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Discussion

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DISCUSSION FOLLOWING THE REMARKS OF DR. HILL AND MR. CRANE

QUESTION, MR. LADD: Perhaps you could comment on who are the beneficiaries of the expenditures of these huge amounts of money spent today for influence. Are they not the media, television, and print? Where do the politicians spend their money if it is not on television spots? Why do they need to raise money if it is not for television spots? If that is not the case, do you not have somewhat of a conflict of interest in taking that position?

Second, with respect to privacy, would you please comment as to whether or not the people who go on-line and make comments on the Internet should perhaps be required to be identified? Should someone who wants to post a notice on a chat group that is contrary to the opinion of some particular politician who may have been inappropriately attacked identify themselves in contrast to someone who chooses to read something on the Internet and is not necessarily tracked?

ANSWER, MR. CRANE: On the conflict of interest question, I am not too worried about that, since most advertising dollars goes into television. More seriously, I think that there is no doubt that election campaigns have become very expensive, primarily due to the electronic media. When I look at the advertising revenues that a newspaper such as ours earns over the course of the year, it is peanuts. I would think, even for CBS, if they added up the revenue from political commercials, it is still not huge relative to all the normal business commercials that are being purchased. Of course, those are not the only places where money goes.

These days, you have a whole industry of political consultants, spin doctors, and an array of other people working on a campaign. You cannot run a campaign the way you did thirty years ago, where you had a campaign manager in your district or constituency, and you got volunteers to do all the little things. Those things still happen, but the money that is spent on polling, focus groups, and research to create negative ads is all very costly.

On the issue of identity and privacy, I recognize that it is a very serious issue, but I am not quite sure what the answer is. From a law enforcement point of view, the answer might be to deal with encryption. I think that law enforcement agencies should have some access to identities on that basis. I know a lot of people disagree with that, but if terrorists and criminal groups are going to be able to make greater use of the Internet, we have to have some way of addressing that problem. I am not sure whether the Canadian

legislation deals with the identifier issue. So I recognize it as a problem, but I cannot give you an intelligent answer right now.

QUESTION, MR. LEVY: I happen to disagree totally with you, Mr. Crane, with regard to the issue of where money goes in political campaigns. I have been able to run a political campaign in the last season here in Ohio. I would say the vast majority of money, particularly for any statewide race or national race, is spent on a media budget of one sort or another. If you are doing polling or focus groups, you are doing it in order to make better buys of media time. The largest expense for any sort of campaign is going to be for television spots. For example, I was talking with Senator Mike DeWine just last week about this. He said that, in order to run a statewide campaign here in Ohio, you have to make media buys in seven different markets. He is going to spend eight million dollars this year in a non-competitive race. Those numbers keep going up.

But my question is really more for Dr. Hill. You had mentioned you felt that, in ten years or so, there would not be privacy to some degree or another. I am wondering if, because it is a fundamental right – though one not specifically elucidated in our Constitution – where is the line in the sand? That affects quality of life as one of those fundamental principles that we, in our generation at least, have come to expect to one degree or another.

ANSWER, MR. CRANE: Let me just deal with the political point. I do not know what the situation is in the United States, but in Canada, the television networks are required to provide a certain amount of free time for political advertising. That reduces the pressure. Also, there are fairly strict limits on campaign expenditures. That is another way to deal with the problem, limiting how much people can spend. Perhaps you have those limits, too. I do not know.

COMMENT, MR. LEVY: No, we do not. The Supreme Court has said that they infringe on people's right to express themselves.¹

COMMENT, MR. CRANE: In Canada, we have three areas within which our candidates must operate. First, the candidate gets some free commercial television time. Second, there are limits on what a candidate can spend and when they can spend it, and there is a restricted time period for television advertising. Thirdly, and I think the United States does this as well, there is some public funding of election campaigns. I do not know which country is more generous, but I guess both countries have that. When it comes to media spending itself, I think that the bulk of those dollars does go into television. I would guess that radio would be second.

