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Silicon Valley's Foreign Policy

By Ernest J. Wilson III

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On Wednesday, January 18, thirty-one members of the United States Congress were known to oppose the Stop Online Piracy Act (SOPA) and its sibling, the Protect IP Act (PIPA).

By the next day, the number of Representatives and Senators opposed or leaning towards opposing the bills skyrocketed to one hundred and one. And by the day after that, the bills' lead sponsor pulled them from consideration.

How did such an abrupt policy transformation happen? How did the White House come to issue a statement opposing the bills, even if it meant alienating a traditional Democratic constituency—Hollywood?

SOPA and PIPA were quashed because Silicon Valley, at long last, came together and started acting like the information age colossus that it has been for a long time—but had somehow collectively failed to realize.

The SOPA defeat engineered by tech titans and their online friends and followers was much more than a two-bill success. Instead, it is the belated but finally-here harbinger of the leaders of the new economy realizing just how influential they can and must be regarding policy issues.

For years, I've argued that Silicon Valley needs a foreign policy, and that the United States needs a Silicon Valley Foreign Policy. For years I've likewise argued that Silicon Valley has been punching far below its weight, politically. But even that traditional boxing metaphor I intended died the moment SOPA was felled. The contemporary manner that the spiking happened was the business, social and legislative equivalent to what mixed martial arts has become to boxing: the present vs. the past.

Legislation championed by traditional insiders and designed to address a definite and widely acknowledged problem—international theft of copyrighted intellectual American property—didn't for the time being even make it to full House and Senate floor for discussion.

How Did We Get Here?

A nation's foreign policy, especially its foreign economic policy, typically reflects its basic economic structure. The transformation of the American economy from a manufacturing economy into a service economy with information and communications at its core is complete.

The economic epicenter of innovation and progress has shifted decisively from Detroit and the industrial mid-west heartlands to Silicon Valley and other high-tech frontiers such as Boston/Cambridge and the Raleigh-Durham Research Triangle.

But while the economic weight of high-tech grows quickly, its political weight remains relatively paltry and its engagement with policy making, underdeveloped. In order to lead in the new knowledge, digital and distributed economic and strategic future, the private sector needs to operate more effectively internally and in its relationships with government. The economic and strategic gains of doing so are great; the costs of failing to do so will be destabilizing for America's future growth and global influence.

In 2007, according to the U.S. Chamber of Commerce, 60% of total U.S. exports derived from intellectual property-intensive industries. *Forbes* reported that during 2010 fifteen of the top fifty U.S. brands came from the tech sector. Standard & Poors statistics cited info tech as the sector with the highest market capitalization, beating out health care and financials. During 2011, Apple became the world's most valuable company. And although Department of Commerce economists continue to insist that the value of U.S. exports of information or content won't surpass manufacturing or industry any time soon, experts such as MIT's Erik Brynjolfsson suggest that the federal government's methods of measuring Gross Domestic Product are outdated in an era when the worth of an automobile may reside as much in its information technology systems as in its steel.

The nation's structural transformation from manufacturing to information has affected America's export profile as well, with

content—movies, software, games and search engines—now seen as the visible expression of America's soft power as well as its economic influence. Yet despite the unassailable economic weight of digital age companies, their political weight pales in comparison. Their political flabbiness has usually negatively affected what they can achieve globally and in the nation's capital.

The Washington, D.C. offices of the top ten high-tech companies were dwarfed by the operations of the top ten industrial firms—automobiles, oil, pharmaceuticals, etc. The American Petroleum Institute employed nineteen and worked with 54 outside registered lobbyists in 2010, according to a Center for Responsive Politics compilation. Meanwhile, Apple employed three and worked with nineteen. The Alliance for Automobile Manufacturers had three staff and thirteen outside lobbyists. Facebook had a combined total of two. (Google's growing Capitol Hill presence is more the exception that proves the rule.)

Partly as a consequence, American foreign economic policy that should be promoting fast growing, innovative sectors is instead a hodge-podge of uncoordinated, often ineffective efforts that do little to advance the economy of the future. Poisonous U.S. domestic politics holds much of this captive, but there are other key reasons worthy of careful explanation if the nation hopes to match its economic influence with its ambitions and interests.

