technological revolution will shape our ends is still far from clear but its nature and substance are already becoming familiar . . . ours is . . . a society built and shaped by technology" (1995, p. 183). If this quote is framed this way, it will be read as Babe sees: a technological deterministic view of communications. However, *Instant World* did not adopt such position. In this part of the Telecommission report (that Babe quoted), the authors of *Instant World* were reporting the different opinions expressed during the seminars—detailed in chapters five and six—describing the two opposing point of views on the use of technologies. Particularly, it reports in details how the Telecommission proceedings in these conferences brought two totally opposing views. The first is a very optimistic view that regards technology as fundamentally transforming "the human condition at least twice before" (*Instant World*, 1971, p. 15). On the other side, the "pessimistic philosophy . . . believe[s] that in creating machines . . . man himself has created diabolical monsters that will surpass him; that man, in other words, must inevitably become a servant of his machines, a tool of his

tools" (*Instant World*, 1971, p. 24). To that extent, the Telecommission report has been misinterpreted and seen as merely reflecting the "diabolical" approach. Rather, *Instant World* stated that: "The seminars were an unusual way of trying to cope with an unusual subject; they were untidy, emotional, irreverent, at times serendipitous, and at other time irrelevant"; yet the main focus of this report is clearly defined in its first few introductory pages: "the social impact of telecommunications has been *a prime object of attention* in the Telecommission studies and in this Report" (*Ibid*, p. 3, *emphasis added*).

However, a few years later, when the forecasts of the report became true in terms of computer technologies, for example, government started to take serious steps to reconsider *Instant World*. In 1973, Minister of Communications Gérard Pelletier presented a position statement of the government on computer communications policy in which he described the Telecommission and *Instant World* report as "far-reaching investigations . . . [that] caused widespread public discussion" (Pelletier, 1973, pp. 1-2).

Instant World Report: The Telecommission's Final Outcome

With Francis Bacon's words: "He that will not apply new remedies must expect new evils; for time is the greatest innovator", Hindley started the final report of the Telecommission Studies pinpointing the main problematic of the Telecommission process. The report is divided into five main sections; each is used to provide an overview and current (as of its writing) status of the communications field in Canada during the 1960s. The first section—"The Problem and the Means"—provides a general background, and outlines the different problems that faced the development of communications on three different levels: national, provincial, and individual. The

second part of the report—"Telecommunications and People"—deals with the then current and future social aspects of communications in Canada. In particular, it dedicates three chapters to highlighting the concept of the right to communicate, and to showing how communications can provide a balanced and useful service to Canadian society, covering the different problems/barriers that may harm/affect the enjoyment of this right in the Canadian sphere. The third section—"Telecommunications Today"—is a brief outline of the history of Canadian communications development and Canadian international agreements and role in global communications. The fourth part—"Telecommunications Tomorrow"—discusses the future of communications in Canada, including a twenty-year forecast of technological advances. The final part of *Instant World*—"The Public Interest"—concentrates on the Canadian government's duty to protect the *public interest*, especially in regard to communications services, rates, etc., as well as suggesting recommendations for improving the regulatory structure of Canada's communications services and industry.

For *Instant World*, communication is considered to be a participatory process, and not merely a one-way sender-only function. Inspired by McLuhan's suggestion that "the technology of tomorrow could open an entire new range of social and political opportunities" (*Instant World*, 1971, p. 31), it argued that ensuring that all Canadians had access to the media of communications would enhance the political public sphere, as well as promoting more tools for the public discussion and the democratic environment. Information technology is arguably seen by *Instant World* as capable of decentralizing the powers from merely outward (from the center to the public) to a more democratic inflow towards toward the center. As one example, although computers require by default

a team of “technocrats” or engineers to operate them, they are on the other hand, meant to promote “an egalitarian” society where the users/individuals are themselves in control of sending and receiving information²⁰⁸. Four main themes can be identified in the report. They are: 1) Participation: the right to be heard; 2) The right to privacy and the right “not” to communicate; 3) Social insinuation & participation: the question of imperialism; and 4) Access and the right to hear: the haves and the have-nots.

1. Participation: The Right to be Heard

The concept of “participation” suggests that a person is able to take part or share in his or her own society on a variety of levels (such as local, national, or international), and to have input into the social system. This concept is called the “right to be heard” in *Instant World*, as well as in Hindley’s paper—A Right to Communicate? A Canadian Approach (Hindley, 1977, p. 120). Further, the right to be heard holds within it two important concepts: first, the notion of a “two-way” or “free” flow of information, and not merely one-way (e.g., north-south, or east-west and so on). Secondly, it also signifies that lack of participation implies possible exclusion of individuals, by putting the processes of control and decision-making in the hands of the existing powers in a given society (social, economic, political, or media powers). On the other hand, it suggests that using a variety of communications technologies will promote and facilitate the possible “inclusion” of different groups in society in effective ways. This idea is highlighted in

²⁰⁸ The media picked up on this theme and printed “Machines Against Man: Kierans fights to control computers: Communications Minister Eric Kierans announced last Thursday the formation of “Telecommission that will try to find way to stop machines turning humans into numbers, instead make them sure men (sic)” (Doig, September 23, 1969, p. 7-News).

more than one of the Telecommission's seminars detailed in chapters five and six: "Communications are of the people, by the people, and for the people. If it be accepted that there is a 'right to communicate,' all Canadians are entitled to it" (*Instant World*, 1971, p. 229).

Questioning how to apply such a utopian ideal of mass participation, *Instant World* suggested that with the development of the "wired city" Canadians could enjoy (at least gradually) a virtually universal access to communications regardless of where they live or work.²⁰⁹ It argued that universal access meant far more than hookups to telephone lines; it included interactive media systems that might not be realized for years to come. However, *Instant World* emphasized that the goal of universal access "will never be realized at all *unless* it is recognized as a desirable ultimate *objective* for *plans* that are being made *now*" (*Ibid*, p. 162, *emphasis added*).

It is striking to see *Instant World* predicting, in 1971, ways in which future communications media—such as the Internet—could be used to advance people's rights to be heard. For example, it asserted what the Telecommission had proposed during various seminars and conferences: that all remote-access databanks and information processing organizations in Canada should be linked into one national digital network, from coast to coast—a system for which the Science Council of Canada proposed the name "Trans-Canada Computer Network." It recommended establishing a central organization to design, plan, promote, co-ordinate all research and development

²⁰⁹ *Instant World* clarified that the term "wired city" could be misleading to some who might regard it as restricted only to those living in Canadian cities, while it is meant to include all regions in Canada. Humorously, *Instant World* cited Voltaire describing the inappropriately named Holy Roman Empire: "*Ce corps . . . qui s'appelle encore le saint empire romain n'était en aucune manière ni saint, ni romain, ni empire*" (1971, p. 192, *emphasis in original*).

connected to this information network, and administer subsidies as well in order that “all Canadians are to be given access to the system so that they can exercise to the full their ‘right to communicate’” (*Ibid*, p 168). *Instant World* admitted that such attempt needs significant funding, and given that the government, provinces are the most important partners in such project, they should 1) collaborate in venturing this attempt so to maximize the potential benefits for the individuals. 2) They should also ensure that the market rules (i.e. competition or monopoly in terms of running such project) will not be the major drive in making this serious decision. Given that the attempt might predictably gain opposition and severe criticism from views adopting merely economic and market forces, *Instant World* continues to assert that no one should be prevented from taking part in such a novel undertaking, even if the whole scheme sounded utopian to these perspective who might argue that “all fine-sounding social and personal benefits that are being predicted are no more than pie in the sky and, if developments are to be controlled only by market forces, they may well prove to be right” (*Ibid*, pp. 168-169). An argument that typically falls within the intellectual positions discussed in chapter one which argued for the primacy of the economic factors when assessing a communications policy.

2. The Right to Privacy and the Right “Not” to Communicate

As much as *Instant World* affirmed the individual’s right to communicate, it also squarely emphasized first, his/her right to privacy, as well as his/her right *not* to communicate which was defined by *Instant World* as “The individual should have the right to be alone, to disconnect” (*Instant World*, 1971, p. 42). Although *Instant World* did not differentiate between the two concepts (which seems to be referring to both as a

synonym), the dissertation argues that they are different concepts with different practices, yet, both are related to a choice to practice a human right to communicate.

The right to privacy, which was relatively new in Canada at that time, became increasingly contentious with the spread of media technologies that store information such as computers and data banks, not only within Canada but also beyond its borders. In the past, as one of the Queen's University conference attendees explains, we used to protect our information through the limitations of the medium of communications themselves (i.e. the words). Yet, now having more information collected, and stored electronically, individuals cannot locate their own information as easily as they did before, and start to wonder how can we protect our privacy in the electronic age?

Initially, the concept of "privacy" is rooted in both the Article 12 of the *Universal Declaration of Human Rights* 1948, as well, Article 17 of the *International Covenant on Civil and Political Rights* 1966 (entered into force in 1976) that both maintained an identical enforcement of the right to privacy: "No one shall be subjected to arbitrary interference with his privacy, family, home or correspondences, nor to attacks upon his honor and reputation". Thus, the *Universal Declaration of Human Rights* states an additional clause asserting that "Everyone has the right to the protection of the law against such interference or attacks."

As seen in these two important documents, the right of privacy has been clarified as the combination of two practices; the first is the human right to intentionally disconnect oneself from any type of unwanted communication, which might be one of the reasons behind *Instant World* suggestion of viewing it as a right *not to communicate*. While the other practice is a right to be protected against any invasion or interference of

his/her business. Indeed, with the advances of communications technologies, *Instant World* strongly demanded the importance of enforcing privacy rights by Canadian federal and provincial's laws. The problem was thoroughly discussed during the conference on "Computers: Privacy and Freedom of Information" held at Queen's University in May 1970. At this conference it was argued that information had become a "saleable commodity, and there [was] already a fairly wide commercial market for information about the health and credit, and even the socio-psychological characteristics, of individuals" (*Ibid*, p. 43). Hence, it recommended that a right to communicate in Canada should include as well the government's responsibility to ensure that an individual's electronically stored information is securely stored. In addition, that this should not be jeopardized by any federal and provincial regulatory measures that would apply in cases of misuse of an individual's information, an idea that was clearly outlined by Gotlieb:

[The right not to communicate] is respect for freedom of the individual, a freedom that can express itself in a choice between communicating and not communicating. Every man should be free not to avail himself of information. But this is only one implication of the right not to communicate involuntarily, that is, the right of individual to restrict the use of information that has been gathered about him.

(Study 5-b, 1970, p. 21)

With Gotlieb's perspective, *Instant World* alerted considering the right to privacy as an "elitist" right available to the powerful and the rich in Canadian society. Instead, the report squarely demanded that any future policy on the right to privacy should include the "disadvantaged" public since it does not have the power to hide or destroy its information, hence it is the government's role to apply privacy measures to ensure personal information is not revealed to non-designated partners. For that, *Instant World* suggested several ideas that might help to reduce, or at least monitor, invasions of

privacy, including: 1) a commission, tribunal, or ombudsman to receive and investigate complaints of misusing individual information; 2) a professional body to ensure adequate technical standards for processing information (such as licensing, agreements, and surveillance; 3) a joint federal/provincial body representing all parties involved in information production, processing and (including industries, universities, civil rights groups, and consumer associations, for example); 4) establishing strong legislation securing privacy rights for all Canadians; and finally 5) creating a special task force to investigate current practices of collecting, processing, and storing personal information and make recommendations for future policies.²¹⁰

3. Social Insinuation and Participation: The Question of Imperialism

A further notable outcome of *Instant World* and its accompanying reports and seminars is/are the consequence(s) of participation in Canadian society and its relation to the notions of imperialism, domination, and the American “media invasion”. *Instant World* argued that in order to combat the massive influx of the American media into this country, Canada, through its Department of Communications, should develop more policies and tools in order to have “a ‘nation of producers’ of message-senders, a society in which maximum individuality of expression is encouraged” (Study 6-a, 1970, p. 28).

