

THE THIRD WAVE GOVERNANCE: REVISIT ALVIN TOFFLER

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Alvin Toffler, a prominent futurist, vividly depicts how democracy in the Third Wave civilization should look in his masterpiece, *Third Wave*.¹ Published in 1980, the work highlights minority power, semi-direct democracy and decision division as the three main pillars of governance. By reflecting on Toffler's crystal clear perspective of the age of digital technology, I examine and present the necessary conditions for a very plausible good governance system focused on the Asia Pacific region, where we are facing urgent needs to develop the post San Francisco system.

The San Francisco System, created in the midst of the Korean War with emerging Communist China characterized as a bilateral-networks-based asymmetrical framework with US dominance, is a typical nation-state-based governance system of the Second Wave civilization. However, contemporary Asia Pacific, after half a century of relative stability under U.S.A. domination, is undergoing a fundamental transformation with horizontal and vertical power shifts, as highlighted by Paddy Ashdown in his TED talk in 2012.² The San Francisco System, designed at the last stage of the Second Wave Civilization, does not match the digitalizing Asia Pacific and we need a new regional governance system.

For this end, first, I present my proposition that the new governance system needs the more dynamic, collaborative and creative approach for addressing diversity of regulations, equality between stakeholders and inclusiveness of data regulation. Second, I reexamine the concept of state sovereignty following Jacques Maritain who refuted the very concept in 1951. Third, I introduce and examine the three characteristics of democracy in the Third Wave civilization that Toffler presented, minority power, semi-direct democracy and decision division. Fourth, I confirm that the new governance system seems to resonate with our traditional humble view of human, but I insist that we must accept that all new technologies leads to fundamental change in what we do, and ultimately in what it is to be human.

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1 Alvin Toffler, *The Third Wave*, A Bantam Book, 1981.

2 Paddy Ashdown, 'The Global Power Shit' (TED talk, 5 January 2012) < <https://youtu.be/zuAj2F54bdo> > accessed 12 October 2020.

1. WILL BIG BROTHER TAKE US OVER?

As Toffler projected in 1980, we have been developing a completely new infosphere in the social system, which is, in turn, posing serious philosophical question: “Will intelligent machines, especially as they are linked together in intercommunicating networks, outrun our ability to understand and control them?”¹

Toffler left the question unanswered, only reminding us of our potential intelligence and imagination which has yet to be fully utilized for addressing the dilemma. 40 years later, we are imminently facing the dilemma between individual freedom and technodespotism as highlighted in the Cambridge Analytica scandal² and 2016 US presidential campaign³.

Recent technological innovations such as computer and Information Communication Technology (ICT) have, as Toffler indicated, augmented human capacities and expanded human horizon beyond our innate faculties. At the same time, computer and ICT is being utilized to manipulate citizens. Arguably, interconnected intelligent machines not only collect and store social memories but also activate them through machine-to-machine communication and conversation with humans. Toffler anticipated that the emerging intelligent environment could create new theories, ideas, ideologies, artistic insights, technical advances, economic and political innovations which were unthinkable and unimaginable before.⁴

Toffler also predicted that information would become more vital in production, which leads to conflict over the control of corporate data and eventually increase political responsibility of corporates.⁵ Facebook, for instance, confronting the District of Columbia’s allegations⁶ that Facebook employees based Washington D.C. played a leading role in responding to how third-party applications improperly sold consumer data to Cambridge Analytica and other parties in violation of Facebook’s policies, released

1 Alvin Toffler, *The Third Wave*, A Bantam Book, 1981, 171.

2 In March 2018, it was disclosed that the data firm, Cambridge Analytica where the former Trump aide Stephen K. Bannon was a board member, used data improperly obtained from Facebook to build voter profiles. The news put Cambridge under investigation and thrust Facebook into its biggest crisis ever. Nicholas Confessore, “Cambridge Analytica and Facebook: The Scandal and the Fallout So Far,” *New York Times*, April 4, 2018 < <https://www.nytimes.com/2018/04/04/us/politics/cambridge-analytica-scandal-fallout.html>>, accessed 14 January 2021.

3 It is widely acknowledged and confirmed that fake news stores spread through social media during the 2016 US presidential campaign tended to favor Donald Trump over Hillary Clinton. Hunt Allcott & Matthew Gentzkow, Social Media and Fake News in the 2016 Election, *Journal of Economic Perspectives*, Vol. 31, No.2, Spring 2017, 211-236.

4 *Ibid* 177.

5 *Ibid* 235-238.

6 *District of Columbia v Facebook, inc.*, 2018 CA 008715 B, [2019].

whitepaper on privacy protection in July 2020.¹ Responding to the question on how regulators can hold organizations accountable while also enabling them to fully embrace people-centered design for privacy communication, Facebook presented two plausible approaches, co-creating standards and design process accountability.