¹ See generally *Buckley v. Valeo*, 424 U.S. 1 (1976).

COMMENT, DR. HILL: I would love to join this political campaign finance discussion. If you ever get to prohibitions on campaign finance raising, then I will join it.

I do not think privacy is something where there is a line in the sand. I think it moves. Privacy is a relatively new notion, and there is a reason it is not mentioned in the Constitution. It is a more modern notion and it was not an issue during the constitutional period. It would not have occurred to the Founding Fathers to worry about privacy very much. That is why we struggle with it.

I was thinking as David was talking about the problem of tracking who is on the Internet and why that is a problem. I was thinking back to the "Melissa" virus episode. "Melissa" was tracked in several different ways, but they almost got to the perpetrator by following the track of the identifying numbers that Microsoft Word leaves on word processing documents. They had found that the guy who was writing the virus had written a lot of messages and left them in chat rooms. Unknown to him, he was leaving behind a digital signature from his document every time he did that, and they were within hours of getting him because of that.²

That suggests to me that we should look at that question and ask whether we want to eliminate that possibility. I think society will at least consider that there is some value in knowing who took a library book out. If we did not keep track of who took the books out, anyone could just take them out and keep them. So, we have for centuries recorded the name of whomever took the book out on a little card, and all the names of the past borrowers are on it as well. The difference with electronic storage is that you can instantly determine everybody who ever took out that book, as well as trace every book that an individual ever took out of the library. That changes it quantitatively, but I think that over long periods of time, utilitarian concerns trump the concerns about fundamental rights. It is not something that I necessarily favor, but I think that is where we are heading.

COMMENT, MR. CRANE: To prolong this, we have made more information about ourselves available to people, but we have also brought in, in many areas, very strict confidentiality rules. The most obvious example is medical records, at least in Canada. There is a great deal of concern about the confidentiality of medical records.

The other issue is one of access. One can go to a library and borrow a book, but you cannot walk into the library and ask to know all the books that someone has borrowed. They would tell you that is none of your business.

COMMENT, DR. HILL: You would have to get a lawyer involved.

² See John Markoff, *When Privacy is More Perilous Than the Lack of It*, N.Y. TIMES, Apr. 4, 1999, at D1.

QUESTION, MR. WOODS: Yes. On that point, my take on privacy is that you have to think about context. Everybody here enjoys a great deal of privacy, but there are a lot of people in the world for whom privacy is their last priority. In a lot of places, families of eight or more people are living in two rooms, and the concept of getting something to eat is much more important than privacy. Technology, and everything else for which we in North America have used our wealth, has allowed us to have these really informed debates about privacy, but I think you not only have to look forward to the possible diminishing of privacy, but you also have to look at the rest of the world and take a look backward.

I wonder if both panelists could tell us their views regarding leadership. I am not just talking about political leadership, nor just about the United States or Canada. The basis of technology is good for its own sake. But where is the leadership going to come from so that we can point the technology in the right direction and use it for the good? Then, the next question is, how are we going to define what that good is? What is good and what is bad? Are we moving into total situational ethics and technology for its own sake, or is there some sense of where the leadership is going to come from to make these informed decisions?

ANSWER, DR. HILL: The medieval historian, Lynn White, did a study years ago of the chimney. The chimney was invented in Europe in the fifteenth or sixteenth century, maybe even a little bit earlier than that. It made it possible for the first time to build dwelling places that had fireplaces in each room. Once you were able to have fireplaces in each room, then in the winter, everybody did not have to sleep around the hearth in the center of the room. That was the beginning of the value of privacy. Maybe the invention of the chimney was driven by the demand for privacy – we can make that argument, too – that for adults not to have to have intercourse in front of their children would have been a nonsensical notion prior to the invention of the chimney.

COMMENT, MR. WOODS: There would not have been any kids otherwise!