This theme, the threat of American programming to Canadian culture, was one of the main topics of discussion. It was noted that American-produced programming generally reflected American middle-class values and practices widely viewed by the Canadian audience; this audience is typically different in terms of social clusters from

²¹⁰ This point will be discussed in the conclusion of the dissertation.

those in the US, but the saturation of American programming nonetheless tended to make them “uncritical” consumers of American media messages. Further, representatives of francophone Canadians maintained that their right to be heard and seen on national Canadian television was being ignored. As the report noted, many Anglophones in Canada during this time period did not care about Francophones’ right to have their language and identity recognized on English-Canadian radio and television. Thus, the study made the following claim, which recognized the critical crossroads at which Canadian communications found itself:

The media situation in Canada at present is little more than a subliminal psychic invasion. . . . the new imperialism works through Bonanza and soft drink commercials, through situation comedies, through melodramas, through space operas, all of which are so skillfully devised (in a technical sense) that hardly any governments realize what the total effects on their societies are likely to be in the next 50 years.

(*Ibid*, p. 26)

Instant World stressed the need to regulate the communications field to the benefit of the Canadian public:

[Canadians] cannot afford to let Canada become an information-satellite of the United States, they cannot afford to deny themselves the opportunity that developing technology affords to fashion for themselves a more spiritually and materially rewarding way of life . . . they must start planning and taking action now – not tomorrow but today. That is what the Telecommission studies were all about.

(*Ibid*, p. 232)

In other words, the practice of the right to communicate in Canada also suggests that Canadians should be provided with a variety of communications choices. According to the proceedings and discussions during the seminars and conferences, this idea was a very important tool for creating a Canadian communications system that did not solely

rely heavily on advertising, as is the case of American system, and advocated a national multi-channel cable system. This translated into a recommendation that argued that:

Communications are becoming just as important as electricity and the government has to take steps to make sure that the people get the services on a par throughout the country. For this reason alone, the essential communications services should be a prime target for public utility regulations.

(Ibid, p. 35)

For instance, the issue of media monopoly is one that *Instant World* suggests the Canadian government should pay close attention to, and further, takes the necessary precautions to ensure that people have freedom of access to a variety of information sources through the media of their choice, at reasonable rates. The report points out that when different media are protected from monopoly, they become responsive to public demand.

4. Access and the Right to Hear: The Haves and the Have-nots

A further notable dimension in *Instant World* which is of importance to this dissertation comes from its treatment and analysis of the concept of “access”. The report highlights two opposing, but sound, arguments. The first is generally seen as a pessimistic view which maintained that, regardless of the advances of technologies, one cannot deny that there are still barriers to the enjoyment of a right to hear in Canada on the individual level:

On the surface, the possibilities for increased individual participation and fulfillment seem boundless. And yet – the power of information technology to change our social, political and cultural environment does not necessarily mean change for the better. This power is just as capable of stifling as it is of fulfilling the rising demand for mass participation.

(Study 6-a, 1970, p. 4)

In other words, technology can be seen as harmful since it will eventually be exploited to serve the interests of the political and social powers and groups in society, such as “big government, big corporations, big unions, big churches and big universities” (*Ibid*). This position paraphrases Article 19 of the *Universal Declaration of Human Rights* that warned in the late 1940s about different barriers to the enjoyment of the right to communicate. The second represents a more optimistic point of view; the report highlighted the many opportunities that can come with the adoption of new technologies. The Telecommission Studies’ report even goes so far as to suggest that a new version of “Jeffersonian democracy”, would be launched with a high rate of participation both socially and politically (*Ibid*, pp. 4-5).

In trying to conceptualize the right to communicate in Canadian society, *Instant World* suggests that Canadian regulations have to allow the public to receive communications services at reasonable prices. It was argued that if these services were to be provided by more than one service provider, there was less chance for a monopoly in the field, which would also protect the Canadian people’s right to hear (or receive) communication messages and technologies. This theme was also related to the issue of Canadian sovereignty because both federal and provincial governments’ involvement would “serve the interests of Canadian sovereignty, unity, social well-being, economic prosperity, and survival” (*Instant World*, 1971, p. 231).

Viewed in this manner, *Instant World* assessed the situation of Canadian citizens’ right to communicate as “partial” because there is a need to regulate the media which play an important part in Canadians’ enjoyment of that right in a manner in which “access” merges both “the capacity to send information as well as receive it” (*Ibid*, p. 34).

Indeed, one of the Telecommission Studies' seminars dedicated to the discussion of the right to communicate maintained that:

At present, the poor have no "right" to participate, in the sense of using communications facilities, although they have the right to access to other public services. There is much current talk of "feed-back" from the people to their government, but the concept is an empty one unless the "right to be heard" is accompanied by the right to have action taken on the opinions expressed.

(Study 6-a, 1970, p. 12)

In other words, according to *Instant World*, the flow of information is bound by certain constraints that prevent Canadians from enjoying the right to communicate in its entirety. For example, the question can be raised whether or not Canadians whose first language is neither French nor English had the same right to send and receive (hear and to be heard) in their own language, and through the lens of their own social values. In fact, they do not; Study 6-b on *Access to Information: How to know and be known* argued that "information systems are dominated by the value-systems of the English and French-speaking middle class, although Indian and many other Canadians do not subscribe to them" (1970, p. 7). Collectively, the question of access and its possible outcomes was a very important theme in *Instant World*; it posed a remarkable idea that links the concept of the right to communicate to its practice: "Is access to information a want, a need or a right?" (*Ibid*, p. 4). It acknowledged that there is a gap between those who have access to information via media technologies and those who haven't, presented as either a case of "information glut" or "information starvation." In other words, the report noted that instead of promoting and enhancing the flow of information in society, too often communications technologies were only used to establish an "effective" flow of information.

The Canadian d'Arcyian Version of the Right to Communicate

Initially, one can argue that the main idea articulated throughout *Instant World* has the same thrust as that of the MacBride Commission of the late 1970s. Both of them were concerned with the processes of seeking, sending, and imparting information without any barriers, as is stated in Article 19 of the *Universal Declaration of Human Rights*; a concern of the flow of information and the possible obstacles that would face individuals (as well as societies) in the communication processes. However, *Instant World* focused on the practice of these problems and some possible solutions for them on regional and national levels within Canada, while the MacBride Commission looked at these problems on the international scale.

Instant World was considered by the father of the right to communicate, Jean d'Arcy, as "an outstanding report" (22 March 1976), and one sign that indicated the "underlying movement" of the right to communicate in the world in the late 1960s which searches for "new structures" and builds "new principles" of the right to communicate, he says that:

As early as 1970 in Canada, the "Telecommission" was pondering in its remarkable report to the Government, the question of whether a 'right to communicate' should not be recognized, and had begun to study the resources required and the means to be used in order that all Canadian citizens might exercise this right. The satellites providing the inhabitants of the Far North with telephone and television services constitute the practical application of this concept.

(1982, p. 12)

It is interesting to mention here that despite of the fact that Telecommission was inspired by Jean d'Arcy's idea of the right to communicate, there were no mention of his

contribution at all in *Instant World*. In fact, d'Arcy could not hide his disappointment once he read *Instant World*, and wrote to Hindley explaining:

To be quite frank with you, may I tell you now that when I read Instant World—an excellent book incidentally which reading I recommended to many of my friends—I was surprised to see no reference whatsoever in the bibliography index to this EBU article of mine of August 1969 . . . I may have been selfish and pretentious but I got the feeling at the time that one of the writers of the book at least had retained some of the few concepts advanced in this article. As I was a U.N. employee it would have been improper for me to formulate any remark, so I did not even make an allusion to this to Allen [sic Allan] Gotlieb when we talked about the book.

(9 October 1974)

In fact, this dispute confirms an important finding in the dissertation, first that Jean d'Arcy was aware of the Telecommission research, and hopes that such novel attempt at this time documents his name as the father of the right to communicate. Secondly, this confirms that the people at the Telecommission Studies read Jean d'Arcy's work on the right to communicate or at least were influenced by his opinions during the UNESCO meetings. Whether they have referenced him or not, it may be due to the massive information produced in the conferences and seminars which Hindley in turn has to digest and edit the final report.

During the work of the Telecommission Studies, there were many ongoing discussions and debates on the right to communicate idea; Hindley wrote in his diaries that while *Instant World* was in preparation, there had been an “extended discussion” on how to deal with the right to communicate. Resounding declarations were at first proposed but, as discussion progressed, it was realized that certain practical limitations would have to be recognized, and in the end the report argued in Chapter 1: A message about the Medium that:

Freedom of knowledge and freedom of speech are among the most valued privileges of a democratic society. The rights to hear and be heard, to inform and to be informed, together may be regarded as the essential components of a “right to communicate” . . . the realization of a ‘right to communicate’ is a desirable objective for a democratic society, so that each individual may know he is entitled to be informed and to be heard, regardless of where he may live or work or travel in his own country. The people of Canada—as a body and as individuals—are therefore entitled to demand access to efficient telecommunications services on a non-discriminatory basis and at a reasonable price.

(*Instant World*, 1971, p. 3)

Gotlieb presented a position paper at the Queen’s University conference on 24 May 1970 titled “Le droit de communiquer” in which he stressed the same idea: that embarking in its studies on the current and future problems of the communications in Canada, the Telecommission had identified the importance of ensuring a new important human right on the social level, not just the economic and technological as has been the Department of Communications’ previous emphasis.

Dans son effort de planification, le ministère des communications reconnaît, sous sa forme embryonnaire, l’existence d’une nouvelle notion, d’un nouveau droit de l’homme. Celui de communiquer . . . C’est pourquoi la Télécommission doit reconnaître comme but premier d’une politique canadienne en matière de communications, la nécessité d’assurer à tous les canadiens, qu’ils habitent les grandes villes ou les coins les plus reculés de notre pays, l’accès à cette information, et ce, au moindre coût possible.

(Gotlieb, 1970e, pp. 2-3)

“The Silent Constituency Speaks” is an important example where the Telecommission conceptualized the idea of the right to communicate in a d’Arcyian way. In this position paper submitted jointly with the National Indian Brotherhood of Canada, to the CRTC in November, 1969, it was argued that the native Canadians hold a human right to communicate, a right to hear and be heard by their government, and that Canadian media

policies hold a responsibility to “present the poor, involve the poor condition, and program to the poor . . . in promotion of democratic dialogue and social change” (p. 1). This paper launched a pointed criticism of the existing (1960s) communications policy system as it “does not serve as an agent of social change. It is more concerned with upholding the existing social order” asserting that the claims of national unity should uphold cultural, social, and linguistic dimensions and not to merely focus on the geographical factor (1969, pp. 4-5). For that, Telecommission launched a special study on “Northern Communications” to research the possibilities of providing access to native Canadians in the North.

Kierans confirms this in one of his speeches where he says that this was the exact reason that he, and his department advocated for Anik since “it is clear that insufficient attention has been given to the needs and aspirations of the people of the North in the planning of their communications . . . [for that, he adds] there is no doubt in our minds that the communications satellite is the electronic bridge to serve the North” (1970c, p. 4).

Henry Hindley and the Canadian Right to Communicate

Henry Hindley also made a successful pioneering attempt to conceptualize the idea of the right to communicate using his expertise in Canadian communications. At one of the first informal meetings in Mexico City in 1974, Hindley proposed his own interpretation of what constitutes a right to communicate: “(i) The right to speak; (ii) The right to be heard; (iii) the right to be replied to; (iv) the right to reply to someone else; and (v) the right to listen into” (p. 2). Two years later, Stanley Harms—who closely

worked with d'Arcy on the right to communicate idea early 1970s—wrote to Hindley to express his interest in *Instant World*, asking permission to excerpt few pages of it to be included in Harms collected papers on the right to communicate idea.

