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Power in Policymaking: Regulatory Framings of Canada's Internet

This project will show how the power dynamics behind internet policymaking have shaped particular regulatory framings of Canada's internet as essential communications infrastructure. Federal regulation of the internet has come to delimit the ways that Canadians use a wide variety of internet technologies. And yet analysis of such regulation tends to be restricted to the legislation itself, looking at its implications rather than at how it came to be. This tendency has resulted in a lack of understanding of the policymaking process that results in legislation. While policymaking is often envisioned as a rational, deliberative process, in practice it is marked by political struggles over the meanings of the internet. Power dynamics in policy discourses are crucial to uncover as the hidden drivers of how regulatory framings shape internet technologies and their uses. In providing such perspective, the project will contribute the context needed to inform emerging regulatory debates sparked by the new Innovation Agenda, as announced in 2016 by the Minister of Innovation, Science and Economic Development.

The project's first objective is to build an original theoretical framework for examining power dynamics in policymaking. This framework combines infrastructure studies and feminist political economy of communication. Infrastructure studies sees policy discourses as part of the socio-technical construction of internet infrastructure, where powerful interests tend to shape the language through which regulators and the general public understand the internet. Feminist political economy of communication goes further to suggest that powerful interests shape policymaking through discourses that uphold entrenched social divisions around gender, race, and class as a means of consolidating corporate power.

This theoretical contribution is necessary to reveal how the regulatory consultation process comprises discursive struggles situated within asymmetrical power dynamics, a crucial first step in suggesting ways of fostering greater equality in the policymaking process. As such, the project's second objective is to trace how power struggles over discourse have shaped Canadian internet regulation. To do this, the project takes an historical approach that combines archival methods and policy analysis in case studies of key consultations in Canadian internet regulation between 1994 – the launch of the first Internet Highway Advisory Council – and 2016 – the launch of the Innovation Agenda. The project's method centres on a policy discourse analysis of submissions and transcripts from consultations held by the Canadian Radio-television and Telecommunications Commission. Historical analysis of these regulatory proceedings is unprecedented in the internet policy literature, and it offers the necessary context for current policy consultations mired in power struggles around how to frame the internet.

Understanding the complex backdrop for the development of internet policy, as the federal regulation designed to provide citizens with equal access to this essential communications infrastructure, is imperative if future regulatory consultations are to represent Canadians' diverse needs of the internet. To this end, the project's research findings will be mobilized widely, from scholarly publications to regulatory interventions targeted at upcoming internet policy consultations. The main social benefit of the project is in this third objective, to stage research-based interventions into ongoing regulatory framings of Canada's internet. Such interventions will promote a more inclusive vision of internet infrastructure for Canadians and more equitable policy processes – urgent tasks in a climate where a small group of powerful corporate interests threatens to restrict the uses of the internet for us all.