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ARTICLE



Cultural retaliation: the cultural policies of the 'new' Front National

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ABSTRACT

This study examines the conception of culture and the cultural policies of the French Front National. Tracing the developments of the party's cultural agenda before and after Marine Le Pen took over the leadership of the party from her father, I show how the Front National has adapted its discourse on cultural policy to its wider programmatic profile. In the context of a strategy of de-radicalisation promoted by Marine Le Pen, recent years have witnessed focussed efforts by the party leadership to professionalise and modernise the party's cultural policy programme. However, the analysis of the party's current cultural policy agenda reveals a remarkable continuity in the way the party leadership conceives of national culture and of what cultural policy should promote. This programmatic continuity becomes apparent in the analysis of the local cultural policies of municipalities won by the Front National in 2014. Exploring the cultural agendas of ten local governments with a Front National majority, I argue that the cultural policies of the Front National remain deeply rooted in a nativist understanding of culture and a dirigiste approach that wilfully excludes postcolonial minorities.

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Introduction

Within the vast body of literature on the French Front National (FN) that has been published since the party's first electoral successes in the early 1980s, research on the cultural policies of what has become one of Europe's most successful radical right parties has remained scant. With the exception of Davies' (1999) and Guiat's (2007) analyses on the municipal policies in the towns conquered by the FN after the 1995 municipal elections, most scholarly works dealing with the ideology of the FN have tended to omit the party's discourse and policies on culture. This gap is understandable considering the weak research output on cultural policy in party politics in general (Chaney 2015) and, more specifically, considering the tendency to view radical right parties such as the FN as single-issue anti-immigration parties lacking a programmatic profile on other policy fields. This latter assumption neglects the great importance radical right parties tend to place on cultural policy – particularly when they hold executive office (see Minkenberg 2001). In the French case, the FN already began paying particular attention to cultural policy in the mid-1980s. Drawing on the Gramscian notion that the quest for power would necessarily imply a battle for cultural hegemony, the party developed a cultural policy agenda that echoed its own conceptions of culture and nationhood (Davies 1999, 172).

The purpose of this article is twofold: first, to examine the evolution of the FN's positions on cultural policy with a focus being placed on the changes that occurred since Marine Le Pen was elected party

president in 2011; second, to identify and analyse the cultural policies implemented in the municipalities conquered by the FN in 2014. A central concern of the present article will be the question whether the strategy of (partial) de-radicalisation promoted by Marine Le Pen has brought about significant changes in the party's understanding of culture and cultural policy. After outlining the leitmotifs that characterised the FN's attitude towards cultural policy under Jean-Marie Le Pen, I analyse the organisational and programmatic innovations introduced under the leadership of Marine Le Pen, before focussing on the municipal cultural policies of the FN since 2014.

As I will argue, the FN has consistently adjusted its cultural policy to its broader ideological profile. The party's strategy of attempting to enter a realm of republican acceptability under the leadership of Marine Le Pen has extended to the party's discourse on cultural policy with a greater focus being placed on the pledge to democratise access to culture. This programmatic strategy echoes the party's attempts to develop a stronger social-populist profile presenting itself as the sole advocate of those forgotten by political elites. The years that followed Marine Le Pen's election to party president also witnessed considerable organisational efforts to give the party a more credible image in terms of cultural policy profile. However, these changes conceal a remarkable continuity in the party's core belief that culture is a set of immutable national traditions. As the analysis of the FN's cultural policies at the local level will show, the party continues to draw on an exclusionary and authoritarian conception of cultural policy.

The focus of this article lies on what Ahearne (2009) has termed 'explicit or nominal cultural policies', in this case, the cultural policies that are explicitly labelled as such by the FN. As will become clear in what follows, the FN has a particularly wide understanding of cultural policy as a key policy field for promoting and disseminating a certain vision of what France should be. In this sense, the analysis will necessarily extend to policies that would typically fall under Ahearne's category of 'implicit or effective cultural policies', i.e. policies that are not typically thought of in terms of cultural affairs.

The Front National and culture under Jean-Marie Le Pen

Although isolated statements on cultural policy were present in the programmatic texts of the FN from its very beginning in the early 1970s (see Front National 1973), the first manifesto containing a (sub-) chapter devoted to cultural policy did not appear until 1986. In a synthesis of neo-liberal positions on economic issues and an ultra-conservative stance on societal topics characteristic of the FN of the 1980s and early 1990s, the party called for limited state intervention in the field of culture and for a return to pre-revolutionary traditions of royal artistic patronage. State action in the field of culture should be limited to the preservation of national heritage and to supporting artistic creations that privilege 'tradition over rupture' and 'the rediscovery of national historical roots over tabula rasa' (Le Pen 1986, 171).¹ Accordingly, the state should withdraw from promoting avant-garde and all non-conventional art forms. These statements must be understood in light of the FN's virulent campaigns against François Mitterrand and the Socialist-led government in the context of the increased culture budget of the 'Lang decade' and of the official recognition of art forms previously considered minor.

By the late 1990s and particularly after the split between Jean-Marie Le Pen and the supporters of the neo-liberal and office-seeking agenda defended by his rival, Bruno Mégret, the FN began to tone down its partial commitment to neo-liberalism in order to embrace a more statist profile. This development was accompanied by a substantial increase in the salience of cultural policy in the FN's programmatic profile. In the presidential election of 2002, Jean-Marie Le Pen was the candidate whose manifesto featured by far the longest chapter devoted to culture and cultural policy (see Front National 2001).

The text reproduced long passages of the 1993 and 1997 manifestos along with a speech held by Jean-Marie Le Pen's campaign manager Bruno Gollnisch at the Catholic traditionalist organisation *Renaissance Catholique* (Gollnisch 1997). The chapter on cultural policy was illustrative of the programmatic synthesis between the ideology of the new right and Catholic traditionalism formerly embodied by the FN (Almeida 2014). It developed an orthogenetic narrative of national grandeur by arguing that the uniqueness of French civilisation arose through the recognition of 'Beauty, Goodness and Truth' ('le Beau, le Bien, le Vrai', capitalised in the original) as objective and immutable values (Front National

2001, 390–396). Strict adherence to these values was then presented as the sole criterion that defines ‘Culture’ with a capital ‘C’. French civilisation could only flourish thanks to the patronage of enlightened monarchs who were able to identify which artists were engaged in the search of ‘sovereign beauty’. The manifesto went on to argue that the creation of the Ministry of Cultural Affairs in 1959 had marked the beginning of a subversive enterprise of normative inversion inspired by Malraux’s alleged continued adherence to Marxism. Rather than pursuing the efforts to perfect French civilisation, the successive governments of the Fifth Republic stood accused of having ‘sacralised ugliness’ in an effort to annihilate the ‘spiritual and natural roots’ of France (391).

Following a line of argument characteristic of the FN’s conspiracist claims, the cultural policies of socialist and neo-Gaullist majorities were described as the central instrument of a political strategy of mind control and censorship aiming at bringing about the end of France as a sovereign nation. The specific tactics employed in this plot were argued to consist primarily in promoting cultural productions that subvert national identity. The FN accused French political elites of deliberately supporting artists whose works either did not conform to the essentialised aesthetic ideal of the FN (e.g. Buren, César, Arman), promoted nihilism and moral relativism (e.g. Brecht, Kafka, Beckett) or were only concerned with colonialism and fascism (e.g. Césaire, Tabucchi). Secondly, the FN suggested that the works of artists who did not fit into the ‘official culture’ propagated by political elites were wittingly consigned to oblivion (395). The manifesto referred, among others, to the authors Paul Morand and Jean Yole, who may indeed be considered as forgotten authors. However, the manifesto fails to specify that this may in part be due to the fact that both authors were high-ranking political figures of the Vichy Regime. Finally, the FN denounced the wilful relegation of French popular culture – the manifesto mentions operettas and regional folklore – in favour of rap and techno, both accused of being non-musical forms of expression (396).

The programmatic profile of the FN on culture in the 1990s and early 2000s echoed the cultural policies implemented in the four towns conquered by the FN in 1995 and in 1997. In Toulon, Orange, Marignane and Vitrolles public subsidies to cultural associations whose activities did not conform to the understanding of national culture defended by the FN were drastically reduced or discontinued. Public libraries in these municipalities were reported having sorted out African music or children books with world folktales and having subscribed to radical right newspapers (Bressat-Bodet 1999; Davies 1999, 171–186; Fontana 2009). In his analysis of the cultural policy of the Mégret couple in Vitrolles, Guiat (2007) highlights how the city became a local ‘laboratory’ of the radical right. Guiat mentions for example the introduction of a cultural programme centred on regional folklore, the closing order of a café with live reggae, rap and alternative rock music or the dismissal of the director of a local cinema on the grounds that she had programmed films and documentaries about AIDS.