We are attempting to round out the public record on the Right to Communicate discussion. It would be especially interesting to know how the Right to Communicate came to be included in Instant World . . . could you pull from your files a few pages of memos and background documents that might reflect the growth of the idea in a Canadian context?

(Harms, 12 January 1976)

In his reply, Hindley apologized to Harms that he had no time or strength to dig into the Telecommission background files—at that time, Hindley was 66 years old and experiencing serious health problems; nevertheless, he included a paper of his own dealing with the right to communicate from a Canadian perspective. He acknowledged d'Arcy in his paper, and humouredly said to Harms “this document would repair a courtesy to Jean d'Arcy, who was much hurt at the absence of any personal accreditation in Instant World” (18 January 1976).²¹¹ A few years after these meetings, Hindley published his paper mentioned above. This was in part in answer to many requests from Harms:

Henry, we hope you will elaborate and put in a larger context the comments in Instant World that grow out of your work in Canada, you are the only one in the world to write anything like the phrase “if it be accepted that there is a ‘right to communicate’, all Canadians are entitled to it.”

(28 October 1975, p. 1)

²¹¹ Hindley had fallout with Harms in late 1977 when Harms published the 8 pages excerpted from *Instant World* and attributed to Hindley as the sole author. Hindley was angered by Harms’ unintentional action, and wrote him on 16 October 1977, saying that “if I had sent you the letter draft at that time [when he received the article] you would never have spoken to me again. You have seriously embarrassed me . . . you have done me wrong by publishing the excerpts from *Instant World* with an attribution to me as sole author. The book was the final report of a Government task force, and many others have an important share in its preparation.”

In his paper “A Right to Communicate? A Canadian Approach” in 1977, Henry Hindley argued that one of the major problems that prevents the full understanding and practice of the right to communicate, not only in Canada but worldwide, is its very general definitions found in the different legal documents that deal with it. For instance, the *Universal Declaration of Human Rights*, along with other famous human rights covenants like the *International Covenant on Civil and Political Rights* (1966), state that “everyone” is entitled to the right to send and receive, seek and impart in communication situations without any barriers being put in place. However, according to Hindley, these documents have never explained what “everyone” means, nor what type of “communication” is meant. Is it the individual, e.g., persons, communities, governments – since all of them are basically groups of individuals? He added that “the wider the definition given to ‘everyone,’ the more confused the arguments become” (Hindley, 1977, 119). Instead, he rightly made two suggestions: the first was to clarify what the right of an individual to communicate is, since this choice would allow scholars to approach and examine the rights of individuals and explore whether or not there are any restrictions on that right on the one hand, and discuss how to implement and enhance it on the other.

Secondly, Hindley also proposed differentiating between *communication* and *communications*. Moreover, in this regard, he claimed that focusing on the second term would be a good start for examining whether or not there are restrictions on the right to communication and if these might be eased by the use of communications technologies. Based on this approach, Hindley explains that a right to communicate in Canada includes both the understanding and practice of five different concepts:

1) The right to speak or impart information: Hindley explained that there are a number of moral considerations intertwined with the practice of sending and receiving information, i.e., “who is entitled to what information” (Hindley, 1977, p. 120, emphasis in original). He added that, in Canada, there are many regulations imposing restrictions on “distorted” communication (for example laws regulating libel, slander, and pornography). In other words, Hindley here is referring to “freedom of expression” as one component of his understanding of a human right to communicate that involved the freedom to express one’s opinions and ideas without interference or censorship.

2) The right to be heard: This means that communication is two-way process; the individual must be able to send and at the same time receive information that closely relates to his/her interest or needs. Hindley added that in Canada for example, every cable provider is required to offer at least one channel for community programming. However, there is no exact definition of what “community” is? Hence, many complaints were heard in Canada from groups that were denied access to this service although according to Hindley they had “a right to be heard by those in authority” (1977, p. 124).

3) The right to a reply: Hindley argued that while the right to communicate might include a right to speak, it does not mean that this includes a right to be listened to, i.e., a person is under no obligation to listen to me, even though I have the right to send him or her a message using any type of media. However, what

Hindley did insist is that a right to communicate should include a right to a reply if this reply is coming from a public employee or directed to a public service. For example, if a Canadian citizen is sending a message to the Fire services, s/he has a right to be replied to by this service even if this reply is simply an acknowledgment of receipt of his or her message.

4) The right to make a reply: Hindley added that a Canadian right to communicate should also include a right at least to reply to those messages sent through the broadcast media. In other words, Hindley believes that a right to communicate signifies having an “equal time” to send and reply to media messages, especially in controversial opinions and statements. This case, however, according to Hindley, highlights that there are many practical limitations on the practice of this right such as who decides that each party has equal time to reply in a public broadcast, and how?

5) The right to listen: The last dimension of Hindley’s conceptualization of the Canadian right to communicate is a right to listen (or to receive messages). He stated that at the international level, receiving foreign programming or broadcast signals may be prohibited, but the question should be whether or not a public policy can ban people from receiving certain frequencies (such as radio police messages, for example). He concluded that one hope is to broaden the ways people are receiving and imparting information.

Pioneering figures in the right to communicate history were aware of both *Instant World* regarding it as “very valuable”, and also Hindley’s paper which Jean d’Arcy requested copies of to circulate at the IBI meetings (22 October 1977). They even tried to convince Hindley to write a book on the right to communicate in Canada and distribute it in a bilingual edition. Harms wrote to Hindley:

Before you decide one way or another, I wish you would spend an hour or two browsing through Instant World. The right to communicate flows like a great wave length through that volume and, it seems to me, would provide an excellent perspective for a thoughtful and useful book on the right to communicate.

(30 October 1978)

Generally, and assessing Hindley’s conceptualization of the right to communicate, one can see that there is some ambiguity in his understanding as most of his reference examples are from day-to-day life that do not possess a judicial, legal, or intellectual framework. Although his understanding is valuable indeed especially given his involvement in the IBI and UNESCO meetings, yet, I think that there is some confusion between “freedom of speech” and “the right to communicate” in his paper. In Canada, freedom of expression is one of the fundamental rights and freedoms protected under the *Charter*. This freedom might serve as a tool to secure individual participation in society; to express their opinions, ideas, and thoughts; and to be able to take part in the decision-making process in society. However, until our days, there is no clause or legislation addressing “communication” and not only as “freedom” but as a “right”. For example, Article 19 of the *Universal Declaration of Human Rights* viewed the right to communicate as embodying a more profound practice than merely freedom of expression. First, it stresses a human “right” and not only “freedom”. In his landmark essay,

“Fundamental Legal Conceptions as Applied in Judicial Reasoning” published in the *Yale Law Journal*, 1913, Hohfeld argues that ‘rights’ imply some corresponding duties on other persons, first not to interfere, and second to assist and cooperate. To differentiate between these two concepts (right and privilege), let us consider two cases. First, if one person has a privilege to worship what s/he believes in for example, this means that people in the society are under “no duty” towards him/her in exercising his/her privilege or freedom and has no obligation to help him/her doing this action. Differently, if the same person holds a claim-right for a health care, people in the society –in this case the medical system for example—is obligated to assist and provide this person with health-care services. I have wondered elsewhere whether communication can be classified under which relationship: the liberty (freedom) or the claim (right)? For this reason, I think that Hindley’s paper might be seen as an informal interpretation and not as a *reference* article like d’Arcy’s for example where he analyzed international legislation such as Article 19 of the *Universal Declaration of Human Rights* among others.

Instant World and Thereafter

Soon after the publication of *Instant World*, Eric Kierans announced before the House of Commons that his Department of Communications would begin at once another process of collecting feedback, and consultations from all involved parties in the report, especially from the provincial governments and private industry. He asserted that he would personally be involved with his Telecommission senior officials in this process, and this is exactly what happened. Henry Hindley wrote in his memoirs that Kierans was “closely interested in progress, and cleared each draft as it came along” (1979*h*, p. 2).

The Telecommission Studies not only encountered criticism for lacking intellectual and philosophical positions regarding technologies from academics and social scientists, but also from Canadian provinces and their industrial business organization that Hindley says that they were “unexpectedly hostile” to *Instant World* (*Ibid*, p. 1). For example, telephone companies in provinces like New Brunswick expressed clearly their disagreement with what *Instant World* suggested on national communications policy. Kenneth Cox, the president of NBTEL²¹² wrote to Gotlieb only few weeks after *Instant World*’s publication complaining that such a federal legislative policy would be considered interference in the individual carrier’s company affairs, asserting that provincial communications carriers should continue to play the greater role in its province:

Regional and national interests are not always the same—particularly in emphasis—and great care should be taken to ensure that what may appear to be desirable national objectives do not result in serious detrimental effects in sub-national regions of the country. . . I do wish to strongly suggest that before we set sail, the destination and objectives of the voyage be clear, not only to the passengers but to the crew as well.

(21 May 1971, p. 2)

Similarly, G. D. McCormick, the general manager of SaskTel²¹³ wrote to Gotlieb, arguing that what *Instant World* was proposing in terms of a national communications policy was problematic not only for his company’s customers, but also for the government image, arguing that “I believe that the record of the communications industry in Canada is second to none in providing a good grade of service” (7 June 1971, p. 1). McCormick added that it was ironic for him to read how the concept of the right to communicate is

²¹² The New Brunswick Telephone Company, Limited.

²¹³ Saskatchewan Telecommunications, part of Trans-Canada Telephone System.

important for the government according to *Instant World*. Yet, he questioned how such a practice could be achieved if the government negates the “good grade of telecommunications service” provided by Canadian provincial carriers in favour of federal policy that eventually offer the services but with increased rates “placing the telephone economically out of reach of many of our people” he concluded (*Ibid*, p. 2).²¹⁴

Even the concept of the right to communicate came under attack, from Ernest Richardson, president of the British Columbia Telephone company who expressed his doubt about “the so-called ‘right to communicate’” arguing that such a concept would be better defined as a “secondary want” and not as one of the basic communications needs which require national priority. For him the right to communicate didn’t require such a high priority since “many groups or classes within society . . . neither want such services nor are prepared to accord any priority to meeting the cost of them” (18 October 1971, p. 1). In addition, he believed that one important aspect in the communications industry in Canada was the level of investment, which if it were ignored, Canada “could hardly be said to be in an advantageous position” economically. Richardson continues his attack:

The observation that technology responds more readily to market than to the hopes of government planners, is both inevitable and proper. The marketplace represents a far larger forum of public opinion and social expression than does any group of government planners, no matter how capable they may be.

(*Ibid*, p. 3)²¹⁵

²¹⁴ Prior to his assignment by Gotlieb to reply to this letter, de Montigny Marchand assured McCormick that because his department is not only studying “technical” problems of communications, it is important to carefully balance the “legitimate” provincial demands with the national requirements as well. Therefore, he asserted to McCormick the importance of constant consultation between the government and the provincial regulatory bodies (15 June 1971).

²¹⁵ Gotlieb replied to him that although some of his views were perhaps arguable, he could not agree with him; nonetheless, his opinions still would be taken into consideration in any future proposals of communications policy (8 November 1971).