Bluntly, the high-tech companies of Silicon Valley and other digital locales wasted years punching politically below their weight, especially on the international front. This mismatch between economic heft and political power was as consequential as it is curious. Curious because observers assume political and economic capabilities tend to be roughly commensurate. Consequential because in every successive economic age, companies' competitive successes at home or in international markets can be significantly helped or hurt by government policies toward taxation, employment support, access to capital and other ingredients of corporate performance. Company successes, in turn, shape the employment

opportunities for American workers, investors and eventually the economic record on which Presidential hopefuls and other elected officials run for office.

Curious and consequential mismatches in the economy-politics ratio are not uncommon in history. During the transition from agriculture to industrial economy that took roughly a century (1760–1870) to develop in Britain and then the U.S., the power of entrenched agriculture interests ensured generous price and export supports while programs to help fledgling industries were initially sporadic and begrudging.

In the U.S., southern agricultural interests branded the industrial-protectionist Tariff of 1828 as the “Tariff of Abomination” and four years later, Congress lessened the tariffs. Even today, by some calculations, \$16 billion of federal money flows annually into agricultural subsidies—while agriculture’s share of the gross domestic product hovers around one percent. In certain circles, the nation’s most important agricultural interest today may well be considered FarmVille.

Those circles are growing, becoming more confident and more restless. For example, more than ten million online signatures were gathered in protest of SOPA and PIPA. More than 155,000 websites participated in various forms of content withholding. Wikipedia’s blacked-out page was liked or shared more than 1,200,000 times. The #SOPA hashtag received more than 2,200,000 tweets.

This SOPA quashing did involve some traditional lobbying—but clearly this was not an “astroturfing” phenomenon. K-Street representatives of the inter-tech alliance, NetCoalition, were at least briefly active. For an ephemeral period leading up to SOPA shelving, NetCoalition’s Twitter feed poured out opinions. But since SOPA pivot day, January 18, there have been zero missives. Does this signify the beginning of the end of K-Street? Or K-Street halting hiring former D.C. heavy hitters and instead hiring armies of social media whiz kids? Those are important but corollary tactical matters.

The much bigger question now is, imbued with confidence and an unusual success, will the relative weight of advocates of more attention to matters digital in America's foreign and national security increase and the protectors of the industrial past finally wane? They may well, and if so, then government policy makers will start to independently recognize that the country needs a new approach to trade and investment. Think tanks, policy institutions, public intellectuals and academics will press harder for a large-scale rethinking of how international economic policy, traditional diplomacy, multilateral agencies, non-state actors and human rights should be crafted into new long-term strategies. But the U.S. is not there yet and the country risks paying the price for adhering so closely to policies of the past.

Before SOPA, there were some signs of a shift in policy portfolio toward more sophistication about digital goals and digital tools regarding, for example, human rights, economic policy and national security. Secretary of State Hillary Clinton has frequently spoken out in favor of Internet freedom around the world; the rhetoric accelerated to material support during the Arab Jasmine Revolution. On the economic front, government agencies like the Office of the United States Trade Representative (USTR) may press for greater attention to intellectual property rights (IPR) policies in China and elsewhere. And the Defense Department has set up a new command for cyber-defense and cyber-war. Still, these are the exceptions to the government's current practice of looking in the rear-view mirror instead of keeping eyes firmly on the road ahead into the world of bio-technology, knowledge management and digital diplomacy. The structure and content of America's overall foreign policy lags way behind the global realities of today and tomorrow.

Smart Phones, Smart Power

During the past decade, farsighted analysts in nations both developed and developing have recognized that industrial era, backward-looking policies of hard power and pre-emption were inappropriate—and dangerous—to protect national security and to

project national power in a networked digital world that demands a subtler mix of soft power and hard power. Both guns and diplomacy are needed, but combined in more sophisticated ways. As Harvard's Joseph Nye wrote in a *Los Angeles Times* op-ed:

“America can become a smart America—a smart power—by again investing in global public goods, providing things people and governments of the world want but have not been able to get in the absence of leadership by the strongest country. Development, public health and coping with climate change are good examples.”

