

The Future Of Regulation in this Era of Skepticism, Indifference, Technology, and Evidence-collapse



regional  Council on Licensure,
Enforcement & Regulation
SYMPOSIA

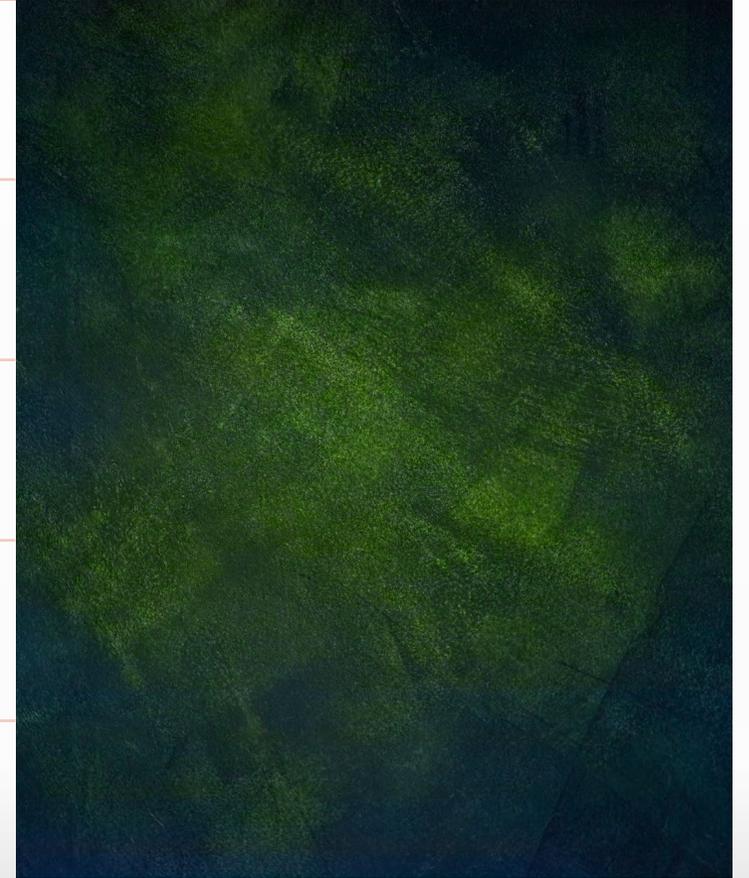
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Disclosures

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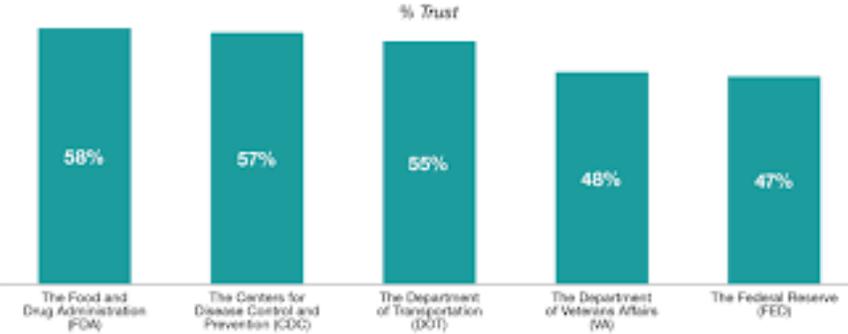
- Network to Improve Health Systems (NIHS)
- Connaught Foundation
- Canadian Network of Agencies for Regulation (CNAR)
- Canadian Institutes of Health Research (CIHR)
- Schwartz-Reisman Institute – University of Toronto