Besides the invitation Gotlieb and Kierans sent to the provinces and industry seeking feedback on *Instant World*, the Department of Intergovernmental Affairs toured the Canadian provinces to meet responsible entities, and submit their recommendations for action to Kierans. It is interesting to document here the Manitoba and Quebec visits as they represented a position on *Instant World* (most of the other provinces' responses were merely neutral (just acknowledging the receipt of the report).²¹⁶ Frank Howard, of the Department of Communications who was appointed to report his department/provincial meetings, did not deny that there had been a "negative tone" adopted by the head of the Manitoba Telephone Systems who said "he was dismayed by the lack of 'objectives'" in the Telecommission report arguing that "was DOC planning to control MTS [Manitoba Telephone Systems] investment?" (3 June 1971). In this trip, Gotlieb, Pelletier and their officials experienced real troubles convincing MTS of their department's vision; whilst the Manitoba feedback took an extreme political turn where it was "insisted on several occasion that there could be no question of [Manitoba] system collaborating in anything that would diminish the power of the Government of Manitoba" (*Ibid*).

Along the same lines, the Department of Intergovernmental Affairs visited Quebec and met with Jean L'Allier, the Minister of Communications to discuss, his department feedback on *Instant World*. Howard reported that feedback was characterized by: a) a "relatively flexible approach" only to Educational television which seems to represent a sense of urgency for Quebec since it was planning to launch its multi-media programme in early 1972, and b) Contradictory, an extreme "rigid stance on subjects less

²¹⁶ This committee included Allan Gotlieb; de Montigny Marchand; Charles Dalfen; Gerard Pelletier, Pierre Juneau; M. Pittfield and Shoemaker of the Privy Council Office; F. Gibson of the Department of Justice; and Frank Howard of the Department of Communications to report the meetings (Howard, 4 June, 1971).

urgency" adopting a "pragmatic" approach of this specific discussion, such as regulating and licensing cable for example.

Strangely enough and to the disappointment of someone who read what the conferences' reports recommended, *Instant World* had not endorsed any "formal" recommendations for the government despite the fact that it was a process done through the Department of Communications, and where massive contributions and inputs had been expressed by provincial and governmental bodies. Yet, it was justified in the Department of Communications annual report (1970/1971), which pointed out that it had provided "concisely informative background information, a stimulus of public discussion of the complex issues involved, and a basis of consideration of policies aimed at achieving orderly development at communications in Canada" (p. 23). Secondly, Kierans stated in the House of Commons in April, 1971, that it was just the "first phase" of the Telecommission and mainly aimed to collect information and opinions on ways to solve communications' problems in Canada, and that the second phase would end when Kierans "c[a]me before the House to present the government's white paper on telecommunications policy" (House of Commons, p. 4934).

The publication of *Instant World* that should have been interpreted as an important step in drafting the future of Canadian communications, was politicized by the provinces, and other specialized bodies (i.e. industry and business for example). It took the government more than twenty years to enact what the Telecommission suggested in its 1971 report. Indeed, it was another *missed opportunity* in the history of Canadian communications, the topic of the next chapter.

CONCLUSION

Another Missed Opportunity?

Any sense of urgency aroused by *Instant World* soon faded. . . . The climate of national opinion, it seems, was not ready for a novel public venture in telecommunications. The need for it was not clear at the time to anyone but the farsighted scientists. . . . When . . . Eric Kierans resigned, anyone with an eye to the technological future began to look like a space cadet. . . . In the increasingly bearish mood of the mid-1970s, *Instant World* began to seem irrelevant.

(Ostry, 1993, p. 12)

Ostry's epigraph summarizes the sad dénouement of the Telecommission Studies story. Its novel endeavour, as he observed, was stillborn for several reasons, some known and others still unclear. This chapter discusses those reasons, arguing that they represent another "missed opportunity"²¹⁷ for Canada in pioneering ideas that still attract attention and spur investigation by communications scholars, human rights activists, democracy advocates, and others interested in the relationship between communications media and freedom of speech, democracy, and human rights.

Communication scholars in Canada did not deny that *Instant World* "introduced a notion of the democratic potential of communications . . . recognizing the 'right to communicate' as a basic human right . . . [and highlighting] the potential of such innovations as instant feedback mechanisms for organizing public opinion referendums, and the liberating possibilities of new [communications] equipment" (Raboy, 1990, p. 217). It is also true that "*Instant World* was recognized as a landmark study. Canada was

²¹⁷ I am borrowing Marc Raboy's 1990 book title, *Missed Opportunities: the Story of Canada's Broadcasting Policy*, to denote the continuity of missed opportunities in Canadian communications generally, and not only broadcasting.

one of the first industrialized nations to undertake a systematic examination of telecommunication and its potential impact on all sectors of society" (McPhail & McPhail, 1990, p. 266).

Yet no one has ever explained why the report's general recommendations were not translated into policy in the years that followed and, importantly, why in subsequent years there were no references at all to the "right to communicate," even during very public attempts to deal with two other topics raised by the report: privacy rights and the regulation of computer technology.²¹⁸ Why were these two the only concepts raised by *Instant World* that proved able to paddle into the mainstream of Canadian politics? Perhaps this story fits the Canadian "tradition" described by historian A.R.M. Lower in 1953:

Our Canadian pattern in these public [i.e. broadcasting] matters seems to be fairly consistent. . . . First we get into a muddle. Then we have a Royal Commission which recommends a public agency. Having set up the public agency, we let it get into another muddle. This brings on the infuriated attacks of the private enterprise people, all made with the holiest of motives. We then have another Royal Commission. This time we compromise . . . this is our Canadian pattern.

(cited in Raboy, 1989, p. 42)

The Right to Communicate: A *Missed Stop on the Route*

But all was not lost. Charles Dalfen, legal advisor to the Telecommission Studies, declared a partial victory for *Instant World*, crediting it with creating a strong movement

²¹⁸ One of organizers and active participants in the Telecommission Studies conferences and seminars, Thomas McPhail, admits that, sadly, "Neither an official policy paper on communication nor any substantive legislative action followed the completion of the Telecommission study" (1990, p. 267).

during the early 1970s for the idea of “public access” to communications.²¹⁹ For example, “community channels” were initiated on cable television and “les tribunes téléphoniques”—open-line phone-in shows on radio—allowed people from the general public to express their views, a tradition continued today on talk shows, televised “town hall meetings” and other public forums.

Early in 1970, Dalfen sent memos to the Telecommission’s Ad Hoc Committee as well as its directing committee, in which he discussed the broad stages involved in the process of regulating communications. He introduced to the government the idea of “public rights to information,” arguing that guaranteeing such rights “would help breathe at least a little life into the notion of ‘participatory democracy.’ No other Canadian government department has yet implemented such procedures. DOC can pioneer in this field” (Records of the Telecommission Studies, 20 August 1970, p. 2). In this proposal, Dalfen highlighted that the regulatory process already in place at the CRTC (and elsewhere) enacted an element of the public’s right to communicate, known popularly as “public participation.” The process starts with a requirement for public notice in the media regarding any proposed legislation or initiative, followed by receiving, examining, and assessing submissions from the public and organizing public hearings. Importantly, the process also involves the right of members of the public to appeal decisions by government and regulatory agencies and request amendment, after notices have been announced.

However, Dalfen revealed in a recent interview that most of what Gotlieb assigned him to draft during the Christmas break of 1970—especially his ideas on access

²¹⁹ A detailed Biography of Charles Dalfen is appended to the dissertation.

to information and public rights—was not translated into action until the *Telecommunication Act* of 1993 from his point of view. This states in section 7(b) the idea that *Instant World* pioneered which had been ignored for twenty-three years:

So it was not Mr. Gotlieb's fault. He was trying to get us to produce the legislation that would have embodied some of the recommendations of the Telecommission, and that kind of thinking. . . . But the government didn't choose to introduce that legislation . . . and it took 23 years before being enacted. So you have to say that there are government priorities that should be followed. . . . It [*Instant World*] provides a very good snapshot of the world around 1970. . . . But probably you are right, it didn't get translated . . . not because the quality is not good but it was because [it was not one] of the [government's] priorities.

(Interview with Dalfen, Hull, October 2006)²²⁰

In his 1970 draft entitled “Telecommunications Policy”, Dalfen clarified that one of the urgent objectives here was the “need to be informed”, and that the right to be heard also could be denied. “Together they amount to a right to communicate. Therefore . . . all citizens should, to the greatest feasible extent, have access to efficient telecommunication” (Records of the Telecommission Studies, 22 October 1970). The Telecommission believed that achieving *any* policy change—such as implementing the idea of a right to communicate—in Canadian communications would have to start by²²¹ changing the “mentalities” and intellectual orientations of policy-makers and senior bureaucrats involved in the field.

²²⁰ Section (7-b) of the *Telecommunication Act* 1993 states as a goal “to render reliable and affordable telecommunications services of high quality accessible to Canadians in both urban and rural areas in all regions of Canada” (Canada Department of Justice, available at: <<http://laws.justice.gc.ca/en/notice/index.html?redirect=%2Fen%2FT-3.4%2Findex.html>> [Retrieved 24 May 2007]).

²²¹ *Instant World* admits that even the Department of Communications itself suffers from an “immediate shortage of executives who are articulate in almost any permutation or combination of disciplines” such as communications engineering, systems engineering, experimental sciences, law, regulatory matters, economics and behavioural sciences (*Instant World*, 1971, p. 113).

Instant World confirms that one of the reasons for the

current turmoil of dissatisfaction with things as they are . . . [is the lack of innovation, since] innovation is sometimes the outcome of intuition, or even of fashion, or the mere desire to change. More often, it is the result of planned research and development . . . [since] research is the investigation of people, matter, and things . . . what they are and how and why they act and interact.

(*Instant World*, 1971, pp. 102-105)

To convince the government to implement its ideals and to target the roots of this problem, the Telecommission cited studies conducted in other countries indicating a shortage of highly skilled professionals in the communications field, especially people with a multi-disciplinary perspective — that is, not only trained engineers, systems analysts, economists, and lawyers, but also people who could grasp the social goals of future regulatory policies. The Telecommission also surveyed the Canadian government and communications industry to assess the need for such multi-disciplinary, highly skilled personnel in Canada. Gotlieb sent out a questionnaire of seven questions, addressed to federal departments and agencies, provincial and municipal governments, communications carriers, the broadcasting industry, and almost all Canadian graduate programs. The questionnaire investigated the current (1970s) and perceived future need for communications specialists and policy makers; their educational backgrounds (i.e. which university degrees they held, and whether they were from specialist disciplines such as computer science or engineering or from multi-disciplinary backgrounds such as social sciences or communications), and intellectual orientations (engineering; systems analysis; sales; marketing; communication and behavioural science; law; economics; communications arts; or other) (Records of Telecommission Studies, 23 April 1970).

Gotlieb stated in his cover letter that the purpose of the survey was to assess the present and future needs of industry and government for multi-disciplinary, highly skilled personnel in the communications field in Canada, arguing that

One of the underlying deficiencies of the policy framework in telecommunications is the absence of programs to develop the unusual interdisciplinary skills required for the formulation and implementation of sound public policy in . . . [this] field. . . . Formulation and implementation of effective telecommunications policy . . . is at present seriously handicapped by a shortage of qualified personnel.

(23 April 1970)

The results of the questionnaire revealed a prevailing uncertainty about the need for, and skills required by, future policy makers in the communications field in Canada, even among those very involved in the field at the time. For example, responses from the federal public service favoured the concept of "in-house" development of multi-disciplinary executives through some sort of career planning programs. The problem was not regarded "as serious at all" by provincial governments, while among university graduates from both applied sciences and social sciences and humanities, an urgent need was perceived for exchange courses with multi-disciplinary perspectives. Finally, respondents said that, without question, "the prime needs seem to lie in systems engineering and communications engineering" for the communications industry and common carriers.