Nye and others apply ‘smart power’ mostly to the mix of hard and soft power. But the logic of the argument also holds true for the right balances in other policy areas, whether economic, human rights or other global issues. Given the dangerously unstable condition of the U.S. and the world economies, leaderships need to be as smart about mixing modern foreign trade, investment, immigration and IPR policies as about smartly integrating force structures, weapon development and troop deployment with traditional and public diplomacy. What former Defense Secretary Robert Gates has written about the need for balance between military and diplomatic power holds true as well for pairing historical commitments to manufacturing and industry with new commitments to sectors such as bio-technology, green industry and computing. The country needs a balanced security policy the same way the country needs a balanced portfolio of economic incentives and disincentives.

Virtually the entire spectrum of foreign policy experts agree that the U.S. needs to craft more sophisticated foreign economic policies that take account of the new digital, distributed economy. Economic efficiency and innovation are essential elements of 21st century power that will only continue to grow in importance.

But even here the debate in the upper reaches of the policy establishment remains disappointingly rudimentary. Richard Haass, President of the Council on Foreign Relations, published an essay in *Foreign Affairs* using the rubric ‘restoration’ as a rallying cry for reducing unnecessary foreign entanglements to focus on getting the

domestic economic “house in order.” Certainly the debt ceiling fiasco and other follies underscore the need for better economic policies at home and abroad. But the fact of the matter is that America must build a new house for the future, not shore up ramshackle houses of the past. The Council took a step in the right direction when it convened an “Independent Task Force on U.S. Policy in the Digital Age,” of which this author is a member.

American administrations—i.e. President Barack Obama’s team—must reform the content, structure and instruments of American foreign policy to better reflect the new content and structure of the American economy and its exports. It needs to support the conditions for continual innovation, especially radically enhanced educational and research infrastructure to create a post-industrial, knowledge-based economy. The U.S. needs “smart” foreign economic policy just as the country needs smart and balanced national security policy.

One think tank report after another—and a wide range of trade association studies—call for a better blend of smart education policies and tax incentives for greater innovation blended together to construct an American future of higher productivity and better jobs.

The federal government must have an end point in sight, a long-term purpose to its policies. Calling for better policies is not enough. As with domestic policies, foreign policies should support a transition to a high value, job-creating and constantly innovating economy. Policies should nurture innovation and promote technology by the high-tech eco-sphere at home and opportunities for export, collaboration and awe abroad.

The nation must move beyond providing tax incentives for oil drilling and manufacturing exports. Such a smart power¹ is essential for small nation states such as Singapore as it is for large nations such as India and the U.S.—both of which will at some point re-shape their respective foreign economic policies to reflect their shifting interests in that way that China is deliberately knitting together a muscular straight-ahead international resources polices in Africa

with a well-financed soft power offensive *and* pumping money into Chinese science and technology institutions.

But preventing a more sophisticated foreign economic policy is the basic fact that policy comes from politics and the politics of America's high-tech industries right now are disjointed, uncoordinated and incoherent. Government by itself, especially in today vicious, zero-sum political climate in Washington, is nearly paralyzed. It needs outside pressures pushing in a progressive direction to be able to move forward. This means that individual firms, trade associations, think tanks and others need to step to the fore with their own positions and press the administration and Congress to stay focused on—sustainable, inclusive economic growth based on serial innovations by legacy and startup firms.

A full treatment of all these complex issues is well beyond the scope of a single essay. Instead I seek to explain the failures of the leading high-tech firms to match their economic weight with policy weight. In the U.S. political system, where there is significance underperformance of core constituencies, then it is unlikely that weak public institutions—whether the USTR in the White House, the Commerce Department or the Congress—can act on their own, and the public interest suffers. This essay concludes with steps that stakeholders need to take to ensure that the foreign policy of the U.S. can begin to reflect the emerging if contingent conditions of the digital, distributed future, letting the policies of the past slip back to where they belong.