Cultural policy under the impact of ‘dédiabolisation’

In the presidential election campaign of 2007, the strategy defended by Marine Le Pen aiming at de-radicalising the party’s brand image in order to maximise the FN’s electoral potential had already produced significant effects on the FN’s programmatic profile. As the strategic director of her father’s campaign, Marine Le Pen contributed to softening the party’s rhetoric in a number of policy fields in what became known as a strategy of *dédiabolisation* (a concept one could roughly translate as ‘de-demonisation’). In terms of cultural policy, this change took the form of a less openly ideological and polemical approach. Like in previous manifestos, the FN called for a cultural policy centred on the preservation of national heritage. However, the notion of an obscure cultural conspiracy against French civilisation and the diatribes against rap music and contemporary art disappeared in favour of vague remarks on the need for more transparency in order to end clientelism in the field of cultural policy and the pledge to democratise access to culture (Front National 2007, 24).

The year that followed Marine Le Pen’s election as party president early 2011 did not witness significant changes in the party’s programmatic profile on cultural policy as most commitments included

in the 2007 manifesto were repeated in the manifesto for the 2012 presidential election. There was, however, a more pronounced tendency to link cultural policy to the party's programmatic leitmotifs.

The national-protectionist discourse developed by Marine Le Pen draws on the distinction between the 'real country' (the people) and the 'legal France' (political and administrative elites) originally theorised by the nationalist thinker Charles Maurras. The discourse appeals to those forgotten by French political elites and promises to re-establish the sovereignty of the people (e.g. Le Pen 2012). This populist approach found its way into the party's agenda on cultural policy in the pledge to integrate users' associations in the administration of cultural institutions. The notion of 'national priority' defended by Marine Le Pen as an euphemism for the formerly used 'national preference' was applied to define cultural policy as the defence of the French cultural exception – a notion extended to include the support for film productions on French history and on the 'vitality of the francophone world' (Front National 2012, 30–31). While the FN's understanding of the cultural exception is in most respects different from that that emerged during the 'Lang years' in the context of the Uruguay Round of the GATT negotiations, the party's current defence of the French cultural exception stands in stark contrast to its original opposition to the cultural policies adopted under Jack Lang.

Although a number of observers tend to view the new, *bleu marine* FN as a party whose positions on economic and social issues have drifted to the left of the French political spectrum (Ivaldi 2015; Reynié 2011), the neo-liberalism characteristic of the older FN has not disappeared from the party's profile. Thus, in a market-based approach towards culture, the FN vows to make public subsidies to cultural institutions dependent on their own revenues and on the support they enjoy among the public (Front National 2012, 30).

In the two years that followed the 2012 presidential election, culture remained a minor subject in the FN's communication strategy. In 2012, Marine Le Pen nominated the local politician Karim Ouchikh as the party's cultural affairs adviser. The choice was most probably motivated by tactical reasons given that Ouchikh (who did not feature any particular experience in the field of culture) was the president of the far right fringe party *Souveraineté, Identité et Libertés* (a political group formerly associated with the *Rassemblement Bleu Marine*, an electoral coalition of support for Marine Le Pen). The press releases published by Ouchikh consisted for the most part of strongly nationalist criticism against the socialist government for allegedly failing to defend the French cultural exception against the European Union and the United States. Ouchikh was also particularly vocal in the defence of language purity against anglicisms and political correctness describing the banning of the term '*mademoiselle*' in official forms as an 'Orwellian reform' led by 'intellectual terrorists' designed to accelerate the end of French civilisation (Ouchikh 2014).² Although the party's cultural affairs adviser did not gain much public visibility outside the party, the ideological extremism that characterised his public comments on cultural affairs was strongly at odds with Marine Le Pen's strategy of *dédiabolisation*.

In an attempt to modernise and professionalise its profile on cultural policy, the FN launched a new working group in June 2015: the *Collectif Culture, Libertés, Création* (CLIC). The creation of this new structure under the patronage of actress Brigitte Bardot must be viewed in the larger context of the launching of satellite organisations supposed to function both as programmatic think tanks and as links with segments of civil society that are traditionally less inclined to support the FN.³ To lead the CLIC, Marine Le Pen chose Sébastien Chenu, a former chief of staff to Trade Minister Christine Lagarde and founder of GayLib, a LGBT group formerly affiliated to the conservative *Union pour un Mouvement Populaire* (UMP). The choice of Sébastien Chenu is illustrative of the FN's strategy of signalling republican legitimacy by co-opting politicians from opposition parties. In his inaugural speech, Chenu presented the new organisation in explicit Gramscian terms as a proof that the 'patriots' were winning the cultural battle that would pave the way for a political victory. Referring among others to the philosopher Alain Finkielkraut, whose recent works link the alleged identity crisis of France with immigration, and to Michel Houellebecq, author of the dystopian novel *Soumission* that begins by describing the victory of an Islamist candidate at the French presidential election, Chenu painted a picture of French cultural and intellectual elites as 'silent allies' that have gradually come to embrace the ideological premises of the FN (Chenu 2015).

The efforts of the FN to develop a more credible profile in the field of cultural policy must also be viewed as part of a wider strategy of political normalisation. In a country in which political parties and presidential candidates value the endorsement of celebrities to appeal to wider constituencies, the almost complete lack of endorsement for the FN from renowned figures of French cultural life represents an obstacle in the quest for political legitimacy. In an open letter addressed to artists published during the campaign for the regional elections of 2015 in the north-eastern region of Nord-Pas-de-Calais-Picardie, Marine Le Pen attempted to attract support from artists by painting a reassuring picture of the cultural policies she would implement if elected. The letter insisted that all art forms should be supported and that public funds should be targeted to promote artistic talent rather than market value. In what can be viewed as a discursive adjustment of the party's populist appeal to those abandoned by political elites, Marine Le Pen vowed to be the advocate of those artists that feel excluded from public subsidy schemes (Le Pen 2015a).

Thus far, the strategy of rapprochement with the artistic community has not provoked any significant breach in the 'cordon sanitaire' that surrounds the FN in the cultural sector. The main public reaction to Marine Le Pen's open letter was a concise and uncompromising rebuff signed by 1001 artists published in several French newspapers stating that creative freedom as cultural openness was fundamentally incompatible with the ideology defended by the FN (*Libération*, November 30, 2015b).

Although Marine Le Pen has presented her party's cultural policy as a radically new approach (Le Pen 2015b), the comments and press releases published on the website of the CLIC suggest a change of style rather than substance. With repeated charges against rappers accused of denigrating patriotism and virulent criticism of the 'media and political establishment' for destroying authentic French culture through the promotion of multiculturalism, the positions expressed by the party's think tank reveal a remarkable continuity in the FN's cultural policy thinking over the past decades.⁴

To a large extent, the de-radicalisation of the FN has not been achieved through a process of programmatic moderation but was rather the by-product of the sharp ideological shift to the right within the UMP under Nicolas Sarkozy. Among many other aspects of Sarkozy's presidency, the diatribes against political correctness and against repentance for France's colonial past, the grand debate on national identity launched in 2009 or the project of a museum of national history have contributed to legitimise the FN's position that cultural policy should focus on sustaining a grand narrative on national identity. Additionally, the political attacks launched by the FN on artists may appear less radical in light of the frequent accusations of immorality, leftist activism and elitist disdain for the masses levelled at artists and cultural intermediaries by other political leaders (see Matz 2009).

Perhaps the best way to assess the newness of the 'new' FN in the field of culture is to analyse the actions undertaken by the local governments conquered by a FN majority in the 2014 municipal elections.

The cultural policies of the Front National in local government

The decades of Jean-Marie Le Pen's leadership of the FN were marked by a certain disdain for the quest for power at the local level. As Igounet (2014, 266–270) notes, the presidential and European elections remained by far the preferred electoral arena of Jean-Marie Le Pen's strategy. The fact that important parts of the local political elite of the FN that had emerged after the 1995 municipal elections joined forces with the dissident Bruno Mégret in 1998 provided an additional cause for Jean-Marie Le Pen's distrust towards local government.

