


# Canadian Broadcasting Policy, Capitalism, and CanCon: Balancing Economic and Cultural Objectives with the Online Streaming Act

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**ABSTRACT:** In April 2023, Bill C-11, the *Online Streaming Act*, received Royal Assent, amending Canada's 1991 *Broadcasting Act* to regulate American-based online streaming services that do not inherently promote a unique 'Canadian identity.' Under this new and contentious legislation, Internet streaming services, alongside radio and television, must now prioritize the use of Canadian creative resources in their programming or contribute to these resources equitably. Additionally, these services are required to support the production and distribution of original Canadian content (CanCon) in both official languages. From a critical political economic perspective, this paper examines Bill C-11 as a legislative effort to counteract the dominance of major online streaming platforms. According to Section 3(1) of the 1991 *Broadcasting Act*, the Canadian broadcasting system aims to protect, enrich, and enhance the nation's cultural, political, social, and economic fabric. However, achieving cultural goals depends on first meeting economic ones. This paper argues that the *Online Streaming Act* aims to safeguard Canada's cultural industries by prioritizing CanCon, thereby protecting it from the pervasive influence of transnational corporations in a capitalist market, although the success of Bill C-11 requires a delicate balancing of economic and cultural objectives.

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**KEYWORDS:** broadcasting policy, cultural industry, Canada, Online Streaming Act

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## Introduction

After 32 years, the Canadian government has legislated a technologically transformative revision to the twentieth-century policy governing the Canadian broadcasting system. This system, traditionally modelled as a hybrid or mixed system comprised of a national public broadcaster, commercial broadcasters, and community and campus broadcasters, emerged as the product of a dispute-ridden history.<sup>1</sup> In April of 2023, Bill C-11, the *Online Streaming Act*, was given Royal Assent to amend Canada's 1991 *Broadcasting Act* to regulate transnational, American-based online streaming services that lack intrinsic reason to enhance and foster conceptions of a distinctive 'Canadian identity.' Under this contentious new scope of broadcasting legislation, alongside radio and television, Internet streaming services are now required to, among other things, make *maximum or predominant use of Canadian creative resources* in the creation, production, and distribution of programming or otherwise contribute to those Canadian resources in an equitable manner. Streaming services now must also support the production and distribution of certified Canadian content (CanCon) in both official languages: English and French.

From a critical political economic perspective, this introductory paper explores how Bill C-11 is a legislative measure aimed at countering the economic and cultural hegemony of online streaming giants. As set forth in Section 3(1) of the 1991 *Broadcasting Act*, the Canadian broadcasting system should *safeguard, enrich, and strengthen the cultural, political, social, and economic fabric* of the nation; however, cultural objectives cannot be met without first achieving economic objectives. This paper argues that the *Online Streaming Act* seeks to safeguard Canada's cultural industries by ensuring that CanCon is prioritized, preserved, and protected against the encroachments of a relentless capitalist market driven by transnational corporations, which necessitates a delicate balancing of economic and cultural objectives.

## Conceptualizing Canadian Broadcasting Policy

### *The Beginnings of Canadian Broadcasting Policy*

The year 1922 signifies the preliminary beginnings of contemporary Canadian broadcasting policy, as it marks the commercial licensing of radio stations for the first time.<sup>2</sup> With the proliferation of radio came the need to regulate the airwaves—*controlling traffic* to prevent major signal interference, including interference from American broadcasters on dials allocated to Canadian stations throughout the 1920s and 30s.<sup>3</sup> While radio frequency spectrum scarcity was and still remains an important justification for government broadcasting regulation, a more salient justification, albeit less technologically determined, quickly materialized in Canadian public policymaking debates: the use of broadcasting to pursue cultural policy objectives. The desired outcomes in this pursuit include preserving cultural sovereignty and promoting the political-cultural cause of Canadian national identity in a world seemingly flooded by American-made media messages.<sup>4</sup>

Marc Raboy explains how Canada's mixed-ownership broadcasting system—within which an independent regulatory body, the Canadian Radio-television and Telecommunications Commission (CRTC), possesses supervisory control in accordance with cultural policy objectives delineated in communication law since 1968—results in private and public broadcasting networks existing in mutual tolerance irrespective of differences in interests.<sup>5</sup> Raboy therefore suggests a theoretical conceptualization of broadcasting “as a multifaceted activity taking place in the public sphere and contested by actors situated in the areas of the state, the economy and civil society” guided by economic and cultural objectives.<sup>6</sup> As Tanner Mirrlees succinctly states, “Capitalism is the base of the cultural industries in Canada, but these industries are also shaped by the state”,<sup>7</sup> in essence creating a three-way cycle between transnational capitalist market demands, the domestic broadcasting industry, and the nationalist dreams and desires of cultural policymakers in Canada.