ANSWER, DR. HILL: Right. And we know that there were lots and lots of kids, and so there must have been lots and lots of intercourse going on in front of the kids. There is a lot of shifting around owing to technology and this very slippery notion of privacy.

The idea that technology is out of control is a very familiar theme in the literature on technology in society in our time. I happen to think it is largely a wrong-headed analysis of the situation. My sense is that there will always be somebody in society someplace who will try something. There will always be a Dr. Kevorkian. There will always be guys in Scotland cloning sheep.

There probably are very wealthy people someplace, maybe even at the Cleveland Clinic or somewhere else, cloning themselves or having themselves cloned for the future. There will always be somebody who will do it, then somebody else will do it, and it will grow incrementally. You started with Dolly in Scotland, and in now Korea, they have cloned ten cows. The next thing you know, it does not hurt so much anymore. New technology happens not because it is somehow an autonomous force out of control, but because there is always a group of people someplace who are willing to try an experiment. Then it becomes like an infectious disease that spreads throughout the culture.

As to leadership, I honestly do not know how to relate to that question. It seems to me that, in a diverse society made up of nearly 200 nations worldwide, and thousands of ethnic groups and value sects, leadership comes from all those places. The notion that there would be any kind of central guiding spirit about where we would like to go is outdated. We are not in the 1840s anymore.

ANSWER, MR. CRANE: It is always very hard to know where science is going to go, so you cannot direct it. There are three examples I encountered a while ago. First, when Einstein did some work around the time of the first world war in solving some mathematical equations, he laid the groundwork for laser systems, but he was not thinking of developing a compact disc or anything like that when he was doing this work. Second, the scientists who worked in genetics in the 1930s were not thinking of creating a biotechnology industry; they were pursuing the solutions to scientific puzzles. Finally, even with the invention of the transistor at Bell Labs, people saw very few commercial applications. I think the main application people saw was a better hearing aid, and yet look where the transistor has taken us. This all goes to show that it is very hard to direct where technology will lead us.

I think that one of the ways that you can find leadership in society is to get society to agree on a problem that needs to be solved. We can all agree that we want clean water, that we want to address the issue of climate change, and that we want to have a war on cancer. We can organize our incentives and funding and those kinds of things to, in the words of Chairman Mao, "let a thousand flowers bloom" and see where people go with it. You can reach a consensus on a societal problem that brings together not only people in applied research, but also people in basic science, promoting interaction among all of these people. That is one form of leadership, using science to solve a problem. In effect, that is how the Green Revolution came about – we were trying to solve a problem. So that is the one area where I see a capacity for leadership, solving a problem, or getting society to agree about what the problems are.

QUESTION, MR. GIBBONS: So far on the Internet, every time there has been a problem, there has been a technological solution. Junk mail led to anonymous e-mail. Pornography led to Net Nanny, CyberSitter, and the other parental lock-out programs for the Internet. What should be the role of the government in facilitating a technological solution or legislating solutions for the Internet?

ANSWER, MR. CRANE: I think that in some instances you can legislate, and in some areas you cannot. You have to take a very pragmatic approach. Often these questions are couched as "either/or" questions when they really are not.

QUESTION, MR. ROBINSON: I am struck by the disjunction between the session we had this afternoon, which was all about product liability and the extreme caution that the private sector is encouraged to adopt because of problems they might have in technological change, and the seeming inevitability that we apparently are promoting from the media perspective tonight.

I guess my question is, is the media at large paying enough attention to the court system and to state legislatures?

ANSWER, MR. CRANE: No, I do not think it is, and one of the sad things about what is happening today is that so much of what goes on in our society and so many of the decisions that are made, as well as the process of decision making, is totally ignored. I could even use a small example in the Canadian Parliament. We have a fairly vigorous session each day called the question period where opposition members question the Prime Minister and members of the Cabinet and try and make political hay out of this.