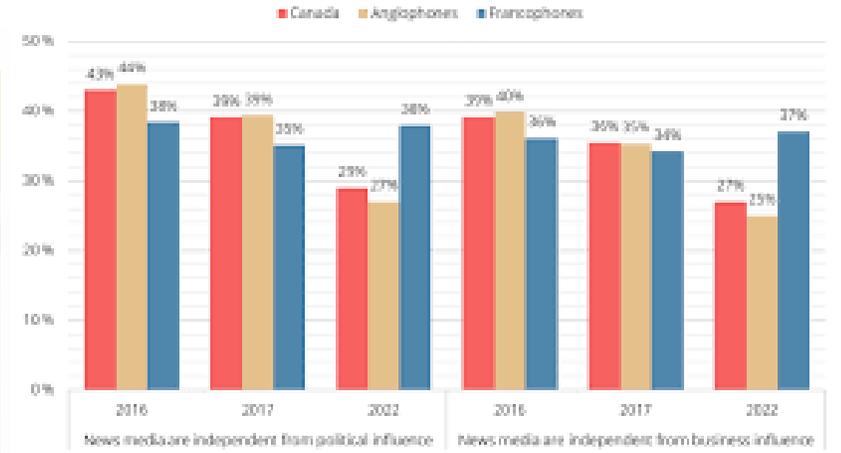
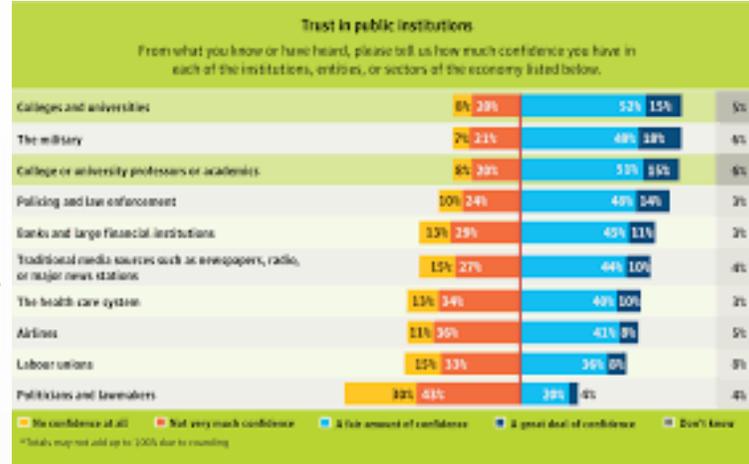


Trust in federal agencies varies

How much trust do you have, if any, in information, news, or guidance from the following organizations?

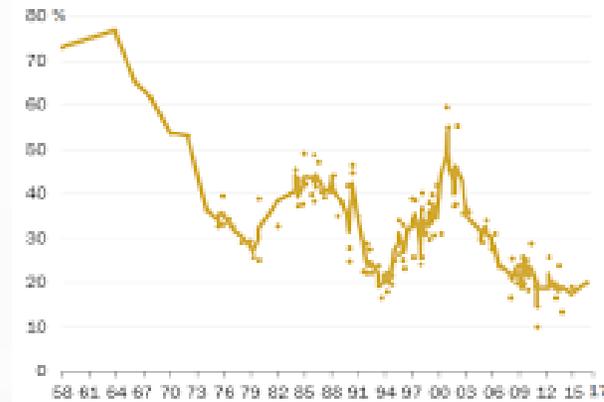


Source: Ipsos polling conducted on Ipsos KnowledgePanel between March 10-12, 2023, among 1,026 U.S. adults



Public trust in government remains near historic lows

Trust the federal government to do what is right just about always/most of the time...

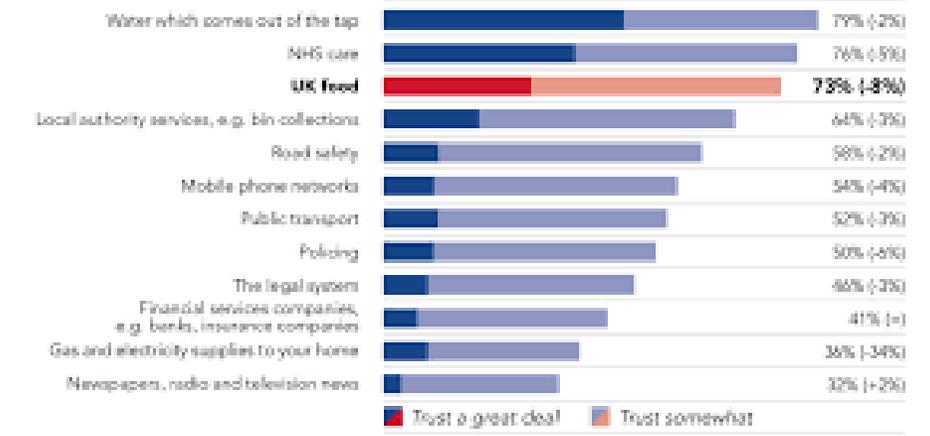


Notes: From 1975-2010 the trend line represents a three-quarter moving average. Source: Survey conducted April 5-11, 2017. Trend sources: Pew Research Center, National Election Studies, Gallup, ABC/Washington Post, CBS/New York Times, and CNN polls.