### *Navigating the New Media Era*

Zoë Druick and Danielle Deveau note that with the turn of the twentieth century, governing bodies in Canada became

significantly less preoccupied with the protection of a distinctive cultural identity through subsidization of the arts and media. Cultural policy exists to support the production of Canadian-made messages, although these creative works must increasingly succeed in global markets to survive.<sup>8</sup> Therefore, Ryan Edwardson asserts that for many cultural industries, the shift towards post-nationalism in the export economy has coincided with a key shift in cultural objectives of public policy.<sup>9</sup> In line with this culture of post-nationalist globalization, the CRTC has generally exercised a *laissez-faire* approach to broadcasting regulation, “responding as required to industry needs, not wishing to impede what has been perceived to be a creative and dynamic sector with significant potential for Canada.”<sup>10</sup> Des Freedman accordingly argues that market forces and consumer satisfaction have historically driven regulatory regimes in neoliberal times, wherein ruthless capitalist market logics place heavy pressure on media enterprises to maximize economic return while minimizing expenditure risk.<sup>11</sup> The most desirable objective of cultural policy becomes achieving industrial viability, as it aligns most closely with these market imperatives.

Bill C-11—proposed after Bill C-10 of the same title died on the order paper on August 15, 2021—undertakes the ambitious task of regulating online streaming services to fulfil the economic and cultural goals outlined in Canadian cultural policy; however, cultural policymakers must grapple with delicately balancing the need to create jobs which mainly originate from foreign streaming service productions with the need to preserve Canadian culture through producing and distributing Canadian content to tell distinctly *Canadian stories*.<sup>12</sup> The bill aims to address the political economic challenge confronting the Canadian cultural industries, whereby the market’s private structure and media ownership patterns cause a reliance on advertising revenue—to be perpetually optimized in the pursuit of profit—and influences what kinds of cultural products are produced, distributed, and consumed by the masses.

Speaking to the battle between public versus private interests, Gregory Taylor explores the debate surrounding the role of Canadian public service television, declaring that policy panders increasingly

to the needs of the market despite rapid technological advancements. Taylor asserts that while national regulation of mass communication has been relevant since the creation of the printing press and is generally justified in the name of public access and interest, disruptive technologies, beginning with the advent of digital television, reveal glaring economic and regulatory challenges that cannot be easily legitimized by arguments of nation-building.<sup>13</sup> Indeed, Bill C-11 is no exception to this rule, given the degree of pushback that the policy amendment has received in parliamentary debates, namely from Conservative members of parliament, for restricting consumer freedoms in a free market. Some adversaries of the bill criticize the amendment for placing an undue emphasis toward state intervention into the economy of Canada's cultural industries, raising questions surrounding whether the bill can truly prioritize both economic and cultural objectives *fairly*. With the enactment of the *Online Streaming Act*, the CRTC must seek to engage both domestic and international producers in the creation of high-quality CanCon, who will ultimately aim to attract global audiences while telling *Canadian stories*.

Examining the major technological shift from analogue to digital—the most powerful development in the history of communication in the past century—Taylor argues that digitalization fanned flames of controversy, becoming “the site of a political and economic struggle that directly affects Canadian living rooms.”<sup>14</sup> Offering a perspective on broadcasting policy development and neoliberalism, David Skinner claims that the acceleration of the availability and influence of foreign broadcast programming can be viewed as a product of the ever-changing dynamics of regulation swayed by private sector interests or free market forces.<sup>15</sup> For cultural policymakers and politicians who pushed for the enactment of the *Online Streaming Act* in parliament, the availability and influence of foreign broadcast programming has come to the fore as a justification for state intervention—mirroring fiery twentieth-century Hansard debates that interrogated questions surrounding how to balance Canada's industrial and cultural imperatives effectively.

Thirty-two years passed until the most recent amendment to the 1991 *Broadcasting Act*. Mariane Bourcheix-Laporte addresses this emergent gap, arguing that Bill C-11 repossesses nationalist logic—perpetuating a settler colonial vision of cultural citizenship skewed by the paradox of multiculturalism,<sup>1617</sup> thereby elucidating how streaming platforms culturally disrupt the manufacturing of a distinctive ‘Canadian culture.’ While additional academic research has critiqued the *Online Streaming Act* in terms of its potential effects on audience attention and freedom of expression in Canada’s liberal democracy,<sup>18</sup> this paper takes particular interest in the relationship between Bill C-11 and the need to tactfully balance the traditional economic and cultural objectives outlined in the 1991 *Broadcasting Act*.

