



Westminster Meets Digital: Understanding Our Evolving Democracy

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Table of Contents

- Executive Summary3
- Introduction5
- I. Westminster: Institutions under Pressure8**
 - 1. What do we mean by Westminster?.....8
 - 2. What is wrong with Westminster? 10
 - 3. Distributed governance..... 12
 - 4. Disintermediation and the rise of the prosumer 14
- II. Control in an Era of Networks 18**
 - 1. Traditional information controls 19
 - 2. Media and politics: 24/7 and disintermediated20
 - 3. Political parties and the electoral process.....23
 - 4. Data, policy-making and engagement.....24
- III. Governance in the Digital Age27**
 - 1. Going digital: government and beyond.....27
 - 2. Power and horizontality: institutional challenges30
 - 3. Citizen-focused design33
 - Government Digital Service in the UK*.....34
 - New York City’s Chief Digital Officer: Providing Leadership for Transformation*36
- IV. Rethinking Authority and Accountability.....38**
 - 1. Government and digital democracy.....38
 - 2. Regulation in disruptive times41
 - 3. Risk, oversight and accountability45
- Conclusions: Transforming Governance for the Digital Era47**
- Works Cited.....49**

Executive Summary

The Westminster system of parliamentary government is widely credited with a high capacity to adapt to social and cultural evolution. Yet the reality is that in recent years governments the world over have struggled to keep up with the rapid pace of change – especially change associated with the rise of digital culture and technology.

As a result, the trust between governments and their citizens has eroded. A more sophisticated, demanding and sceptical public is increasingly aware of the limits of what government can do for them as the Westminster system of governance – once seen as a model system for peace, order and good government – is becoming less and less relevant as an intermediary for achieving collective purposes.

Westminster was not designed with the digital era in mind. Its institutions are under pressure. For example, the principle of ministerial responsibility, a mainstay of the Westminster system, has also become an unintended obstacle to progress, given the institutional structures, operations and culture it is presumed to require.

In addition, driven by social, cultural and technological pressures, the overall governance landscape has itself changed over the course of the last decades, becoming more distributed and variegated, with many newly created governing institutions lying outside the control of traditional government departments.

All the while, the proliferation of low cost communications technology and the superabundance of readily available information have given rise to networks where interests can quickly coalesce, knowledge can be exchanged and agency can be catalyzed. As networks form and reform around complex public policy issues, governments are realizing that they no longer hold the monopoly on defining citizens' roles, responsibilities and interests. Citizens no longer necessarily turn to governments to solve problems, and governments no longer necessarily turn to the public service for authoritative expertise.

In this context, where many public institutions have been 'disintermediated' – or cut out of the policy and governance equations, new tensions have emerged: for example, the tension created by, on the one hand, the demand for control on the part of a siloed, compartmentalized and often insular Westminster system, and, on the other, the need for information sharing, collaboration and increased public

engagement, as demanded by an emerging networked environment. As a result, the digital age is giving rise to new conceptions of power and democratic governance, where horizontality and citizen-focused design are key.

Authority and accountability are the cornerstones of a well-functioning state and a healthy democracy; but in this age of transformation, where the state's traditional regulatory functions are increasingly called into question and where it is far from clear that governments possess an adequate picture of the risks they face (and the oversight regimes required to respond to these risks), the legitimacy of governing institutions teeters ever closer to the precipice. The very concepts of authority and accountability require re-examination.

The first wave of digitally enabled "e-government" strategies delivered some important benefits, but too many of these initiatives focused on automating existing processes and moving existing services online. The coming wave of digitally inspired innovation presents an opportunity to stop tinkering at the margins and redesign fundamentally how government operates, that is, to rethink what the public sector does, how it does it, and ultimately, how governments interact and engage with citizens.

This is truly an exciting time for governments – a time of challenges, to be sure, but also of opportunities, where governments can play an active and positive role in their own transformations. The process itself is likely to be both exhilarating and painful, but the price of inaction is a lost opportunity to redefine governance and defend, shape and advance the public good.

We are at an at once exciting and alarming juncture. The challenges and opportunities introduced by the rise of digital culture and technology, along with shifting public expectations, an evolving public sphere, and associated pressures for change in our governments and public institutions, may even suggest a fundamental challenge to the traditional relationship between the citizen and the state – a push to rethink the social contract in modern industrialized democracies. Tensions are reaching a breaking point. This paper is about those tensions.

Westminster Meets Digital: Understanding Our Evolving Democracy

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“Fundamentally re-thinking their approach to governance is the central challenge facing governing institutions in the coming decades, where no one owns information, power is dispersed and authority and accountability need to be reconceived.”

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Introduction

The Westminster system of parliamentary government is widely credited with a high capacity to adapt to social and cultural evolution. Yet the reality is that in recent years governments the world over have struggled to keep up with the rapid pace of change – especially change associated with the rise of digital culture and technology.

By and large, Westminster governments are beholden to command-and-control industrial-age organizational models and cultures. This is unsurprising given that public sector bureaucracies and the industrial economy came to prominence in tandem. Over time, as the two grew in complexity, it became increasingly necessary to build more elaborate procedures, structures and controls for public administration. Central to classical Weberian conceptions of public administration, these bureaucracies operated like individual stovepipes channelling information vertically. But social and technological conditions have evolved and these stovepipes have steadily become obstacles rather than enablers of progress.

Despite numerous attempts at change over the last decades, governing organizations continue to be locked into old structures and largely outmoded ways of working. When governments, like corporations, began deploying computers and building data processing systems some thirty years ago, for example, these were initially seen as a means to spur innovation and create efficiencies in the public sector. In reality, their introduction tended to solidify old procedures, processes and

cultural norms by encoding them directly into new systems and software, and sparked further growth of the bureaucracy to meet its own expanding needs.¹

This strict adherence to industrial age organizational models is increasingly creating tensions wherever those models come into contact with the citizenry – now fully digital – that they were intended to serve. As a result, the trust between governments and their citizens has eroded. A more sophisticated, demanding and sceptical public is increasingly aware of the limits of what government can do for them as the Westminster system of governance – once seen as a model system for peace, order and good government – is becoming less and less relevant as an intermediary for achieving collective purposes.

The Westminster system was not designed with the digital era in mind. In our new, networked reality, issues and problems can easily fall outside the organizational fiefs of ministerial departments and other traditional Westminster institutions. The proliferation of low cost communications technology and the superabundance of readily available information have given rise to networks where interests can quickly coalesce, knowledge can be exchanged and agency can be catalyzed.² As networks form and reform around complex public policy issues, whether in the areas of economic and social policy, security and defence, Indigenous policy, or foreign diplomacy, governments are realizing that they no longer hold the monopoly on defining citizens' roles, responsibilities and interests.

The public sphere is being populated by more agile organizations and by citizens themselves. This can no doubt be seen as a positive step from the point of view of participatory democracy; at the same time, as governments vacate this space, they risk losing both the capacity and legitimacy to help shape solutions to society's most pressing challenges. As a result, we – collectively – risk losing sight of the role that government ought to play in safeguarding and advancing the public good.

Despite facing tremendous pressures to innovate, governments tend to continue focusing on incremental process improvement – “doing more with less” rather than “doing different” – leaving the underlying mechanics of public administration largely unchanged. Why can't the public sector seize upon networked operating models to

¹ Dunleavy, Patrick, Helen Margetts, Simon Bastow, and Jane Tinkler. “New public management is dead—long live digital-era governance.” *Journal of public administration research and theory* 16, no. 3 (2006): 467-494. 478

² Tapscott, D., “Introducing: Global Solution Networks.” *Global Solutions Network*, 2013.

cut across departmental silos, improve policy outcomes, reduce costs, and increase public value? Rather than actively leaning into the challenges of the digital age, governments are on their heels, insisting that discussions about the future be rooted, not merely in the principles, but also the machinery of the past. Many have speculated about what governance in the digital era might entail but few have asked how those fundamental principles have changed, or have articulated precisely what happens to our current systems of governance when Westminster meets 'digital'.

It is within this context, that the Institute on Governance (IOG) believes it is necessary to explore the determining issues of our evolving democracy. What is the nature of governance in the digital age and what are the core tensions that governments ought to consider when pursuing effective digital era governance?

We are at an at once exciting and alarming juncture. The challenges and opportunities introduced by the rise of digital culture and technology, along with shifting public expectations, an evolving public sphere, and associated pressures for change in our governments and public institutions, may even suggest a fundamental challenge to the traditional relationship between the citizen and the state – a push to rethink the social contract in modern industrialized democracies. Tensions are reaching a breaking point. This paper is about those tensions.

We begin by considering core features of the Westminster system as it currently exists in Canada (Section I). We identify key pressure points in the governance landscape that suggest a shifting relationship between citizens and governing institutions, as well as between and among governing institutions themselves. Second, we focus on the core tension of control in an era of networks (Section II). We explore this tension in relation to: information use and sharing; parliament, politics and the media; political parties and the electoral process; and policy development and public engagement. Third, we analyse changing conceptions of governance, exploring, in particular, institutional challenges associated with power and the demand for horizontality in the digital age, and concluding with an emphasis on citizen-focused design in the context of public service delivery (Section III). We conclude our discussion by considering authority and accountability in light of the social, cultural and technological transformations of the digital age (Section IV). We focus on the coordinating role of government and on factors that endow the state with its legitimacy, exploring these in relation to democratic participation, regulation, and risk-management and oversight.

I. Westminster: Institutions under Pressure

At the heart of Canadian democracy is the Westminster parliamentary system. What do we mean when we speak of 'Westminster' in a Canadian context, and what is wrong with the Westminster system as it currently stands?

1. What do we mean by Westminster?

To identify the points of friction created by the intersection of digital culture and Westminster institutions, it is useful to highlight the importance to Westminster democracies of ministerial responsibility and accountability to Parliament for the exercise of executive authority. A mainstay of the Westminster system, the principle of ministerial responsibility has also become an unintended obstacle to change, given the institutional structures, operations and culture it is presumed to require.

By "Westminster" we mean a form of parliamentary and cabinet government that reached maturity in the mid-19th century and has not changed drastically since, especially in Canada. Nominally, the Crown remains the locus of power in all three branches of government – legislative, executive and judicial, such that the democratic elements of the system are not to be found in the law of the constitution but rather in unwritten conventions.³

Within this framework, Parliament (the legislative branch) is considered 'supreme' and the executive is accountable to it under the tradition known as 'responsible government'. The ministry, composed of ministers chosen from within Parliament, and each charged with spheres of the Crown's executive authority, holds office only as long as it enjoys the support or confidence of the elected chamber. This, and the fact that ministers are drawn from the legislature, means that there is no strict separation between legislative and executive, and ministerial accountability to the legislature for assigned areas of responsibility drives both the structures of government and the political dynamic that weighs on them.

Since Parliament grants or withdraws confidence to the ministry as a whole (whereas at one time ministers could be impeached as individuals), ministers are said to be

³ Key democratic conventions include: responsible government, the role of the prime minister and cabinet, the principles and practices of government formation and accountability, and the democratic principles that govern the exercise of royal authority (such as the pro forma granting of Royal Assent to all duly enacted legislation).

collectively responsible for the overall exercise of authority, just as they are individually responsible for their particular bailiwicks. Collective responsibility is made possible through collective decision-making in Cabinet (a political decision-making forum that exists under convention, not law) under the leadership of the individual who effectively selects the ministry, namely the prime minister (an office that also exists through convention). Collective responsibility and decision-making are understood to demand solidarity among ministers (that is, once a decision is taken all ministers must support it or resign) and a corresponding secrecy for Cabinet deliberations and all that is connected to them.