Further, in its final report on "Multi-disciplinary Manpower Needs," the Telecommission discussed the importance of ensuring that future communications policy makers and legislators have a broad academic background. It suggested creating a training program to expose senior public servants to an academic environment with a group of university professors specializing in administrative practices (such as

quantitative analysis; decision-making; marketing; labour-management relations). It asserted that Canada must “have an informed group of public servants formulating public policy on telecommunications questions” (Telecommission Study 7-c, 1970, p. 2).²²² The report highlighted that adopting this suggestion would help public servants in communications to co-operate at advanced stages when concepts like the right to communicate or access to information would form a meaningful part of the public policy agenda. The suggestion was considered especially important, the report said, given that most of the involved parties were

departmentalized, that is, divided into engineering, marketing, finance, personnel, operations, etc. Each department has its own head with its own skilled specialists through whom he controls the department . . . [however, by employing the Telecommission’s suggestion] the head of departments [could] operate as a team and there is constant communication between them. Not only is such inter-communication practised as a matter of course at senior levels. But reciprocal contribution and commitment to planning, execution and control . . . throughout . . . [and] at all levels.

(Ibid, p. 3)

As a final plea, Gotlieb wrote to W.G. Schneider, president of the National Research Council (NRC), seeking a grant to help develop a special program he called “mission-oriented research”. Gotlieb proposed co-ordination between the Department of Communications and a group of universities, to ensure continuous access to and sharing of the universities’ resources and “brainpower” in a long-term intellectual exchange. The main purpose of such an effort would “be the progressive creation of a university milieu where high[ly] skill[ed] personnel could be trained and/or retrained with considerable

²²² It is important to note here that this idea was listed in the archival records of the Telecommission Studies as Study (7-c); but in the final report, it was included in study (7-e) “Multi-disciplinary Manpower Project Report” (1971). This was logical since, in early 1970, the most important goal of the Telecommission was to conduct research and get information, and then amass it in Hindley’s office to sort the ideas and decide how to categorize them.

profits for governments and industry" (Gotlieb to Schneider, 5 May 1970). He added that such a grant from the NRC would allow the formation of a research community, where activities directly relevant to communications (technology, law, sociology, public administration, psychology, and operational research, for example) could be studied and practised, and future policy makers and communications legislators could receive training.²²³

Structure of the Missed Opportunity

If public policy problems are usually categorized by their social, cultural, judicial, economic, or political content, among other things, it is argued in this dissertation, and in the particular case study of the Telecommission Studies, that its categorization here came about for *administrative* and *bureaucratic* reasons. One major reason, I believe, that the Telecommission's work was shelved after the publication of its report was due to the departure of key, unconventional people in the Department of Communications who had initiated the drive for change in 1969. The resulting loss of creativity and the tendency by those who remained to simply "conform" and not continue to fight, were major hindrances to seeing the recommendations of the Telecommission translated into actual policy/regulation.²²⁴

Given Kierans' position in the political decision-making order during this time, as the "agent provocateur" voicing thoughts, opinions and positions advocating reform,

²²³ I didn't find a reply from the NRC to Gotlieb's letter on this issue in the archival records of the Telecommission; it might be in Gotlieb's own fonds that are still restricted until 2020.

²²⁴ Some of the ideas, it must be said, were eventually resurrected in the *Telecommunications Act* of 1993, while some others, like the right to communicate, did not move onto the political agenda until recently.

especially in the field of communications, his exit from the Department of Communications just after the publication of *Instant World* greatly affected the way the department proceeded from then on.²²⁵ Hindley notes in his diaries that Kierans' resignation was a "severe blow to the hope of useful results from the Telecommission Studies" (Hindley, 1979*h*, p. 1).

In one of his last speeches as minister—entitled "After the Telecommission", delivered in Toronto on April 19, 1971, to the Toronto branch of the Data-Processing Management Association—Kierans voiced his longstanding frustration with the existing policy mindset. He declared that his department, through the Telecommission, had raised "fundamental questions" on the importance of communications technology in Canada. He could not deny that these questions were controversial, and led to a great deal of criticism from parties not interested in changing their positions on such issues. In other words, the Telecommission Studies was aware of the possibility that its recommendations would be ignored, given the substantial degree of change required if they were adopted and enrolled in the public policy agenda.

In some cases the questions have been troublesome to such an extent that interested parties, [and admittedly] the Department of Communications²²⁶ as well, could very well wish that we had never raised the issue. . . .

[These] troublesome questions could not have been avoided in the long run, even if the Government of Canada had chosen to ignore them.

(Kierans, 1971, p. 2)

²²⁵ Kierans resigned, Gotlieb was moved to Manpower and Immigration, Hindley retired and worked as a freelance writer. Of the remaining people, Charles Dalfen says, "Yes . . . there were lots of meetings and lots of committees and lots of very bright people associated with it [*Instant World*]. We had a very good time. . . . You know . . . there was an intellectual discovery, and a lot of people stayed in. Mr. Gotlieb moved but I stayed in the field and a number of people stayed in" (Interview with Dalfen, Hull, October 2006).

²²⁶ Kierans declared in this speech that he had "uttered the unutterable", having said that the very creation of a Department of Communications constituted a "new concentration of federal power" (1971, p. 3).

While Kierans explained that he understood the importance of having a federal focal point to exercise power in the field of communications, he nevertheless could not be convinced of the need for, and would not agree to, the arbitrary use of power. He explicitly stated: “I fear that we shall not get anywhere in Canada *in any field of policy*, whether it be in communications or in external affairs or again in federal-provincial relations, unless we understand the power we are dealing with” (*Ibid*, p. 2, *emphasis added*). He then added that it was time to use all available powers to legitimate the historic principles of social justice, freedom of choice, and cultural and regional diversity in Canadian communications.

Rumours had been disseminated during this time by communications companies fearing for their revenues or their powers as carriers and distributors. There were rumours that the Department of Communications was trying either to nationalize the private communications companies or to hand the newly born computer industry to the common carriers. Kierans said it had been alleged, about himself and the Telecommission, that:

1. we have made up our minds without investigating all the facts; or
2. that we keep investigating the facts but won’t make up our minds; or
3. that our investigations and lack of decision has caused great uncertainty.

(Kierans, 1971, p. 3)

Despite these accusations, Kierans explained that he was convinced that the first step in ensuring “equitable” access to Canadian communications would be to develop central entities to distribute computing services to customers and users. Therefore, it was very important to explore all possibilities and not to favour one segment of the communications industry over another. Yet despite all of these hopes, he admitted helplessly that “no matter how much we try to avoid precipitous or ill-informed or

unilateral action we must be prepared for the possibility that we will be blamed, perhaps even unjustly, for somebody's ruin or lack of success" (*Ibid*, p. 4).

The gap was still wide between the words spoken and eloquent speeches that promised great public benefits from communications, and what was achieved in real life. It was undeniable that concepts such as the "right to communicate" and "public access" were appealing to some of the public, but they were not backed up with mechanisms to empower the public and apply those principles in Canada at the time. This discrepancy was not lost on the *Toronto Star*, which wrote in an editorial on 10 April 1970 that the Telecommission report

puts forth ideas that most Canadians would applaud. Now, it will be up to Communications Minister Eric Kierans to show us how these good intentions can be carried out in the real world. . . . The Telecommission report opens up the whole field of telecommunications to a much needed public debate. It will be up to Mr. Kierans to show us how the conclusion of that debate can be turned into hard legislation.

(p. 14-News)

It is true that while the Telecommission was suggesting appealing, perhaps utopian, ideas to the media and the public, government inaction was proving to these same parties that the results could be quite the opposite. For example, the *Toronto Star* added that the Telecommission Studies showed in its results that eighty percent of the Canadian data processing market and industry were already non-Canadian, thus it was clear that Canada should take serious procedures to help this new information industry flourish, as Prime Minister Trudeau claimed he would do in 1968 (i.e. that Canada would not leave companies in foreign hands, but would channel its efforts to encourage key economic sectors). Conversely, the *Star* noted that the government gave \$6 million to "the American-owned International Business Machines Corp. to encourage IBM to build a

computer circuit plant in Quebec" (*Ibid*, p. 14-News). This act alone made the newspaper's editors wonder: "If this were a logical world and if politicians were really faithful to what they say in public, Canadian control of the computer industry would not now loom up as a problem" (*Ibid*). For someone like Kierans, it was a situation into which he fired his criticism at existing policies that claimed to be nationalist, while from an economic point of view, they were not totally valid or comprehensible²²⁷. He maintained that it was an appropriate time to move, but only if the move was rational, researched, and workable.²²⁸

Politicizing Communications

Political interference was among the strongest reasons for the Telecommission's recommendations' failure to reach the second stage of the public policy decision-making process, as discussed in chapter two. It is argued here that the government ignored the Telecommission's novel, public-interest-centered proposals because communications was

²²⁷ Kierans maintained that the issue of "Canadian control" was a key principle for his Telecommission, and hence he believed that Canadian manufacturers of communications could "compete with foreign manufacturers both at home and abroad because they have domestic markets that are large enough to support research and development costs. . . . This sort of industrial spinoff from Canadian control of communications systems can be enhanced by policies and regulations that encourage specialization and discourage market fragmentation" (1971, p. 6).

²²⁸ Particularly, he said in one of his speeches that the possibilities and resources are present in Canadian communications field, yet what was lacking was the mechanism or the actual public policy: "I think that Canadians can move into the new . . . world safely, if perhaps unspectacularly, from the base we now have in the national telecommunications industry and do so without losing the control which we have. We can undertake this adventure under our own initiative because the launching platform exists here in telecommunications research, manufacture and operations. We can do it if we rationalize and manage the resources which are just sufficient to the challenge. There is, therefore, an enabling because, and a conditional if. The if concerns rationalization" (Records of the Telcommission, 22 January 1971, p. 17, emphasis in original).

but one card in the elaborate game of politics. The problem, in other words, was not the quality of the efforts or the ideas discussed as much as the emphasis on *who* was discussing them and *why*. Throughout the various seminars, as seen in chapter six, there were two conflicting world views on the role of communications. Particularly, academics and social scientists were always regarded as “others” by communications professionals, the industry, business leaders, and importantly, government officials. For instance, as seen in chapter five, the CRTC strongly criticized Henry Hindley’s analysis of its role in broadcasting regulating, and issued a warning to the Telecommission chairman (Allan Gotlieb) that the Telecommission *should not interfere* in CRTC policy territory. As well, in the proceedings of the Telecommission, the non-academics believed they knew better, given their hands-on roles in the communications industry and the policy process governing it.

Indeed, the role of the political agenda is an undeniable factor in past, current and future public policy. There are three major reasons for this. The first involves the actors playing, and interested in playing, the game of politics, who are “extensive, powerful, often in conflict with one another, and continually growing” (Woodrow and Woodside, 1986, p. 102). Some might have studiously ignored *Instant World* and its recommendations to avoid stirring up trouble and tensions between the players—particularly given the ongoing federal-provincial disputes over jurisdiction, a longstanding and fundamental feature of Canadian politics. As discussed in chapter seven, many provinces took a sharply critical position on the report, seeing it as a rationale the federal government could use to “nationalize” communications and deprive them of their rightful powers in this area. Hindley asserted in his diaries that *Instant*

World had “aroused a new and possessive reaction” by the provincial governments²²⁹ (1979g, p. 3).

In fact, this assumption was confirmed from the first day *Instant World* was introduced in the House of Commons. André-Gilles Fortin, in this session in the House, reviewed the steps taken by the Telecommission in producing its report, reminding the audience that the main objective of the report was to draft a white paper for future communications policy.²³⁰ Yet he said:

I . . . regret that the minister did not, in his statement today, give us an exact date on which a Canadian telecommunications policy could be implemented. I feel that studies and research must not be neglected in that field. But it seems that such studies and research works have become an excuse for the government not to take real action. I believe there are problems related to the provinces which the government is keeping from us.