PEW RESEARCH CENTER

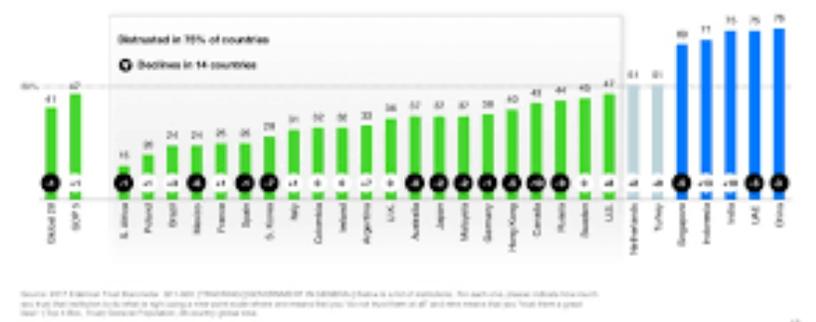
Trust in aspects of UK society

To what extent do you trust the following?



Trust in Government Further Evaporates

Percent trust in government, and change from 2016 to 2017



Source: 2017 Global Trust Barometer. © 2017 Ipsos. Ipsos.com/2017-global-trust-barometer. For each country, please indicate the month in which the survey took place. Ipsos.com/2017-global-trust-barometer. For each country, please indicate the month in which the survey took place. Ipsos.com/2017-global-trust-barometer. For each country, please indicate the month in which the survey took place.



How can we make sense of what
is happening?

How do we
know things
that we know
to be true?