Because executive power is organized around the mandates of individual ministers, the basic administrative unit in this system is the ministerial department, an apparatus for the exercise of authorities that reside in ministers, although as discussed above this model morphed drastically over the second half of the 20th century as ministerial “portfolios” expanded to include a broad spectrum of bodies outside ministerial departments that exercise some authorities in their own right while remaining accountable to the responsible minister. In discharging the great majority of his or her responsibilities, the minister acts through a body of public servants, unelected, non-partisan officials who provide policy advice and operational support to the government of the day, whatever its political stripe.

Under the Westminster model (in contrast to the American congressional system), very few senior-level public service appointments change with the installation of a new government. The emphasis is on ensuring professional expertise and operational continuity across election cycles rather than political commitment on the part of senior officials. A political lens is still applied (by ministerial staffers) and final decisions lie squarely with ministers, but these decisions typically occur after professional public service advice has been provided.

Accountability in this system flows from individual ministerial accountability to Parliament: in principle, the minister is accountable for all actions by his or her department as well as for the effective functioning of “arms’-length” organizations within his or her portfolio. Within the department, all public service support flows through a deputy minister in a clear chain of command for which the deputy remains accountable to the minister. Organizational mandates – their powers, duties and functions – are set out in legislation and expenditures, and are strictly dictated by the terms of the organization’s parliamentary appropriations. The capacity to act outside the sphere set by mandate and parliamentary vote is marginal, and while ministers and organizations may press for expansive interpretations of mandates

when acting in certain contexts, this expansiveness is less common in cases where something has gone wrong and account must be rendered in Parliament.

2. What is wrong with Westminster?

To appreciate why the Westminster system of governance, as it currently stands, is ill-suited to the digital age, it is worth considering the system in light of a series of features characteristic of digital age: more widely dispersed networks of power, readier access to information, newly emerging sources of authority, and changing notions of accountability.

The dispersion of power in the digital age and the related disregard of institutional boundaries are alien to Westminster principles as they stand now.⁴ Clearly defined spheres of ministerial and organizational activity reinforced by tight rules on expenditure and accountability are hallmarks of the system, even though, as suggested earlier, they look increasingly like obstacles to citizen-centred service and horizontal action on crosscutting issues. Westminster systems tend to be deeply hierarchical. This reflects both the historical concentration of power and the traditional Westminster concept of accountability, centered on the ultimate accountability of an individual minister for a considerable number of activities conducted in his or her name.

Some may argue that departmental hierarchies are essential in order to clarify roles and accountabilities, support due processes (ranging from procurement, financial and human resources oversight to internal appeals mechanisms), and maintain the quality of public service advice. Nevertheless, with its multi-tiered structures, the typical government department now seems like a holdover from the industrial age – a ponderous and unresponsive machine that creates perverse incentives and stymies risk-taking and innovation. Its multiple layers of approvals and oversight also seem modeled on managing rote tasks rather than carrying out knowledge work, and its organizational silos remain ill-suited to the collaborative work required in today's digital world.

Turning now to the question of ready access to abundant sources of information (access that citizens encounter and expect elsewhere in their lives), the secrecy

⁴ Roy, Jeffrey. "Beyond Westminster governance: Bringing politics and public service into the networked era." *Canadian Public Administration* 51, no. 4 (2008): 541-568.

surrounding Cabinet deliberations and public service advice cannot help but appear exaggerated and self-serving. It also seems wasteful in a world where new analytic applications open up a vast range of possible uses, including applications that analysts themselves may not be in a position to anticipate before experimenting with the data. Not always, but too often, governments have managed the vast stores of information at their disposal ineptly – have proven astonishingly slow in sharing this information effectively and in harnessing its potential to develop new analyses and solutions.⁵

The nature of authority also appears to be changing. In Westminster systems as elsewhere, it may be necessary to reconceive it. It is increasingly inaccurate, for example, to identify authority with institutions. Thanks in part to the tools of digital life, the claim to authority of traditional institutions is being called into question and in some cases is in fact eroding. As we noted earlier, this applies as much to traditional media outlets as it does to the activities of the judiciary and of Parliament. In the realm of public policy development, moreover, the monopoly of traditional Westminster institutions on policy formation is proving unsustainable in a context where subject matter authorities have multiplied and possess the means to communicate widely and effectively amongst themselves, and to build their own constituencies.

Public servants now find themselves competing with a growing array of external advisors.⁶ In fact, the very processes of democratic government – from parliamentary and legislative procedure to budgeting and policy making – can appear arcane, effectively excluding the people they are intended to serve, as if they existed for their own sake rather than to meet the needs of citizens. The Westminster model is undeniably one of representative rather than direct democracy, but in a world where citizens have an expanding capacity not only to form their own opinions but also to shape their own solutions, the pressures for new and more meaningful forms of citizen engagement will likely prove irresistible over the longer term.⁷

⁵ Brown, David CG. "Accountability in a collectivized environment: From Glassco to digital public administration." *Canadian Public Administration* 56, no. 1 (2013): 47-69. 58

⁶ Prince, Michael J. "Soft craft, hard choices, altered context: Reflections on 25 years of policy advice in Canada." *Policy analysis in Canada: The state of the art* (2007): 95-106. 100

⁷ Lenihan, D., *Rescuing Policy: The Case for Public Engagement*. The Public Policy Forum, 2012. 25-26

It is useful to consider each of the above themes – the dispersion of power, the superabundance and accessibility of information, the emergence of less institutional sources of authority, and evolving conceptions of accountability – against core features of the Westminster system as it continues to be practiced in Canada. In so doing, we find that the encounter between Westminster and digital is one in which deeply entrenched institutions and behaviours are at odds with inherently disruptive trends, to the extent that their ultimate sustainability is in doubt.

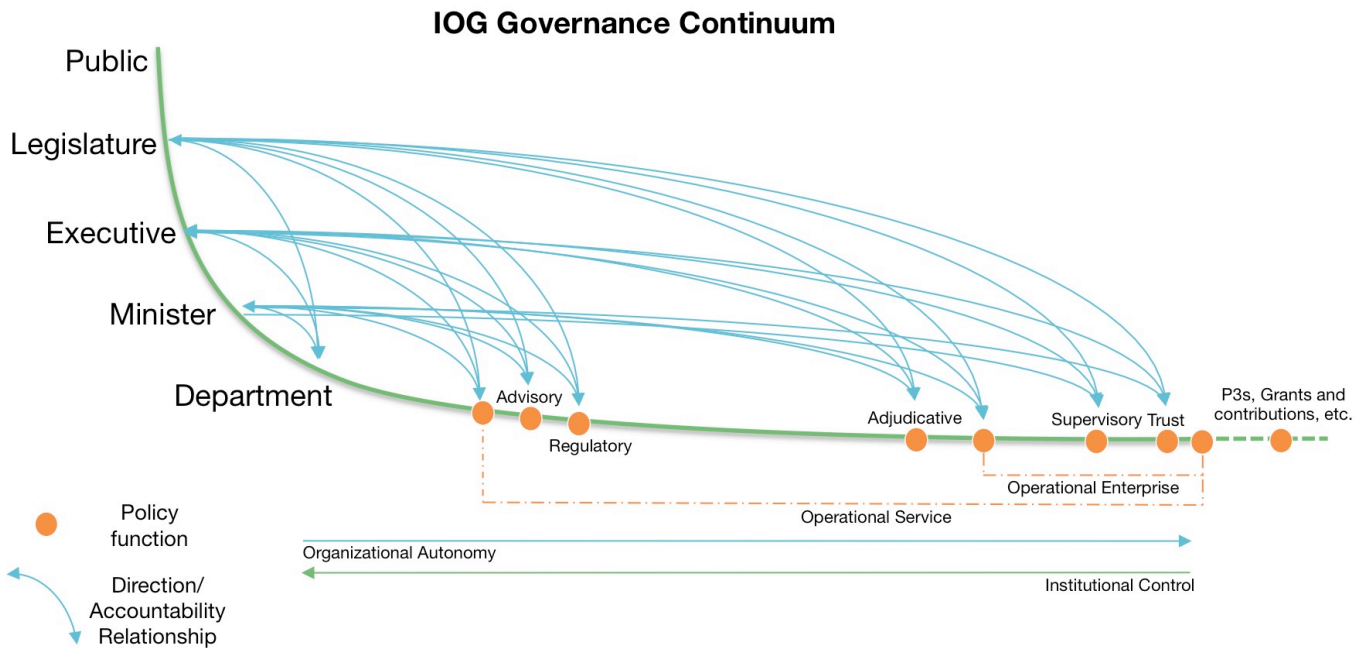
3. Distributed governance

While the onset of the digital age has intensified many of the challenges facing Westminster democracy, issues such as the persistence of organizational silos, brittle hierarchies, and inefficient, unresponsive processes have been sources of concern for many decades, well before the advent of computers. Perhaps in response to the persistence of institutional rigidity coupled with rising needs for organizational agility in the face of increasing policy complexity, the governance landscape has indeed changed in striking respects, in Canada as in other Westminster democracies. Notably, during the past thirty or so years, many functions traditionally undertaken by institutions at the heart of government have been distributed out from the centre and are now carried out by organizations outside of day-to-day government control – sometimes far outside. This phenomenon of distributed governance is placing tremendous pressure on the Westminster system.

Distributed governance organizations (DGOs), as we shall call them, are the products of this centrifugal distribution of traditional government functions. They include any model for the delivery of a public policy goal that operates outside of a ministerial department. A handful of such organizations have certainly existed since the early years of the 20th century – notably in the form of Crown corporations responsible for railways, public broadcasting and monetary policy; but the creation of so-called arms'-length bodies increased markedly over the second half of the century as public policy in areas such as economic and social regulation grew ever more complex. Organizations received varying measures of autonomy, usually according to their function. In some cases, especially for regulatory and adjudicative bodies, the purpose was to insulate the function from political influence. In the case of government business enterprises and service organizations, which came to represent a growing percentage of the total, especially as governments moved to "alternative service delivery" models, the purpose was to give the organization operational flexibility – in effect, to give it a partial escape from the kinds of rigidities

that seemed otherwise to limit the Westminster model's adaptability to the contemporary world.

As the role – and the financial capacity – of government changed, a widening spectrum of organizational forms emerged; the differing relationships between the DGOs' on this spectrum and the traditional Westminster institutions that define our governance system are mapped on the IOG Governance Continuum. In some cases, these DGOs lie outside the limits of formal government control.



Distributed governance is not a marginal phenomenon. DGOs collectively account for the majority of public expenditure in Canada and, by some measures, approach or exceed 80% of expenditures at the provincial level.⁸ Yet our governance mechanisms have not evolved to meet the demands of this new organizational world. In particular, we have not entirely reconciled the comparative autonomy of DGOs (which, as noted, proceeds along a continuum) with their role as parts of a larger whole – such as the public service responsibilities of senior appointees and staff, the ongoing need for alignment with broader public policy, and the systemic risks these organizations can pose to government as a whole.