Marine Le Pen's election as party president in 2011 was accompanied by the rise of a new generation of party cadres to the FN's political and executive bureaux. Many of these new party cadres, like Steeve Briois and Sophie Montel, had begun their political socialisation in municipal councils and hence contributed to a change of attitude with regards to local government. More generally, the FN's electoral strategy under Marine Le Pen has been more focussed on a territorial bottom up approach than what was the case under the leadership of Jean-Marie Le Pen. The municipal elections of 2014 witnessed a record number of FN electoral lists (almost 600 in comparison to only 119 lists in 2008) and focussed

campaign efforts to present a credible profile at the local level (Alidières 2014). Although the results were far below what the FN's self-proclaimed status as 'the first party of France' would suggest, the FN achieved some electoral success, particularly in the north-east and south-east of France.

Marine Le Pen's party managed to obtain council majorities and mayoral posts in several communes, including the south-eastern towns of Fréjus, Cogolin, Beaucaire, Le Pontet and Le Luc, in the north-eastern towns of Hénin-Beaumont and Hayange, (two former centres of the coalmining and steel-manufacturing industry severely hit by deindustrialisation), in Mantes-La-Ville (Île-de-France region) and in Villers-Cotterêts (in the former region of Picardy). One of the party's most important victories was a council majority in the 7th sector of Marseille, a sector with over 150,000 inhabitants, making it the most populated area of the city. Additionally, in some municipalities the FN supported the election of like-minded candidates; the most significant example being the election of Robert Ménard, former secretary-general of the NGO *Reporters sans Frontières*, as mayor of the southern town of Béziers.

In the following, I analyse the cultural policies of local governments under FN leadership by focussing on two general tendencies: (i) the focus on a culture of entertainment justified by the will to democratise access to culture and to return to 'authentic' cultural traditions, and (ii) an ethnicised understanding of culture guided by exclusionary identity politics.

Although the cultural policies in the city of Béziers would merit a detailed examination, the case of Béziers is not considered in the analysis given that several political conflicts have emerged between Robert Ménard and the leadership of the FN. The same applies to the towns of Bollène and Orange, which are both controlled by the *Ligue du Sud*, a right-wing extremist party mainly composed of disidents from the FN.

The analysis draws primarily on a corpus of official municipal documents such as municipal magazines and minutes of council meetings as well as speeches by local FN politicians. Additional background information on local cultural affairs was obtained through reports in the local press as well as through interviews with stakeholders from civil society and local politics.

Event culture and the reinvention of tradition

In his analysis of the municipalities conquered by the FN after the 1995 municipal elections, Davies (1999, 173) noted that the arrival of the FN generally did not bring about a 'blatantly anti-culture' approach in terms of cultural policy expenditures. Davies' remark would probably also apply to most municipalities won by the FN in 2014. However, the budget reports of French municipalities made available by the Ministry of the Interior (more specifically by the *Direction Générale des Collectivités Locales*) do not permit a fine-grained analysis of the evolution of cultural policy expenditures. The same applies to the reports published by municipalities which only provide fragmentary information and crude estimates. While in some cases, such as in Mantes-La-Ville, the budget reports reveal drastic cuts in cultural policy expenditures, in other municipalities governed by a FN majority, the reductions in the overall budget for culture appear to have been limited.⁵ Taking into account the fact that most French municipalities have witnessed important cuts in government transfers in 2015, a decrease in cultural policy expenditures should not necessarily be interpreted as an expression of partisan priorities.⁶ Thus, looking at the actual changes in the cultural programmes of municipalities before and after the elections of 2014 may provide more substantial insights into the cultural policy approach of the FN at the local level.

A comparison of local cultural programmes before and after the 2014 municipal elections suggests that the most striking change brought about by FN majorities has consisted in the launching of new public festivities centred on local heritage and staged folklore. Coupled with the fact that in almost all municipalities governed by the FN the budget allocated to semi-autonomous cultural institutions and associations involved in culture has experienced drastic cuts, this development suggests a tendency towards the centralisation of cultural policy allowing for more political control of local cultural life.

Since 2014, the towns governed by the FN have witnessed a rapid proliferation of public festivals staging 'traditional' culture. Among these new events, there appears to be a particular preference for medieval reenactment festivals, as such annual events were introduced or reintroduced in Cogolin,

Hénin-Beaumont, Le Pontet and in the sector of Marseille administered by a FN majority. Although medieval festivals are a widespread phenomenon in France and thus do not necessarily relate to partisan majorities in local and regional government, in the case of municipalities governed by the FN, there are strong indicators that these events express a certain political conception of what cultural policy should prioritise.

At the launching of the CLIC, the celebrity lawyer and member of the National Assembly for the *Rassemblement Bleu Marine* Gilbert Collard attempted to summarise his understanding of culture by stating: 'It is our duty to build tomorrow's culture so that it will become the culture of yesterday, and this is called tradition' (Collard 2015). Collard's statement can be viewed as symptomatic for an understanding of culture that revolves around the idea of a reproduction of tradition. In a long programmatic speech on cultural policy originally held at a meeting of the anti-immigration conspiracist group *Polémia*, the secretary general of the CLIC, Gabriel Robin, opposed a 'culture of transgression' that promotes normative relativism and disorder to an 'authentic culture' that perpetuates timeless traditions and is firmly rooted in a natural order.⁷ This deterministic conception inspired by the cultural nationalism of Maurice Barrès led Robin (2015) to argue that cultural policy should concentrate on preserving the natural order expressed in the ancient traditions of rural France. Interestingly, Robin goes on to present the historical theme park *Le Puy du Fou* as an example of what cultural policy should promote. The park was founded by the ultraconservative politician Philippe de Villiers and blends elements of an ecomuseum and an amusement park featuring historical reenactment shows that span from the Vikings to the civil war in the Vendée. In the 2015 regional elections, the promise to launch a theme park inspired by the *Puy du Fou* made its entry in the FN's manifesto for the south-eastern region of Provence-Alpes-Côte d'Azur. In a section on cultural policy entirely focussed on the revival and preservation of 'rooted culture' ('culture enracinée'), the FN vowed to place the coordination of regional cultural policy into the hands of a vice-presidency for identity affairs (Front National 2015, 23).

In addition to medieval festivals, new events dedicated to wine and local culinary traditions also made their appearance in the cultural programmes of a number of FN municipalities (including Cogolin, Hayange and Hénin-Beaumont). Whilst firmly rooted in a nativist discourse that constructs a notion of tradition based on a dehistoricised absolute past, the focus on historical reenactment events and traditional food festivals also reveals a preference for cultural policies primarily aimed at recreation and entertainment.

Another distinctive trait of the changes introduced by the FN in some municipalities has been the focus on Christian traditions. Despite the fact that the FN has weakened its ties to Catholic traditionalist organisations and that the party has come to present itself as the staunchest defender of *laïcité* (Almeida 2013), the party's understanding of what cultural policy should promote places a significant emphasis on church services, processions and religious symbols. Thus, in the cultural policy section of its regional manifesto for the election of the regional council of Provence-Alpes-Côte d'Azur, the FN vowed to 'assert popular traditions and to defend the heritage of French civilisation' by displaying nativity scenes in regional public buildings (Front National 2015, 23).⁸ Similarly, the official cultural programmes of some municipalities governed by the FN in southern France, particularly those of Beaucaire and Le Luc, have come to place a stronger focus on religious fests than was the case before 2014 (see, e.g. Beaucaire 2015).

In contrast, official festivities related to events that fit uneasily in the FN's conception of French history have in some cases been discontinued. Thus, the mayors of municipalities governed by the FN have systematically boycotted the tributes to the victims of the war in Algeria and the fights in Morocco and Tunisia organised on March 19, because the commemorative date marks the formal ceasefire between France and the Provisional Government of Algeria (*Libération*, March 19, 2015a). In the town of Villers-Cotterêts, the mayor refused to organise the official commemoration of the abolition of slavery on the grounds that the ceremony echoed a spirit of permanent national self-abasement (*Le Monde*, May 10, 2014a). The decision had a particular symbolic resonance in the home town of writer Alexandre Dumas whose father was born a slave before becoming the first black general of the French army.