In the first approach, regulators, industry and other stakeholders could prototype context-specific, data-specific or industry specific standards through collaborative process. In the second approach, regulators could regulate the process for making privacy design decision, not the outcome of those processes. This second approach focuses on “accountability” which is “a framework that operationalizes and translates principles-based laws into effective internal policies, procedures, controls and governance programs, with external guidance from regulators and advisers”.² In this connection, the White Paper referred “regulatory sandbox” as the most well-known method for policy co-creation, which is a policy innovation lab, the space for ideation, iteration and experimentation.³

In the above approaches, what seems peculiar is diversity of regulations, equality in partnership between regulators, industry and other stakeholders and inclusiveness of data regulation which covers policies, procedures, controls and governance programs. In the VUCA⁴ world, we need not only swift decision and implementation but also accommodate regulations to each context, data and industry instantly. Arguably, we are shifting from the conventional standardized and centralized time-consuming law-making process which characterized the Second Wave civilization to the more dynamic, collaborative and creative approaches. It seems that this shift questions the fundamental premise of the modern international order in which states are sole entities with sovereignty over the people and the territories.

As Ashdown pointed out, in the contemporary world, the political power the states monopolized once has started shifting vertically into the global space in which multinational corporations, financial speculators and social media operate without proper regulations for ensuring the people the basic human rights including the one to be informed about how their data is collected, used and shared.⁵ Ironically, when one state or region introduces more stringent regulations upon global business, multinational corporations tend to move to the less restricted state and region in which they end up with miring

1 Facebook, *Charting a way forward-Communicating About Privacy: Towards People-Centered and Accountable Design* (White paper, July 2020) <<https://about.fb.com/wp-content/uploads/2020/07/Privacy-Transparency-White-Paper.pdf>> accessed 12 October 2020.

2 *Ibid*, [15].

3 *Ibid* [12].

4 VUCA stands for Volatility, Uncertainty, Complexity, and Ambiguity. Nate Bennett & G. James Lemoine, “What a difference a word makes: Understanding threats to performance in a VUCA world”, *Business Horizon*, 1126, 2014, 1-7.

5 P. Ashdown, ‘The Global Power Shit’.

in despotic iron fist.¹ As a result, the plausible approach in this area seems to be global collaboration between regulators, industry and other stakeholders based on not common ideology but common interest, the properly regulated free global space.

In the next section, for advancing my argument, I introduce Jacques Maritain's critical scrutiny about the concept of state sovereignty.

2. STATE SOVEREIGNTY IN QUESTION

In 1951, Maritain contended that the concept of state sovereignty is intrinsically wrong and bound to mislead us if we keep on using it.² He insisted that the two concepts of Sovereignty and Absolutism have been forged together on the same anvil and must be scrapped together.³

Maritain starts with articulating the notions of Nation, Body Politic (or Political Society) and State. He presents the distinction between society and community; society being a social group with a certain common object such as Body Politic and State whereas community being a product of autogenic evolution in a given historical environment such as Nation. In his account, no community converts to any society although community can be the natural soil for social organizations to evolve. Maritain contends that the Body Politic is the whole and the State is a part of this whole, an instrument entitled to use power and coercion for serving the Body Politic.⁴ Based on this distinction, Maritain delved into the concept of sovereignty, which he commented was translation of principatus and suprema potestas and originally meant merely "highest ruling authority".

First, Maritain refutes Bodin's theory of sovereignty. In Maritain's account, Bodin and like-minded theorists misunderstood the concept of sovereignty as a right possessed in ownership which can be only transferred from one to the other. He presents the theory of rights to be possessed by essence or by participation. In his account, only God possesses the right to command as it belongs to his nature (by essence) and the people share the right by participating in the divine rights.

In reality, then, even in the case of monarchy – but not absolute – it should have been maintained that since the prince is the "vicar of the multitude" or the deputy for the people, his right in this capacity is the very right of the people, in which he has been made a participant by the trust of the people and which still exists in the people, far from having

1 Michał Kosiński, 'We have already lost the war for privacy' (AI, 31 January 2020) < <https://www.sztuczna inteligencja.org.pl/en/michal-kosinski-we-have-already-lost-the-war-for-privacy/> > assessed 19 October 2020.

2 Jacques Maritain, *Man and the State* (first published in 1951, the Catholic University of America Press 1998) 29.

3 *Ibid* 53.

4 *Ibid* 1-19.

been uprooted from the people in order to be transferred to him.¹

In my account, Maritain's proposition could stand even in the non theistic assumption, for instance, in Immanuel Kant's theory of rights.