Vaccines work

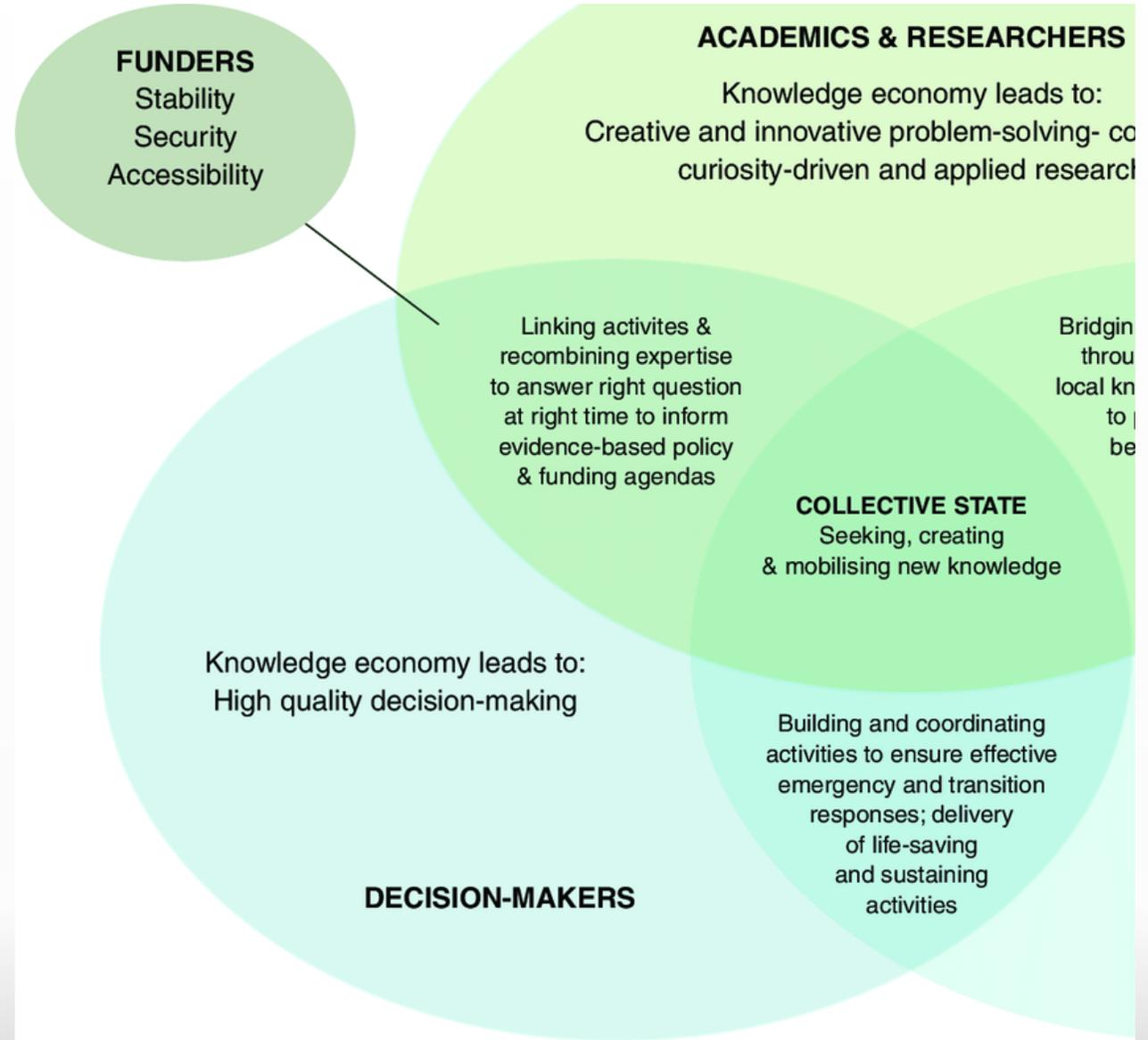
Fluoridation is good

All people are equal

Evolution happened

The knee bone's connected to the thigh bone...

What is a knowledge ecosystem?