The fact that the cultural calendars of municipalities governed by the FN have come to place a particularly strong emphasis on popular festivities to the detriment of other events is often presented

by the municipalities in question as a proof for the party's efforts to democratise access to culture. This understanding of democratisation builds upon a constructed opposition between the 'authentic' culture of the people and the stateless 'high culture' of the elites. Thus, in his political project for Marseille, the mayor of the city's 7th sector Stéphane Ravier called for a cultural policy for the masses centred on the defence of local identity. Following a definition of culture as something that should distract the majority rather than please a minority, cultural policy should, according to Ravier (2014), privilege large entertaining events dedicated to local and regional traditions. Similarly, in the small town of Le Luc (approx. 10,000 inhabitants), the mayor reacted to criticism that municipalities controlled by the FN were politicising culture by stating that, because cultural policy was being paid for by the people, it was only natural that the town should privilege popular artists that satisfy the taste of the majority (Zirilli 2015).

In a similar vein, the mayor of Hénin-Beaumont Steeve Briois praised in an editorial for the official municipal magazine the change of paradigm he allegedly introduced in his town by making culture accessible to a large audience (*Hénin-Beaumont c'est vous*, November 2014, 3). The magazine went on to present the applause of the public for a musical cabaret show organised by the municipality in the context of a week devoted to the elderly as a proof of the 'cultural rebirth' of Hénin-Beaumont (8). In the pages of the cultural calendar of Beaucaire for 2014/2015, the mayor Julien Sanchez defended a cultural programme 'of high quality that reaffirms local and regional traditions' – a cultural programme almost exclusively composed of stand-up comedy and operettas (Beaucaire 2014). Contacted by the author in May 2016, a municipal councillor of the opposition described the cultural policy of the FN majority in Beaucaire as an 'event culture' focussed on entertainment and blending staged folklore with commercial popular music supposed to signal a preference for the culture of the masses as opposed to elitist culture. Thus, the summer cultural programme of the past two years was centred on Michael Jackson tribute shows and a concert by singer Francky Vincent whose hits include songs like 'Tu veux mon zizi' ('You want my penis') and 'Constipation'.

The anti-elite discourse of the FN in local government extends to the field of contemporary visual arts. During the campaign for the 2015 regional elections, Marion Maréchal-Le Pen, the niece of Marine Le Pen and top candidate of the FN list in the region Provence-Alpes-Côte d'Azur, associated contemporary art with the 'deliria of deranged minds' adding that 'ten bobos (bourgeois bohemian) pretending to marvel at two red points on a canvas just because of a painting's market value' wasn't her conception of what cultural policy should support (Maréchal-Le Pen 2015). Although Maréchal-Le Pen's criticism did not amount to a general disapproval of non-figurative art, it reproduced the traditional stereotyped discourse of the FN towards contemporary art. This attitude has also characterised the policies of a number of municipalities governed by the FN. Thus, in Hayange, the mayor ordered a fountain designed by the sculptor Alain Mila to be painted in blue arguing that everybody found the sculpture to be awful (*Le Monde*, July 29, 2014b). When Mila threatened to sue the city for violation of intellectual property rights, the blue paint was removed but the sculpture was replaced by a new one in the style of a Wallace fountain.

In Fréjus, the administration renegotiated the contracts of resident artists adding a clause that the artists should devote part of their time to the supervision of school children in exchange for their reduced rent. When a number of artists refused to accept the new contract and decided to move to the neighbouring town of Saint-Raphaël, the mayor published a twitter post stating that this was good news since the 'lazybones' were costing the city a lot and 'they refused participation in municipal life' (David Rachline, @david_rachline, November 17, 2015, 00:00).

Exclusionary cultural policies

Under the municipalities governed by a FN majority, the town of Hayange (approx. 16,000 inhabitants) has probably witnessed the most important cuts in its cultural programme. The festival of classical music (the *musicales hayangeoises*) and a theatre festival were both discontinued along with the *Semaine de la paix*, a yearly event week mainly aimed at school classes with activities focussed on citizenship and tolerance (see *Le Journal des Hayangeois*, September 2015, 39). Since the FN won the municipal

elections, the cultural calendar of Hayange consists mostly of bals-musette, tea dances for the elderly and folkloristic parades. The most publicised 'cultural' event of Hayange is a yearly pork fest introduced in 2014 by Mayor Fabien Engelmann, a former union activist engaged in Trotskyist organisations before he joined the FN in 2010.

The pork fest is a good illustration of the impact of identity politics on the cultural policies of the FN. In the pages of the municipal magazine, the fest is presented as the expression of sincere patriotism and of emotional attachment to regional and national identity (*Le Journal des Hayangeois*, February 2016, 6). Eight months after the municipal elections of 2014, the FN circulated a leaflet praising the achievements of the local governments administered by a *bleu marine* majority. In the section dedicated to cultural policy, the leaflet presents FN mayors as the guardians of national and regional historical traditions and describes the pork fest as the revival of an ancient custom abandoned for decades (Front National 2014a, 17). While the statement probably refers to feasts that accompanied the pig slaughter in rural communities, there is little doubt that the event is mostly inspired by the attitude of the FN towards Muslims and Islam. In the opening speech to the first edition of the fest, Engelmann, who is also a regular contributor to the anti-Muslim internet platform *Riposte Laïque* (Secular Retaliation), exalted the fact of eating pork meat as an act of belonging to the Republic (*France 2*, April 5, 2015), a statement suggesting that believers who observe Jewish or Islamic dietary laws are not part of the national community.

The political intention behind the pork fest in Hayange is further highlighted by the fact that the event has become an important gathering moment for supporters of the anti-Muslim platforms *Riposte Laïque* and *Résistance Républicaine*. The fest also attracts members of right-wing extremist movements whose presence is at odds with the new brand image of the FN. Thus, the white supremacist organisation *Lorraine Nationaliste* encourages members to meet at the event despite the movement's opposition to the de-radicalisation strategy led by Marine Le Pen.⁹

In the town of Beaucaire, Mayor Julien Sanchez described the market organised during the town's Ascension fair as having become an oriental 'souq' with market stands selling hijabs and products made in China, and promised to return to the 'authentic' Ascension fairs of the past (*Beaucaire Magazine*, April 2015, 14). Similarly, in 2014, the mayor of Cogolin cancelled an amateur oriental dance show originally planned to take place during the town's traditional rooster fest arguing that the cultural programme should be limited to the celebration of local and regional traditions and that he would have likewise banned a Breton or Norwegian dance show (Lansade 2014). Considering that the fest features events that fit uneasily into the idealised notion of authentic regional culture (such as a concert by a Supertramp cover band), it is difficult not to see the mayor's decision as a deliberate move to exclude events inspired by North African and Arabic cultures.

To be sure, a number of municipalities governed by a FN majority feature events and festivals that focus on countries and cultures outside France; some of them introduced or reintroduced after the 2014 municipal elections. However, none of these events pertain to countries or regions with a Muslim majority. In fact, the sole event that can be related to cultural diversity as a result of immigration was a Polish fair launched in 2015 in Hénin-Beaumont (a commune with a large number of descendants of Polish immigrants who came to work in the local coal mines during the interwar years). Present at the event in 2016 and accompanied by the national-Catholic and Eurosceptic Polish MEP Marek Jurek, Marine Le Pen seized the opportunity to praise the case of Polish immigrants as a successful example of full assimilation to the national community in contrast to more recent immigration waves (Front National 2016).

The field in which the FN's exclusionary approach towards culture is most visible is probably that of policies towards associations that provide community services at the intersection of urban culture and social work. In Mantes-La-Ville, the new administration reduced the subsidies to local associations by 20 percent with later focussed cuts against associations active in socially disadvantaged neighbourhoods featuring important postcolonial minorities (Conseil municipal de Mantes-La-Ville 2014, 87). When, in 2015, twelve associations active in Mantes-la-Ville signed a contract with the Département allowing them to receive subsidies for social work programmes in priority neighbourhoods, the mayor retaliated by ordering the associations to be excluded from any cultural activity organised by the municipality.