Sousuke Amitani, junior associate professor of Dokkyo University and researcher on philosophy of Immanuel Kant, highlighted Kant's distinction between the right of humanity (Recht der Menschheit) and the right of persons (Recht der Menschen), insisting that there is misidentification of the two concepts of right.² Referring to Kant's division according to the objective relationship of the law to duty, Amitani points out that "the right of humanity in our own persons" corresponding to "the end of humanity in our own persons", in contrast with "the right of persons" corresponding to "the ends of persons", means that person as homo noumenon exists as perfectly free being under moral laws defined by rationality³. In Amitani's account, the right of humanity or personality is the most fundamental as underlying foundation of the right of persons. Of course, humanity is supersensible and a purely imagined notion, but necessarily and practically deduced from the nature of homo noumenon as a perfectly rational being who is able to create and adhere to moral laws.⁴ It seems that the view of the right of humanity as the foundation and source of the right of persons is compatible with Maritain's argument in that the rights of humanity can be shared by humans as it belongs to their nature and possessed by participating in creation and adherence to moral laws.

Second, Maritain took up Thomas Hobbes. He traced the original meaning of the concept of sovereignty emerged since the age of Jean Bodin as an idea, "the king as a person possessed a natural and inalienable right to rule his subjects from above";⁵

Once the people had agreed upon the fundamental law of the kingdom, and given the king and his descendants power over them, they were deprived of any right to govern themselves, and the natural right to govern the body politic resided henceforth in full only in the person of the king. Thus the king had a right to supreme power which was *natural*

1 *Ibid* 36.

2 "In the theory of duties, persons [der Mensch] can and should be represented from the point of view of the property of their capacity for freedom, which is completely supersensible, and so simply from the point of view of their humanity considered as a personality, independently of physical determinations (homo noumenon). In contradistinction to this, persons can be regarded as subjects affected by these determinations (homo phaenomenon). Accordingly, [the ideas of] just and end, which are related to duty under these two aspects, will in turn give us the following division." Immanuel Kant, Division of the Metaphysics of Morals in General II, *Metaphysical Elements of Justice*, 2nd edition, translated by John Ladd, (Hackett Publishing Company, Inc., 1999), 25 (239).

3 Sousuke Amitani, *Ideal of Republic-Immanuel Kant and the polemic on "theory and practice" in the late 18th century Prussia*, (Hosei University Press, 2018) (Japanese), 104-120.

4 *Ibid*115.

5 J. Maritain, *Man and the State* 37.

and inalienable, inalienable to such a degree that dethroned kings and their descendants kept this right forever, quite independently of any consideration of the will of the subjects.

And since this natural and inalienable right to supreme power resided only in the person of the king, with regard to the body politic but independently of the body politic, the power of the king was supreme not only as the topmost power existing in the highest part of the body politic, but as a monadic and supreme power existing *above* the body politic and *separately* from it.¹

From the above historical scrutiny, Maritain extracted two distinct meanings of sovereignty, a right for supreme independence which is a natural and inalienable right and a right to an independence and a power which in their proper sphere are supreme absolutely or transcendentally, nor comparatively or as a topmost part in the whole. With this distinction, Maritain examined whether the Body Politic and the State are sovereign.

In Maritain's account, the Body Politic has a right in the first sense but not in the second sense as it does not govern itself separately from itself and from above. By the same token, the State, a mere part of the whole, the Body Politic, does not have a right even in the first sense;

It (the State) has a right to such comparatively supreme independence and power only as come to it from the body politic, by virtue of the basic structure or constitution which the body politic has determined for itself. And the exercise of this right by the State remains subject to the control of the body politic.²

Maritain contrasted his "participation" theory with Hobbes' "ownership" theory which says that sovereign power is attained "when men agree amongst themselves, to submit to some Man, or Assembly of men, voluntarily, on confidence to be protected by him against all other".³

In Maritain's view, only God possesses the absolute and transcendent sovereignty in the second sense. However, it seems to me that Maritain's reasoning stands in the non theistic ground if we accept that there are multiple sources of absolute and transcendent sovereignty, including Kant's theory of humanity.

In my account, Maritain's anti-sovereignty theory has conceptual potential which leads up to the theory of ruling power compatible with the emerging multilateral political society where decision-making and regulation-making become polarized with multiple stakeholders not only horizontally but also vertically. I will come back to this argument in the 5th section.

1 *Ibid* 37.

2 *Ibid* 42.

3 *Ibid* 39. Thomas Hobbes, *Leviathan* (first published 1651, Cambridge University Press 1996) 121.