Our Parliament spends most of its time in committee hearings and debating legislation, and those proceedings are almost totally unreported in Canada today. You cannot pick up any newspaper, except on the rarest of occasions, and read about something such as a debate over the bombing in Serbia. The average Canadian has no idea what is debated in Parliament or in all these committees, where you may have a succession of witnesses appearing for and against new environmental legislation or legislation on biodiversity. The public is kept in colossal ignorance. In the main U.S. papers, the *New York Times* and the *Wall Street Journal*, you will occasionally read about something happening in a congressional committee. Somebody may decide to write a story on something like the debate on privacy and the Internet, so they will go back into the record of committees and pull things said by a member of the administration testifying on very major issues. But there is an enormous amount of work and activity about which the public never knows. It is a challenge to find a way to do it economically or with the space and attention span of people. I feel that is a very serious problem. It is the same

with reporting what happens before the conclusions of regulatory agencies of the courts. We live in a world of colossal ignorance about most of that.

ANSWER, DR. HILL: I have lived in Washington for most of the last twenty-two years, and for most of that time I have read the *Washington Post* every day, the *New York Times* when I have time, and sometimes the *Wall Street Journal*. But, when I went across the river five years ago to work in Northern Virginia, I suddenly discovered the importance of the *Richmond Times* and the *Fairfax Journal*. So, I think it is probably a mistake to establish an identity between the media and the *New York Times*, the *Washington Post*, and NBC and CBS. There is a lot more going on, especially now with the Internet, and all this stuff is available.

That brings me to my second point. I am a lot less worried about the fact that the public cannot get access to what went on this afternoon in the Government Affairs Committee on some arcane matter of administrative law or something like that. It is really quite unrealistic to imagine that every citizen pays attention to every issue. Most of us in the room are probably pretty highly attentive to the world around us. Also, most of us, if I can use a little vernacular, do not know diddley-squat about what is going on in the world. We cannot possibly know very much about almost everything that goes on. We only know about the little arcane area in which we work. That is what special interests are about. The reason we have special interests, lobbyists, lawyers, groups raising money, groups spending money, and groups bending the ears of politicians and trying to make things come out their way is because, in some sense, they are reflecting the various interests that we have. If they did not reflect somebody's interests – granted, it can be the interest of just one very wealthy individual – they would not exist.

So long as we have a vigorous representation of diverse views through special interests or organized special interests of all kinds, I think we are in good shape. I do not worry that neither I nor my mother know everything that is going on every day. We just cannot know it all.

COMMENT, MR. CRANE: Well, if you felt there was a good balance between all the interests, you might feel a bit more comfortable, but from the issues I have followed, I have seen a disproportionate emphasis on a narrow set of interests. It is true that there is a lot of information available on the Internet, but there are also only so many hours in the day to look at it. I do not know about the United States, but in Canada, I think only about fifteen percent of families are connected to the Internet at home.

It is certainly true that there is a great deal of information available on the Internet, if people have time to access it and know how to access it. But it seems to me that the function of a newspaper, whether it is electronic or in physical print, is to cull a lot of this information and bring it together to peo-

ple in a manageable way. Even if newspapers became obsolete and you had Internet-based newspapers, you would still have to have a lot of people sitting down going through everything and organizing this information. The editing function is still very important.

The point I was trying to make was that, in much of the activity in our society, that editing function is not taking place. It seems to me that it is very difficult to have a responsible democracy if a lot of that activity is unknown to the public or is not easily accessible by the public.

QUESTION, MS. JEFFREY: I would like to raise the issue of access in a more direct way here. I will just preface it by saying that the work that we are doing at the University of Toronto involves setting up forums to create digital democracy and share best practices of civil society. There are many of us engaged in this type of experimentation, but I know in Canada we have been looking for a national access strategy, which had been promised for the end of 1997. There are lots of good efforts taking place. Americans are doing a variety of things about which I am aware, but I really think that we do not do ourselves any favors if we talk about the question of democracy, media, and citizenship without recognizing that this is a major transformation. Some of these digital technologies are actually going to make a fundamental difference in full digital citizenship and in the ways in which we live our lives and do our work. This does not only affect us as consumers, but also as producers, able to learn with the lifelong learning available to us about all the issues that have been brought up. We have to address the point of access.