Three Previous Key Episodes

The pace at which digital issues appear on the daily policy tasks of senior executives in government, the private sector and non-profits is accelerating. Three episodes exemplify the complex and often contradictory dynamics in the spaces where private actions and governments interests intersect in the realm of digital diplomacy and national security—the Google-People's Republic of China dispute, the Jasmine Revolution and WikiLeaks. While different

in many respects, these episodes also share the difficult boundary-crossing nature of so much of “digital diplomacy.” The first involves a huge American multinational at odds with the government of the largest country in the world with the second largest economy over issues involving corporate commercial strategies, even as they touch as well on human rights and freedom of expression.

The Jasmine Revolution began with freedom of expression in authoritarian societies (which are mostly allies of the U.S.), and eventually saw American operatives supplying “internet in a box” technologies to aggressively subvert those same recent allies. And WikiLeaks goes to the heart of cyber-security issues in an episode only imaginable in the age of digital communications technology. The Google vs. China conflict commanded the attention of members of government, industry, the media and the general public unlike any other such recent corporate-state dispute—talk of “Twitter Revolutions” included.

In part, the explosive interest in the Google v. China conflict reflected the significant issues at play: Internet access, freedom of information, business growth, ethics and compromise. But greater still, the popular interest in the Google-China collision highlighted the lofty status of the two leading actors. Google operates the world’s most-visited website, and has one of the highest market capitalizations in the United States—\$170.12 billion as of this writing. China is the second-largest market in the world, still expanding at a growth rate of about 8-9% a year. Both entities are customarily at the center of economic and political discourse, both inside the Beltway and beyond.

The Google v. China dispute represented an interpretive challenge: Was this the edge of a wave of greater corporate engagement with governments to force a new foreign policy for a new age? Or was it an important but idiosyncratic one-off event? Until SOPA—which incorporates a “world is flat” twining of domestic and foreign policy—the answer seemed clearly to be the latter. The company-country conflict occurred along the way

of a multi-year metamorphosis towards a new economic and legal framework for firms, states and their interactions in the design of a new global knowledge society. Here is where political and policy decisions could help or hurt economic expansion. And where foreign policy and its U.S. domestic counterpart will be increasingly important to America's future. The China-Google dispute did at least produce some changes in the attitudes of people in positions of leadership on both sides and among those watching closely. Now add the SOPA action and note that these adjustments are the *sine qua non* for subsequent and eventual change, as attitudes ultimately translate into action.

As in any industry, there is a wide range of high-tech company CEOs who do engage in international affairs. Eric Schmidt, for example, the current Google executive and former company CEO, not only navigated the enterprise through the China situation but later co-authored a *Foreign Affairs* essay about “the interconnected estate,” a reflection on the traditional model of the media as the fourth estate. And, Microsoft CEO Steve Ballmer last year called out Chinese businesses for piracy—although not the Chinese government. But many other information industry leaders remain on the sidelines for fear of riling the communist government and risking access to the world's biggest market, even as the PRC turns up the screws on U.S. companies to bend their rules and corporate behaviors to give Chinese privileged access to IPR. This is certainly an area where the agencies of the U.S. government—and American trade associations—need to do more. SOPA, meanwhile, stirred even the shyest of the Silicon Valley heroes. Facebook founder Mark Zuckerberg, the media breathlessly reported, posted to Twitter for the first time in more than two years. What was the tweet's message? Oppose SOPA.

Why the High-Tech Corporations Fail to Leverage their Power

The origins of the Silicon Valley *et al.*'s longtime economic-political power gap lies in a variety of interacting factors that together limit the ability of individual high-tech corporations and their

leadership to come together to take mutually-beneficial collective action. Some factors are long-term and structural and cannot be overcome easily. Other factors are, like certain continental plates, perhaps doomed to drift apart, with occasional significant eruptions. But others are more dynamic and capable of being leveraged. The structural factors include Silicon Valley's corporate culture as well as the sheer distance from the region to the nation's capitol.