Third, Maritain challenged Rousseau; in Maritain's theory, neither the people have the sovereignty in the second sense, being absolutely and transcendently supreme, separately from and above the whole ruled by the Sovereign. The people, he argues, have a natural and inalienable right to full autonomy only comparatively for the part of the whole consisted of the people to exist and act¹. In his account, the right of the people to self-governance is derived from Natural law and a law can not be just only because it reflects the will of the people.

Maritain, based on the above understanding about the sovereignty, criticized Rousseau's theory of the General Will as follows. As a result of the principles set forth by Rousseau, and because the long-admitted notion of the transcendently supreme independence and power of the king had been simply transferred to the people, thus making all individual wills lose any independence of their own in the indivisible *General Will*, it was held as a self-evident principle, at the time of the French revolution, that the Sovereignty of the people, - absolute, monadic, transcendent as every Sovereignty, - excluded the possibility of any particular bodies or organizations of citizens enjoying in the State any kind of autonomy.²

Maritain concluded that sovereignty is independence and power which are separately or transcendently supreme, exercised upon the body politic from above and the State does not possess it. In his account, the concept of Sovereignty cannot be separated from the concept of Absolutism and both of them should be abandoned together. Once again, I reiterate that Maritain's theory stands in the non theistic conceptions of social moral order as Kant's theory attests.

What is relevant in Maritain's argument on the sovereignty for our subject matter is that state sovereignty is not a clear notion and we may get along without it. In this connection, it is worthwhile recalling Toffler's prediction.

Toffler anticipated that non state actors such as Transnational Corporations and religious/ethnic/regional groups would enter into the global space and trigger argument whether the United Nations should remain a "trade association of nation-states" or other types of unit should be represented in it.³ He also foresaw that every corporation would bear more responsibility not only for their products and services but also their environmental, social, informational, political, and moral performance.

Rapidly expanding Environmental, Social, and Corporate Governance (ESG)⁴

1 J. Maritain, *Man and the State* 44.

2 *Ibid* 47.

3 A. Toffler, *The Third Wave* 327.

4 Environmental, social, and governance (ESG) criteria are a set of standards for a company's operations that socially conscious investors use to screen potential investments. James Chen, Reviewed by Gordon

investment, increasing corporates' awareness about Corporate Social Responsibility and global march toward Sustainable Development Goals (SDGs)¹ all confirm Toffler's vision. As a result, it might be timely to reexamine the fundamental premises of the Second Wave civilization of which the cornerstone concept is the state sovereignty. To this end, in the next section, I reexamine the representative government.

3. REPRESENTATIVE GOVERNMENT AS PSEUDO-DEMOCRACY

In Toffler's account, the Third Wave Civilization, which started around 1955 in U.S., challenged all our old assumptions, which were once considered perpetual standards.² To this end, he regarded representative government - the Second Wave political system - once considered democracy, as pseudo-representative.³

In order to illustrate his proposition, Toffler presented two fundamentally different types of machine, "batch-processing" machines and "continuous-flow" machines. A powerful continuous flow machine such as organized lobbyists and government departments, created and operated by the elites of governments and corporations, exerted their influence constantly whereas the people are allowed to get their voices heard only periodically through voting like batch processor. Although Toffler acknowledged and appreciated the representative government with majority rule and one-person/one-vote system, noting that it enabled the poor and weak to share benefits and reflect their opinions in the decision-making process, he observed that the formal representation system through periodical election was the major means for the elites in management to maintain their power.⁴

Toffler attributes the intrinsic structural inequality to the factory-like society developed and mainstreamed in the Second Wave Civilization which could not function without a powerful hierarchy, which integrate and manage the society.⁵ In fact, Toffler was more radical in his fundamental observation that selecting some people to represent others would always create new member of the elite.⁶ He rather cynically illustrated how

Scott, "Environmental, Social, and Governance (ESG) Criteria," *Investopedia*, updated Nov.3, 2020 <<https://www.investopedia.com/terms/e/environmental-social-and-governance-esg-criteria.asp>> assessed Jan. 14, 2021.

1 The 2030 Agenda for Sustainable Development, adopted by all United Nations Member States in 2015, provides a shared blueprint for peace and prosperity for people and the planet, now and into the future. At its heart are the 17 Sustainable Development Goals (SDGs), which are an urgent call for action by all countries - developed and developing - in a global partnership. United Nations, 17 Goals, <<https://sdgs.un.org/goals>> assessed Jan.14, 2021.

2 *Ibid* 14.

3 *Ibid* 77.

4 *Ibid* 75.

5 *Ibid* 77-78.

6 *Ibid* 77.

once oppressed workers would become members of the elites.