⁸ "Distributed Governance Organizations: A Quantitative Analysis of the Canadian Public Sector." Institute on Governance, Accessed on October 6, 2015. http://iog.ca/wp-content/uploads/2013/03/quantitative_analysis_pdf_42527.pdf

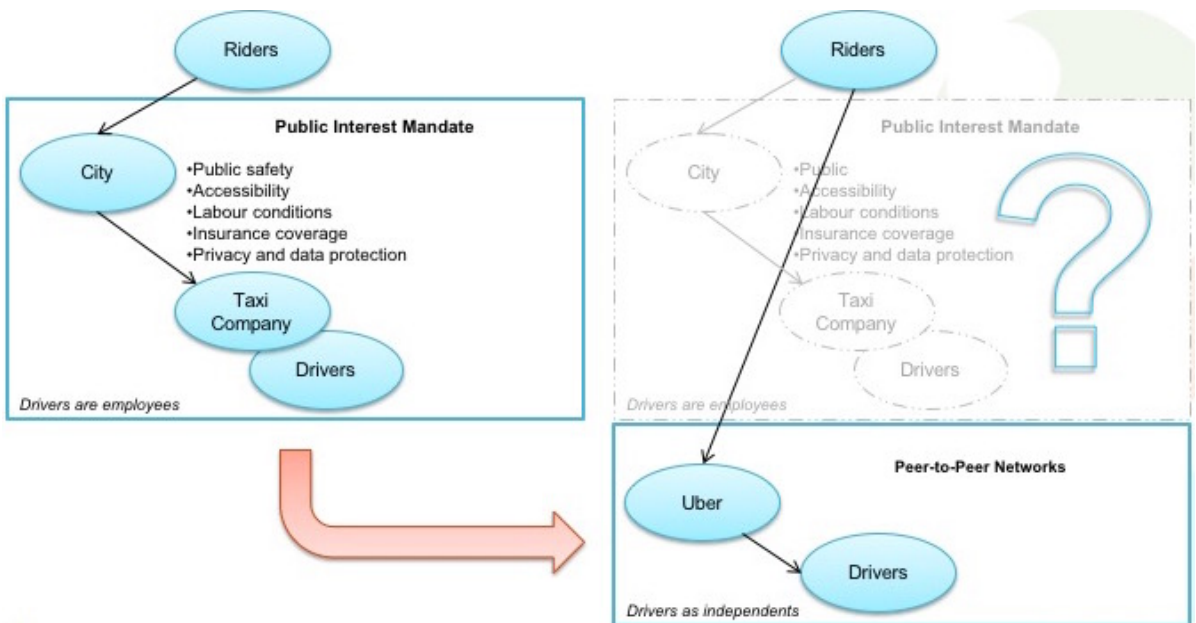
Indeed, in many respects distributed governance can be said to have multiplied the complexities of government: the silos, top-heaviness and arcane exclusivity. Far from having pre-emptively attenuated the tensions of the digital age, distributed governance has done much to intensify them.

4. Disintermediation and the rise of the prosumer

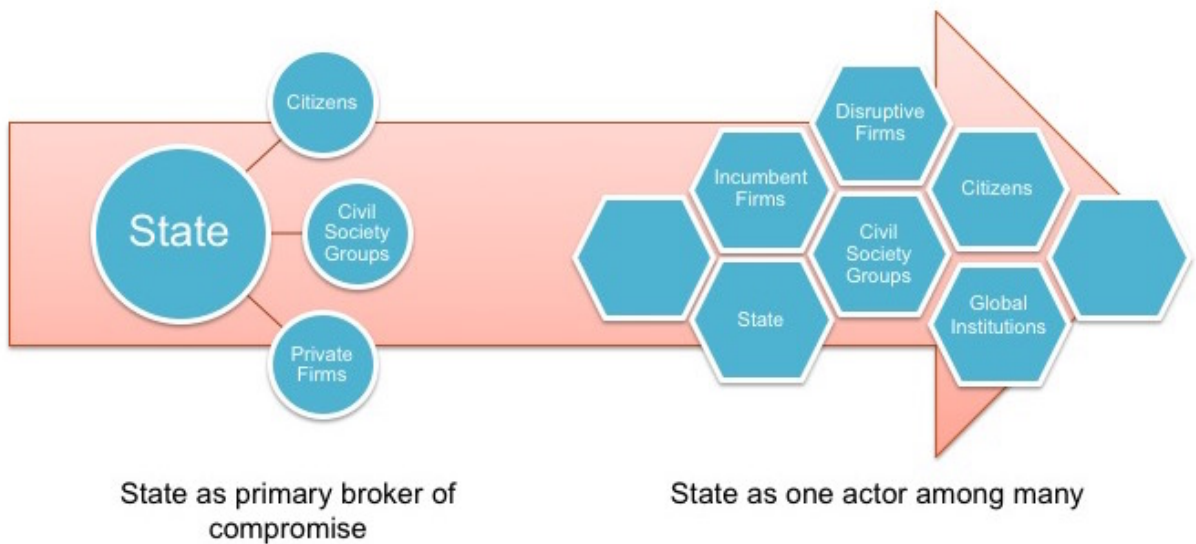
Digital governance should not be confused with “e-government” or the need for government organizations to work effectively with information technologies, sound though such objectives may be. As suggested above, digital governance is about recognizing and capitalizing on social and cultural changes that, while supported or even enabled by new information technology, go far beyond it. These changes are multi-faceted and may pose myriad challenges to governing institutions. But there is a connecting thread between these challenges: disintermediation.

‘Disintermediation’ refers to the changing and often diminishing role of traditional intermediaries – businesses, media, civil society organizations and governments – in a digital environment.

Where brick-and-mortar stores used to act as necessary intermediaries between producers and consumers, for example, online retailers and peer-to-peer networks like eBay or Craig’s List have emerged to replace them, transforming the relationship between producers and consumers. Traditional retailers are being disintermediated from these relationships. Alternatively, as illustrated in the diagram below, where taxi and limousine companies, for example, used to act as intermediaries between drivers and riders, new technology platforms like Uber or its competitors are removing traditional taxi companies from the equation, connecting drivers to riders more quickly, efficiently, and cheaply.



Similarly, where governments used to play a mediating role between citizens' voices or between civil society and the private sector, for example, they are being disintermediated from these relationships: challenged in their traditional brokering and decision-making roles and forced to reconceive responsibility and accountability in a context where power is dispersed among new stakeholders. In some instances, citizens are now able to connect directly among themselves; in other cases, new grassroots organizations, NGOs, and even for-profit private sector entities have begun acting as intermediaries.



Indeed, substantial distribution of information combined with near-instantaneous global connectedness means that no one institution or organization can any longer hold a monopoly on information or even on convening capacity. This can represent a substantial challenge to the utility and authority of traditional institutions. For a number of organizations, an adaptive process is underway. As suggested above, many private sector entities, for example, are experiencing monumental changes as intermediaries are increasingly cut out of supply chains. Often these changes can occur quickly and may require considerable organizational agility if they are to be survived and overcome. In the media, an empowered citizenry is learning to take functions into its own hands, becoming the simultaneous producer and consumer, or “prosumer” of content, while traditional outlets scramble to redefine their roles and maintain relevance.⁹ In the public sphere, traditional authorities – from governments to think tanks, social movements to churches – find that networks are spontaneously forming and reforming around complex issues, calling into question the need for established intermediating institutions.

The ultimate impact and value of disintermediation remains difficult to assess. In the economic sphere, for example, eliminating intermediating organizations such as traditional brick-and-mortar retail outlets in favour of online distributors like Amazon is causing significant and ongoing upheaval. Some of these changes may prove highly beneficial to consumers but not all of them are unqualifiedly or obviously positive. From the consumer’s point of view, ‘cutting out the middleman’ can carry considerable economic benefits. But these benefits should be assessed against the social and economic costs borne by society at large, as industries, businesses and workforces must restructure and adapt or perish in this new environment. In other cases as well, disintermediation may yield mixed results. The rise of social media and the transformation of traditional media outlets, for example, has led to freer access to information and a greater capacity for public thought and action on issues that may not previously have received the attention they deserved, but also to the breakdown of traditional authorities for discerning truth from fabrication and the spread of pseudo-science and conspiracy theory.

In the public sector, disintermediation constitutes a no less seismic a challenge. While the disintermediation of governing institutions may yield positive results for

⁹ For a fuller discussion of “prosumers see Flumian, Maryantonett. Citizens as prosumers: the next frontier of service innovation. Institute on Governance, 2009. See also references to “prosumers” on the following page.

citizens in a number of areas, as in other sectors, these benefits must be assessed against sometimes substantial costs. There are certainly cases where traditional public organizations dampen productivity or hamper social progress, through enforced monopoly over service delivery in areas that could be served more efficiently by private sector entities or even self-organizing groups of citizens, for example. In such instances, the disintermediation of traditional public institutions sparked by the digital age and its technologies may well serve desirable ends.

However, while governments are often thought of as service providers, whose success is to be judged by the efficiency with which they deliver services to meet taxpayers' needs, we do well to bear in mind that public institutions serve an arguably more basic function as well. They are empowered to reconcile differing preferences and commitments among the citizens they represent (by weighing necessary trade-offs across regions, social groups and generations, for example), to speak for the marginalized and voiceless, and, ultimately, to act as the authority of last resort, representing the reflective will of the citizenry in cases where self-organization and traditional market mechanisms fail to yield optimal results.¹⁰ In short, governing institutions are empowered to play a unique role – a mediating role – ultimately providing the polity with a unified identity and the ability to act decisively in the public interest. The risk posed by disintermediation in the public sector, therefore, must not be underestimated. Should governments lose the capacity to play their mediating role, who will speak and act for the public good?

Despite the risk that disintermediation poses to their mission, and hence to their ability to further the interests of their constituencies, governing institutions have been slow to recognize the phenomenon they are experiencing and slower still to adapt to it, notwithstanding notable but limited exceptions.¹¹ In fact, the contrast between a dynamic and disruptive digital world that leverages flourishing social

¹⁰ Prisoners' dilemmas, free-rider problems, and tragedies of the commons are perhaps the best-known classical types of such failures, and the scholarly literature is replete with discussions of how they apply to public policy. These failures can prove catastrophic and public institutions are often (and often rightly) thought of as the only genuine candidates to help societies overcome them.

¹¹ Taylor, K., "How Tom Perlmutter turned the NFB into a global new-media player." *The Globe and Mail*, May 18, 2013 <http://www.theglobeandmail.com/arts/film/how-tom-perlmutter-turned-the-nfb-into-a-global-new-media-player/article11992885/?page=all> The Canadian National Film Board is widely hailed as a global market leader in digital distribution, praised for its innovative and forward-looking web presence, and for fostering pioneering innovation in the emerging artistic genre of interactive and gamified web-documentaries. It is that all-too-rare beast; the runaway public sector success story.

networks and the static, rear-guard government responses that create new departments and layers of management could hardly be starker. This situation is all the more regrettable because adapting would not merely be a defensive response on the part of governing institutions – it would also entail seizing the opportunities presented by a digital citizenry and would constitute a clear demonstration of continued relevance.

The rise of the ‘prosumer’ heralds the potential for service delivery models where citizen-collaborators become true ‘prosumers’ of government services, for example, helping both to identify needs and shape their fulfillment. Technology can become a tool for better integrating services that take preferences and needs into account while calibrating delivery mechanisms and points of intervention. The result could be a dramatic improvement in the responsiveness of public systems and an increased ability to focus the energy of all those involved – from officials to stakeholders to citizens themselves – in setting and achieving goals together. But the longer change is delayed, the more likely it is that more innovative individuals and organizations will occupy government’s traditional space, and the more marginal and irrelevant government is likely to become to its citizens. As noted above, this loss of relevance is by no means harmless, as it concerns our ability as a society to mediate competing commitments, strengthen our democratic institutions and pursue objectives that further the public good.

II. Control in an Era of Networks

Having considered some of the core features of the Westminster system in its Canadian incarnation, and the key pressure points in the Canadian governance landscape, we turn now to a discussion of one of the central tensions inherent to Westminster governance in a digital context – the tension created, on the one hand, by the demand for control on the part of a siloed, compartmentalized and often insular Westminster system, and, on the other, the information and resource sharing, cross-cutting problem-solving, collaboration and partnership building, and increased public participation and engagement demanded by the wider networked environment. We explore this tension in relation to: information use and sharing; parliament, politics and the media; political parties and the electoral process; and policy development and public engagement.