A brief history of knowledge ecosystems – past and present

Might is
right

The rule of
kings

Religious
authority

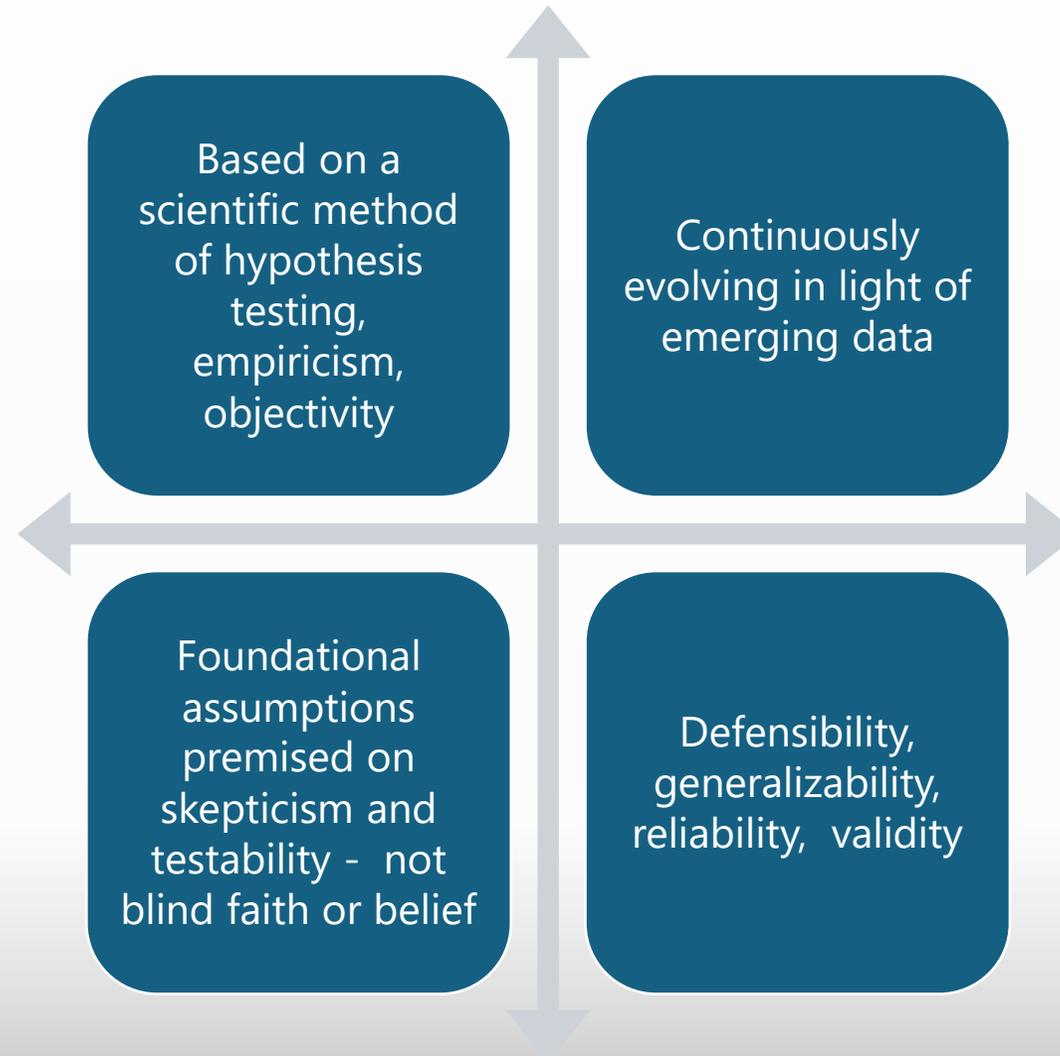
Our current
knowledge
ecosystem

Scientific

Meritocratic

Democratic

The nature of a scientific ecosystem





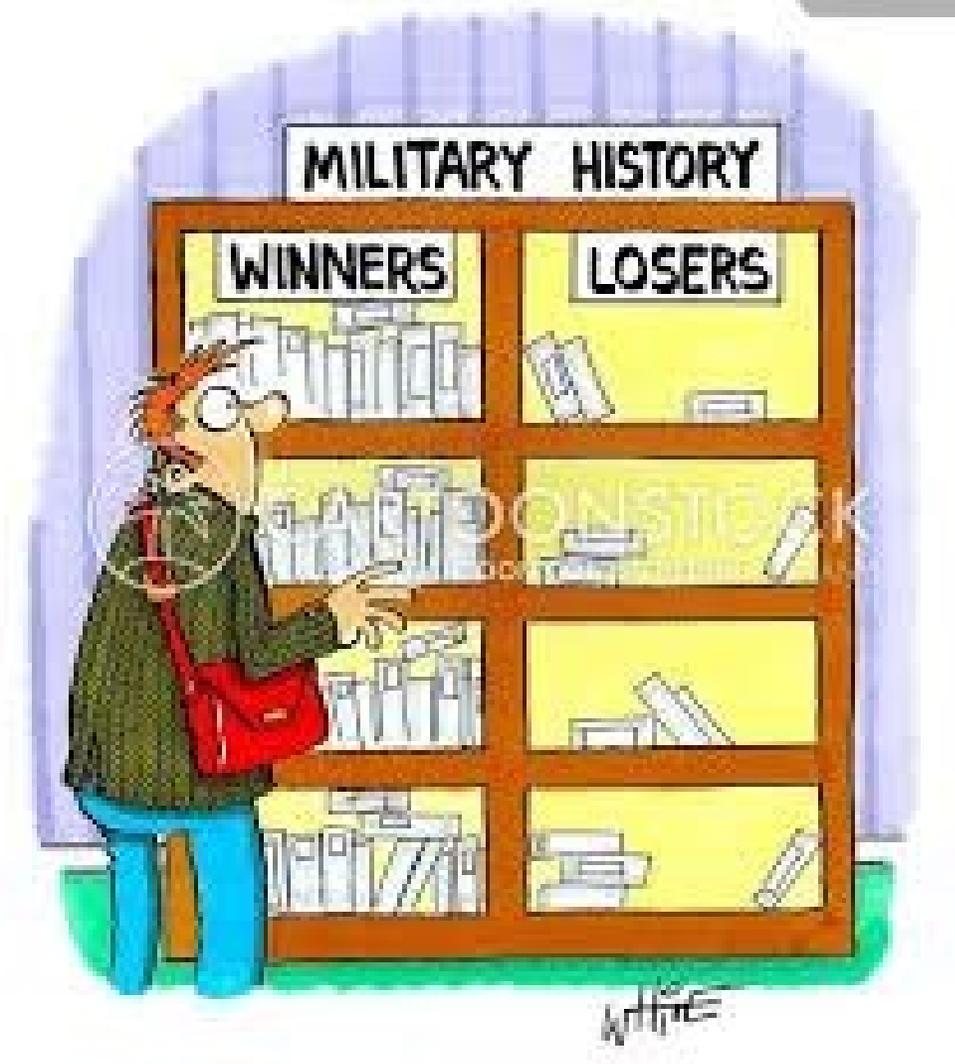
What does it
mean to be
"meritocratic"



Democratic
vs
majoritarian

Who is winning
– and who is
losing – in this
current
knowledge
ecosystem?