When workers, for example, first fought for the right to organize unions, they were harassed, prosecuted for conspiracy, followed by company spies, or beaten up by police and goon squads. Once unions established themselves, they gave rise to a new group of integrators - the labor establishment - whose members, rather than simply representing the workers, mediated between them and the elites in business and government.¹

Whether we could govern and manage any polity without leaders and hierarchy is a huge question and it seems to me reasonable to assume that we need certain structure in any given political society (body politic) with legitimate and qualified leaders no matter how they are selected.

Before moving on to the argument about how democracy should look like at the third wave era, it is useful to summarize the whole picture of the Second Wave civilization. It is the civilization characterized with standardization, specialization, synchronization, concentration, maximization and centralization, mainly relying on cheap fossil fuels, mass production and mass distribution through market supported by the nuclear family, the corporation, mass education, and the mass media. It is the civilization which sharply divides consumers and producers². In Toffler's account, advancing science and technologies, diversifying sources of energy, mainly renewable energies, de-massification of production and reintegration of consumers and producers, would transform the entire ecosystem of the Second Wave civilization. As a result, the mass society of the Second Wave civilization and its regional, local, ethnic, social, and religious subgroups would disintegrate and become more individuated.³

For Toffler, a globalizing economy accelerated by exponentially expanding data flow would reduce the state sovereignty. Interestingly, recent research has confirmed Toffler's prediction. For instance, Leonid E. Grinin reported that since the end of the Second World War, many countries, especially Western countries have been limiting and giving away some of their sovereign powers voluntarily, expecting to gain advantages as members of regional and international unions.⁴ However, at the same time, Toffler did not overlook the likely struggle between many poor countries which would strive to establish a national identity as an indispensable condition of industrialization and rich countries facing diminishing sovereignty.⁵

We must also remember that transition to the a Third Wave civilization is not a linear process and we not only face back and forth struggles around state sovereignty but also are

1 *Ibid* 77.

2 *Ibid*46-60, 77-78.

3 *Ibid* 316.

4 Leonid E. Grinin, State Sovereignty in the Age of Globalization: Will it Survive? in L. E. Grinin, A. Korotayev, V. Ilyin (eds.) *Globalistics and Globalization Studies*, (Uchitel 2012), 211-237.

5 A. Toffler, *The Third Wave* 325.

likely to move onto a completely different, and therefore, unknown world where our world and mental paradigms, once considered perpetual, no longer fit in. Considering the two major currents of the Third Wave civilization which Toffler identified, the de-massification of mass society/higher diversity and the acceleration of the pace of change,¹ it seems that the emerging national and supranational power structures would be more temporary and flexible, subject to regular review and reconfiguration by multiple stakeholders.

Now, let us turn to Toffler's vision of twenty-first century democracy, minority power, semi-direct democracy and decision division. First, as a proponent for demassification of mass society, Toffler saw an opportunity in the increasing diversity for "mini-majoritarian" politics in contrast with the "pre-majoritarian" in the First Wave and the "majoritarian" in the Second Wave. He observed that it was getting more and more difficult to mobilize a majority even in a simple issue and concluded that we would need to change our political system to accommodate expanding and diversifying minorities.² His fundamental premise is that diversity can produce and maintain a secure and stable civilization under appropriate institutional arrangement;³

If one hundred men all desperately want the same brass ring, they may be forced to fight for it. On the other hand, if each of the hundred has a different objective, it is far more rewarding for them to trade, cooperate, and form symbiotic relationships.⁴

In fact, it is widely acknowledged nowadays that majoritarian representative democracy alone could not protect the freedom of the minority from the despotism of the majority and several international human rights protection arrangements such as international/regional complaint mechanism and UN special procedures already take a vital role for this end.⁵

On the other hand, the widening economic disparity the we see in the world today seems to question Toffler's rather optimistic vision of diversity, which, in his account, is the result of emerging new production system which requires a more open and diversified population. In my account, the recent diversity or division is more of the result of economic inequality accelerated by globalization itself. However, I agree with Toffler's proposition that we have to abandon our false assumption that increased diversity automatically brings increased tension and conflict in society. As Toffler reiterated, the Third Wave civilization requires not only institutional reformation but also transformation of our mindset and

1 *Ibid* 360-361.

2 *Ibid* 419-427.

3 *Ibid* 422.

4 *Ibid* 422.

5 Reply of Dr. Nazila Ganea, the Director of International Human Rights Law programmes at the University of Oxford, to my question at the VIRTUAL ROUNDTABLES ON ASIAN LAW ON FREEDOM OF RELIGION OR BELIEF: ASIAN AND COMPARATIVE PERSPECTIVES (6 August 2020).

worldview which is taken for granted so far.