Raboy declares that the development of Canada’s broadcasting system is defined by and reflective of three sets of tensions: “(a) between private capital and the state, over the economic basis of broadcasting; (b) between the state and the public, over the sociocultural mission of broadcasting; and (c) between competing visions of the relationship of broadcasting to the politics of Canadian nationhood.”<sup>19</sup> While these three tensions operate in tandem with one another, this paper focuses on how Bill C-11 is concerned, first and foremost, with the regulation of transnational, American-based Web streaming giants by the federal government for *industrial* purposes, subsequently setting the stage for the achievement of *cultural* objectives. Still, to align with Section 3(1) of the 1991 *Broadcasting Act*, the bill in action must harmonize these priorities.

## **The Economic and Cultural Work of Bill C-11**

Vincent Mosco articulates the political economy of communication “*as the study of the social relations, particularly the power relations, that mutually constitute the production, distribution, and consumption of resources.*”<sup>20</sup> Within this conceptual framework, the primary resources within the communication marketplace consist of communicative products, encompassing various media forms, whether new or traditional, along with their corresponding

audiences.<sup>21</sup> In other words, according to Mosco, the political economy of communication deals with the production, distribution, and consumption of media, “concentrat[ing] on a specific set of social relations organized around power.”<sup>22</sup> In line with Mosco’s operationalization of the concept, Janet Wasko states that “it is essential to understand relationships between media power and state power.”<sup>23</sup> Mirrlees thus contends that “in twenty-first century Canada, ‘culture’ is primarily valued by politicians, cultural policy makers, and the corporations that make it for its benefit to the ‘economy’” which “suggests that culture is in no way autonomous from capitalism.”<sup>24</sup>

Bill C-11, as a legislative amendment, can be interpreted as a form of resistance against the burgeoning power of the new media industry. In this sense, the *Online Streaming Act* is written to preemptively safeguard the CRTC against regulatory capture by audiovisual online streaming services that hold market dominance within the Canadian creative economy. This policy amendment addresses concerns pertaining to the production and distribution of distinctly ‘Canadian’ programming within a monopoly capitalist system. In doing so, the amendment seeks to counterbalance neoliberal sensibilities.<sup>25</sup>

The enactment of Bill C-11 specifically amends the 1991 *Broadcasting Act* to “add online undertakings — undertakings for the transmission or retransmission of programs over the Internet — as a distinct class of broadcasting undertakings.”<sup>26</sup> With stipulations for regulating media content in digital displays, Bill C-11 took a remarkably contentious step in navigating the new media era by, in essence, equating traditional domestic broadcasters with Web streaming giants in a piece of legislation. When tabling Bill C-11 in the House of Commons in 2022, then Honourable Minister of Canadian Heritage, Pablo Rodriguez, emphasized the gravity of *levelling the playing field* between domestic broadcasters and foreign streaming platforms:

Unlike traditional Canadian broadcasters, platforms profit from our culture but have no obligation to contribute to it. With money leaving traditional broadcasters, day after day,

to go to these platforms, this is putting our creators, our industry, our jobs and even our culture at risk. We have to act.<sup>27</sup>

Rodriguez' pressing call to action is somewhat bolstered by Dwayne Winseck's finding that "[t]otal revenue for the online media sectors soared to \$24.2 billion in 2022, widening the gap with the traditional content media sectors after surpassing them four years earlier."<sup>28</sup> Moreover, Winseck discovers that the digital media industries, inclusive of online advertising, "outstripped revenue for traditional media in 2019 and currently account for just under a quarter of all revenue across the network media economy."<sup>29</sup> Winseck additionally reveals that the online video service market remains highly concentrated, with the leading four services—Netflix, Crave, Disney+, and Rogers—accounting for 78.1% of revenue in 2022; however, Winseck notes that these levels are down considerably from when the top four platforms held a market share of 92%.<sup>30</sup> Nevertheless, the *Online Streaming Act* is firmly determined to level the foreign competition for domestic broadcasters in Canada's market; transnational online video distributors entered the Canadian market and beyond as robust competitors, shouldering none of the burdens that have belonged to their Canadian counterparts in some form or another since the 1920s.

Bill C-11 seeks to foster a distinctive 'Canadian' culture through ensuring that online streaming services support the production and distribution of CanCon. Importantly, though, *how* Canada's industrial and cultural imperatives are balanced on the path forward will likely determine the effectiveness and public reception of the bill, as foreign streaming services must be adequately convinced that contributing to Canadian culture in accordance with the CRTC's forthcoming regulatory plan is a reasonable, and perhaps more germane, *profitable* long-term investment.