(Debates, 7 April 1971, p. 4985)

The second reason for inaction was that almost all issues during this time were intertwined with communications, even those that appeared to be purely technological, legal, or economic. Communications was and remains “inherently political in nature” (Woodrow and Woodside, 1986, p. 103). For example, the introduction of a new means of technology such as satellites is bound by a set of regulations, such that government can intervene at any point, starting from the manufacture of the technology to its reception by the audience/recipients. And we have seen the extent to which Kierans engaged in battles over Telesat and the Post Office in chapter four.

²²⁹ In fact, from April 1971 until July 1975, the government had been in constant negotiation with the provinces, some of whom declined to participate (like Quebec); and some of whom insisted on maintaining their current position and their own legislation (like British Columbia).

²³⁰ At that time, he was the Leader of the Social Credit Party of Canada.

It is important to note here that the domination of the *economic* world view in communications was another key factor that helped ensure that the Telecommission would be ignored, since its recommendations fell into a non-economic or non-commercial category: the *public interest*. In the light of this discussion, one should explain that even the language of the Canadian communications public policy has changed—chiefly from the early 1970s to the 1980s—with the result that by the 1990s the core public policy agenda targeted *technological* advances and *economic* goals. Whilst, as seen in this dissertation, the period of late 1960s and early 1970s approached communications from a more human, social, and cultural perspective. The number one priority for the Telecommission for example was to ensure that communications were used as a means to further participatory democracy, the public interest, and unavoidably, to serve the national interest, which was one of the persistent discourses in Canadian public policy.

Comparing this vision to the perspectives of subsequent years, one can understand the argument that during this time “new technologies are praised as a way of improving profits, consumer choice, and Canada’s international economic position” (Yule, 1993, p. 37). Evidently, in the 1980s and 1990s, the main priority of Canadian public policy was to move from the non-profitable (in this case, public interest goals) to more *profitable* goals that were totally legitimized by association with the methodological nationalism approach cleverly used by the political decision-makers.

Analysts confirm this opinion, as they have showed that the language of communications policies achieved mastery on these two goals: economic and political.

For instance, the Clyne Commission²³¹ report published in 1979 stated clearly that its main aim was “to make recommendations on the future of the Canadian telecommunications system in relation to new technologies and the need for Canadian software and hardware resources to meet foreign competition, with particular reference to the role of broadcasting in contributing to the preservation of sovereignty in Canada” (as cited in Yule, 1993, p. 43). In other words, the shift in the public policy discourse took a sharp *economic* turn from the mid to late 1970s to focus on economic and industrial dimensions. Whilst we have seen how the Telecommission Studies researched the possibility and the potentials of fostering both an “east-west” and “north-south” flow *within* Canada, the communications public policy perspective thereafter, focused on the different ways to integrate the Canadian communications system to make it *internationally competitive*. In short, we can say that the main discourse of the Telecommission Studies was centered on the Canadian public interest and the human right to access the means of Canadian communications, but it seems that this discourse was not strong enough to oppose the discourse of commodity, competition and consumerism.

The third reason for resistance to *Instant World's* proposals was the Canadian political mindset, which was convinced of the ability of communications to achieve national political agendas, particularly national unity. This view had been prevalent since Canada's earliest days as a nation whose founding was seen as to depend upon transportation and communications technology. This position was clearly evident in the

²³¹ The Consultative Committee on the Implications of Telecommunications for Canadian Sovereignty known as the Clyne Commission started its work in 1978, and published its final report titled “Telecommunications and Canada” in 1979.

Department of Communication's general approach and rhetoric, as discussed in chapter (1). Even if past proposals for communications policy had been regarded with considerable skepticism by those involved (be it industry, the provinces, the federal government, or business), starting around the time of the publication of *Instant World*, relations between the federal and provincial spheres had soured significantly and reflected serious tension. Noel Moore, the editor assigned to write about the "Access to Information" conference, alerted Richard Gwyn to how politically inflammatory the topics were that the Telecommission was discussing and researching:

Only a fool or a very ignorant man would play around with subjects so charged with political significance as the right to know and the right to be heard Whether you like it or not, you have . . . placed your department right at the heart of the controversy and it is growing in scope and dimension every day. [Sadly, but truly] You, in effect have set yourselves up as the sanctifying body and your report will be construed as a statement of government policy, and some will view it as an attempt to usurp the role of the CRTC [as one example].

(6 October 1970)

On this note, it was important to ascertain from Gotlieb during the in-depth interview whether the people of the Telecommission Studies represented an "élitist" perspective on communications. He answered that question with some discomfort, saying it was not the case during his involvement in the Telecommission's work. He didn't deny, though, that there were "lots of rivalries and competitions of ideas" from some parties that might have desires and mandates within the same areas the Telecommission was studying. These included the CRTC and the CBC, for example, as seen in chapters (5) and (6). At the same time, he admits that even the federal government was concerned that they were "overreaching," as Gotlieb assesses, in an indeed worthy quote:

[The assumption was] that we were going too far in these areas from the things that we were responsible for. But on the whole, I think it was recognized that it was a very high quality report. . . . I think we thought about ourselves as very “non-elitist.” There were two ministers that were outspoken during this era. . . . One is Mr. Kierans, and his speeches were full of real fancy concepts; participation, linking up with the people all over the country, technology in the post offices, everyone will be in communication center. And the other was Gérard Pelletier, who was the Secretary of State; he was egalitarian in his language. And participation is what it’s all about. We thought of ourselves (and this was the whole sort of Trudeau mystique) that we were certainly anti-elitist, empowering and this is where you get the whole notion of the right to communicate.

(Interview with Gotlieb, Toronto, September 2006)

The Calm Before the Storm

Clearly, the government of Canada has refrained from committing itself to acceptance of a general ‘right to communicate’ because of the practical difficulties entailed with regard to its effective implication.

(Hindley, 1979*i*, p. vi)

Recalling the broad sweep of time covered in this dissertation, we can see that the period before the 1960s might be considered a “calm before the storm” when there was no Department of Communications, no CRTC, and there were no satellites, and no fights between federal and provincial powers on communications regulation or policy. However, starting with the Glassco Commission in 1961 and its critique of the CBC’s policies, followed by the Fowler Committee in 1964, the federal government’s interest in the area “caused vast quantities of fur to fly in all directions” (Hindley, 1975, p. 4). The changes that occurred during this period produced a major shift in considering “communications” as part of the cultural scene, and not merely as technological industries. Yet, during these changes

battles raged, speeches were made, committees fought, resignations [were] threatened, tempers were lost, angry words flew, and in the end—inevitably—heads rolled. But out of all this there emerged the 1966 White

Paper and the 1968 Broadcasting Act . . . It was not . . . a period of lasting peace, but rather a period . . . that took the opportunity to reculer pour mieux sauter.

(*Ibid*, pp. 4-5, emphasis in original)

In the fall of 1969, the Telecommission Studies was launched to represent a “comprehensive look at the present and future state of telecommunications in Canada, identifying the many problems . . . and making a wide variety of proposals for their resolution [or simply scenarios to pick from]” (Department of Communications, Annual Report, 1970/71, p. 23). During the course of the Telecommission’s work, two camps were formed through the conferences, seminars, reports, discussions, and inevitable fights: “peoplethink” and “technologythink.” And what was the result? “A good education for the bureaucracy in the facts of telecommunications life; and an incitement to rebellion by the provinces” (Hindley, 1975, p. 9).

Subsequent to the publication of the *Instant World* report, and based on its findings, the Telecommission planned to proceed urgently to prepare a “legislative policy” draft for the cabinet. This resulted in a series of bureaucratic misunderstandings about the timeliness of the topic and—perhaps out of ignorance —of the efforts to produce these results. The Department of Communications’ draft sought: a) cabinet approval in principle for the establishment of a regulatory body, and b) its assurance that continuing federal-provincial confrontations on other issues would not interfere with the Telecommission’s work.

During the meeting set to discuss this memo at the Privy Council Office (PCO) on the 25th of March, 1971, Hindley recalled that Michael Pitfield convinced Allan Gotlieb that the ideal strategy for proceeding with this draft, and a matter of courtesy, would be to

submit it first to the Prime Minister. Cabinet agreed on 20 April 1971 to immediately proceed to study the questions involving broadcast licensing policy (and to also study federal-provincial relations to suggest a possible strategy acceptable to both sides). Meanwhile, Trudeau formed an Interdepartmental Committee on Communications chaired by the PCO, which included the departments of the Secretary of State, Communications, Justice, plus the CRTC, to direct these studies and prepare a federal position and strategy to communicate these issues to the provinces.

Around the same time, given Kierans' resignation, Trudeau appointed Gérard Pelletier as acting Minister of Communications. Since Pelletier was aware of the subject and had been partly involved in it, he signed the draft memo on the legislative policy discussed with Gotlieb, and passed it to the Prime Minister on June 23, 1970. This action, was greatly "resented by the PCO officials" and "elicited no immediate response from the PM [Prime Minister]" (Hindley, 1979j, p. 1). In his eventual response, the Prime Minister posed a group of questions to be considered in the interdepartmental committee's investigation, an action that was clearly regarded as "putting a damper on any immediate action" that might be taken by the committee on the one hand, and adding people from Treasury Board to the inter-departmental committee on the other.

After succeeding Pelletier as Communications Minister, Robert Stanbury enthusiastically attempted to renew the urgency of taking positive action on communications policy following the *Instant World* recommendations. Stanbury believed that Trudeau's letter posing questions to the interdepartmental committee had "implicitly" embodied delays. He pleaded for faster progress, arguing that "there would be no possibility of introducing a Bill in Parliament until well into the 1972/1973

Session" (*Ibid*, p. 2). Once again, the Prime Minister replied to Stanbury's appeal on 21 October 1971, advising him to form "another small committee of high level representatives" drawn from the members of the old committee, to "test the feasibility of those main policy principles which would underline a formulated communications policy" (*Ibid*), thus turning the whole subject over to endless circles of committees, departmental talks and bureaucracy. Trudeau suggested that the small committee should report first to its ministers by the end of February 1972, asserting that "there should be no statements made nor any action taken which would commit the government to any position or timing with regard to a federal communications policy" (Hindley, 1979*j*, p. 2). Needless to say, the work became extremely slow and totally unproductive, since it involved arranging meetings and committees from different departments that already had busy agendas. Hence, their report did not make its way to the cabinet before 13 July 1972—more than a year later.

After receiving the report (and ironically, following historian Lower's classic assessment of Royal Commissions) cabinet advised the public service to: a) study the possibility of constituting a single communications agency; b) study ways to interpret the *BNA Act* in relation to the proposed legislation, since it included new modes of communications not named previously in the *Act*; c) continue to examine and study the potential for co-operation between federal and provincial governments and communications regulatory bodies; d) form yet another interdepartmental committee, this time of lawyers under the supervision of the Department of Justice, to advise the government on ways to interpret the *BNA Act* in relation to the proposed new communications act; and e) expand the Interdepartmental Committee on

Communications to include more representatives from the Ministry of State for Science and Technology and from the Department of Industry, Trade and Commerce to examine issues related to their areas of responsibility.

Hindley noted that the cabinet statement was not even distributed by the PCO until December 1972, and that the committee did not even meet in the second half of 1972, although it had been hoped to have its results by September 1972. He added that consequent to the transfer of the CRTC to the responsibility of the Minister of Communications “there was a final explosion and the Interdepartmental Committee disappeared . . . with, it is understood, the oral approval of the Prime Minister” (Hindley 1979j, pp. 2-3).