Second, Toffler advocated for semi-direct democracy, the mixture of people's direct participation in the decision-making process and representative governance. His vision has already been realized as several experiments of deliberative democracy and referenda takes place in many states although we are at the very early stage in its global spread.

In this connection, we should keep our eyes open for diverse, non-conventional institutional arrangements which has been emerging in the Asia Pacific. As José E Alvarez arguably elaborated¹ and demonstrated by the recent development of the ASEAN Intergovernmental Commission on Human Rights (AICHR) and the ASEAN Commission on the Rights of Women and Children (AIWC), the widely accepted myth that the "Asia-Pacific region" is relatively under-legalized does not reflect the rapidly changing political and legal landscape and particularly misses a wide range of non-traditional legal formulas emerging in the region. Alvarez emphasized;²

International legal sources are no longer confined to treaty, custom, or general principles but include a welter of "soft law" whose content and legal effects very much involve the discourse of law. Relevant law-making actors are no longer just states but international civil servant, private parties, non-governmental organizations, business groups, and experts. International law's interpreters are, most often, not judges, even in this age of proliferating international tribunals. International legal mechanisms now deploy many other interpreters, including private parties and municipal officials. Its enforcers include "the market" as well as a welter of bureaucrats, national and international.

In my account, an increasingly interconnected world sees a multilayered governance system emerging together with several non-traditional mechanisms for human rights protection and multiple channels for much wider participation of people in decision-making process. For instance, the Asian Development Bank (ADB) has developed the Safeguard Policy Statement (SPS) and Accountability Mechanism which aims to protect the human rights of people affected by ADB funding and providing them with channels for filing complaints against recipient states as well as ADB. In addition, many codes of conduct in different sectors, memorandums of understanding (MOUs) signed by multi-stakeholders and even de-facto standards in new technologies established by private companies have developed to form regional human rights protection arrangements in addition to numerous NGO networks in the region. It is also observed that Asian states do not refrain from engaging in legal disputes if these are deemed necessary, as demonstrated in the recent case of the South China Sea Arbitration and many cases of WTO dispute

1 José E Alvarez, Institutionalised legalization and the Asia-Pacific "Region", *New Zealand journal of public and international law*, vol.5, 2007, 9-28.

2 J. E Alvarez, Institutionalised legalization and the Asia-Pacific "Region", 26.

settlement procedures. As Hisashi Owada submitted, aversion to formal legal procedures on specific issues seems to be the consequence of strategic calculation of governments in the region.¹

I hold, however, that institutional arrangements need an underlying justification in addition to the practical policy objectives. As elaborated by Charles Taylor,² we need not only practical policies and institutional blue prints but also the commonly shared grand narratives which provide the underlying philosophy. This ensures that the ideal of the rule of law, democracy and human rights will be accepted by the people and function properly in the region. I will come back to this topic in the next section.

Third, decision-division, Toffler's last vision on the Third Wave democracy, seems the most relevant element in the information-based society.³ In Toffler's account, the concept of "decision load" is the fundamental factor determining the extent of democracy required in a given society. The more decisions need to be made the more that wider participation becomes unavoidable. So in his account, expansion of the decision load necessarily leads up to wider democratic participation.⁴ However, Toffler observed that excessive decisions are dominated at the national level whereas decision making structures are very underdeveloped at the transnational level.⁵ In this connection he presented two classic cases of corruption.

American corporations selling abroad are badly hurt by U.S. anti-bribery laws because other governments permit, indeed encourage, their manufacturers to bribe foreign customers. Similarly, multinational companies pursuing responsible environmental policies will continue face unfair competition from firms that do not, so long as there is no adequate infrastructure at the transnational level.⁶

Toffler, then, presented the insight which seems extremely valuable and useful to account for the emerging power game between major countries in the Asia Pacific, that is that we have two different political wars simultaneously. In his account, the first one is a clash between the Second Wave groups struggling for gains in the traditional sense and the second one is a war between those group who wish to maintain the current political, economic and social system and the one who wish to transform it. Toffler characterized the difference of two camps very clearly.

1 Hisashi Owada, *The Rule of Law in a Globalizing World-An Asian Perspective*, Washington University Global Studies Law Review, vol.8, Issue.2, 2009, 187-204, [203].

2 Charles Taylor, *Interculturalism or multiculturalism*, *Philosophy and Social Criticism*, Vol.38, No.4-5, May/June, 2012, 412-423.

3 A. Toffler, *The Third Wave* 434.

4 *Ibid* 438.

5 *Ibid* 431.

6 *Ibid* 432.