David Taras and Marc Raboy assert that contrary to opponents who argue against foreign media ownership based on transnational corporate convergence, the basis of national cultural production remains crucial in an era of globalization marked by the proliferation of neoliberal ideologies—especially in a country with a



geopolitical situation as precarious as Canada's, where cultural sovereignty entails power over the nation's media environment.<sup>31</sup> 91 years ago, the impassioned Graham Spry, co-founder of the Canadian Radio League, made a case for this exact precarity when testifying for the establishment of a national public broadcaster as a witness for the 1932 Special Committee on Radio Broadcasting:

The radio problem is no mere question of more or better entertainment, of more or less advertising. It is a question of public opinion, of the basis of free government. The choice before this Committee is clear; it is a choice between commercial interests and the people's interests. It is a choice between the State and the United States.<sup>32</sup>

What Spry deemed the *radio problem* may be repurposed in the digital age as the *online streaming service* problem; Marc Raboy keenly declares that debates over broadcasting policy objectives of the twentieth century have “been passed down to us” and “continue in much the same guise today.”<sup>33</sup> Perhaps nowhere is Raboy's insight clearer than in the rhetoric used by Pablo Rodriguez in the House of Commons in 2022, which directly mirrors that of Spry's in 1932:

[Bill C-11] starts with making sure that online streamers contribute to the strength and vitality of Canada's cultural sector. Let us remember Canada's strong culture is no accident. We made that decision. We decided and we chose to be different. We chose to be different from our neighbours to the south. We chose cultural sovereignty.<sup>34</sup>

The “choice” that Spry and Rodriguez both speak of is ultimately one of state broadcast intervention—although cultural sovereignty cannot be pursued without the prerequisite of economic sovereignty.

From a more contemporary perspective, Marc Raboy and Jeremy Shtern contextualize *why* these debates have been passed down to us much in the same guise today: advancements in information and communication technologies as well as changing social trends including multiculturalism and globalization have stretched the existing policy frameworks for Canada's communication system beyond their limits.<sup>35</sup> Therefore, Bill C-11 has

begun tackling the fiery issue of Internet streaming regulation. As Marc Raboy and Geneviève Bonin posit, domestic broadcasters deal with a “high-end trade-off” to operate in the Canadian market “protected from competition, especially foreign competition.”<sup>36</sup> This protection enforces contributions to the economic and cultural objectives of the 1991 *Broadcasting Act*—contributions that Web streaming giants have avoided in their pursuit of transnational market dominance (at least, until now). Hence, Rodriguez contends that this high-end trade-off has provided powerhouse platforms with an automatic competitive advantage in the Canadian audiovisual media market while diminishing *Canadian cultural values*.

### **Bill C-11, CanCon, and the Cultural Industries**

Dallas Smythe famously asserts that in a monopoly capitalist system, the commercial mass media manufactures the *audience commodity*, a means to realize the ends of political economic and thus cultural power.<sup>37</sup> This valuable product is produced, sold, and purchased by industry players. Yet, with Bill C-11, online streaming services are required to help produce and distribute certified CanCon that is historically much less lucrative than content from our neighbour to the South: a well-oiled cultural production machine.<sup>38</sup> This machine churns out popular, “fat head” content for mass audiences to generate maximum profit.<sup>39</sup>

As examined by Steven Globerman, the overwhelmingly pervasive influence of American society in shaping popular culture production has been analogized to imperialism, whereby marginal regions become economically subservient to metropolitan powers. In this line of argument, the foreign production of media texts is catered toward the American audience, requiring state intervention by way of funding agencies to support the production of domestic content—domestic production that is equally essential both economically *and* culturally. Although equating Americanization with imperialism would be both overstated and anachronistic, Globerman notes that American producers reap the benefits of a competitive edge in the international market, attributed to the vast scale of their domestic

market as well as their extensive expertise in crafting programs of mass-appeal for global commercial distribution.<sup>40</sup> Political economic concerns regarding diminished consumption of certified Canadian programming—the creation, production, and distribution of which is mandated by the 1991 *Broadcasting Act* and certified by the CRTC’s point system—amid the market disruption caused by transnational Web streaming giants, parallel concerns reminiscent of the anxieties surrounding Americanization during the commercial radio era of the 1920s and 30s, as well as the early film and television eras.<sup>41</sup>