1. Traditional information controls

Westminster government's traditional approach to the custodianship of information is arguably the single greatest anachronism of the digital era. Secretive government is hardly a Westminster specialty, but the system does give honoured status to certain forms of secrecy, most notably under the principles of Cabinet confidentiality and public service neutrality. The logic of both principles is compelling – that Cabinet solidarity cannot function unless there is full and frank discussion within Cabinet and a single voice without, and that the public service cannot be neutral if it has a public voice – and yet between them they seem to have made almost all government business a secret until the government says otherwise.

Freedom of information legislation has put a respectable dent in the armour of secrecy, but operates in what is arguably an out-dated way. For one thing it is not proactive – someone has to ask for a given piece of information and so must already have a reasonable idea of what is significant in order to know what to ask for. The information is then subject to a selection and redaction process that no one could honestly argue is free of subjective elements and that characteristically takes significant time. The perceived bias of many government departments is towards reliance on discretionary exemptions even where there is little or no risk of harm. There have been proactive disclosure initiatives in recent years, but a good part of this has related to the jealously watched but ultimately somewhat marginal area of expenditure that carries personal consumption risk (hospitality claims, for example). Transparency in procurement is a more substantial matter, but also largely focused on accountability and the management of conflicting interests. All this, while virtuous enough, is conspicuously old-fashioned.

In the digital era, governments, like other major organizations but to a unique extent, acquire considerable amounts of data in the normal course of business, some of whose potential use under the right applications can only be guessed at. The potential of this kind of information underlies the concept of big data analytics, as we saw earlier. Unleashed in a public policy context, we saw, big data analytics could not only improve internal analytic processes, but also empower citizens to develop their own solutions to some of the thorniest issues facing governments. That a resource of such enormous potential public value as the large data sets that governments create and maintain should be locked away with an entity that possesses it only incidentally and has restricted capacity to use it productively is perverse. Recognizing that it is also unnecessary, a number of governments have introduced open data policies that reverse the disclosure bias, disclosing not only on

a proactive basis but in reusable forms without any preconceived idea of the purposes to which these data will be put, save that they are to remain openly available.¹²

Data of this sort can be transformed into bold graphic representations that communicate important public policy messages, enriching debates and public understanding. Big data analytics could also drive new economic activities and spark new growth industries. For example, when the US National Institutes of Health released data from the Human Genome Project, it spurred significant innovation around a new era of personalized medicine.¹³ President Reagan's directive to provide free and open access to the Defense Department's GPS signals gave rise to a plethora of commercial uses ranging from map-making, land surveying, scientific analysis and surveillance to hobbies such as geocaching and waymarking.¹⁴ In a globalized era where information can move in milliseconds anywhere in the world, one needn't constrain innovation within provincial or national boundaries. Why think locally when Canada has the potential to tap into innovations from all over the world?

It is not, however, simply in the disclosure of information that traditional Westminster governments lag but in the ways they use the information themselves, and particularly in their capacity to join forces across organizational silos to share information and use it collectively in effective and innovative ways. The basic sharing of information could to some extent be remedied by updated privacy controls, although this is not an area of conspicuous expertise; but the organizational divides that notoriously mark organizational and ministerial mandates increasingly serve to hamstring the coordinated use of such information to customize services to citizens.

2. Media and politics: 24/7 and disintermediated

The Westminster system has traditionally drawn its democratic legitimacy from the presence in the system of elected Members of Parliament. While authority nominally

¹² Zuiderwijk, Anneke, Marijn Janssen, Sunil Choenni, Ronald Meijer, and R. Sheikh Alibaks. "Socio-technical impediments of open data." *Electronic Journal of e-Government* 10, no. 2 (2012): 156-172. 156

¹³ Lander, Eric S. "Initial impact of the sequencing of the human genome." *Nature* 470, no. 7333 (2011): 187-197.

¹⁴ Kumar, Sameer, and Kevin B. Moore. "The evolution of global positioning system (GPS) technology." *Journal of science Education and Technology* 11, no. 1 (2002): 59-80. 62

rests with the Crown, in practise the executive branch is ultimately accountable to, and takes its orders from, the people as represented by their elected officials. Since the granting of “responsible government” in the 1840s, regular elections have determined the character of the government of the day, and the people’s will as expressed in those elections has been the animating principle of the modern Canadian state. Regional, sectional and class interests are brokered and traded off through the national political parties, each of which seeks to demonstrate at election time its readiness and capacity to form a government. The government of the day has traditionally been held to account in part by an established corps of professional journalists, governed by professional codes of conduct, who serve to inform the public about the deeds and misdeeds of their elected representatives.

In the digital era, however, the ability of Members of Parliament to adequately fulfill their democratic role is under increasing negative pressure from a rapidly transforming media environment.¹⁵ Strict discipline within parties, already a problem, has been further exacerbated by the voracious appetite for scandal and incompetence of a disintermediated, 24-hour-a-day media machine that is being mercilessly disrupted by digital competition, and no longer abides automatically by the traditional rules and standards of journalistic conduct.

Few domains more clearly bear the mark of disintermediation in the digital age than that of the media – where technology is transforming traditional business models, threatening the survival of print media, and creating strong incentives for journalists to alter the very nature of what they do in an attempt to demonstrate continued relevance and earn a living plying their trade. In some cases, the resulting changes can certainly appear to assume the form of a race to the bottom, transforming respected news outlets into tabloid-like ‘gotcha’ media machines.

At the same time, the experience of traditional media offers one of the clearer examples of an empowered citizenry taking functions into its own hands and beating one-time powers at their own game as social media platforms like Facebook, Reddit and Twitter allow citizens to fulfil many traditional reporting functions efficiently and cheaply. Traditional media sources survive, at least where they have demonstrated adaptive capacity, but they have unquestionably ceded ground to a far broader array of actors.

¹⁵ Alboim, Elly. “On the verge of total dysfunction: Government, media, and communications.” *How Canadians Communicate IV: Media and Politics* (2012): 45-53.

This struggle to demonstrate continued relevance offers a stark cautionary tale for governments, but the new digital, disintermediated, 24/7 media market is in fact changing the way governments behave – notoriously so. While the challenge to the status quo is better recognized in this area than elsewhere, equilibrium has yet to be achieved. Scandals and mistakes that might have passed unnoticed in earlier eras now have the power to force ministerial resignations, the firing of public servants, and even the destruction of governments. The extreme unpredictability of these eruptions of internet-based outrage is threatening the deliberative, process-driven way in which governments traditionally respond to public issues. The extent and intensity of media scrutiny is relentless and increasingly compels governments to focus on “issues management” while reacting rapidly to hot button issues.

In the new environment, it is increasingly no longer safe for backbench MPs to stray from their party lines and voice independent views on behalf of their constituents for fear of generating a digital backlash. Ministers face mounting pressure to conform to directions from the center (i.e. “government by talking points”), while public servants are increasingly reminded of their “accountability” to the merciless court of perception.

The blurring of the distinction between public and private lives engendered by ubiquitous social media has also led to candidates having their suitability for office compromised by remarks or actions that would never, in previous decades, have been subject to public regard. The most recent election was replete with candidates who were compelled to remove themselves from contention for similar reasons. The digital revolution has ensured not only a massively expanded public record, but even the indefinite preservation and easy indexing of missteps or indiscretions from years, even decades, before they become newsworthy. Search algorithms make detailed background checks of individuals that would previously have been the exclusive purview of requisite government authorities possible for any citizen with Internet access and the motive to dig.

Though some may argue that it is no bad thing for our elected officials’ remarks, views and judgements to be subject to ever more intensive scrutiny, the increasingly fine mesh through which candidates for public office must be filtered may prejudice the chances of all but the blandest contenders in elections, threatening to render public office the exclusive domain of the mediocre and the unremarkable.

3. Political parties and the electoral process

Political parties' traditional role is also being transformed by the demands of a digitally enabled citizenry. Where, in previous decades, parties existed to balance the interests of different regions and interests, to form a credible slate of candidates for a government-in-waiting, and to articulate a coherent vision and set of principles by which that slate would govern, the demands of the Internet age make electioneering and political manoeuvring increasingly indistinguishable from private-sector marketing. Ever more granular data on voter demographics, locations and preferences mean that there is increasingly no longer a need for parties to address the public as a whole and present a cogent, unified case for a new government. Parties seek to win elections and even form majorities by selectively pandering to ever-smaller and more specific demographics that data analysts identify as being key to victory.

This goes beyond merely playing to a political base and has led to party platforms that read increasingly like boutique shopping lists or à la carte menus, promising lower taxes on craft beer in urban ridings, for example, or delivering a child benefit to suburban, two-parent families. Selective e-mail marketing, analytics of voter databases, and increasingly targeted promotional materials make any substantive discussion of overarching issues or themes increasingly unlikely, even unnecessary, on the campaign trail. In this fragmented political world, where leaders are encouraged by the relentlessness of the political machine to "shop for votes"¹⁶, as Susan Delacourt describes it, or to "count heads rather than turn them", as one commentator has put it,¹⁷ what is the rightful role of the traditional political party? Can a party play this role and hope to survive?

In fact, the integrity of the electoral process itself may even be called into question by digital influences. Researchers at the American Institute for Behavioural Research and Technology have released a peer-reviewed study claiming that search algorithms may have a significant influence on the outcomes of electoral contests.¹⁸

¹⁶ Delacourt, Susan. *Shopping for Votes: How Politicians Choose Us and We Choose Them*. D & M Publishers, 2013.

¹⁷ Griffiths, R., "Q&A: Bob Rae on the modern election campaign and political discourse." *The Globe and Mail*, August 21, 2015. <http://www.theglobeandmail.com/news/politics/qa-bob-rae-on-the-modern-election-campaign-and-political-discourse/article26048803/>

¹⁸ Robert Epstein and Ronald E. Robertson, "The Search Engine Manipulation Effect (SEME) and Its Possible Impact on the Outcomes of Elections," *Proceedings of the National Academy of Sciences* 112, no. 33 (August 18, 2015): E4512–21, doi:10.1073/pnas.1419828112.

By ranking outcomes of Internet searches and prioritizing some results over others, a search engine may be able to influence the margin of victory in a given election by twenty percent or more, it is claimed; perhaps even up to 80% in certain demographic categories. Since most elections are won and lost well within a margin of twenty percent, the potential impact of the Search Engine Manipulation Effect (SEME), as its discoverers have dubbed it, are noteworthy.

Under this by no means exhaustive set of digitally enabled pressures, the 18th and 19th century hardware of our Westminster constitutional process may not be able to operate our 21st century political software effectively, to paraphrase Jonathan Rose in his 2008 address to the Australia-New Zealand School of Government and State Services.¹⁹ The need for substantive political upgrades to our system to address and cope with the demands of the digital era is already becoming apparent, and will only become more so in the decades ahead. The longer elected officials and public servants postpone fundamental change, the less likely they will be to have any influence over its outcomes when the transformation inevitably gets underway.

4. Data, policy-making and engagement

The Westminster model positions a democratically-mandated ministry as the determiner of public policy, working with the benefit of confidential advice from a professional public service that works from a privileged position of inside knowledge and deep continuity in the workings of government. In its classic form (at least as historically remembered), the system included a highly deliberative parliamentary process. However, as noted above, whatever the balance between the legislative and executive branches, the system is unapologetically one of representative rather than direct democracy. Informed trade-offs and accommodations are reached within the deliberative forums of Cabinet and Parliament, and in recent years strict party discipline has tended to give the upper hand to the former whenever governments have a majority. Indeed, rather than supplement the representative dimension with elements of direct democracy such as plebiscites, the system has included correctives to the presumed risks of democratic excess in the form of unelected upper chambers, as well as parliamentary officers, ombudsmen, commissioners, agents of parliament, and other official guardians.