One is tenaciously dedicated to preserving the core institutions of industrial mass society - the nuclear family, the mass education system, the giant corporations, the mass trade union, the centralized nation-state, and the politics of pseudorepresentative government. The other recognizes that today's most urgent problems, from energy, war, and poverty to ecological degradation and the breakdown of familial relationships, can no longer be solved within the framework of an industrial civilization.¹

In my account, it is very indicative that neither US nor China has become signatory states to any international human right treaties of individual complaint mechanism, meaning that they are cooperating to oppose the new political forces of the Third Wave civilization. After all, any political system, if it functions well, needs to make and execute decision on the right scale at the right speed, reflecting the diversified voices in the given society.² So, the task in the Asia Pacific is to design and realize the new regional governance system, the post San Francisco system.

Toffler predicted that what appears to be emerging is neither a corporation-dominated future nor a global government but a far more complex system similar to the matrix organizations we saw springing up in certain advanced industries.³ For this end, we need to reexamine our commonly shared grand narratives underpinning the Second Wave civilization.

4. RE-SELF-CONCEPTUALIZATION FOR THE NEW GOVERNANCE

Toffler predicted that new communication media of the Third Wave Civilization would fundamentally transform who we are, the notion of the modern self developed in the Second Wave Civilization.⁴ The idea of the modern self was articulated in the West and spread to the rest of the world later. So, we have to track the modern intellectual history of the West.

In Taylor's account the ideas of modern society in the West were articulated as the theory of natural law in the 17th century, mainly by Grotius⁵ and Locke⁶. This theory is based on a certain conception of the human being and society; that individuals, on their own judgments, voluntarily come to an agreement with each other and form society

1 *Ibid* 437.

2 *Ibid* 414.

3 *Ibid* 326.

4 *Ibid* 379.

5 Hugo Grotius (1583-1645), a Dutch humanist, diplomat, lawyer, known as the author of *De jure belli ac pacis libri tres* (On the Law of War and Peace: Three books) published in 1625, which laid foundations for international law based on natural law.

6 John Locke (1632-1704), an English philosopher, known as the author of *Two Treatises of Government* and *An Essay Concerning Human Understanding* published in 1689.

in order to promote their mutual benefit. Individuals are supposed to be endowed with natural rights as subjects of rights. This modern self, as an autonomous and rational agent, is supposed to take a disengaged stance toward the world, including themselves, and to be able to act as sovereign people, formulating a commonly elaborated opinion in the public sphere while managing to make a living as an independent agent in the market economy.¹

It is Immanuel Kant who thoroughly articulated the idea of modern self as an autonomous and rational agent in distinction between *homo noumenon* and *homo phaenomenon*, that is that moral personality [*moralische Persönlichkeit*] is defined as the freedom of a rational being under moral obligations from which moral rights (human rights) is derived.

However, the very notion of the modern self as an autonomous and rational agent has been questioned since then. For instance, Luciano Floridi describes the modern history of re-self-conceptualization;

After Copernicus, the heliocentric cosmology displaced the Earth and hence humanity from the centre of the universe. Darwin showed that all species of life have evolved over time from common ancestors through natural selection, thus displacing humanity from the centre of the biological kingdom. And following Freud, we acknowledge nowadays that the mind is also unconscious and subject to the defence mechanism of repression thus displacing it from the centre of pure rationality, a position that had been assumed as uncontroversial at least since Descartes.²

Floridi, following the above three revolutions in our perception of who we are, described a fourth revolution in which, represented by Turing, computer science and ICT has exerted an epistemic influence since 1950's and is transforming our view of human and the world. In his account, we are now gradually accepting the view that we are informationally embodied organisms (*inforgs*), mutually connected and embedded in an information environment (*infosphere*).³ For Floridi, the infosphere is the whole informational environment constituted by all informational entities including information agents, their properties, interactions, processes, and mutual relations. Infosphere underpins our life like "biosphere".⁴ He goes on to hold that ICTs are not only enhancing human capacities but also remaking our environment and ourselves, replacing our daily life clearly divided between online and offline environments with onlife experience.

Toffler also presented the term "indust-reality", as "a powerful and coherent world

1 Charles Taylor, Conditions of an unforced consensus on human rights. In J.R. Bauer and D.A. Bell (eds.), *The East Asian challenge for Human Rights*, (Cambridge University Press, 1999), 124-144.

2 Luciano Floridi, *The Ethics of Information*, (Oxford University Press, 2013), 14.

3 *Ibid* 14.

4 *Ibid* 6.

view” which “not only explained but justified Second Wave reality”.¹ In my account, “indust-reality” is one social imaginary unique in the Second Wave civilization. Taylor explained “social imaginary” as common understanding that makes possible common practices and a widely shared sense of legitimacy.²

In Toffler’s account, “indust-reality” has three deeply intertwined beliefs;

- 1) Human should hold dominion over nature,
- 2) Human are the pinnacle of a long process of evolution,
- 3) History flows irreversibly toward a better life for humanity³.