The preceding endless chain of bureaucratic procedure is certainly one of the major reasons that the Telecommission Studies’ recommendations were not enrolled in the public policy agenda. In fact, public policy scholars confirm that this behavior is totally predictable, given the bureaucratic personality in Canada, since it during this time it was “more preoccupied with behaving according to the rules than achieving the goals that are supposed to be the organization’s *raison d’être*” (Brooks & Miljan, 1993, p. 99).

Collectively, the Telecommission’s *Instant World* report was a pioneer in voicing the claims of future needs for communications policy that focused not on technology and the transmission of signals, but rather on how to empower the public with new rights: the right to communicate, send and receive, or not, any information using the media of their choice, and so become more involved in the process of decision-making in Canada. Certainly, “there was a dialogue” about this in the Department of Communications during this time, as Allan Gotlieb remembers. But he admits that it was indeed “a minority

voice” that believed, adopted, and tried to enact these principles (Interview with Gotlieb, Toronto, September 2006). He added that even these minorities did not remain in the Department of Communications to continue to fight:

Being a professional public servant, basically, you are like a hired gun. You go from subject to subject. When I left Communications in 1973, I was transferred to Manpower and Immigration and I did nothing but working in immigration for four years. It was a terrible department. . . . After five years; I had no connection with communications.

(Interview with Gotlieb, Toronto, September 2006)

With Gotlieb’s comment, it is important to note here that what he described was one of the main defects of public policy administration in the Trudeau cabinet. Public policy scholars maintain that an assumption was adopted by Trudeau that a “high turnover rate and shuffling of deputy ministers would enhance control of the senior public service by the Cabinet”. However, Trudeau employed turnover, as well, with cabinet ministers, a decision that was strongly criticized by senior public servants who maintained that “this ‘musical chairs’ approach has a negative impact on management and . . . has caused both ministers and deputy ministers to adopt a ‘low profile/low risk’ approach to their responsibilities to ensure their survival” (Doern & Phidd, 1992, p. 163).²³²

Positive Ends?

The idea of the right to communicate and “not to communicate” was discussed by two task forces following the *Instant World* recommendations, conducted in 1972 and

²³² On this point, I asked Gotlieb about his own personal opinions of ignoring *Instant World* after the efforts made to bring it to light. He said, “One of the questions people ask me is, ‘What did you accomplish when you were in the government?’ I look back, and I don’t really have a clue. . . . People in these government departments, we fight these gigantic battles, and we apply so much diligence to it, and what is the result? . . . I don’t know!” (Interview with Gotlieb, Toronto, September 2006).

1973. The first was on “Computers and Privacy” and the second was the “Canadian Computer-Communications Task Force—Branching Out.” Both reports restated what *Instant World* had recommended about the importance of individual privacy, especially taking into account the new capacity for information and data storage in computers. Ironically, “twenty-four recommendations appear to have been ignored, despite a green paper²³³ which followed about a year later commending the importance of the report” (Ostry, 1993, p. 12).

But let us fast forward to the time when the Telecommission’s ideas were partly reincarnated, in the 1990s, although it was done without crediting the Telecommission as the pioneer on these issues. It occurred as the Internet was becoming a widely used medium, and the term “information highway” was coined to describe the system the government envisioned for making it faster, more accessible and more informative. By September 1995, the Information Highway Advisory Council (IHAC) announced that it was time for Canada to celebrate its technological innovation as a “historic moment” (Mussio, 1996, p. 257). Sound familiar?

Skipping back just a bit, in April 1994, the federal government formed the IHAC, which was to plan and develop the use of the Internet as an information highway for the economic, cultural, and social advantage of all Canadians. Among the policy issues that the council examined was a question *Instant World* talked about: how to ensure universal access to these technological means and services at reasonable cost. Interestingly enough,

²³³ See Canada, Department of Communications/Department of Justice. (1972). *A report of a Task Force on Privacy and Computers*. Ottawa: Information Canada; and Canada, Department of Communications, The Honourable Gérard Pelletier. (1973). *Computer/Communications Policy: A Position Statement by the Government of Canada. Annual Report*. Ottawa: Information Canada.

the council emphasized in its final report, in September 1995, the exact same recommendation that *Instant World* had called for more than 24 years earlier: “Canadians, regardless of where they live, need easy, fast access to information” (Canada, Department of Industry, 1996).

The IHAC called for an information community, one element of which was launched immediately as the toll-free 1-800-O-CANADA telephone line for federal service delivery—an idea for which Kierans had been mocked by the media when he dared to suggest it in 1969. The council announced that the information highway had truly made “Canada the most connected nation in the world in recent years” and had provided schools, libraries, businesses, rural and Aboriginal communities, public institutions, and government institutions with access to information and information technology. It did so without once being accused of technological determinism. We can shop online, we can learn online, we can vote online, and we can conduct our financial affairs online. These were predictions from *Instant World* that remained unknown to many Canadians—communications students, scholars, and professionals—for far longer than was necessary or desirable. Canada is now offering these “new opportunities” by means of new technologies. Yet *Instant World*, in 1971, asserted the very same rights for the public:

To the extent that options lie in the hands of Canadian industry and government, it is possible not only to speak about the future of telecommunications and their impact on the national mosaic, but to do so with the confidence that we can do something about the future *if we choose to*—not only the future in telecommunications but the future in a broader social sense because communications are at the focus of the changing society into which we are moving.

(Records of the Telecommission, 25 January 1971, p. 4, *emphasis added*)

In summary, Raboy once argued that Canadian broadcasting missed important opportunities to practice social democratic principles as a result of the various competing actors in the field of communications technologies. He built his argument on a longitudinal analysis of the history of Canadian broadcasting, asserting the need for “redefining democracy” in the hope of one day finding a group of “new democratic actors who seek inter-personal relations and a new group identity” (1990, p. 354).

In this dissertation I have been wondering whether or not this group of “new democratic actors” was no utopian hope, but existed in reality in the Telecommission Studies. They continue to exist in the tale of the Telecommission Studies and their attempts to study the social structure and social needs of Canadian communications, not limiting themselves to broadcasting but expanding the scope to the wider field of communications. They tried to understand existing power relations, discourses, and problems, and at the same time accommodate the hopes and dreams of the ordinary Canadian citizen for a right to enjoy the means of communications, or to disconnect voluntarily from them. For example, Eric Kierans said in one of his speeches that ensuring Canadian information privacy was one of his priorities, although many private companies did not think the issue was critical. Therefore he firmly announced that storing data outside Canada would not be acceptable, although “such action should displease” many parties. Kierans added, “Then I guess [they] will have to live with [this] displeasure, while acting in what we judge to be the best interests of Canada” (1971, p. 4).

In a sense, the Telecommission Studies did not claim that it knew everything happening in that time of rapid change, but it tried to pinpoint the changes occurring in its

time, potential problems in the future, and research methods for solving and understanding them. The Telecommission Studies tried to melt the differences between the competing powers of the communications industry (i.e. government and business). Importantly, it delved for the first time into the *social and cultural* aspects of technology, not merely the politics, economics, and engineering. It sought co-operation with academics, who had their say for the first time in forming a *new perspective* in communications public policy. Communication scholars confirm this point, arguing that during the 1960s, and early 1970s, “Canada demonstrated a renewed sensitivity to the link between democracy and communication” (Winseck, 1998, p. 181). As seen in this dissertation, the movement to assert the public interest and the right of access to the means of communications started with the *White Paper on Broadcasting* 1966, followed by the *Act* in 1968, and finally by the work of the Telecommission Studies and its *Instant World* report. Despite all its effort, the Telecommission’s voice was not heard; its recommendations were not picked up and carried past the goal post. Its plans and proposals were, and will remain, another *missed opportunity* in a series of missed opportunities in the history of Canadian communications, indeed, a failure of imagination.

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APPENDIX: Biographies

Charles Marvin Dalfen

(1943 -)

Charles Dalfen was a Montrealer, with degrees from McGill 1964, Oxford 1964 and the University of Ottawa 1969. He was called to the Quebec Bar in 1970. From 1967-1972, he taught Political Science at Carleton University. From 1970-1972, he was legal advisor to the federal Department of Communications. In 1972, he became a Professor of Law at the University of Toronto, returning to government from 1974-1976 as Deputy Minister of Transport and Communications for the province of British Columbia.

He became the first Vice-Chairman, Telecommunications, of the CRTC, from 1976-1980, then entered private practice and was a founding partner of Johnston, Buchan and Dalfen, an Ottawa communications law firm. In 1999 he became a senior partner at Torys LLP, an international law firm, and chaired its Communications Law Group, advising Canadian and foreign clients on legal and policy issues related to radio, television, cable TV, satellite, wireless and new media.

From 2002-2006, he was Chair of the CRTC. He was a delegate to various international organizations such as the ITU, Intelsat and the United Nations Committee on Direct Broadcast Satellites. Dalfen has written and spoken widely on communications policy and law.

Allan Ezra Gotlieb

(1928 -)

Allan Gotlieb was born in Winnipeg, Manitoba in 1928 and moved to California in 1947 to study history at the University of California at Berkeley where he got his B.A.; at the same time, he became intellectually engaged in multi-disciplinary approaches to knowledge. He explained that this period had a great impact on his career especially as a public servant believing in the discourse of rights and freedoms.

Gotlieb has a distinguished academic background; he received a B.A. in Law from Harvard University, and a Masters from Oxford University after earning a Rhodes Scholarship. Further, he served as the editor of the *Harvard Law Review* journal, one of the most prestigious legal academic journals, and was also later a publisher of *Saturday Night* magazine. Among his accomplishments, Gotlieb is a former honorary fellow of Wadham College, Oxford University, a Visiting Fellow at All Souls College, Oxford University, and a William Lyon Mackenzie King professor at Harvard University. In 2002 he was awarded an honorary Doctor of Laws from the University of Toronto followed by a second one in 2005 from Concordia University.

In 1957, Gotlieb commenced his public service career in the Department of External Affairs serving over time in Ottawa, Geneva, and Washington. He was named the Canadian member of the Eighteen-Nation Disarmament Conference in 1962: this was a conference established by the international community to negotiate arms control, presenting its recommendations to the United Nations. On his return to Ottawa in 1964, Gotlieb became the Head of the Legal Division at External Affairs. In 1967, Gotlieb was

appointed Assistant Under-Secretary of State for External Affairs and Legal Advisor. In 1967 and 1968, he was the Canadian alternate delegate to the United Nations' General Assembly, a period in which a great deal of discussion on issues of the flow of information took place and where a series of meetings were organized specifically to discuss the problems of international communication discussed in chapter (3) of the dissertation.

In December 1968, he was appointed Deputy Minister of the newly created Department of Communications where he initiated and chaired the Telecommission Studies. He was then appointed as Deputy Minister of Manpower and Immigration from 1973 to 1977, following that, he was Under-Secretary of State for External Affairs from 1977 to 1981. From 1981 to 1989 he occupied the position of Canada's Ambassador to the United States. After returning to Canada, Gotlieb was appointed chair of the Canada Council in the period between 1989 to 1994, and a Senior Counsel at the law firm Stikeman Elliott until 2005.

Currently, he is Senior Advisor at the Bennett Jones law firm in Toronto, as well as chairing a number of charitable organizations. As recognition of his contribution to the public service, Gotlieb is a recipient of the Government of Canada Public Service Outstanding Achievement Award, was made an Officer of the Order of Canada in 1982, and promoted to Companion of the Order of Canada in 1987.

Henry Hindley

(1906 - 1987)

Englishman Henry Hindley was born in India in 1906; his father was a district engineer on the East Indian Railway. He was educated in Britain in Oundle School, then following his father's footsteps to Trinity College like his father. He then entered Cambridge University where he obtained his BA with honours in Mechanical Sciences followed by a Masters' degree from the same school.²³⁴ He pursued a post graduate diploma in Economics from the Dundee School of Economics in England. Hindley worked as a management consultant in London from 1935 to 1940.