CS-67371



The cast of characters

Producers: Scientists, universities, artists

Amplifiers: Mainstream media, teachers

Footsoldiers: Professionals

Guardians: Regulatory bodies

End-users: The public

THE NEW YORK TIMES BESTSELLER

COLLAPSE

How Societies Choose
to Fail or Succeed

JARED DIAMOND

author of the Pulitzer Prize-winning

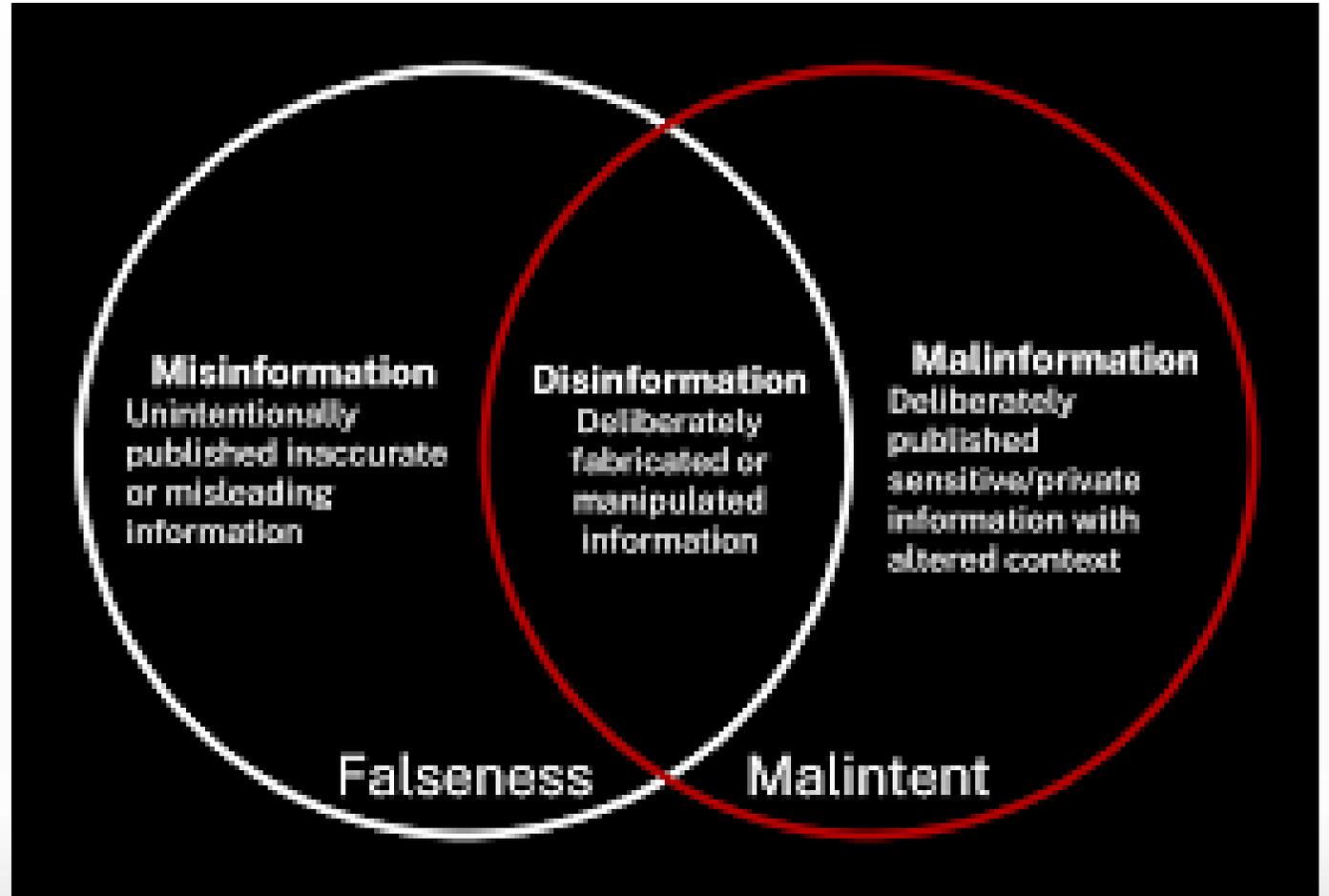
GPS, GUNS, and STEEL

WITH A NEW AFTERWORD



Our knowledge
ecosystem is
collapsing

Misinformation, disinformation, malinformation





Brokenism vs Wokeism

So what does
this have to do
with me?