Canadian broadcasting regulation has therefore been *constructed* by cultural policymakers as a conduit to secure economic power and maintain national unity in the face of the culturally imperialist media goliath that is the United States. In the 2016 article “Requiem for the Long Tail,” Philip M. Napoli critiques the idea of cultural democratization which may be best detailed in Chris Anderson’s influential book, *The Long Tail*.<sup>42</sup> Anderson delineates the apparatus by which digital content distribution has the potential to “democratize and diversify the production and consumption of media and cultural products” by reducing the constraints of resource capacity with analog media.<sup>43</sup> The Internet’s complexities, in a political economy of content aggregation and fragmentation,<sup>44</sup> muddle this optimistic perspective. With radical openness has come an overwhelming influx of audiovisual content generated by users and industries from America and beyond—arguably negating the economic and cultural impact of CanCon regulations (which have yet to be modernized since their 1971 introduction as of June 2024).

Napoli re-visits Anderson’s 2006 theory of cultural democratization in the Internet age: that alleviating conditions of media scarcity and championing conditions of digital interactivity would develop a new media environment wherein “the aggregate, the low-popularity content (the long tail) would represent an equal or greater share of audience attention than the ‘fat head’ (the popular content).”<sup>45</sup> Aligning well with Anderson’s theorized definitions, Canadian programming can be conceptualized as *the long tail*: the low-popularity content that has led cultural policymakers to facilitate state intervention into the domestic broadcasting market since the

twentieth century. The long tail often flies under the radar, unlike *the fat head*: popular American (and other global) content. However, the very act of mandating the promotion of CanCon over the Internet represents a broken promise—a *requiem for the long tail*, if you will—raising the debate of whether the imposition of Bill C-11 goes against the principles of openness of Cyberspace, or if modernizing Canadian broadcasting policy is the inevitable next step toward economic and subsequently cultural sovereignty in Canada’s liberal democracy.

Prior to April 27, 2023, when the *Online Streaming Act* received Royal Assent, online streaming services did not fall under any legislative framework requiring the platforms to actively contribute to fostering *Canadianness* through the content they helped create, produce, and/or distribute. The programming on these platforms is strategically selected to capture a *global* audience, maximizing profit via mass consumption, whereas in Canada, national broadcasters are mandated, through legislation, to prioritize capturing the *Canadian* audience by following CanCon regulations, first introduced by the CRTC in 1971 for radio broadcasting. Charles H. Davis and Emilia Zboralska contend that a consumerist approach has historically overshadowed legacy broadcasting policy motives which has given freer rein to online streaming services,<sup>46</sup> and Bill C-11 intends to change this tide. The future success of the bill will hinge on the CRTC’s ability to effectively navigate its industrial and cultural priorities, helping ensure that quality Canadian content—which tells *Canadian stories*—can attain domestic and, more ideally, global significance.

Mirrlees incisively observes that “the cultural industries are shaped by capitalism, but make possible the changing of capitalism too, meaning struggles in and over the cultural industries may be a key way of engaging with and contesting capitalist power in society more broadly.”<sup>47</sup> In principle, then, a policy amendment such as the *Online Streaming Act* must actively confront and challenge capitalist power within Canadian society by making possible increased economic viability in Canada’s broadcasting industry, balancing this objective with strengthening

and cultivating perceptions of a unique ‘Canadian’ identity. The bill evidently recognizes that by accumulating economic and thus cultural power, massive corporations like Netflix can exercise market authority as hegemonic, anti-competitive gatekeepers.<sup>48</sup> This reality is particularly troublesome, as Robin Mansell emphasizes the potential for monopolistic concentration in cultural commodity production to reproduce deep-seated socioeconomic inequities in new media.<sup>49</sup> In an effort to prevent the systemic perpetuation of socioeconomic inequities (and other forms of oppression), Section 3(3)(iii) of Bill C-11 amends the 1991 *Broadcasting Act* to declare that the Canadian broadcasting system (now including online streaming services) should,

through its programming and the employment opportunities arising out of its operations, serve the needs and interests of all Canadians — including Canadians from Black or other racialized communities and Canadians of diverse ethnocultural backgrounds, socio-economic statuses, abilities and disabilities, sexual orientations, gender identities and expressions, and ages — and reflect their circumstances and aspirations, including equal rights, the linguistic duality and multicultural and multiracial nature of Canadian society and the special place of Indigenous peoples and languages within that society.<sup>50</sup>

While economic sovereignty is a fundamental state-level value, a cultural diversity of voices is also crucial to liberal democracies.