Referring to the associations *Authentik 78* and *Ice Street* that promote community empowerment through workshops in urban culture, the mayor argued that rap and hip hop have had disastrous effects on French society and shouldn't be supported from public funds (quoted in *France Culture*, February 18, 2015). The administration backtracked a few weeks later, but the FN majority continues to keep civil society in Mantes-La-Ville under a tight control. Thus the *Collectif de Réflexion et d'Initiatives Citoyennes*, a grassroots organisation which also organises cultural activities in social housing neighbourhoods, reported to the author having been refused registration in the official directory of local associations as well as participation in the town's civil society forums. The exclusion is most probably due to the fact that the association was founded in reaction to the election of a FN majority in Mantes-La-Ville.¹⁰

In Fréjus, a few months after the municipal elections, the FN majority in the municipal council decided to put an end to all subsidies to a social community centre that organised workshops in street art, hip hop and slam poetry. The decision came as a reaction to comments made by the director of the centre to the newspaper *Le Monde* on the spread of racism in Fréjus since the victory of the FN, comments the mayor David Rachline deemed incompatible with the neutrality and respect for democracy he expected from associations that receive public funds (quoted in *L'Express*, May 13, 2015a).

Municipalities governed by a FN majority often rebut accusations of politicising culture with the argument that culture should be politically neutral. Thus, in March 2016, the mayor of Fréjus condemned the decision to invite the singer-songwriter Raphael for a concert at the Théâtre du Forum of Fréjus (a theatre hall managed by an intercommunal agglomeration community in which the FN does not hold a majority). David Rachline accused the singer of ridiculing national symbols such as the Marseillaise and Joan of Arc (Rachline 2016). The remarks on the singer's alleged anti-patriotic attitude made implicit reference to a video clip to the song 'Le Patriote', in which Raphael is seen climbing on a statue of Joan of Arc in front of which the FN traditionally held its annual gathering on May 1st. At the same time, a rock concert organised by the municipality of Fréjus on 31 July 2015 featured the rock band In Memoriam whose repertoire features adaptations of National Socialist *parteilieder* and a hymn to Jean-Marie Le Pen. Although an extreme case, the choice to organise a concert by a band that is one of the most emblematic actors of the national-revolutionary rock scene known as *rock identitaire français* (Mathieu 2017) reveals how the ideological preferences of local FN politicians shape their cultural agenda.

Concluding remarks

The election of FN majorities in municipal councils was seen by the party leadership as a crucial step in the conquest of power at the national level. In a booklet distributed before the municipal elections of 2014, the FN's general secretary Steeve Briois implicitly drew on the notion of a battle for cultural hegemony by explaining to the candidates standing for election that, if elected, their main responsibility would be to contribute to the spread of the party's ideas in order prepare the future victories at presidential and legislative elections (Front National 2014b, 4). The booklet reveals the strategic importance of cultural policy for the FN by urging municipal councillors to get involved in the municipal committees on cultural affairs (16).

Although there is considerable variation in the degree to which the municipalities controlled by the FN have used cultural policy as a political tool to promote the party's agenda, the actions implemented at the local level have generally echoed the programmatic leitmotifs of the FN. The focus on staged folklore, entertainment and on a politically reinvented traditional culture purged of any cultural expression that relates to the multicultural facets of postcolonial France is inspired by the ideal of an ethnically and socially homogeneous national community rooted in timeless traditions distant from the 'elitist culture' of the political establishment. In this sense, Marine Le Pen's campaign promise that the municipalities under FN rule would become a showcase for a different way of envisioning France (Le Pen 2014) was indeed kept. However, the FN's exercise in local government comes with strings attached.

Perhaps in no other policy field has the discrepancy between the FN's new brand image and its actual policy agenda been larger than in the field of cultural policy. So far, the cultural policies of municipalities governed by the FN have been a telling illustration of the party's continued adherence to a nationalist

and authoritarian approach that wilfully excludes large proportions of the French population on the basis of ethnicity and religion. The party's conception of culture and cultural policy tends to disprove the idea that FN has undergone a substantial change in terms of its ideology since Marine Le Pen took over the leadership of the party from her father. The impoverishment of cultural life and civil society in the municipalities controlled by the FN risks contradicting the narrative of a de-radicalised party which uses the slogan 'La France apaisée' to reassure French voters that the times of Jean-Marie Le Pen are long gone.

Notes

1. All translations are mine.
2. Karim Ouchikh's calls for a patriotic 'ideological war' against the 'partisans of post-France' ('les partisans de l'après-France') reveal a proximity with the discourse on a demographic and cultural 'grand remplacement' of the French population by migrants, a conspiracy theory developed by the right-wing extremist writer Renaud Camus (himself a member of Ouchikh's party).
3. Since 2013 the FN has launched a series of organisations aimed at attracting social groups that are traditionally underrepresented among the FN's electorate. The first was the *Collectif Racine* aimed at school teachers, closely followed by the *Collectif Marianne* aimed at university students and the *Collectif Audace* aimed at young entrepreneurs. Since then, numerous new satellite organisations have been launched, for instance *Banlieues Patriotes* and the *Collectif Séniors*. Note that this strategy is not new, as the party had launched similar organisations since the early 1990s in an effort to attract new voters and to polish its image (see Dézé 2015, 38–41).
4. See the website of the *Collectif Culture, Libertés et Création*: <http://www.cultureetlibertes.fr>.
5. I base these observations on the budget reports for 2015 and 2016 of Mantes-la-Ville, Fréjus, Beaucaire, Le Pontet, Le Luc and Villers-Cotterêts published in the minutes of the municipal council meetings made available on the websites of the municipalities or at the author's request. No information could be obtained on the towns of Hayange and Cogolin.
6. Thus, a study by the Association of Small Towns published in 2014 revealed that 95% of the 200 municipal administrations that participated in the inquiry planned to reduce their cultural policy expenditures in reaction to cuts in government transfers (Association des Petites Villes de France 2014).
7. Gabriel Robin was the initiator of an ultimately successful campaign for the cancellation of a concert by the rapper Black M for the commemoration of the centenary of the Battle of Verdun. In the text cited above, the author goes on calling for a cultural battle for the defence of French traditions mentioning the extension of marriage rights to same-sex couples as an example for what he considers to be the vain attempts of ideologues to eschew the natural norms that derive from tradition.
8. This pledge echoed the decision of almost all municipalities governed by the FN to exhibit nativity scenes in their town halls, the municipality of Hayange going as far as displaying a nativity scene featuring a figure of a white Balthazar (*L'Express*, December 12, 2015b).
9. See the appeals on the respective websites of *Riposte Laïque* (<http://ripostelaique.com>), *Résistance Républicaine* (<http://resistancerepubliquaine.eu>) and *Lorraine Nationaliste* (<https://lorrainenationaliste.com>).
10. The *Forum Républicain*, a similar association founded in Fréjus, also reported to the author having being denied participation in the town's associations' forum along with an association of solidarity with immigrant workers.

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Notes on contributor

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ARTICLE



The dark side of cultural policy: economic and political instrumentalisation, white elephants, and corruption in Valencian cultural institutions

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ABSTRACT

Cultural policy is usually assessed as a positive element for socio-economic development and therefore, its criticism is generally confined to poor implementation and discussion of its social effects. However, it is occasionally analysed as an instrument that produces unsustainable development, as a generator of white elephants, or as a means of waste, corruption, and clientelistic domination of the political sphere. This is what we might call the 'dark side' of cultural policy. Our case study of the city of Valencia (Spain), focussing on two of its major cultural institutions, the Valencian Institute of Modern Art and the Palace of Arts, exemplifies this cultural policy dimension. This article aims to analyse the systemic and contextual causes of this phenomenon of cronyistic behaviour and to elucidate in what sense it can be understood as a contingent drift specific to a particular territory or as a structural condition of cultural policy.

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Introduction

Does cultural policy have a dark side? Can such public policies represent a tool for generating the development of large unsustainable projects, i.e. cultural white elephants?¹ Might they be a source of waste, cronyism, and corruption? If we consider these questions as plausible hypotheses, then we should ask ourselves, is this dark side caused by the political and social circumstances of each society, or by the inherent characteristics of such cultural policies? Further, could certain developments, legitimised by these policies, enable or facilitate clientelistic practices? If this is the case, why has this concept received so little attention from researchers in this field?