I would love to hear your answer. You have three types of policies here. They are all relevant to access, as far as I can see: developmental, technological, and managerial. David, I know you have already been in our visionary speaker series, but I would love to hear you just link on that specific point of access.

ANSWER, DR. HILL: A personal computer and a modem ten years ago sold for probably \$10,000. Now, you can buy a personal computer and a modem and get on the Internet for less than \$500. By contrast, I pay \$750 a year for newspapers. Access is probably never going to be free the way television seems to be. Television, of course, is not free, it only looks like it is.

It seems to me that we have made one heck of a lot of progress in access to the Internet. It has only been relevant to this kind of conversation for five years, and we are already up to twenty-four or thirty-one percent access. As imperfect as that access is, it is growing like crazy, but we should not be satisfied with it. The cost has come down by at least a factor of ten during that period.

ANSWER, MR. CRANE: I think Chris is right. The costs are being driven down. We are getting new appliances which are going to become

cheaper and cheaper. However, somebody who has a poor education and very little income is not going to be on the Internet for many years to come.

I am more concerned right now with the data supplied by Statistics Canada about what is actually happening in people's homes. If you divide the population into quintiles, obviously the top couple of quintiles have much greater access to the Internet than the bottom quintiles. The sort of hands-on experience that kids in the top quintiles get at home, surfing and learning how to use the Internet, is available in a much smaller degree to kids in the bottom three quintiles where there was much less access to the Internet at home.

QUESTION, MR. WOODS: I think the problem is more than just a question of the public not delving deeply into the Senate hearings or the House of Commons hearings. Their attention is being directed at the personal foibles of leaders like presidents and prime ministers, and that focus takes up all their time. It is the sound bytes.

What happens to informed public debate about the real policies? I think that the media has a role to play, too. But the fact is that the focus, at least in the last year or so, has been on personal foibles of politicians, and when big, big policies come under scrutiny, the first bunch of questions that comes from the press is, do you have the moral authority to say anything about this based on your personal activity? Of course, politicians and other government officials have to bear certain scrutiny, but the discussion and the focus on these particular sound bytes is creating, I think, some danger. Maybe that is why people do not vote anymore.

ANSWER, MR. CRANE: Everybody wants to make their job as easy as possible, so for journalists covering politicians you have just described the easiest way of doing it. When I first went to work for the *Toronto Star*, we had a very tough publisher, and we were forbidden from describing any problem as "complex." He said our job was to make it un-complex. That is still a basic responsibility of a news organization, to work hard to make things understandable.

COMMENT, MR. ROBINSON: I would just like to end with a short plug for David in favor of more editing.

COMMENT, MR. CRANE: I should be edited more?

COMMENT, MR. ROBINSON: No, you should be doing more editing of the junk that is on the Internet. My impression is that most of what is on the Internet is equivalent to flyers in your mailbox. It will grow exponentially, and what we are really going to need are knowledgeable people to review and edit it and throw out the junk so we can get access to meaningful commentary on the Internet instead of what we are ending up with, which is just nothing more than glorified advertising.

COMMENT, MR. CRANE: We are moving towards intermediaries on the Internet. The *New York Times* is highly regarded and trusted because people think it does an honest job of trying to decide what it should report each day in the space it has. I think that on the Internet, you will have entities that do that same thing. They may be the *New York Times*, the *Toronto Star*, or others. We are already seeing that happening, and people will be able to subscribe to these kinds of services. That may be the future of newspapers.

COMMENT, MR. ROBINSON: They sell them in England like that.

COMMENT, MS. SZEL: Well, that brings to a close the marathon day set up by Henry King. Before we all leave, I would like to, on behalf of everyone, express our appreciation to David Crane and Christopher Hill for their thought-provoking and well-expressed points of view.