¹⁹ Rose, Jonathan. "Citizens' Assemblies and Civic Engagement: Government As Active Listening." Australia-New Zealand School of Government and State Services, May 9, 2008. http://www.masslbp.com/journal_detail.php/Australia-New-Zealand-School.html

Over time, Canadian governments developed significant consultative processes, which, in the case of major initiatives, often entailed the publication of detailed policy papers as a basis for public discussion. (Indeed, consultation has sometimes met with mockery for being an alternative to decisive action, as in the case of formal commissions of inquiry.) Moreover the public service, as noted earlier, has lost its supposed monopoly on policy advice, as governments look to a far wider range of voices in civil society, many of which are now able to deploy the kinds of sophisticated analysis that were once the preserve of government departments.

Still, it is very easy to exaggerate the extent to which our system engages the public in designing policies and programs. Policy makers and senior administrators have historically considered themselves an elite group occupying a unique position to make dispassionate decisions in the public interest. As experts, they were assumed to have access to the best information—or at least better information than the public. While that may have largely been true in the past, it is not necessarily true today. Ubiquitous information networks can enable organizations to tap into the insights of large, if not always suitably representative, numbers of people. Yet, Canada's consultative machinery has largely favoured organized interest groups (so-called "elite accommodation") and tended to view broader public opinion as something of a challenge to be managed through effective 'communication' strategies.²⁰

Moreover, it is debatable whether governments are more or less consultative as a result of sophisticated polling methodologies, and in the case of the Government of Canada, it could be argued that there is in fact less evidence now than in decades past of attempts to engage the public on proposed initiatives through substantive discussion papers.

The critical point is that even when public engagement is at its most expansive, policy making in the Westminster system tends to be an exclusive business. It is also slow, elaborate and process-driven. In both respects it is markedly out of step with the expectations of citizens who in other contexts have almost frictionless capacity to make their views widely and rapidly known, and whose standards are increasingly defined by rapid market responsiveness and crowdsourcing. This is not to belittle the capacity of traditional Westminster systems to generate considered and expert

²⁰ Shipley, Robert, and Stephen Utz. "Making it count: A review of the value and techniques for public consultation." *Journal of Planning Literature* (2012): 0885412211413133. 62

policy or the risks of attempting to be responsive to citizens whose sectional interest in a specific issue may not extend to concern about the broader social tradeoffs.

Here and there a number of promising policy approaches have emerged to meet evolving public expectations and draw on methodological advances. This includes citizen engagement initiatives such as the use of policy labs where stakeholders come together in a neutral space to work through solutions to particular problems, and forms of participatory action research such as citizens' juries, in which specialized advisory panels make use of reports by ordinary citizens who have had the opportunity to question specialized experts providing a variety of perspectives.²¹ Imagine, for example, a scenario planning exercise where thousands of connected participants could tap into a vast pool of shared data and adjust decision variables on the fly to see how their choices might impact real people in the future. Stakeholders could forecast whether investments in pre-school education would yield better poverty alleviation outcomes than, say, investments in reducing the digital divide. Or, in the efforts to tackle climate change, imagine if scientists, policy-makers, environmentalists, investors and ordinary citizens could access comparable CO₂ emission data for all industrial facilities and other human activities such as logging, farming, fishing or mining; and not only access it, but measure, in precise detail, the impact of those activities on our climate in the same way companies apply financial metrics to their investment decisions to understand the bottom line impact.

Such possibilities are no longer as far-fetched as they sound. The policy development tools available today allow for a much richer dialogue where future scenarios can be visualized and policy options not only discussed, but also evaluated using real data. There is no reason why Canada—with its highly connected, tech savvy population—could not be at the very forefront of digital policy development and problem solving. At the same time, the questions raised at the beginning of this paper concerning the changing roles of public servants remain especially stark in the policy development context: what is the role of government policy analysts in this new digital world? Are they brokers of information and advice? Enablers? Assessors? Synthesizers?

²¹ Menon, Devidas, and Tania Stafinski. "Engaging the public in priority- setting for health technology assessment: findings from a citizens' jury." *Health Expectations* 11, no. 3 (2008): 282-293.

III. Governance in the Digital Age

Having discussed some key perspectives on control in the networked era, our next task is to explore changing conceptions of governance, exploring, in particular, institutional challenges associated with power and the demand for horizontality in the digital age, and concluding with an emphasis on citizen-focused design in the context of public service delivery.

1. Going digital: government and beyond

In the space of a few decades, the digital revolution has transformed the way we work, the way we connect with friends and family and the way we educate, inform and entertain ourselves. It has upended and reshaped countless industries, from software to financial services and media to pharmaceuticals. And as the Internet's influence permeates other aspects of society, it has begun transforming virtually all institutions and sectors, from education, healthcare and science, to the way we produce and consume energy, to the very nature of government and democracy.

In other words, 'digital' is not just about faster computers or better software. Digital technologies enable entirely new modes of human connectivity and new ways of organizing our knowledge and ingenuity to create change. They not only foster low-cost connectivity across borders, they provide an increasingly rich pallet of data, tools and techniques with which to transform the way we solve pressing challenges like climate change and disease prevention or assess the impact of rising food and commodity prices on poverty. In fact, the opportunities for new innovations, new knowledge and new efficiencies will no doubt grow as digital technologies become both more powerful and more pervasive.²²

One of the most notable features of the digital revolution is not only how much it has transformed the way we work, learn, create and connect, but also how fast the underlying and associated technologies have evolved. In just a few short years, the rise of massive online communities like Linux and Wikipedia and social networks like Twitter and Facebook have transformed the Internet from a space for publishing

²² Williams, A., "50,000 Estonians clean up their country in one day." Wikinomics Blog, May 28, 2008. Accessed on October 6, 2015. <http://www.wikinomics.com/blog/index.php/2008/05/28/50000-estonians-clean-up-their-country-in-one-day/>

information to a global platform for computation and collaboration that unites people and organizations around any conceivable shared interest, goal or pursuit.

Today, we continue to see a rapid acceleration of digital innovation that will open up new possibilities for services that we can barely imagine today: clothing embedded with medical sensors that monitor heart rate, glucose levels and whether or not you get enough sleep; presence-sensing thermostats that turn the heat down when nobody is home; refrigerators that monitor food consumption patterns and automatically order groceries; a worldwide fleet of autonomous vehicles that reduces the need for car ownership, revolutionizes personal transportation and alleviates urban congestion. Once the stuff of science fiction, such possibilities are just around the corner.

Profound changes in the realm of public policymaking and problem solving are coming as well. Today's computers and technological assets are blind and deaf, can't taste, can't smell and can't feel. But that's about to change with sensors that can monitor hospital equipment, sniff out pesticides and pathogens in food, or even 'recognize' the person using them and adapt to preferences.²³

There are sensors for light, temperature, barometric pressure, airflow and humidity. Researchers in universities and corporate labs are using nanomaterials to boost a standard chemical and biological detection technology (Raman spectroscopy) to 100 million times its usual sensitivity rates. As sensitivity rises, sensor size can also shrink. This could lead to detectors small enough to clip onto a mobile telephone. With a wave over produce, the sensor might warn consumers of salmonella on spinach leaves or pesticides present in "organic" produce.

With the right tools, the right training and the right mindset, governments can harness the vast cloud of data these tools will generate to develop more analytical and timely approaches to policy making. Scientists, for example, can use distributed sensor networks, geographic information systems (GIS) and the data these tools generate to revolutionize our ability to model the world and all of its systems, giving us new insights into social and natural phenomena and the ability to forecast trends like climate change with greater accuracy.

²³ 50 sensor applications for a smarter world. A Asin, D Gascon - Libelium Comunicaciones Distribuidas, Tech. Rep, 2012.

All the while, big data analytics will revolutionize the practice of public policy development and even alter the basic skill set required to participate effectively in public policy debates, as organizations acquire the skills and capacity to analyse large data sets directly and in real-time, rather than depending on traditional ex post facto statistical sampling techniques. Instead of relying solely on ministerial prerogatives, there will be tremendous opportunities to acquire and develop new knowledge and inform public policy with credible data. For example, access to increasingly granular and timely data can be used as evidence to re-engineer traditional programs and services in areas such as transportation, infrastructure management, health care and agriculture.²⁴

At the same time, many key technological barriers to citizen and business participation in decision-making at all levels of government will soon be eliminated. Advanced tools – possibly building on gaming and augmented reality technologies – will enable citizens to track the totality of decision-making processes and see how their contributions have been (or are being) taken into account. Even current linguistic barriers may in large part be overcome through the use of semantic-based cooperation platforms. Opinion mining, visualization and modeling tools will allow stakeholders to forecast virtual reality based outcomes and scenarios that will help to shape, guide and form public opinion; and if the processes and tools to establish trust and authenticity are robust, the outcomes of such consultative processes could lead to faster, more efficient, but also more legitimate ways of revising policy and making decisions.²⁵

Collaborative communities enabled by digital technologies have already demonstrated their potential to leverage considerable human knowledge and expertise and rapidly build their capacity to solve problems. As you read this, one million citizen scientists are helping astronomers to map the universe using an online crowdsourcing platform called Zooniverse²⁶; paediatricians in one hundred and ten countries are accelerating the dissemination of medical knowledge by aggregating leading paediatric care practices on a Web-based knowledge platform called

²⁴ Brown, Brad, Michael Chui, and James Manyika. "Are you ready for the era of 'big data'." McKinsey Quarterly 4 (2011): 24-35. 29

²⁵ Williams, A.D., "Digital-era Policy-making." Digital 4Sight, 2000. For example, "Sophisticated Web-enabled databases used by the Organization of American States and the Danish Board of Technology's computer-assisted role playing games are enabling more informed and responsive policy-making processes. In both cases, digital tools facilitate knowledge creation and enable greater access to information by stakeholders and the public."

²⁶ "About," Accessed on October 6, 2015. <http://spacewarps.org/>

OPENPediatrics²⁷; a global network of “forest watchers”²⁸ are harnessing satellite monitoring and cloud computing to spot patterns of rapid deforestation and target illegal logging operations.

As Canada confronts grand social challenges such as climate change, poverty alleviation and the need to generate hundreds of thousands of new jobs, its public service will increasingly have to rely on broader problem solving networks in which it is just one of many players. However, with a diverse and highly tech literate population, there is no reason why Canada cannot be at the forefront of harnessing online communities to develop and deliver innovative solutions to the challenges we face as a country.

2. Power and horizontality: institutional challenges

Against a backdrop of increasingly dispersed power, our Westminster system remains wedded to the centralized concentration of power and its exercise through highly compartmentalized, hierarchical and often insular organizations. These key features of Westminster as it currently exists stand in stark contrast with the demands of digital culture.

Compartmentalization. While academic and media attention to the concentration of power at the centre of government has increased markedly since the turn of the century, concerns about the persistence of organizational “silos” in an age of horizontality have been around for decades, as have efforts to address this challenge, in Canada and elsewhere.²⁹ The silos in Westminster governments arise largely because of the way executive authority is allocated to ministers, the way parliamentary appropriations are allocated to departments, and the way ministers account to the prime minister and Parliament for both. In this system, any crossing of organizational boundaries is likely to be viewed as a grave disregard for the prerogatives of the prime minister, Parliament or both.

In fairness, Cabinet government does have a substantial horizontal dimension, the very purpose of Cabinet being to bring ministers together to discuss cross-cutting impacts and work through necessary adjustments and trade-offs. It could even be

²⁷ “About Us.” Accessed on October 6, 2015. <http://openpediatrics.org/>

²⁸ “Mission.” Accessed on October 6, 2015. <http://forestwatchers.net/>

²⁹ Efforts to promote “joined-up government” in the United Kingdom date back at least to the 1980s.

argued that the increasing elaborateness of the Cabinet process over the course of the 20th century and the growing reach and sophistication of the Cabinet secretariat function have constituted significant mechanisms to address the growing complexity and interconnectedness of policy as government's sphere of economic and social involvement expanded. Numerous practices, from portfolio coordination to ministerial mandate letters to the increased attachment of deputy ministers to the centre of government could be said to address the need for policy and program coherence. This is to say nothing of formal mechanisms like memoranda of understanding among departments, which among other features can, to some extent, address the limitations of acting exclusively within the terms of the organization's appropriation.