It is important to emphasize that non-hegemonic groups and communities are still thirsting for representation in mainstream film and television—both on screen and behind the screen—and Bill C-11 seeks to produce greater opportunity for diverse cultural labour in this sector. As Charles H. Davis, Jeremy Shtern, Michael Coutanche, and Elizabeth Godo find regarding the division of cultural labour, the screenwriting occupation in English-speaking Canada is characterized by “exclusionary networks dominated by white middle-aged anglophone males,” thereby stifling innovation in the Canadian

screen industry.<sup>51</sup> This conclusion is supported by Toronto-based journalist Serena Lopez, who argues that the lack of representation in Canada's television and film industries is failing BIPOC creatives.<sup>52</sup> Similarly, Emilia Zboralska, Charles H. Davis, Jeremy Shtern, and Vanessa Ciccone uncover how cultural diversity reporting in the Canadian audiovisual industry lacks the methodological coherence necessary to ascertain whether or not the representation of cultural diversity in Canadian television has made meaningful progress in terms of on screen and behind the screen labour.<sup>53</sup> The degree to which the Canadian broadcasting system will be able to achieve these ideals of inclusivity with the assent of the *Online Streaming Act* is uncertain and cause for controversy, considering the immeasurable difficulty in meaningfully representing the identities of *all* Canadians—especially in a country where a singular 'Canadian identity' has been defined in politics for over a century by power-struggling English Canadian nationalists.<sup>54</sup>

### **Conclusion: Rationalizing a New Broadcasting Policy**

In a time of once-unfathomable media abundance, dominant players in the media market are fixated, more hyper than ever, on competing for audience attention; media platforms are “repositioning themselves to capture the hearts and eyeballs of viewers who have never had so much to distract them.”<sup>55</sup> This introductory paper provided an overview of how Bill C-11 has emerged as a legislative measure to combat the economic and cultural challenges posed by online streaming giants. These platforms, by popularizing American and other global productions, are understood by policymakers as jeopardizing Canada's cultural sovereignty by threatening the economic sustainability of its cultural industries. This paper has argued that in mandating the inclusion and promotion of CanCon, Bill C-11 must navigate carefully between economic sustainability and cultural preservation to avoid a missed opportunity for policymakers, producers, and platforms to address deeper issues in the Canadian creative economy.

Pablo Rodriguez tells us that “[w]hen the Internet came along, we all thought that it was great and wonderful, that we would let it develop on its own, that [the government] would not get involved at all, and that it would create new opportunities, strengthen democracy and connect people,” but claims that online streaming services “will continue to harm Canadians, chip away our cultural sovereignty and weaken our digital society.”<sup>56</sup> Undoubtedly, the unregulated years of the Internet will continue to shape and alter communication policy, in Canada and across borders. Whether or not the protectionist intervention of the *Online Streaming Act* can successfully provide greater economic and cultural strength to Canada’s cultural industries, rationalizing this new scope of broadcasting regulation, certainly remains to be seen.

Notes

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<sup>2</sup>Anne F. MacLennan, "Learning to Listen: Developing the Canadian Radio Audience in the 1930s," *Journal of Radio & Audio Media* 20, no. 2 (2013): 311-326.

<sup>3</sup>Robert Armstrong, *Broadcasting Policy in Canada* (2nd ed.) (Toronto: University of Toronto Press, 2006); Anne F. MacLennan, "Resistance to Regulation Among Early Canadian Broadcasters and Listeners," in *Islands of Resistance: Pirate Radio in Canada*, edited by Andrea Langlois, Ron Sakolsky, and Marian van der Zon (Vancouver: New Star Books, 2010), 35-48; Anne F. MacLennan, "Private Broadcasting and the Path to Radio Broadcasting Policy in Canada," *Media and Communication* 6 no. 1 (2018): 13-20.

<sup>4</sup>Marc Raboy, "Media," in *Media Divides: Communication Rights and the Right to Communicate in Canada*, edited by Marc Raboy and Jeremy Shtern (Vancouver: UBC Press, 2010), 91-119.

<sup>5</sup>Marc Raboy, "The Role of the Public in Broadcasting Policy-Making and Regulation: Lesson for Europe from Canada," *European Journal of Communication* 9, no. 1 (1994): 5.

<sup>6</sup>*Ibid.*, 5.

<sup>7</sup>Tanner Mirrlees, "A Political Economy of the Cultural Industries in Canada," in *Change and Continuity: Canadian Political Economy in the New Millennium*, edited by Mark P. Thomas, Leah F. Vosko, Carlo Fanelli, and Olena Lyubchenko (Montreal and Kingston: McGill-Queen's University Press, 2019), 215.