During World War II, he worked as a civil servant in the British Air Ministry. In the following five years, he held a number of senior business posts in Britain. For example, he worked successively as the director general of the British Air Commission, and later in the British Supply Office in Washington, DC; as the chairman of the Northern Divisional Board, National Coal Board, in Newcastle-on-Tyne, England. He was also in the World War II period the chairman of Raw Cotton Commission in Liverpool. Then he worked on a freelance basis as a business consultant in the period of 1950 to 1955.

After he immigrated to Canada in 1955, he worked as the director and secretary-treasurer of the Anglo-Barrington Mines Limited in Winnipeg for four years. Following that, he moved to Ottawa where he began his career as a public civil servant in the

²³⁴ There was no detailed information about his educational career in England, since I am depending on what he wrote in his memoirs "Vanity and Vexation" deposited in the National Archives Canada, Ottawa.

government as a research coordinator and editorial staff member on the Royal Commission on Government Organization (the Glassco Commission); most importantly for what was to come, was his role between 1961-1962 on the project team on broadcasting and the CBC.

Hindley then moved to the Privy Council Office in 1962, and later to the Treasury Board with the Bureau of Government Organization where he worked until 1964. He joined the Department of the Secretary of State the same year, and was seconded in 1965 to the Advisory Committee on Broadcasting (the Fowler Committee) as its secretary. From 1966, he was assistant undersecretary of state with responsibility for the formulation of cultural policy, including broadcasting. He was the drafting author of the 1966 *White Paper on Broadcasting*, and the instructing officer for the legislative drafting of the 1968 *Broadcasting Act* discussed in chapter (3) of the dissertation.

In the period between 1969 until 1975, he was appointed as the Executive Director of the Telecommission Studies in the Department of Communications. Later he was the special policy advisor to the Deputy Minister of Communications, working on the preparation of the Green (1973) and Grey (1975) Papers on Communications Policy and the New Telecommunications Legislation. Hindley retired from the public service in June 1975, and worked as a freelance consultant, writer, editor and translator. He also had a very productive retirement (1975-1983), during which he was increasingly involved in the field of telecommunications in Canada.

His list of clients is impressive: the Advisory Committee on Federal Cultural Policy in 1981, for whom he wrote a research paper on the Constitutions and Structures of the Federal Cultural Agencies; the Canada Day Committee Organization, drafting a

confidential report to the Prime Minister in 1977; CBC, contributing to its monograph “Broadcasting in Canada” in 1975, and to its brochures in 1975 to 1977. He also worked for the CRTC in its publication “Broadcasting in Canada 1968 to 1977” published in 1978, and writing reports on the Thérien Committee on Extension of Services, Satellite Broadcasting and Pay-television in 1979. He continued to provide his consultation services to the Department of Communication in 1975 to 1976 in the telecommunications legislation; from 1977 to 1982 inclusive on broadcasting policy; and in 1983 in consultation on film policy. He contributed to drafting, writing, and editing a group of policy papers and publications in 1977 for a variety of departments and ministries in the government, among them, for example, Health and Welfare; Interdepartmental Committee on Space; Manpower and Immigration; National Arts Center; National Museums; Office of the Commissioner of Official Languages; Ontario Ministry of Industry and Trade; Privy Council Office; Public Service Commission; Royal Commission on Newspapers (Kent); Secretary of State; and Supply and Services among others.

In 1979, he was the secretary and the author of the Consultative Committee on the Impact of Telecommunications on Canadian Sovereignty (the Clyne Committee). He worked for the Economic Council writing a confidential submission to the Prime Minister in 1978. In the same year, he edited a draft White Paper on the Environment, and External Affairs (Hindley 1979a, pp. 1-4).

Indeed, Henry Hindley had “a colourful life” as Gotlieb remembers; meanwhile, “he was a man of great discipline and intellect, beautiful writer and wrote in the most complicate things in the most simple terms. He spent years on that, he was the intellectual

part of the secretary of state and cultural policy . . . a superb public servant" as will discussed thereafter (Interview with Gotlieb, Toronto, September 2006).

Eric William Kierans

(1914 - 2004)

Eric Kierans was born in Montreal of German and Irish descent, Eric Kierans developed a real passion for education and knowledge He joined Loyola College in 1927, an experience which left him “with a fondness for books and the pursuit of knowledge” (Swift, 1988, p. 17). He worked as a salesman in promotional displays and materials between 1942 and 1943 in the Maritime Provinces.

Soon after, he realized his need for a firm ground and knowledge in economics—his passion—and, at the same time, wanted to widen his vision of the business world. Thus, in 1948 he entered graduate studies at McGill University where he obtained a degree in economics and political sciences. During these years, he became engaged intellectually with a group of graduate students examining Canadian politics from a critical perspective, who would eventually become the elite¹ of the Canadian political, bureaucratic, and social circles.

In 1953, he occupied the position of the Director of McGill’s School of commerce, but left in 1960, when he took on the job as the president of the Montreal Stock Exchange and the Canadian Stock Exchange. The new position appealed to his personality more than the job at McGill, since it represented “new challenges, new surroundings, [and] a whole new career” (*Ibid*, p. 42). The period was a turning point in his life since it shifted his interests from the private and academic realm to the public one. During this time, he made appearances as a public figure in many newspapers, and by 1963 he approached the Quebec Liberal Federation to join its Economic Affairs

Committee. Soon after, Gérard Pelletier, the editor of Quebec's largest paper *La Presse* urged Jean Lesage – the leader of the Liberal Party of Quebec—to recruit Kierans. Pelletier recalls “you know, you sometimes hear about ‘trial by media.’ Well, this was ‘election by the press’” (Swift, 1988, p. 74).

Kierans occupied the Quebec Minister of Revenue portfolio between 1963-1966, and then served briefly as the Quebec Minister of Health. This was an unusual appointment, since he was the first Anglophone to play a very influential part in Quebec politics. In 1967 Kierans became president of the Quebec Liberal Party advocating public policies that ranged from youth unemployment to anti-separatist positions. In 1968, Kierans ran unsuccessfully for the leadership of the Liberal Party of Canada, but, in the end, he joined Trudeau’s cabinet as the Postmaster General and Minister of Communications.

After resigning from the cabinet in 1971, he returned to McGill as a professor of Economics, followed by a stint at Dalhousie University. In 1994, he was made an Officer of the Order of Canada. In 1983 he started a part-time career as a broadcaster where he was a regular political figure on the CBC radio show *Morningside*. His charisma was not lost on the audience; Swift comments that “most Canadians came to know of Eric Kierans not through his career as a politician, businessman and academic economist but via ‘Morningside.’ Ottawa civil servants were rumoured to spend an extra half-hour every Tuesday morning sitting in their cars with the windows steaming up, waiting for the weekly twenty-minute dose of political gossip and comment to end” (*Ibid*, p. 300).

Upon his death in May, 2004, the House of Commons paid tribute to Eric Kierans:

Today I salute the courage and determination of a great Quebecer and a great Canadian, devoted to the ideals of economic and social justice. The principles and honesty that guided him throughout his career must now, more than ever, serve to inspire and guide our political commitment. . . A man of principle and honesty, he was always skeptical of unchallenged authority. He believed that, in a federation, you could not run everything from the centre. He advocated a strong role for the provinces and for local communities in our federation.

(Lise Bacon, *Debates*, 13 May 2004)

Spencer Moore

(1922 -)

Spencer Moore is born in Saskatchewan, holds a BA from the University of Saskatchewan in 1948. In 1954, he joined the CBC in Winnipeg as supervisor of talks and public affairs, in the Prairies region. He moved to Ottawa in 1956, where he held the Program Director of CBC in Ottawa region from 1960 to 1965. Following that, he was the head of international section of CBC broadcast center at Expo 67 in Montreal.

Between 1967 and 1974, he was a special assistant to Vice-President planning for satellites and special projects, as well as the CBC coordinator between the Telecommission Studies. Starting from 1975, and until 1985 he was the CBC Corporate director of International relations and at the same time the Executive Director of The association included the national television networks of Canada, United States and Mexico NANBA (thereafter NABA *North American Broadcasters Association*). The Association was formed to have a seat at meetings of the other 6 regional broadcasting Unions/associations for the emerging discussions on global news and sports coverage via satellite.

He occupied the position of the Head of World Broadcasting Unions (WBU) Secretariat in the period of 1990-1996. As of 1996 until 1998, he was consultant to WBU Satellite Operations Group. He was the chairman of the National Press Club in Ottawa until recently. Now, Mr. Moore retired and is living in Ottawa (Interview and personal communication with Moore, Ottawa, October 2006).

Betty Zimmerman

(19?? -)

Zimmerman was born in Winnipeg and graduated from the University of Manitoba (1945). She worked at the National Film Board of Canada as a Distribution Officer and in 1952 joined Crawley Films, where she became a Producer-Director of commercials and documentary films. She also reviewed films on a weekly basis for CBC Ottawa Radio. She joined the CBC in 1959, where she produced a variety of radio current affairs programs, moving to television two years later as a producer of TV public affairs programs, as well as a number of educational programs. She was awarded the Imperial Relations Trust Bursary in 1962, which allowed for a study of social and economic conditions in Britain.

In 1964 she was appointed Coordinator of CBC's special programming plans for the Centennial, working closely with CBC stations across Canada, and the following year she became the Director of Overseas and Foreign Relations, later renamed International Relations. As Director, she coordinated CBC's international interests, and represented CBC at broadcasting and communications conferences in many parts of the world. She was involved with assisting foreign broadcasters in training projects, working closely with international organizations such as UNESCO, the Commonwealth Broadcasting Association, and the Asia Pacific Institute for Broadcasting Development, etc., and became active with the Communications sector of the Canadian Commission for UNESCO. She also chaired several CBC internal studies, in particular, in 1973, a task

force set up to plan objectives, policies and criteria for the future of Radio Canada International.

In 1975 she attended Canada's National Defence College, and had the opportunity to travel throughout Canada to examine Canada's strategic concerns, and to visit a number of foreign countries to study the international implications of those concerns. In 1978 she replaced Marshall McLuhan as one of 16 commissioners on UNESCO's International Commission for the Study of Communication Problems (known as the MacBride Commission after chairman, Sean MacBride). The work of the Commission was published in 1980, and has been reviewed at the highest levels of many governments and debated at length by the international media with respect to such issues as the New World Information Order and world press freedom. The report, titled "Many Voices, One World" has become a reference work for Communications and Journalism courses in colleges and universities internationally.

In July 1979 Ms. Zimmerman was appointed Director of Radio Canada International, responsible for RCI's broadcasts in 12 languages, transmitter facilities in Sackville, New Brunswick, monitoring facilities in Ottawa and the provision of administrative assistance and programming to the Canadian Forces Networks in Germany. She was Deputy Head of the Canadian delegation to the International Telecommunications Union's World Administrative Radio Council on High Frequency in 1983 and 1987. During her tenure as Director, RCI negotiated new transmitter-exchange arrangements, which made possible the expansion of its broadcasts into the Asia-Pacific region. She was a member of a number of organizations, including the Canadian Commission for UNESCO, the Canadian Human Rights Foundation, the Canadian

Institute for International Affairs, and has been a speaker at meetings on Communications matters (Asia-Pacific Broadcasting Union, United Nations Association, journalists' groups, university seminars) and served as a juror for the first two McLuhan-UNESCO-Teleglobe Awards, as well as on various film, radio and television festival panels in Canada and abroad. Ms. Zimmerman retired from the CBC on January 1, 1989.

Her collection of papers relating to the MacBride Commission has been catalogued and donated to the School of Journalism and Communication's Reader Digest's Resource Center of Carleton University in Ottawa.