But what may look to insiders like serious efforts to transcend the system's barriers don't necessarily signal great advances from the perspective of the citizen. For the most part, citizens seeking to deal with government must navigate a maze of departments, agencies and programs that often do not seem to communicate with one another, and certainly do not customize their offerings to address the specifics of a particular citizen's situation. Some promising initiatives in service transformation – notably the creation during the last ten years of "single window" service organizations such as Service Canada and ServiceOntario – have yet to achieve anything approaching their full potential, still less to become the norm for public administration.

Hierarchy. The hierarchical character of government departments in the Westminster system also reflects the tight allocation of power to ministers and the principles and processes through which ministers offer account for the exercise of that power. As we saw earlier, government departments are organized around ministers and a minister characteristically has a defined sphere of authority (which in Canada is normally set out in legislation). The law recognizes that the minister discharges his or her "powers, duties and functions" principally through public servants. It is very difficult for this model to produce a flat organizational structure along the lines of, say, a partnership of accredited professionals. Since even the most junior official is in principle acting for the minister, some hierarchy to support the desired orientation in taking action, coordinated marshalling of resources and high levels of quality control seems more or less inevitable.

This is a far cry from saying that existing hierarchies could never be structured differently, or even that they always serve wholesome objectives, however. Among other risks, it is easy to slip from organizing on behalf of ministers to organizing in

favour of them – in other words, for the vast and elaborate apparatus of a government department to be more about meeting the needs of ministers (and other senior officials) than those of citizens. Arguably, for example, much of a typical department’s resources – ranging from financial administration systems to reporting and oversight functions to communications and information management – could be replaced by risk-based regimes if there were greater tolerance for the risk of minor political embarrassments. This is to say nothing of centralized controls imposed by bodies such as government-wide management boards.

It is also debatable whether deputy ministerial responsibility for the advice given to ministers invariably requires that every product proceed through the full departmental hierarchy for approval. The top-heaviness of public administration is not simply about the number of layers or the size of the executive cadre, but also about the scope and depth of its imprint. The culture of second-guessing professional staff is deeply embedded in government and the threshold for engaging in the bailiwicks of one’s subordinates tends to be very low. The pettiness factor in public sector management is arguably demoralizing; it is certainly time and resource consuming for senior managers and correspondingly frustrating for citizens hoping for responsiveness. Talk of administrative streamlining and “empowerment” of both managers and working-level officials is also decades old, but in fact the trend of recent years, at least within the Government of Canada, seems mainly to have been in the opposite direction. Trust has eroded and its absence continues to hinder the advancement of new ideas and approaches.³⁰ This, ironically, owes at least something to the impact of digital age media.

Insularity. Definitively replacing the old spoils system with a professional, non-partisan public service – one appointed independently of ministers on the basis of merit that does not change with the election cycle – was one of the great reforms of Canadian public administration in the early 20th century. Now, in the early 21st century, the terms of public service employment seem to many observers to be out of step with marketplace realities. From a governance perspective, however, there are more salient issues than public service compensation and job security.

One such issue is the very composition of the public sector, especially the inclusion of numerous functions that seem both generic and readily procurable from private sources on a transactional basis. Economic efficiencies aside, the question does

³⁰ Prince, Michael J. “Soft craft, hard choices, altered context: Reflections on 25 years of policy advice in Canada.” *Policy analysis in Canada: The state of the art* (2007): 95-106. 100

arise whether current structures contribute to an allegedly insular and process-focused public service culture that is unresponsive to citizen needs. It is also an open question whether more fluid movement in and out of the public sector would not only be fairer but foster greater openness to new ideas and approaches.

This is not to say that such fluidity might not come at a cost in cohesiveness, objectivity and independence, for example. But the current insular approach has been found wanting. New models that capitalize on the offerings of the digital era certainly warrant a closer look.

Such criticisms of the public sector on an operational level long predate the digital era. However, as mentioned above and discussed further below, in an age where social media have vastly increased the capacity of citizens to make their views known, the public service approach to, and traditional near-monopoly on, policy advice is also increasingly vulnerable.

3. Citizen-focused design

If the preceding era was marked by compartmentalization, hierarchy and insularity in public administration, the opportunities presented by the digital age as regards the design and delivery of services, for example, provide us with a glimpse into the open and networked future that awaits governing institutions, should they choose to seize it.

The application of digital technologies to service design and delivery is erasing many of the traditional boundaries and demarcations that previously constrained governments, as well as creating new frameworks of understanding for public value. Technology is reducing the information, transaction and labour costs of nearly all interactions, and geographical jurisdictions are increasingly losing their relevance. If a consumer can import goods, book travel, or manage banking transactions entirely through a mobile application, as is increasingly the case, there will come a time when citizens will also categorically expect to be able to pay taxes, renew licenses, and engage with other government services with comparable ease of use and access. Indeed, that time may already be upon us.

To respond to this changing expectation, government services must be redesigned and reimaged with a focus on the citizen they are intended to serve. But in order to implement such a paradigm, government must first understand the citizen

thoroughly, and the nature of citizenship in the digital era is increasingly fluid. New ambiguities between the public and private individual, the producer and consumer, the citizen and the taxpayer, are rendering relationships that were static and unchanging in previous decades increasingly subject to evolving interpretation. Any redesign of government service delivery must adequately balance the competing demands of privacy, security, representativeness and equity, and consider the citizen holistically. As discussed in the example box below, the UK's Government Digital Service (GDS) unit provides one example of a recent Westminster attempt to design services from a citizen-centred perspective, making full use of the opportunities afforded by the digital age. Inspired by its British counterpart, Australia's fledgling Digital Transformation Office provides another.

Government Digital Service in the UK

In 2010, Francis Maude, then Minister for the UK Cabinet Office lamented the fact that government services had utterly failed to keep up with the digital age. "While many sectors now deliver their services online as a matter of course, our use of digital public services lags far behind that of the private sector," Maude said. Maude argued that it was unacceptable that 74% of people use the Internet for car insurance, but only 51% renew car tax online. "To win the global race and save hard-working taxpayers money," said Maude, "we need world-class public services available online 24/7 from anywhere."

Along with Martha Lane Fox, the UK's Digital Champion, Maude was among a small group of political leaders and senior executives who argued successfully for the creation of a centre for digital excellence with genuine authority to "disrupt and transform" public services. They envisioned a small team made up of the UK's brightest digital talent that would work with agencies to remove barriers to exceptional service delivery. That vision became reality in 2011 when the newly minted Government Digital Service (GDS) brought the first cohort of top developers and designers into government. The head of the GDS reports directly to the UK Cabinet Office and has a role not only in implementation but also in the design of any government policy that includes a digital component. When a policy is proposed that can't be implemented in a way that citizens can understand or use, the GDS has the power to push back. They also have the power to directly design, build, and deliver many services, at a fraction of the cost, without resorting to complex external procurements.

The GDS has been methodically building better digital services for virtually everything the government does—and then simply shutting down the lackluster services that previously existed in those spaces. The work of the GDS hasn't been flashy apps, but rather simplicity: a paring down and reordering of priorities and processes that allows for an online experience of government on par with the best private sector digital services. Open source, open data and cloud technologies are becoming the new standards, replacing the government's dependence on antiquated technology stacks and proprietary code. The days of the fabled multi-year, multi-billion pound government IT contracts may be numbered, replaced by shorter procurements with responsive and often smaller enterprises. Waterfall methods for developing public services, with their long and laborious planning cycles, are being swapped for more agile development methods; and a new, streamlined digital by default service standard, which sets out clear guidelines for building world-class digital services, is supplanting the complex and confusing thicket of rules that was inhibiting progress. In the end, a strategy driven entirely by focusing on user needs appears to be producing the desired result: a simpler, quicker, easier way to find information and process transactions for British citizens.

Armed with a fuller understanding of citizens' and their needs, public servants can properly determine the new digital boundaries of government service. The enterprise model, and the single window approach of the first decade of this century, in which efforts were made to ease the citizen's interactions with multiple government departments by aggregating their services in a single location, while a good start, may no longer be sufficient. In the era of the Internet of Things, partnerships with private and civil society organizations to deliver services may be inevitable, and governments would do well to explore these possibilities and their implications sooner rather than later.

Thankfully, digital technologies often enable new systems of service delivery that represent exponential improvements over their industrial-age predecessors. Unprecedented efficiency, speed, and value for money are possible when governments intelligently utilize information technologies to speed up their own processes. The government of the United Kingdom's new procurement framework, The Digital Marketplace, includes information for over 1000 suppliers of services, small, medium and large, in an easily searchable database that public servants can use to purchase their services under a pay-as-you-go model, rendering the

procurement process for government services radically more efficient and cost-effective.³¹

The worldwide open data movement is also encouraging governments to release data they collect for their own use to the world, allowing private actors to utilize it however they can in the development of web and mobile applications, and abolishing long-standing traditions of information secrecy and protection.³² Private developers at all levels of government, but most dramatically at the municipal, have been able to use this data to radically expand the level of service available to citizens.³³ As discussed in the example box below, the city of New York's Digital Roadmap provides one example of how municipal governments' can harness the power of open data.

New York City's Chief Digital Officer: Providing Leadership for Transformation

In 2011, Mayor Michael Bloomberg and Commissioner Katherine Oliver introduced the world's first Chief Digital Officer in government, and made a powerful commitment to New York City's innovative future. The CDO leads NYC Digital, a team that functions like a startup, providing strategic guidance to digital professionals across City government and implementing innovative initiatives and public-private partnerships. With the backing of Mayor Bloomberg, who saw the need to invest in a digital future as critical to municipalities, NYC Digital serves to ensure that the City of New York made significant progress on five key digital priorities: building public infrastructure to foster digital inclusion, modernizing government service delivery, engaging constituents via social media, boosting economic growth by developing New York's technology sector, and providing digital education opportunities to all New Yorkers.

Since the introduction of the Digital Roadmap in 2011, NYC Digital has made significant progress in all five domains. For example, the City of New York has led the nation in Open Government achievements, including the release of thousands of

³¹ "Digital Marketplace." Gov.UK, June 4, 2015. <https://www.gov.uk/digital-marketplace>.

³² "Open Government Partnership." Open Government Partnership. Accessed September 18, 2015. <http://www.opengovpartnership.org/>.

³³ "Gallery - Open Data - Accessing City Hall | City of Toronto." City of Toronto. Accessed September 18, 2015. <http://www1.toronto.ca/wps/portal/contentonly?vgnextoid=7e57e03bb8d1e310VgnVCM10000071d60f89RCRD>

public data sets, the convening of the first municipal hackathons and Mayor Bloomberg's passage of Local Law 11, the most progressive open data legislation in the country. Over 300,000 low-income residents have gained access to the Internet through City programs. Public wi-fi access has been installed throughout the NYC transit system. The City's technology sector has blossomed to over 1,000 made in NY technology companies, thanks to an ambitious business acceleration strategy. Over 40 digital learning programs launched in partnership with post-secondary institutions have served over 1,000,000 New Yorkers. The City's social media audience has more than tripled, growing from 1.2 million to a current peak of 3.7 million social media followers. And the highly popular 311 service has been migrated to smartphones, Twitter and live chat.

Local law 11 was particularly transformative, making NYC's treasure trove of data on all its citizens' activities from taxes to commuting habits to the state of their sprinkler systems. If a parking meter sits outside their apartment, the city knows how many cars have parked there on any given day, the number and dollar amount of tickets handed out and, of course, the identities of those who have received them. Law 11 required city agencies and departments to make this data available to the public through open standards, and created the Open Data Portal, which opens hundreds of data sets to the public; locations of Wi-Fi hotspots, restaurant health inspection results, even yearly power use by ZIP code.