Some authors have pointed to the constructed nature – thus far little demonstrated by empirical research – of the positive social impact of culture (Belfiore 2002, 2006). Indeed, some cultural studies criticise cultural policy as an exercise in service to the classes dominating power, using Gramscian and Foucauldian theoretical perspectives as justification (Gray 2010), while other articles discuss the neo-liberal nature, or otherwise, of recent cultural policies (Gattinger and St. Pierre 2010; Jeannotte 2010; Hesmondhalgh et al. 2015). On the other hand, since the nineties several pieces of work critical of the perverse effects of culture-based urban and economic models have emerged (Degen and García 2012; Rius-Ulldemolins and Sánchez 2015). However, if we focus on the debate about the negative effects of cultural policies in terms of cronyism and corruption, very little research has been undertaken in the area, as shown by searching in the relevant international bibliographic databases.² In particular, we

searched the research literature on clientelism, corruption, and cultural policies in databases including the ISI Web of Knowledge, Scopus, and international journals such as the *International Journal of Cultural Policy* or the *Journal of Arts Management Law and Society*. One of the only articles found that dealt with the topic of cronyism and corruption was about the candidacy of Maribor, Slovenia, as the European City of Culture (Žilič-Fišer and Erjavec 2015) and its political effects, although the theme itself was secondary to the other issues discussed. In contrast, when the search on clientelism and corruption was expanded to general social-policy, the results significantly increased.

More generally, since the beginning of modernity, the relationship between political power and cultural fields has been problematic, allowing the cultural sector to vindicate its distancing and increasing autonomy from the State (Dubois 1999; Bourdieu 2002). Nonetheless, it would be naïve to think that the cultural field is absolutely independent from any relationship with power. More specifically, the Bourdieusian idea in this field refers to an independent social space with its own rules but that maintains interdependent and influential relationships with other disciplines (Bourdieu 2002). Thus, the cultural domain can provide legitimacy to the political arena and, at the same time, the political field often tries to exercise control in the cultural field, rewarding its 'friends' and thus, altering the mechanisms of artistic consecration (Sapiro 1996; Bourdieu 2001).³

At the same time, cultural policy, like public policy, has some peculiarities that make it difficult to protect and evaluate. First, its original conception as a policy with objectives (one being the democratisation of culture), is far beyond the means at its disposal given the social obstacles it will encounter – especially when trying to propagate it among the popular classes (Bourdieu, Darbel, and Schnapper 2003). Likewise, this gap between objectives and cultural policy instruments did not simplify as cultural policy was deployed during the second half of the twentieth century; rather, cultural policies started to add new objectives to the original one – promoting cultural diversity, emerging creativity, cultural industries, etc. – which produced an ever-growing catalogue of policies that were inconsistent among themselves (Urfalino 1989, 1996). Second, the legitimacy of cultural policy is based largely on the artistic field and its innovative dynamics, a social sphere fundamentally opposed to the display of instrumental rationality and its control devices (Chiapello 1994, 1998). Furthermore, in the case of large cultural institutions this reticence to financial control results in resistance to political tutelage in the form of discourse about artistic freedom, thus offering the management staff a broad discretionary margin (Agid and Tarondeau 2007; Rius-Ulldemolins 2014a). This evolution has been legitimised by discussion about New Public Management and managerialism's discourse on the central position of cultural institution directors (DiMaggio 1987; Alonso and Fernández Rodríguez 2006) which emphasises their nodal position in local and international cultural institutional networks and consequently, further strengthens their position of power in relation to political leaders (Rius-Ulldemolins 2013, 2014a).

Corrupt practices can be found in diverse spheres of public policy, with large infrastructures and public health or education services being one of the areas most affected because of the volume of resources managed (Villoria and Jiménez 2012). Therefore, in view of the construction of new and costly cultural containers, 'white elephants' (Flor 2015b; Rius-Ulldemolins and Hernández 2015), and the practices of cultural control, cultural policies represent a public management sector in which these cronyism and corruption practices specifically proliferate. However, some cultural policy developments have characteristics that make them vulnerable to corrupt behaviour and mismanagement. Therefore, cultural policy is one of the public policy areas which shows greatest resilience to the rationalisation and reform driven by the neoliberal New Public Management system which rose in the nineties in Spain; attempts to implement it are still met with opposition from the cultural administration sector who reaffirm the 'incalculable' nature of artistic value (Menger 2009) or the necessarily multidimensional character of the impact of cultural policy (Barbieri, Partal, and Merino 2011). In addition, according to the welfare state model, mechanisms for contracting, monitoring, and evaluation have been very unevenly developed, and their effect has been very limited in Mediterranean countries subscribing to it (Rius-Ulldemolins and Arostegui 2013). In this sense, implementation of cultural policy in the Spanish State has remained almost unalterable within the parameters of traditional governance, except for some attempts to divide it among agencies in Catalonia (Rius-Ulldemolins and Martínez Illa 2016). In

contrast, in the Spanish case, large public facilities are rarely well received by governments or central, regional, or local cultural agencies. Rather, their definition largely depends on the manager they choose, who tends to develop artistic projects that respond, as far as the artistic sphere is concerned, to this director's personal projects and their desire to build a reputation in the field (Rius-Ulldemolins 2014a). Likewise, at the socio-political level, actions are developed that respond to an elitist ideology of culture and its effective instrumentalisation in order to develop urban operations (Rius-Ulldemolins, Hernández i Martí, and Torres 2016; Rius-Ulldemolins and Rubio Arostegui 2016).

On the other hand, recent cultural policy developments, such as the paradigm aimed at promoting creative cities, have emphasised the discretionary character of this public policy which is not based on objective parameters. Specifically, the goal of this paradigm is to alleviate the effects of deindustrialisation and to promote opportunities for urban development based on culture (Bianchini 1993; Landry and Bianchini 1995). In this case, local and regional governments adopt an entrepreneurial approach designed to seize opportunities that, by definition, are unique, timely, and contextually defined. Thereby, this change limits and dismantles attempts at Fordist planning by national governments based on policies aimed at providing a unified whole-territory service (Dubois 2010; Menger 2010). This opportunistic and entrepreneurial approach generates large-scale activities, such as large infrastructure or events with higher risks and lower benchmarks in terms of planning, and can lead to over-sized cultural activities, perhaps with questionable effects in the medium and long-term (Rius-Ulldemolins, Hernández i Martí, and Torres 2016). This orientation is also contradictory to the paradigms that reveal the potential of cultural participation in everyday life and of cultural planning and generation by local communities (Duxbury and Jeannotte 2010; Miles 2016; Miles and Gibson 2016).

Likewise, the unique way that these projects are executed (in the case of large infrastructure) and/or implemented under pressure to meet opening and/or celebration deadlines (especially in the case of events) decreases the effectiveness of managerial control and so there is a tendency towards waste and increased opportunities for illegal or corrupt behaviour (Majoor 2011). Finally, the rhetoric about the social and economic impacts of these projects is developed with a discursive tone, which Belfiore (2009), following Frankfurt, describes as 'bullshit'. In other words, a discourse that does not describe reality, but rather, within the 'creative city' paradigm, intends only to seduce and largely disables critical attitudes to the implementation and medium to long-term effects of these large-scale activities. This new entrepreneurial orientation, linked to the creative city paradigm, along with the previously mentioned weakness exposed when these cultural policies are evaluated as public policy, makes them vulnerable to political and clientelistic instrumentalisation and to corruption and mismanagement practices, as we can see in the case of Valencia (Spain).

This article, about the dark side of cultural policy is informed by research projects on cultural policies carried out by the authors. On the one hand, our analysis of the development of regional and local (autonomous community) cultural policy is based on research into the cultural policy system, a structure developed by twenty people selected from among the primary public, private, and third-sector cultural agents (anonymised citation). We also used the case study analyses of Spanish State cultural institution white elephants that we developed and published as a monograph (anonymised citation). On the other hand, to analyse the influence of political and social context in explaining corrupt practices in the cultural field we used research conducted by (anonymised citation) and published in (anonymised citation). However, we would like to emphasise the difficulty of investigating cases of cultural-policy development in a climate of political confrontation, clientelistic networks, and corruption scandals. The result of all this is the absence of public reports or reliable data and the systematic denial of interviews by those charged or under judicial investigation for wrongdoing while responsible for such institutions. This introduces more complexity into the source analysis, which must then be developed by triangulating sources based on interviews with various agents, contrasting internal and external sources (e.g. budgetary control agencies, statistics from other institutions, etc.) or even information derived from journalistic investigation. We are aware that these should be treated with caution because they are not direct sources, but they are often more reliable than official sources which have been falsified to conceal the aforementioned corrupt practices frequently present in these cultural institutions.