The difference between a 3,000-mile coast-to-coast plane ride and a 230-mile Acela rail trip makes a quick Beltway visit to attend a breakfast, testify before Congress or golf at Burning Tree Club far more routine for a Wall Street executive than for someone departing from Norman Y. Mineta San Jose International Airport or Moffett Federal Airfield. An even greater gulf may be the lack of interest by Valley executives in visiting Washington, D.C. The start-up culture in the Valley is disproportionately libertarian in its emphasis on individual choice and a mistrust of collective—read: federal—action.

Those factors are hard to change, but others are more pliable in the short and medium term. The relative youth of the founders of firms such as Facebook, Twitter and Google—and of the firms themselves—combined with explosive early growth, steep learning curves, ferocious competition and a need to be first and a high enterprise churn rate lead to a naiveté that is part willful and part unconscious.

Start-ups that endure learn soon enough how Washington, Brussels or Beijing can either thwart or advance commercial interests. Company founders realize—or are told by incubators—that while they are coding all night, they need to bring in experienced CEOs and CFOs to manage by day.

Beyond these important structural and short-term impediments to more political power in Washington, industry insiders frequently point out that what appears from the outside to be one 'high-technology' industry is in fact something quite different. Viewed

up close there is no such thing as a homogeneous tech sector with homogeneous views—including its views about the value of government-private engagements.

There are at least four or five distinct sub-sectors in the high-tech industry. Even setting aside for a moment bio-technology and cutting edge green business, the four distinct sub-sectors are: Content/software companies, equipment manufacturers, search firms and telecoms operators. Each serves different markets, each has different concerns about technology and capital investment. Telecoms companies—such as Mexico City-based Telmex—have long-term perspectives on markets, and often hold cozy relationships with their national governments. Search firms are worried about next week and next quarter and prefer to stay as far away from governments as possible.

This industrial heterogeneity makes it difficult for high-tech firms to come together around common concerns. One former senior trade official pointed out that splits take place between search and telecoms regarding privacy and security issues. The official also noted how differently firms cooperate—or not—with regulatory challenges from the European Union. Even more apparent is the SOPA, content v. carrier split that now divides two of California's—and the nation's—primary economic engines: Silicon Valley and Hollywood. The latter was the clear loser in the SOPA and PIPA debate, steamrolled by social media in such a devastating manner that it recalled the moment when silent movies gave way to voice, or black-and-white films to color.

But generally speaking, across almost all of the branches—or perhaps, circuits—of the high tech economy, points of intimate intersection and commonality remain. Many of these firms partner with others either upstream or downstream or sell to. Almost all of them seek greater access to international markets.

There are three basic outcomes about how these sub-industries will ultimately fit together in terms of their preferred politics and

policy. They will either discover and act on some, none or a large number of overlapping common interests.

If the industries are willing to commit to what can be a hard, slow slog, progress can be made in hammering out common agreements. This means that if the U.S. is to achieve a relatively coherent foreign economic policy supporting ascendant digital age interests then there is heavy lifting ahead for industry leaders to identify those overlapping interests and create a collaborative coalition of high-tech aims. Pulling and tugging in a dozen different directions doesn't serve well a coherent foreign policy. So the first step in forging a new Silicon Valley Foreign Policy is finding those sweet spots of common interests.

The challenge is that while there is reasonable agreement on what the issues are, there is not widespread agreement on how to resolve them—in short, on the trade-offs. The issues include but are hardly limited to: IPR, investment, net neutrality, cybersecurity, encryption, immigration, education, broadband, privacy and standards. Values-based commonalities include: freedom of information, freedom of speech and an open and democratizing voice.

In principle, it should be easiest to reach agreement on education, immigration (H1B visas for skilled positions) and broadband; indeed, there are already industry group reports on these issues. More difficult will be IPR, net neutrality and appropriate standards for next generation Internet. Most stakeholders will agree that the value-based issues are important, but will differ as to the role the government should play in enforcing American views on those issues in other countries—and at home.