Regulators are one of the guardians of this knowledge ecosystem

Regulation as a concept is under siege as never before

Faith in regulation as a tool or way to safeguard public interests is eroding rapidly – and this is more worrisome than “trust”

Why is regulation being so targeted right now?

"Stifles innovation"

"Mindless bureaucracy"

"Run by and for the elites"

"Inefficiency"

"Too costly"

"Need to get in the real world"

Maybe we need to talk about this...

Faith in regulation as a public safeguard based on historical experiences in times without strong regulation

Societal memory of those times is fading

What is left is a frustratingly bureaucratic instrument filled with well-paid, unelected people who get to micromanage daily life – and what difference has this actually made?

Regulation doesn't even really address the important things that matter...

Regulation as the guardian of this knowledge ecosystem



Commitment to science and scientific method



Use of meritocratic processes that prioritize expertise, fairness to all



Reliance on democratic assumptions regarding due process/rule of law, safeguarding of minority rights, adherence to principles not populism...unless this isn't your definition of "democracy"

Equilibrium is shifting

- Public faith in governance – and those who govern – is eroding
- Public expectations of governance are higher than ever
- Social media amplification distorts what is real, what is possible
- Political polarization is endemic – making “the public interest” almost impossible to define or operationalize
- Lack of respect for expertise, positional power, and scientific/meritocratic authority
- Regulation risks simply being left behind or viewed as irrelevant

Regulation of Professions

- Current structure of professions is a function of our current knowledge ecosystem
- Separation of “guilds” into constituent components: education, advocacy, regulation to safeguard public interests
- As professional work has become ubiquitous in society, professionals themselves are the living real-world face of this knowledge ecosystem
- Do regulators owe primary allegiance to the (elected) governments that bring them into being, or to the knowledge ecosystem itself...especially in a time when the two may be at war with one another
- Regulators of these professionals have unique opportunities and responsibilities

Regulatory relevance in a populist era

What issues are regulators focusing on – and what are they not?

How do we define “public interest” in a time of political polarization?

How do we mobilize to defend our knowledge ecosystem when the structure of professions is built upon division?

What are
regulators
not really
doing?

Regulators have incredibly full plates already...but what about:

Climate change

Artificial intelligence

Dual loyalty/corporatization of professional work

Globalizing workforce

Inclusivity, diversity, equity, accessibility, reconciliation

What is “scope creep” in regulation?

Regulatory Capture vs Regulatory Legitimacy

Regulatory Capture: Regulatory agencies, intended to act in the public interest, instead end up serving interests of those they are supposed to regulate, often through surreptitious efforts to co-opt their agency

Regulatory Legitimacy: The public's acceptance of regulatory decisions and actions without coercion or force, stemming from the perceived fairness, effectiveness, and relevance of regulatory processes and their outcomes

(Re)Building Faith in Professional Governance

- Be forthright in defence of this knowledge ecosystem, its values, and its merits
- Start with the professionals we regulate: they are the footsoldiers of this knowledge ecosystem
- Reassemble the separated components of the guild – together, education, regulation and advocacy can be strong
- Recognize that “public interest” and “individual client/patient interest” may not be the same, particularly in polarized times
- Calibrate concerns regarding scope creep that evolved in a time of separate educational, regulatory, and advocacy roles
- A united professional workforce can be an important counterbalance to populist overreach

For further reading

Altman M and Cohen P. The scholarly knowledge ecosystem: challenges and opportunities for the field of information. *Front Res Metr Analy* 2022;6:751553.

Austin Z (2026). Regulation and governance of professions in the twenty-first century. University of Toronto Press.

Diamond J (2005). Collapse: How societies choose to fail or succeed. Penguin Books

Questions?

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Thank you

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