<sup>8</sup>Zoë Druick and Danielle Deveau, “Cultural Production in Canada,” *Canadian Journal of Communication* 40, no. 2 (2015): 157-163.

<sup>9</sup>Ryan Edwardson, *Canadian Content: Culture and the Quest for Nationhood* (Toronto: University of Toronto Press, 2008).

<sup>10</sup>Brian O’Neill, “CBC.ca: Broadcast Sovereignty in a Digital Environment,” *Convergence* 12, no. 2 (2006): 184.

<sup>11</sup>Des Freedman, “The Resilience of TV and its Implications for Media Policy,” in *The Routledge Companion to the Cultural Industries*, edited by Kate Oakley & Justin O’Connor (London and New York: Routledge, 2015), 120-129.

<sup>12</sup>Nordicity, *The Digital Media Universe: Measuring the Revenues, the Audiences, and the Future Prospects* (Toronto: NGL Nordicity Group Limited, 2023).

<sup>13</sup>Gregory Taylor, *Shut Off: The Canadian Digital Television Transition* (Montreal and Kingston: McGill-Queen’s University Press, 2013).

<sup>14</sup>*Ibid.*, 3.

<sup>15</sup>Skinner, “Divided Loyalties.”

<sup>16</sup>Mariane Bourcheix-Laporte, “Canadian Cultural Nationalism in the Time of Digital Platforms: Reframing Proposed Amendments to the Broadcasting Act,” *Canadian Journal of Communication* 48, no. 1 (2023): 81-102.

<sup>17</sup>See Eve Haque, *Multiculturalism Within a Bilingual Framework: Language, Race, and Belonging in Canada*. Toronto: University of Toronto Press, 2012.

<sup>18</sup>See Stuart Cunningham and Oliver Eklund, “State Actor Policy and Regulation Across the Platform-SVOD Divide,” in *Digital Platform Regulation: Global Perspectives on Internet Governance*, edited by Terry Flew and Fiona R. Martin (Cham: Palgrave Macmillan), 191-208; Gord Dimitrieff, “Broadcasting Reform in Canada: The Case for a Georgist View of the Audience Commodity,” *Canadian Journal of Communication* 48, no. 1 (2023): 103-123; Michael Geist, “Reshaping Canada’s Broadcasting Act: Solutions in Search of a Problem?,” in *Perspectives on Platform Regulation*, edited by Judit Bayer, Bernd Holznapel, Päivi Korpisaari, and Lorna Woods (Baden-Baden: Nomos, 2021): 291-328.

<sup>19</sup>Ibid., 9.

<sup>20</sup>Vincent Mosco, *The Political Economy of Communication* (2nd ed.) (New York: Sage, 2019), 32.

<sup>21</sup>Ibid.

<sup>22</sup>Ibid., 32.

<sup>23</sup>Janet Wasko, "The Study of the Political Economy of the Media in the Twenty-First Century," *International Journal of Media & Cultural Politics* 10, no. 3 (2014): 263.

<sup>24</sup>Ibid., 203.

<sup>25</sup>See Dallas W. Smythe, "On the Political Economy of Communications," *Journalism Quarterly* 37, no. 4 (1960): 563-572; Dallas W. Smythe, "On the Audience Commodity and Its Work," *Media and Cultural Studies: Keywords* 230 (1981): 230-256; Robert W. McChesney, "Noam Chomsky and the Struggle Against Neoliberalism," *Monthly Review* 50, no. 11 (1999): 40-48.

<sup>26</sup>*An Act to amend the Broadcasting Act and to make related and consequential amendments to other Acts* (44th Parl., 1st sess., April 27, 2023).  
<https://www.parl.ca/DocumentViewer/en/44-1/bill/C-11/royal-assent>

<sup>27</sup>Canada, Parliament, *House of Commons Debates* (16 February 2022 (Pablo Rodriguez, MP)), 2320.  
<https://www.ourcommons.ca/Content/House/441/Debates/032/HAN032-E.PDF>

<sup>28</sup>Dwayne Winseck, *Media and Internet Concentration in Canada, 1984–2022* (Global Media and Internet Concentration Project, 2023), 162.

<sup>29</sup>Ibid., 93.

<sup>30</sup>Ibid.

<sup>31</sup>David Taras and Marc Raboy, "The Politics of Neglect of Canadian Broadcasting Policy," *Policy Options* 25, no. 3 (2004): 63-68.

<sup>32</sup>Canada, Parliament, House of Commons, Special Committee on Radio Broadcasting, *Minutes of Proceedings and Evidence* (1932), 46.

<sup>33</sup>Raboy, *Missed Opportunities*, 21.