Releasing the data was just step one. Bloomberg also created an internal data science team, the Mayor's Office of Data Analytics – otherwise known as the in-house "geek squad" – to help put the data to work in creating a more agile, effective and evidence-based approach to delivering programs and services. For the modest sum of \$1 million, and at a time when decreasing budgets have required increased efficiency, the in-house geek squad has over the last three years leveraged the power of data to double the city's hit rate in finding stores selling bootleg cigarettes; sped the removal of trees destroyed by Hurricane Sandy; and helped steer overburdened housing inspectors — working with more than 20,000 options — directly to lawbreaking buildings where catastrophic fires were likeliest to occur.

The Office of Data Analytics also spends a great deal of time designing and implementing new ways to encourage the widest possible variety of people to avail themselves of the city's data. Even more ambitious is the plan to move beyond public information into the deeper and possibly more profitable mine of social media data. Every day, said Mike Flowers, the head of the office, there are 250, 000 New York-centric posts on twitter alone. "If Young & Rubicam can use tweets to sell you stuff," he asks, "Why can't the city use them to make you less sick?"

In one notable success story, nearly 90% of the population of Estonia carries a single electronic ID card that allows Estonians to conduct nearly all government business online. The same card lets them claim health insurance, prove their identity for banks and other services, access public transit, pick up prescriptions, and even vote.³⁴ Over 98% of bank transactions and 95% of income tax returns are completed entirely electronically.³⁵ The simplicity and ease of use of the Estonian government's digital services, built across an open, decentralized network rather than a single, centralized proprietary system, have provided a significant boost to the Baltic nation's economic growth, and rendered it a recognized world leader in digital service delivery. It serves as an exemplar of what governments are capable of becoming when they fully embrace the empowering potential of digital technologies.

IV. Rethinking Authority and Accountability

We conclude our discussion of the tectonic clash between traditional Westminster democracy and the driving principles of the digital age by considering authority and accountability in light of the social, cultural and technological transformations of the modern era. Authority and accountability are the cornerstones of a well-functioning state and a well-functioning democracy. We focus on the coordinating role of government and on factors that endow the state with its legitimacy, exploring these in relation to democratic participation, regulation, and risk-management and oversight.

1. Government and digital democracy

Much of the foregoing discussion has focused on the administration of the executive branch of government. However, digital technology – and more importantly, the attitudinal changes and shifting dynamics of personal and organizational interaction that accompany it – have sweeping implications for the broader democratic process.

³⁴ "Electronic ID Card." E-Estonia. Accessed September 18, 2015. <https://e-estonia.com/component/electronic-id-card/>

³⁵ "Economy in Numbers." Estonia.eu, April 14, 2015. <http://estonia.eu/about-estonia/economy-a-it/economy-in-numbers.html>

Most obviously and superficially, digital tools and expectations can have logistical impacts on the democratic process. E-voting and e-plebiscites, for example, are now serious options and could have a significant positive impact on voter turnout. By and large, governments are conspicuously behind the times, in this respect. While it is true that e-voting poses challenges from the point of view of voter identity verification, Canadians trust electronic media for their financial transactions. Surely, secure electronic voting is now an option well-worth exploring.

However, a more significant long-term issue is the relationship between the cultural and social changes intensified by the digital age, on the one hand, and evolving attitudes towards the concept of citizenship, on the other. Throughout the English-speaking world and beyond, it has become increasingly common to cast the social contract in fiscal or financial terms.

Almost by default, the citizen is described as a “client” of government service agencies, or simply a “taxpayer” – effectively a customer who expects to receive more or less direct individual value for his or her money and for whom government, as one author has put it, is analogous to a “vending machine”.³⁶ This, of course, is the discourse that underlies the so-called New Public Management initiatives of the 80s, 90s and early 2000s, which, among other features, encouraged the transfer of service delivery functions away from the core of government and into market-oriented operating agencies or contractual partners, contributing significantly to the phenomenon of distributed governance, explored earlier.

This market-oriented discourse tends to undercut the mediating role of traditional governing institutions as it suggests that the role of government is primarily to supply services to citizen-consumers rather than mediate individual interests and discern the public good. As a result, the view also aligns well with many digital age trends. At a general level, the experience of disintermediation has tended to diminish the significance of institutions in our lives. In the private sector, long-term relationships have increasingly given way to transactional sourcing, while vertical integration has given way to contractually-based supply chains. But it seems also to apply to non-commercial institutions and, conspicuously, to those of traditional political engagement. The digitally connected may coalesce around particular issues or focused initiatives – Idle No More, for example – but they seem less inclined than

³⁶ O’Reilly, Tim. “Government as a Platform.” *innovations* 6, no. 1 (2011): 13-40. The image is used by author Tim O’Reilly as it is used here, but attributed to Donald Kettl of the Brookings Institute who uses it for different purposes.

past generations to look to political parties to address their concerns collectively, or for that matter to traditional parliamentary processes as the preferred forum for redress.³⁷ Whether as employees, consumers or citizens, our traditional institutional relationships are shorter-lived and seem less central to our lives than they once were. But this is only part of the story.

It can be argued, compellingly, that digital culture is not simply a solvent of the old institutions and ways – it also provides a basis for building new ones. Thinking in this vein includes the concept of “government as platform” – that is, where government manages a space or “marketplace” in which stakeholders can use collaborative technologies to solve common problems.³⁸ This is sometimes thought of as an opportunity to achieve the unrealized Jeffersonian ideal of true participatory democracy.³⁹

Proponents of the platform approach argue that governments can become stronger parts of the socio-economic ecosystem that binds individuals, communities and businesses – not by absorbing new responsibilities or building additional layers of bureaucracy, but through a willingness to open their processes to broader input and innovation. In other words, government can become a platform for innovation by providing resources, setting rules, and mediating disputes, while allowing citizens, non-profits and the private sector to share in the heavy lifting. Tim O’Reilly describes the US interstate highway system built in the 1950s as a an example of platform government, a network of networks for which government set policies and standards, established fees and regulations, and policed traffic, but did not operate or manage the myriad purposes for which the platform was used.

The familiarity of this model may be reassuring to some, but one should not overstate the distance between platform views of government and the market-driven views of citizenship and statehood encouraged by the New Public Management of yesteryear. If one thinks of government as a platform for policy formation, say, the model’s solvent effect on the traditional state becomes readily apparent. To deploy this governance model effectively, then, leaders must think carefully about when and where to retain strong oversight and how to leverage government’s core competencies so as to create a sustainable and appropriate environment for

³⁷ As is well-known, party membership and strong party affiliation have been declining steadily at least since the end of the Second World War.

³⁸ O’Reilly, *Government as a Platform*.

³⁹ *Ibid.* 16

collective action. Among other things, governments will have to guard against threats to privacy, security and the potential misrepresentation of government by other actors.

It is by no means clear that 'government as platform' is realistic – or even, for that matter, desirable. Even if government did establish itself as a platform, how would this change its fundamental role? Would it shed its role as authority of last resort? If government is simply a platform, who answers in cases of catastrophic, wide scale failure, for example, or when self-organizing groups of citizen-policy analysts fail to deliver results? Who is accountable then? How well these reflections align with the current or potential institutional constellations of Westminster is an issue that certainly warrants careful consideration. The point here, is simply to note that tectonic shifts in the governance landscape are indeed underway, however firm the ground may feel to the leadership on the surface.

2. Regulation in disruptive times

Command-and-control regulatory authorities, for the most part established in the industrial age to make rules for discrete and more easily definable sectors of the economy, have become increasingly and publicly baffled by the speed with which disruption has begun rearranging their spheres of interest. We need to rethink the role of regulation and make full use of the tools we have at our disposal.

Rapid disintermediation is rendering it increasingly difficult even to say whether or not a company falls under a particular regulatory umbrella. Attempts by the CRTC to regulate Netflix or Taxi and Limousine Commissions to influence the development of Uber do not sit easily with these companies' status as technology platforms. Is Netflix really a broadcaster, or Uber a taxi brokerage? How can nationally limited regulators ensure the democratic, economic and social outcomes their citizens deserve in an era where services are increasingly transnational? In many cases, restrictive regulations and standards in an industry have done little but create the conditions for digital disruptors to provide a superior service at a lower cost by doing an end-run around the entire system of rules, as Uber or Airbnb have done.

It could certainly be argued that such trends threaten the ability of states to safeguard the public good, and play a significant role in fostering ill-considered policies and growing cynicism about our institutions. On the other hand, many also believe, reasonably, that properly utilized, digital technologies have the power to

enhance regulatory outcomes and deliver better ecosystems for industries and consumers alike.

In fact, a growing number of US-based regulatory bodies see social media and online collaboration tools like wikis as a means to provide richer, more meaningful and more interactive pathways for participation by various stakeholders. Some agencies have even placed crowdsourcing at the center of their regulatory strategies. The new US Bureau of Consumer Financial Protection (CFPB), for example, is using the latest crowdsourcing technology to collect tips from millions of consumers about deceptive new financial practices, from misleading mortgages and improper “gotcha” fees on credit cards to outright fraud.⁴⁰

This is a stark departure from conventional wisdom. In the old model of financial regulation, regulatory agencies pored slowly and methodically through a sample of the products being offered by banks. But when financial “innovation” outstrips the ability of regulators to catch up, crowdsourcing can make regulators more responsive. Elizabeth Warren, architect of the CFPB, recently said: “The agency can collect and analyze data faster and get on top of problems as they occur, not years later,” adding that the kinds of monitoring and transparency that technology make possible will help the agency ward off industry capture and target its enforcement resources more effectively.⁴¹ It is also enabling a more coherent approach to risk based decision making, so that the agency can focus its inspection and enforcement resources on the higher-risk players.

Like the CFPB, the US Securities and Exchange Commission (SEC) is also experimenting with crowdsourcing and watching the results carefully as a growing number of citizens groups harness the data for their own ends.⁴² Take CorpWatch, for example. The San Francisco-based advocacy network hosts a multi-faceted platform for corporate watchdogs that boasts a sophisticated array of research tools

⁴⁰ CFPB Blog, “Crowdsourcing in action: A view into the CFPB’s first advisory board and council meetings.” November 8, 2012. Accessed October 6, 2015.

<http://www.consumerfinance.gov/blog/crowdsourcing-in-action-a-view-into-the-cfpbs-first-advisory-board-and-council-meetings/>

⁴¹ Warren, E., “Main Street First: Fixing Broken Markets and Rebuilding the Middle Class.” (The Mario Savio Memorial Lecture, remarks prepared for delivery) Accessed October 6, 2015.

<http://www.treasury.gov/press-center/press-releases/Pages/tg932.aspx>

⁴² U.S. Securities and Exchange Commission Press Release, October 23, 2013. “SEC Issues Proposal On Crowdsourcing.” Accessed October 6, 2015.