Attitudes and Behaviors of Government Agencies

It's one thing for information age corporations to struggle to act in their own long-term political self-interest. Many are more focused on today's profit or tomorrow's IPO. But why isn't the federal government doing a better job of institutionalizing a Silicon Valley Foreign Policy? In interviewing dozens of government officials, I

found the answers come from a combination of legacy institutions, legacy procedures, legacy priorities and legacy politics of foreign policy. The legacy of government regulation and deregulation plays a role as well –utility and telecom enterprises have long histories of deep government give-and-take and therefore, an enhanced vestigial D.C. presence.

Institutionally, no branch of the U.S. government is well prepared to lead the way. Congress is especially ill-suited to take the lead on these issues, especially given Capitol Hill's deeply divided committee jurisdictions. For example, competitiveness and intellectual property rights are part of the dockets of House of Representative Committees ranging from Agriculture to Foreign Affairs to Science, Space, and Technology to Ways and Means.

Even with the 'right' name and portfolio, such as the House Judiciary Committee's *Subcommittee* [emphasis added] on Intellectual Property, Competition, and The Internet, that group's authorities are shared among appropriators and a not quite parallel committee in the Senate. Ultimately, Congress' role is mostly to slow change, not accelerate it. The body holds hearings, but too many to bring sustained focused attention.

The executive branch is somewhat better but still way behind the times. Most government departments and agencies were perhaps adequate for the 20th century, but inappropriate for the 21st. Too often they are insular, slow and lack appropriate technical expertise. There are many federal agencies with portfolios that should give more prominent attention to Silicon Valley Foreign Policy issues. These include, but are by no means limited to, the Departments of Commerce, Defense, Justice and State and various White House Unites.

Commerce, for example, is the home of the National Telecommunications and Information Administration with its own global branch, the Office of International Affairs. The Pentagon has rigorously pursued modernization through its net warfare strategies

and the Revolution in Military Affairs framework. And its high-tech funding arm DARPA helped seed the Internet.

In the State Department, the Office of the Science Advisor is understaffed in these areas. This is somewhat typical of other information and communications technology-related bureaus in Foggy Bottom, such as the International Communication and Information Policy office at State, which coordinates U.S. work in the multilateral bodies like the International Telecommunication Satellite Organization and the International Telecommunications Union. State has taken forward steps, including the mention of digital topics in its first-ever Quadrennial Diplomacy Development Review.

Over the past few years there have been sparks of possibility in several important federal appointments. Alec Ross, Hillary Clinton's Advisor for Innovation, was one, as was his former State Department colleague Jared Cohen, who was recruited away from State to run Google Ideas. There are also pockets of others scattered at the White House, in the National Telecommunications and Information Administration and elsewhere. But individuals do not a new foreign policy make. On the other hand, perhaps generational change can. Ross, during recent remarks at the USC Annenberg School for Communication & Journalism, talked about how the child of a State Department colleague of his had signed an online SOPA petition and brought the matter up with his or her parent at State.

Another major form of influence still matters as well—dollars. A few White House offices possess external influence and visibility, but each has small budgets that can't sustain big programs. For example, USTR hosts a Deputy Representative for Intellectual Property and Innovation. Playing smaller still roles are the Office of Science and Technology Policy at the White House, which has an assistant director, international relations among its 12-person National Security and International Affairs division. The National Economic Council plays a significant role, but is mainly a coordinating body. In all these bodies, authorities are limited and human resources thin

and scattered. But at the end of the day, if the President himself is not driving their agendas, then the White House staff pay attention to the issues the Chief Executive does care about and where he is willing to expend political capital.

Other federal agencies acting in the high-tech arena include the Federal Trade Commission, Department of Justice and especially the Federal Communications Commission. While they are not perfectly decisive, their rulings on competition, vertical and horizontal integration and other ownership issues in domestic markets can be absolutely critical for international affairs. Domestic broadband policy is not an “international” issue, but its resolution will shape the international competitiveness of the U.S. in the emerging digital economy. Managing these intersections of domestic and international policy is as problematic as it is important.