This article is divided into three parts: first, we analyse the political system and governance in *País Valencià* (Valencian Country) in order to give context to our analysis of the development of cultural policy in the city of Valencia. Second, we examine how to analyse management malpractices and corruption in cultural policy from the point of view of the social sciences and how this applies in the context of the *País Valencià*. Third, we discuss two case studies representative of the Valencian cultural policy, considering the two of its most important cultural institutions in terms of cultural centrality and budget size: the *Institut Valencià d'Art Modern* (IVAM; Valencian Institute of Modern Art) and the *Palau de les Arts* (Palace of Arts) in the *Ciutat de les Arts i les Ciències* (CAC; City of Arts and Sciences)⁴ – all subsequently referred to by their anglicised names – by looking at the characteristics of their management and, especially, their problems in managing and controlling public funds. Finally, we close the article with an assessment of the causes and consequences of these practices and ask to what extent they represent a phenomenon specific to a period in the *País Valencià* history or are a structural property of cultural policy that could, thus, occur in different contexts and countries.

The political system, governance, and corruption in *País Valencià*

The relationship between the political system, social structure, and corruption has been widely studied by the social sciences (Heath, Richards, and de Graaf 2016). For example, Banfield's concept of amoral familism (1958) analyses how societies centred on the family, as is the case for southern European countries, develop a self-interest that sacrifices public values for the benefit of nepotism and immediate family. Other authors have noted that regions with more social capital are more prone to this behaviour (Putnam 1993, 1995). In these cases, the negative effects of social capital are revealed as the exclusion of 'outsiders' and promotion of the group regarded as 'insiders', as well as a lower regard for compliance with social and legal standards (Portes 1998). This negative dimension of social capital is also amplified in southern European countries such as Spain where the welfare state model and cultural policy generally have a higher degree of porosity and there is interdependency between the state and private sectors (Esping-Andersen 1993; Rius-Ulldemolins 2016).

The Spanish State and Valencian Autonomous Community are especially rich in family ties and networks of friends – a dimension that explains the survival and vitality of traditions and rituals linked to friendship and conviviality (Ariño Villarroya 1992, 2010). This characteristic makes it an exemplary case of the Mediterranean model of the welfare state (Esping-Andersen 1993) in which the relationship between public authorities and civil society presents many cases of cronyism and clientelist relationships (Villoria and Jiménez 2012; Jiménez, García-Quesada, and Villoria 2014). In this sense it is not surprising that over the last ten years, in the context of an expansionary economic cycle based largely on a speculative property bubble, Spain in general, and Valencia in particular, have been affected by serious cases of corruption that have hit both the economy and the country's image (Boira Marques 2012; Castillo 2013) which have helped to aggravate a crisis in the accepted social, economic, and political models (Flor 2015a).

Secondly, corruption often goes hand in hand with obscured public affairs (Brooks 1970). A dictatorship tends to be more corrupt than a democracy because access, both to public information and to control mechanisms, is very limited in the former. However, in a democracy there are normally correction mechanisms, which are more or less effective according to the political system in question; these may be internal, such as having good administrative systems, a professional civil service, and an independent judiciary, or external and can include a free and independent press, civil society, or other bodies which prevent the spread of corruption (Quesada, Jiménez-Sánchez, and Villoria 2013). In spite of this, the Spanish democracy does not stand out for its judicial independence,⁵ its transparency and the quality of its controls is mediocre and some of its media outlets are too docile in their treatment of those in power (Villoria and Jiménez 2012).

Furthermore, political opacity has been very high, specifically in Valencia – some already suggest that the Valencian political system is a kleptocracy. This corruption is rooted in its installation within an unconsolidated democratic political culture in which the state lacked effective control mechanisms

and the political opposition were unable to effectively exercise their duties (Boira Marques 2012; Castillo 2013). For example, the Constitutional Court decided in favour of Monica Oltra, the then *Generalitat Valenciana* (hereon in referred to as the Valencian regional government) political representative, at least six times that the Bureau of the *Cortes Valencianas* (hereon in referred to as the Valencian Parliament) had violated her right to political participation on an equal basis (Beltran 2014). In this respect, the 2010 Spanish autonomous communities' transparency index (INCAU; *Índice de las Comunidades Autónomas*), prepared by Transparency International, noted that the Valencian regional government is the second-least transparent regional government in Spain (Transparency International España 2016).⁶

The development of Valencian cultural policy

Cultural policy in the city of Valencia, beyond modifications related to general trends in Spanish State cultural policy (Hernández i Martí and Albert Rodrigo 2012), arose through several stages, each reflecting the application of different models aiming to encourage its development into an increasingly international urban centre (Hernández and Torres Pérez 2013). The first step in this 'globalist' plan was regional and had a Mediterranean character (1979–1991); it coincided with the period that the Spanish Socialist Workers Party (PSOE; *Partido Socialista Obrero Español*) was in power in the Valencian regional government and saw the inauguration of various facilities, including the *Palau de la Música de València* (Music Palace of Valencia) and the IVAM, the latter being a Valencian regional government project. At that time a cultural policy was chosen that intended to make Valencia a Mediterranean cultural landmark (capturing the 'Mediterranean spirit') through mid-range events and projects, which were characterised by a desire for modernity and enhancement of both high culture and contemporary art, for example the *Mostra de Cinema del Mediterrani*, *Encontre d'Escriptors del Mediterrani*, or *la Trobada de Música del Mediterrani* (Mediterranean Film Showcase, Mediterranean Writer's Gathering, and Mediterranean Music Meeting, respectively). Pursuant to this approach, these projects were embedded in the city's historic centre and provided both a traditional flavour and monumental scenery (ibid.).

Later, there was a second short stage characterised by regional globalism with a European vocation (1991–1995), directed primarily by the conservative Popular Party (PP; *Partido Popular*) political power, then a newcomer to Valencian regional government in coalition with the Valencian Union (*Unió Valenciana*; a right-wing regionalist and anti-Catalanist party). Together they advocated a cultural policy aiming to reconcile pride in being Valencian – through the recovery and exaltation of cultural heritage – with an external projection tied to the ongoing project of European cultural construction (Hernández i Martí et al. 2014). However, the model designed to position *País Valencià* as a cultural centre in Europe, deployed from the ephemeral *Consell Valencia de Cultura* (Valencian Council of Culture), was soon discarded in favour of a more ambitious outward-looking project which aimed to put Valencia on the world map by adopting a model consistent with the creative city rhetoric, which was in fashion at the time. Hence, up until 1995, the regional PP coalition government, on behalf of the city of Valencia, chose to reformulate the city's image into a cosmopolitan 'global brand' (Hernández i Martí 2013).

The third developmental stage was implemented between 1995 and 2011. Initially, both the Valencian regional government and the *Ajuntament de València* (the Valencian City Council, which followed the former without itself implementing any specific cultural policies), emphasised major events in the art world, for example *Valencia Tercer Milenio*, (Valencia Third Millennium; 1996) and *Bienales de Valencia* (Valencia Biennials; 2001, 2003, 2005) and nominations as the European Capital of Culture or the Mediterranean Games host. However, when this approach did not quite materialise the anticipated results, there was a decision to pursue major global sporting events (e.g. the America's Cup, Formula 1, Longines Global Champions Tour, and ATP World Tour tennis), media-worthy world meetings (including World Youth Day, Pope Benedict XVI's visit, and MTV Winters), and new landmark buildings such as the *Palau de Congressos de València* (Valencia Congress Centre) designed by Norman Foster, the lavish reform of the *Feria Valencia* complex, and an expansion of the iconic CAC architecture (ongoing since 1999) and port area – the latter of which was transformed into the *Juan Carlos I Marina Real* (Royal Marina).

According to this new approach, which we have called a 'cosmopolitan bubble' (Hernández i Martí 2013), those in power reimagined the city as a modern and vibrant metropolis. Furthermore, this paradigm was legitimised by triumphalist accounts from the Valencia City Strategy and Development Centre (CEyD; *Centro de Estrategias y Desarrollo del Ayuntamiento de Valencia*), research published by the Valencian Institute of Economic Research (IVIE; *Instituto Valenciano de Investigaciones Económicas*) indicating the plan's positive economic impact, and with the collaboration of most of Valencia's media. All of these aforementioned cultural policy developments resulted from the implementation of an idealist program justified by arguments for a creative city. The imponents of this strategy gradually extended their original focus on classic regional self-celebration within the Spanish national framework to more ambitious transnational proposals in the context of globalisation and their role in internationally repositioning midsize cities (Sassen 2007). Therefore, the Valencian regional government created the Directorate General for Strategic Projects (*Dirección General de Proyectos Estratégico*) which manages the vast majority of the city's resources, some 219 million euros, destined for investment in and management of strategic cultural and sports projects (Generalitat Valenciana 2012), thus dismantling cultural policy aimed at promoting cultural diffusion, as well as cultural professions and industry (Hernández i Martí et al. 2014).