<sup>34</sup>Canada, Parliament, *House of Commons Debates*, 2320.

<sup>35</sup>Marc Raboy and Jeremy Shtern, "Introduction," in *Media Divides: Communication Rights and the Right to Communicate in Canada*, edited by Marc Raboy and Jeremy Shtern (UBC Press, 2010), 3-25.

<sup>36</sup>Marc Raboy and Geneviève A. Bonin, "From Culture to Business to Culture: Shifting Winds at the CRTC," in *For Sale to the Highest Bidder: Telecom Policy in Canada*, edited by Marita Moll and Leslie Regan Shade (Ottawa: Canadian Centre for Policy Alternatives, 2008), 61.

<sup>37</sup>Smythe, "On the Political Economy."

<sup>38</sup>Davis and Zboralska, "Transnational Over-The-Top Media"; Wade Rowland, *Saving the CBC: Balancing Profit and Public Service* (Toronto: Linda Leith Pub, 2013); Richard Stursberg, *The Tangled Garden: A Canadian Cultural Manifesto for the Digital Age* (Toronto: James Lorimer & Company, 2019); Taras and Raboy, "The Politics of Neglect."

<sup>39</sup>Philip M. Napoli, "Requiem for the Long Tail: Towards a Political Economy of Content Aggregation and Fragmentation," *International Journal of Media & Cultural Politics* 12, no. 3 (2016): 341-356; Chris Anderson, *The Long Tail* (New York: Random House Business, 2006).

<sup>40</sup>Steven Globerman, "Foreign Ownership of Feature Film Distribution and the Canadian Film Industry," *Canadian Journal of Communication* 16, no. 2 (1991).

<sup>41</sup>Anne F. MacLennan, "Resistance to Regulation Among Early Canadian Broadcasters and Listeners," in *Islands of Resistance: Pirate Radio in Canada*, edited by Andrea Langlois, Ron Sakolsky, and Marian van der Zon (Vancouver: New Star Books, 2010), 35-48.; Christopher Ali, "A Broadcast System in Whose Interest? Tracing The Origins of Broadcast Localism in Canadian and Australian Television Policy, 1950-1963," *International Communication Gazette* 74, no. 3 (2012): 277-297; Armstrong, *Broadcasting Policy*; Andrew Rodger, "Some Factors Contributing to the Formation of the National Film Board of Canada," *Historical Journal of Film, Radio and Television* 9, no. 3 (1989): 259-268.

<sup>42</sup>Anderson, *The Long Tail*; Napoli, “Requiem for the Long Tail.”

<sup>43</sup>Napoli, “Requiem for the Long Tail”, 342.

<sup>44</sup>Ibid.

<sup>45</sup>Ibid., 342.

<sup>46</sup>Davis and Zboralska, “Transnational Over-The-Top Media.”

<sup>47</sup>Mirrlees, “A Political Economy,” 224.

<sup>48</sup>Des Freedman, *The Politics of Media Policy* (Cambridge and Malden: Polity, 2008); Dwayne Winseck, *Media and Internet Concentration in Canada, 1984–2019* (Canadian Media Concentration Research Project, 2020).

<sup>49</sup>Robin Mansell, “Political Economy, Power and New Media,” *New Media and Society* 6, no. 1 (2004): 99.

<sup>50</sup>*An Act to amend the Broadcasting Act and to make related and consequential amendments to other Acts.*

<sup>51</sup>Charles H. Davis, Jeremy Shtern, Michael Coutanche, and Elizabeth Godo, “Screenwriters in Toronto: Centre, Periphery, and Exclusionary Networks in Canadian Screen Storytelling,” in *Seeking Talent for Creative Cities: The Social Dynamics of Innovations*, edited by Jill Grant (University of Toronto Press, 2013), 77.

<sup>52</sup>Lopez, Serena, “The Lack of Representation in Canada’s TV and Film Industry is Failing BIPOC Creatives,” *CanCulture*, December 5, 2020, <https://www.canculturemag.com/film/2020/12/5/yeytgw118f6qecdzxntx40ng83b1kb>.

<sup>53</sup>Emilia Zboralska, Charles H. Davis, Jeremy Shtern, and Vanessa Ciccone, “Cultural Diversity Reporting in the Canadian Audiovisual Industry: Making Monitoring Meaningful,” *Quaderns del CAC* 43 (2017): 73-85.

<sup>54</sup>Raboy, *Missed Opportunities*.

<sup>55</sup>Raboy and Bonin, “From Culture to Business,” 79.

<sup>56</sup>Canada, Parliament, *House of Commons Debates*, 2320.

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