<http://www.sec.gov/News/PressRelease/Detail/PressRelease/1370540017677>

that empower amateur corporate investigators operating out of the comfort of their living rooms. Launched in partnership with the Sunlight Foundation in June 2009, the “CrocTail” application on corpwatch.org provides an interface for browsing SEC filings from several hundred thousand US publicly traded corporations and their many foreign and domestic subsidiaries. The app features a world map pinpointing subsidiary locations and an expandable subsidiary tree for navigating corporate hierarchies. Registered researchers can tag subsidiaries with issue notes that are automatically linked to the parent company profiles. There is even a so-called corporate malfeasance wiki, which covers 15 issues, 35 industries and has detailed profiles on hundreds of companies that are kept up-to-date by volunteers around the world.⁴³ And in a bid to spawn more powerful research tools in the future, CorpWatch’s open API (or application profile interface) gives other organizations access to the underlying tools and data.⁴⁴ Tonya Hennessey, project director at CorpWatch, says “The CrocTail application has particular relevance at this moment, with the public eye focused on the structural nature of corporate abuses, including multinational tax-avoidance and the use of off-shore subsidiaries to evade responsibility for human rights violations.”⁴⁵

While the SEC might never initiate a project like CrocTail on its own, the agency’s open data policy means it doesn’t need to. Making the data available for third party reuse allows organizations with the ingenuity and impetus to build public good applications around the data—applications ranging from CorpWatch’s advocacy-driven tools to Brightscope’s financial advisor directory, an app built on SEC data that allows investors to do due diligence on the performance of thousands of financial advisors before selecting one to manage their money.⁴⁶

The US Environmental Protection Agency (EPA) is another pioneer and visible leader in participatory regulation. When the EPA set out to produce an action plan for the

⁴³ “About Us”, crocdyl.org (Accessed May 18, 2013).

⁴⁴ One enthusiast built a custom Google search engine that users can use to quickly browse information on a given corporation. Type in a company name and it spits out a list of recent pages, prioritized from a list of websites that focus on corporate scrutiny. Hit the “Controversy” link, and one can narrow the results using a list of keywords such as “human rights” “lawsuit,” “labor violation,” “superfund,” and “abuse.”

⁴⁵ “CrocTail: making government data useable,” *The CSR Digest* (July 8, 2012).

⁴⁶ “PR Newswire, Browse News Releases.” *BrightScope Launches 401k Plan Management Dashboard to Shed Light Into the Future of American Retirement*. Accessed on October 6, 2015.

<http://www.prnewswire.com/news-releases/brightscope-launches-401k-plan-management-dashboard-to-shed-light-into-the-future-of-american-retirement-62260422.html>

Puget Sound estuary system in Washington State, it didn't take the usual public policy route – gather a bunch of insiders together to hash-out a policy behind closed doors. Instead they threw up a wiki and launched an Information Challenge that invited the broader community to assemble relevant data sources and begin to articulate solutions. Over 600 residents, businesses, environmental groups and researchers participated and contributed 175 good ideas according to former EPA CIO Molly O'Neill.⁴⁷ The results included, among many other things, a tree ring database from 2006 that provides an excellent baseline from which to monitor the impact of climate change on local tree species, wildlife toxicology maps for Puget Sound area, and real time water quality monitoring tools, including water measurements taken from local ferries that could complement existing buoy measurement systems. O'Neill said afterwards, "We can actually use these kinds of mass collaboration tools to transform government, not just add layers to government." The kinds of "emergent behavior" you see in cases like the Puget Sound Information Challenge can be applied in nearly all aspects of the regulatory systems, leading to new insights, innovations and strategies that even the smartest individuals couldn't produce in isolation.

After all, government can't always anticipate how society's needs may change or all of the creative ways in which regulatory objectives could be achieved in the future. Nor can government necessarily afford to supply an ever-growing field force of inspectors and investigators with the capacity to stay current with the latest technical, scientific and industry trends. By open sourcing their approach, and particularly their data, regulatory agencies can stay more attuned to emerging issues and social expectations and also leverage the complementary resources and capabilities needed to address them.

To be sure, participatory regulation can only succeed if active and well-resourced citizen movements exist to energize the system and there may be other risks involved as well – not all stakeholders are necessarily motivated by the public interest. Nonetheless, the potential benefits are too great to ignore. Regulators will have to embrace these opportunities while learning to mitigate risks responsibly.

⁴⁷ Wade-Hahn Chan, "4 studies in collaboration; Case 3: Puget Sound Information Challenge", Federal Computer Week (February 29, 2008)

3. Risk, oversight and accountability

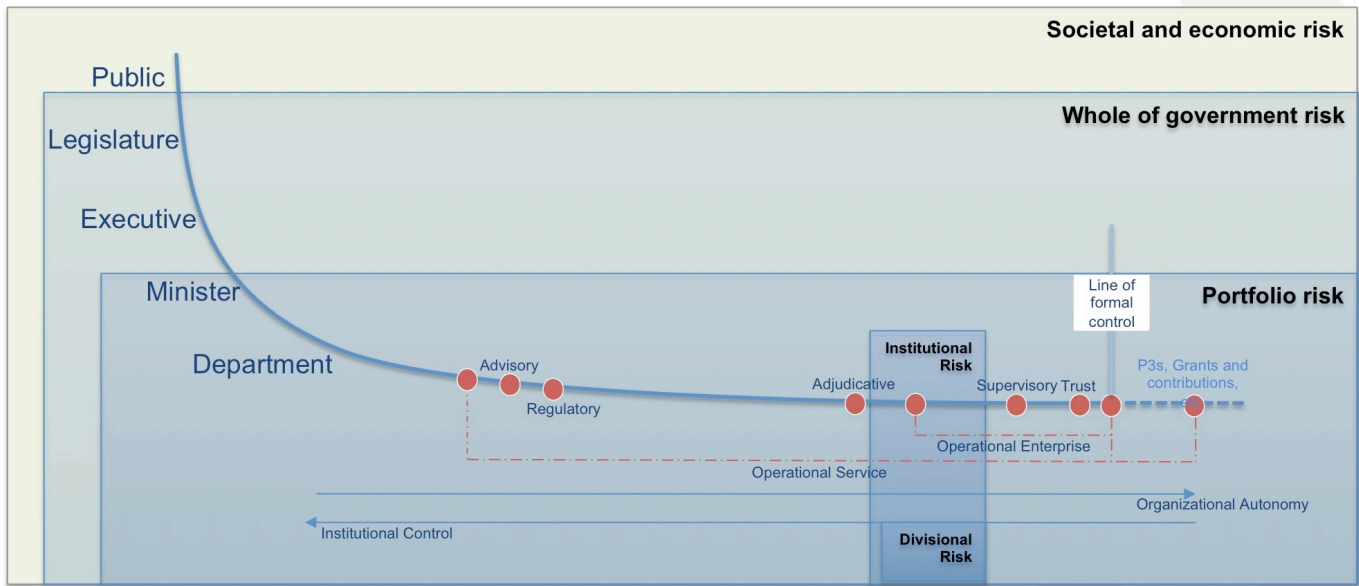
A fruitful way to approach the issues discussed in this paper is to view the clash between Westminster and digital through the lens of risk, oversight and accountability. Indeed, the risks facing public institutions have changed dramatically over the last thirty years. As the preceding discussion reveals, the issues that public organizations must respond to today – and will have to respond to in the years and decades to come – are not what they once were.

Driven by technological, social, economic and cultural factors, the governance landscape itself has been altered. Increased reliance on a distributed governance ecosystem comes with new risks. The appearance of different kinds of agencies and interagency relationships, for example, blurs lines of accountability and introduces the possibility of misalignment, duplication, inconsistency and discontinuity, be it at policy or management levels. Issues straddle agency mandates, placing added stress on traditional organizational hierarchies, and risks may morph or escalate quickly and with little notice. Moreover, because risk migrates across the system – and tends to escalate to higher levels as it does so – the variance of risk cultures poses serious challenges to the residual holder of risk, namely the government of the day.⁴⁸

In addition, as discussed earlier, we live in an age of intense vigilance regarding the activities of public sector organizations, where 24/7 media support unprecedented levels of scrutiny. But this also reflects shifting attitudes in an age of fiscal austerity, where, as we saw above, citizens are viewed principally as taxpayers who may regard with scepticism the public sector's capacity to give them value for their tax dollars.

As illustrated below, in today's fast-paced environment, divisional risks can become institutional, portfolio-wide, government-wide or even societal – and can do so suddenly. In this context, information sharing and cross-agency collaboration are key; but this, we have seen, is precisely where, by and large, Westminster systems as they currently stand, tend to fail.

⁴⁸ Salgo, K., "A Risk Lens On Government." PGEx Workshop, July 3, 2013. <http://iog.ca/wp-content/uploads/2014/02/Risk-Lens-on-Governance1.pdf>



In short, our approaches to risk remain narrowly defined in the public sector. Modeled after the corporate services audit, risk management in public organizations is overwhelmingly process-driven rather than issue-focused. The dangers of risk escalation remain understudied and governance risk itself is undermanaged. As a result, risk management retains an institutional focus and public organizations display little appetite for the 'ecosystemic' approach required to manage risk effectively in an environment where power, information and resources are dispersed. Instead of recognizing the changed nature of risk and the need for a new, more flexible and more issue-driven answer to these risks, institutional responses to changing risks have tended to involve costly multiplication of old compliance and audit mechanisms.

Indeed, it is questionable whether oversight regimes have adapted at all to the new governance landscape. The machinery of accountability has certainly grown increasingly elaborate in Canada at both the federal and provincial levels. The number of official guardians (agents and officers of Parliament, ombudspersons and the like) has increased and continues to rise, for example. Though oversight mechanisms have proliferated, they have not necessarily done so in the right places or the right ways, however. In fact, as the governance ecosystem has grown increasingly dense and distributed, attention has nonetheless largely remained fixed on institutions closest to the centre, and there is little evidence of a genuine appreciation of ecosystemic needs.

The result is that risk and oversight remain fundamentally misaligned and this cannot help but affect the ability of governing institutions to fulfil their primary obligation: to improve public outcomes. Meanwhile, accountability discourse continues to run wild and trust in government continues to decline, as governing institutions and the media discuss symptoms rather than root causes.⁴⁹

If Westminster is to survive the digital age, these and related questions concerning the nature of risk, oversight and accountability will have to be addressed. We should begin by initiating a frank discussion about systemic needs – a discussion in which the executive leadership of our public institutions, elected and unelected, must participate.

Conclusions: Transforming Governance for the Digital Era

Over the next 20 years, an entire generation will retire from government, creating an exodus of knowledge and skills. Many of these people hold executive, managerial or key administrative positions. Recruiting and retaining a new generation of public servants will pose substantial challenges. Just when government most needs an infusion of new and newly thinking talent, disenchantment with public administration as a profession appears to be growing and the public's interest in many of our governance institutions is on the decline. Despite these challenges, there is a silver lining to this stark reality. It creates the opportunity to fill the spaces left behind with innovative practices and institutions that meet the needs and aspirations of a modern citizenry.

As we look to the future, it is impossible to ignore the fact that societies everywhere are facing challenges of unprecedented complexity on a global scale. Sustaining modern life and its mosaic of interconnected economies in the face of wicked problems related to issues such as climate change, energy shortages, poverty, demographic shifts, and security will test the ingenuity of all who shape and participate in the governing process across its full continuum of institutions.

Governments must reconcile themselves with the fact that their authority is increasingly dependent on a network of powers and counter-influences of which they are merely one important part. Whether streamlining service delivery or attempting to resolve complex global issues, governments are either actively

⁴⁹ For further discussion see Cargnello, *Accountability in an Age of Production*.

seeking – or can no longer resist – broader participation from citizens and a diverse array of stakeholders. Just as the modern multinational corporation sources ideas, parts and materials from a vast external network of customers, researchers and suppliers, governments must hone their capacity to integrate skills and knowledge from multiple participants to meet expectations for a more responsive, resourceful, efficient and accountable form of governance.

The first wave of digitally enabled “e-government” strategies delivered some important benefits, but too many of these initiatives focused on automating existing processes and moving existing services online. The coming wave of innovation presents an opportunity to stop tinkering at the margins and redesign fundamentally how government operates, that is, how and what the public sector provides, and ultimately, how governments interact and engage with citizens.

This is truly an exciting time for governments, a time where they can and must rise to these challenges and where they can play an active and positive role in their own transformations. The process itself is likely to be both exhilarating and painful, but the price of inaction is a lost opportunity to redefine governance and defend, shape and advance the public good.

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