A more challenging task is that big agencies in Washington typically pay attention to other big institutions—big corporations, big universities, big think tanks, big research labs. Yet much of the innovation (and job creation) occurs in small start-ups. Washington must realize that a new Silicon Valley Foreign Policy must include in its DNA a commitment to foster an ethos of innovation and entrepreneurship to promote new market entrants. To do so, government must pay more attention to the interests of upstart companies—the ones that create most of the jobs. The start-ups have a hard time battling the greater political power of the incumbent blue chips. The government must seek out, listen to and nurture the newcomers.

The U.S. has always been an unusual petri dish for voluntary associations of every type. In this current period of rapid transition and institutional change, the capacity of the non-profit sector becomes especially important. The U.S. and other nations seek to nurture what some call public-private partnerships and are more accurately described as social/professional networks of government agencies, individual private firms, trade associations, think tanks and universities.

Several of these efforts, more simply described ‘multi-stakeholder’ groupings are trying to be more aggressive in aggregating group interests around common normative principles. TechNet, an association of high-ranking executives based in Silicon Valley and active nationally, takes clear positions on topics such as cyber-security, broadband and Internet policy and trade. The Aspen Institute’s International Digital Economy Accords (IDEA) group chaired by former FCC chair Reed Hundt, in part seeks to be, “internationally inclusive, and will work to identify ways to foster the freedom to connect; preserve open, end-to-end networks; and facilitate the free flow of communications across borders on a unified Internet.” IDEA’s great goal is to find better ways to promote a seamless, global Internet and forge workable regional and global solutions to promote the free flow of investment and information. And the Global Internet Initiative (GNI) brings together a promising mix of companies, civil society groups, investors and academics towards the short-term ambitions of promoting freedoms of expression and privacy and monitoring corporate social responsibility behavior and performance.

Information Age Uncertainty

What if SOPA and PIPA demonstrate, though, that there is a more profound structural explanation for the lack of collective Silicon Valley Foreign Policy action outside of government and failure within government to achieve coherent and effective policy? What if the federal government has become less effective at making and enacting top-down policy in 2011 than it was in 1950 or 1850? What if the information age, with its fundamental flattening and redistribution of power among global voices, means that companies need the government less in certain policy areas? Or that slow-moving government agencies can’t sustain the pace and talents they need to produce coherent power and policymaking? Finally, what if the distinction between the online world and the offline is too difficult to untangle?

Policy used to flow from a D.C.-centric pyramid, with federal leadership at the top and an established hierarchy running down to the base. Now a more horizontal plane—or maybe a helix—exists where all these voices interact directly with their counterparts and with different segments of society at home—and more opportunistically—abroad. This will remain an uncertainty until the contrary possibility is put to the test—greater knowledge and sophistication on the part of all the stakeholders.

Future foreign policy should not be shopped out to high-tech firms and their trade associations. Civil Society, elected officials and education institutions are essential for a sustainable and effective program that balances America's multiple interests. But at the center must be the bodies able to move the ball forward—and there the companies must step up. Remember, Twitter is just a tool, not a movement, not a policy, and not a legislator.

Initially, Stakeholder conversations need to be accelerated, broadened and deepened in terms of their ambitions and inclusiveness. The private companies with the greatest interest in a new digital foreign policy must find the means to put forward a common framework vision of the outlines of what a new kind of foreign policy would look like.

Since the nation has only recently felt the costs of ceding policymaking—read: the collapse of financial markets—and regulatory oversight to private firms alone, there must be citizen and public engagement in these debates on behalf of local communities and the broad national interest. Government agencies in general, and the top political leadership of the administration, specifically, must bring the quality and numbers of the federal agencies more in line with 21st century realities.

This is not the work of a year—an election year at that—or a single administration. Reforming the conceptual and institutional structures of one age and transforming them into the structures for a

new one is the work of a lifetime. But that work needs to begin now. Because as the SOPA and PIPA cases demonstrated, a lifetime in World Wide Web years can pass by in a matter of days.

Endnotes

1. In his 2008 essay, "Hard Power, Soft Power, Smart Power," the author defined "smart power" as "the capacity of an actor to combine elements of hard power and soft power in ways that are mutually reinforcing such that the actor's purposes are advanced effectively and efficiently."

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