However, the “indust-reality” is being altered and replaced by a more humble view of the human and the world. As the Third Wave dawns, our own planet seems much smaller and more vulnerable. Our place in the universe seems less grandiose.⁴

In addition to the impact of ICT, recent human failure to controlling COVID-19 is dethroning us as the sovereign of the universe, the earth, and living entities. In my account, we are gradually acknowledging ourselves as one of many and a part of a greater life. In this connection, Floridi happened to find that the infosphere unexpectedly tends to share spiritual overtones and connections to Confucianism, Buddhism, Taoism, and Shintoism⁵.

Toffler also highlighted the unexpected congruity between the First Wave and the Third Wave. Third Wave civilization turns out to have many features – decentralized production, appropriate scale, renewable energy, de-urbanization, work in the home, high level of presumption, to name just a few – that actually resemble those found in the First Wave societies.⁶ However, as Toffler insisted,⁷ we do not need to imitate outside models nor our own First Wave ones in order to redesign the new Asia Pacific governance system at the Third Wave era. As Facebook’s white paper indicates, the future governance system should be based on diversity, equity and inclusion with more open, democratic participation of multiple stakeholders in equal footing.

The new governance system seems to resonate with our traditional humble view of human whereas we must accept that all new technologies leads to fundamental change in what we do, and ultimately in what it is to be human.⁸ In my account, we need to reexamine and remake who we are and what it is to be human in the Third Wave civilization for

1 A. Toffler, *The Third Wave*, 98.

2 Charles Taylor, *Modern Social Imaginaries*, (Duke University Press, 2004) 23.

3 A. Toffler, *The Third Wave*, 100-101.

4 *Ibid* 291-292.

5 L. Floridi, *The Ethics of Information*, xiv.

6 A. Toffler, *The Third Wave*, 337.

7 *Ibid* 337.

8 Terry Winograd & Fernando Flores, *Understanding Computers and Cognition: A New Foundation for Design* (Ablex Publishing Corporation, 1986) xi.

designing the new governance system in the Asia Pacific.

5. SOME REFLECTIONS AND SUGGESTIONS

In the first section, I posed Toffler's question as to whether intelligent machines in intercommunicating networks might outrun our ability to understand and control them. Referring to the recently released Facebook White Paper, I pointed out that the new governance system needs the more dynamic, collaborative and creative approach for addressing diversity of regulations, equality between stakeholders and inclusiveness of data regulation.

In the second section, I introduced Jacques Maritain's critical scrutiny about the concept of state sovereignty and concluded that state sovereignty is not a clear notion and we may get along without it.

In the third section, I confirmed Toffler's critical judgement that the representative government is the major means for the elites to maintain their power in the Second Wave society. I then scrutinized the three characteristics of democracy in the Third Wave civilization that Toffler presented, minority power, semi-direct democracy and decision division. I traced Toffler's argument that demassification of mass society and acceleration of the pace of change would necessarily leads up to wider democratic participation although it is not a liner process and we need to remake our mindset and worldview.

In the fourth section, I introduced Toffler's prediction that the Third Wave civilization would fundamentally transform who we are, the notion of the modern self developed in the Second Wave civilization and confirmed his argument by tracing Lucino Floridi's illustration about the process of dethronement of human. I concluded that we need to reexamine who we are and what it is to be human in the Third Wave civilization for making the new governance system in the Asia Pacific.

Given the emerging nationalistic currents accompanied with anti-democratic sentiment in the contemporary world, it seems unpredictable and uncertain what will come out as the next governance system at the local, national, regional and global level. However, the future vision Toffler presented in his masterpiece, *The Third Wave*, arguably demonstrated that Toffler's prediction about the overall direction our world has moved forward is almost correct. In my account, one of the major reasons for accuracy in his vision attributes to his world model which grasps the fundamentals and the structure of the Second Wave civilization and the primary factors which drives and transforms it to the Third Wave civilization.

So, following his observation, I hold that demassification of mass society and acceleration of the pace of change driven by advancing science and technology will eventually create more distributed, more democratic governance system with more equal

participation of every stakeholder. I conclude my paper, referring to Toffler's manifesto;

As we are jolted by crisis after crisis, aspiring Hitlers and Stalins will scrawl from the wreckage and tell us that the time has come to solve our problems by throwing away not only our obsolete institutional hulks but our freedom as well. As we race into the Third Wave era, those of us who want to expand human freedom will not be able to do so by simply defending our existing institutions. We shall – like American's founding parents two centuries ago – have to invent new ones.¹

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