The decade of the 2000s constituted a stage of intense growth in the Spanish economy, in a model based largely on the construction industry and developments derived from public spending, materialising as large, over-sized, public investments such as high-speed train lines, which often represented a waste of public resources and presented opportunities for the development of corrupt schemes (Bel 2011; Villoria and Jiménez 2012). The elaboration of large public cultural infrastructures largely followed this incremental logic, without prior planning and based on the creative city paradigm, which has populated Spain with cultural white elephants, as in the case of the City of Culture (*Ciudad de la Cultura*) in Santiago de Compostela, the Forum of Cultures (*Fórum de las Culturas*) in Barcelona, or the large state-owned cultural infrastructure concentrated in Madrid (Rius-Ulldemolins and Hernández 2016; Rius-Ulldemolins, Hernández i Martí, and Torres 2016; Rius-Ulldemolins and Rubio Arostegui 2016). It is significant that expenditure on culture by every public administration (central, autonomous, and local) increased from 4.7 billion euros in 2003 to 7.1 billion in 2009 (Rius-Ulldemolins and Martínez Illa 2016), surpassing the average European spending per capita in 2009 (Rubio Arostegui, Rius-Ulldemollins, and Martínez 2014).⁷

The Valencian Autonomous Community and its capital, Valencia city, represent an extreme case of this economic development model, as well as that of a city at service to construction and real estate speculation, turning infrastructure and cultural events into an element that promoted and legitimised a direction now shown to be economically and socially unsustainable (Cucó i Giner 2013; Flor 2015a). In this context, cultural policy in Valencia was bolstered until it had the third biggest cultural expenditure per capita of any autonomous region – 150 euros per inhabitant in 2012 (Rius-Ulldemolins and Martínez Illa 2016). However, unlike Madrid (and to a lesser extent, Barcelona), in practice, the state's Central Administration Agency did not invest in, or guarantee, any large cultural institutions in Valencia; because it is the third largest city in Spain, full responsibility for the management and financing of these investments was left in the hands of the Valencian autonomous region. Hence, the Ministry of Culture was left without any control over these cultural activities or spending on them (Rius-Ulldemolins and Rubio Arostegui 2016).⁸ Likewise, the Valencian autonomous government did not develop any official body designed to evaluate and control such cultural institutions. In contrast, it made them into opaque organisations, outside of parliamentary and Accounting Oversight Board (*Sindicatura de Comptes*) control, populated by handpicked staff recruitments using favoured suppliers, thus generating inefficient and oversized organizations (Hernández i Martí et al. 2014; Rius-Ulldemolins and Hernández 2016). These cultural policies and their management create the conditions for the generation of cultural white elephants that, in 2014, in themselves absorbed 19.9 and 5.5 million euros, in the case of the *Palau de les Arts* and IVAM, respectively. That is, 35.4% of the total Valencian autonomous government's budget for culture (Generalitat Valenciana 2014a).

The final stage (after 2011) came after the full impact of the 2008 economic crisis became apparent. This was clearly evident in post-2011 public-policy cutbacks, especially in the region and city of Valencia, and can be traced back to the enormous waste of public resources and numerous cases of corruption (Cucó i Giner 2013). The cutbacks in cultural management were abysmal – 46% of the Valencian regional government spending – from 173 million euros in 2010 to 79 million euros in 2014. This shows the incoherence and weakness of the commitment to the autonomous government's cultural policy and the effects of the clientelistic cultural policy on the cultural sector, leaving it weakened and disorganised, and unable to successfully claim the continuity of the city's cultural projects. Thus, the dominant large-project model very quickly sank, leaving the city's cultural policy in a state of accelerated collapse (Hernández i Martí et al. 2014). The crisis in the project and city model developed during this latter period was also reflected in the PP's loss of the regional and local elections in 2015 – after twenty years in power – and the election of the left-wing *Coalició Compromís* (Commitment Coalition) coalition government that has distanced itself from the cultural policy of large infrastructure and events.

The dark side of Valencian cultural policy: the Palace of Arts and the Valencian Institute of Modern Art

In the following sections we discuss two case studies on major cultural institutions, the Palace of Arts in the CAC and the IVAM, allowing us to analyse the causes and consequences of adopting these urban development and cultural policy models.

The Palace of Arts in the City of Arts and Sciences: development of a white elephant

From the second half of the nineties the Valencian regional PP government launched into redefining the urban, cultural, and tourism profiles of the city of Valencia; the area containing the CAC played a central role in this project. After the PP's victory in 1995, the initial project developed by the PSOE was reformulated and expanded into its current form. Built between 1993 and 2008, in the green-space park created in the riverbed where the river Turia used to cross Valencia before its diversion in 1965, the CAC is 1800 m long and occupies 35 ha; it consists of the following elements: *L'Hemisfèric* (an IMAX cinema), *El Museu de les Ciències Príncep Felipe* science museum, *L'Umbracle* (a landscaped entranceway), *L'Oceanogràfic* oceanographic aquarium park, *L'Àgora* (a covered plaza without a defined use), and the *Palau de les Arts Reina Sofia* opera house. All these buildings were designed by Santiago Calatrava except for *L'Oceanogràfic* which is the work of Felix Candela. As previously mentioned, several very high-profile and large-scale media events have been hosted in this spectacular architectural complex.

Since its construction, the CAC has played a central role in Valencia's image in the government's strategy to 'put Valencia on the map' and in promoting the city's culture-based brand (Santamarina and Moncusí 2013); this required the largest cultural investment in Valencia's history, some 1282 million euros, and represented the centrepiece of PP governmental cultural policy (Rius-Ulldemolins, Hernández i Martí, and Torres 2016). Thus, the CAC was presented in institutional discourse as the city's greatest patrimonial asset with a huge capacity to generate wealth both directly and indirectly. This rhetoric was legitimised by academic institutions such as the IVIE which, from 1999 to 2011, produced thirteen studies with a total cost of approximately 250,000 euros. These studies set out the positive financial impact expected for the local and regional economy: a total economic impact of 8 billion euros, 5000 jobs, and an additional 0.20% gross value added to the region by 2007 (IVIE 2007). In addition, their figures assured that revenues covering 50% of expenditure would be generated (ibid.). However, despite these perspectives on the CAC's role, it did not meet these expectations and by 2014 already carried a debt of 579 million euros which continues to expand annually by the deficit of their accounts (Sindicatura de Comptes 2015).

Moreover, the Palace of Arts is undoubtedly the most emblematic building in the CAC and is the clearest representative of architecture conceived as urban branding through culture (Evans 2003) rather than design for its actual cultural use. Inaugurated in 2006, after more than ten years of work which

cost 478 million euros, the Palace of Arts is a 70-m high opera house occupying 37,000 m², and with a capacity for 1500 spectators. In theory, its programming combines all the performing arts, but it was initially conceived by the Valencian regional government with the objective of putting Valencia on the international cultural agenda, and so it has always emphasised classical high culture, especially opera, despite Valencia being a city without an operatic tradition. With regard to its administration, the Palace of Arts moved away from the direct-management formula, instead adopting the form of a foundation – common in large Spanish State institutions (Rubio and Rius 2012) – under the neoliberal rhetoric that a private management model is superior to public management. Nevertheless, despite emphasising the importance of private participation in management and governance, a system of independent trustees was not adopted (of twenty-five trustees only three are from the private sector) nor were management mechanisms oriented towards efficiency and outcomes, as exemplified by their failure to use fixed-program contracts (Rius-Ulldemolins 2014b). Therefore, the cultural institution almost exclusively remained in the hands of the Ministry of Culture's tutelage, a responsibility that it never exercised, limiting itself instead to the annual approval of the accounts and programming proposed by the management.

Likewise, in its conception as a cultural institution it adopted a model of international prestige: an opera house connected to international high culture networks and disconnected from the Valencian musical tradition of wind bands (Castelló et al. 2006). Consistent with this elitism, defined without cultural sector debate or discussion of the ideal management model, the Accounting Oversight Board public-sector watchdog detected that the director had some erratic objectives which were dependent on the whims of the artistic direction (Sindicatura de Comptes 2013). The personification of this drift is Helga Schmidt,⁹ the Palace of Arts' first general director: Hired by order of the President of the Government without holding any public competition for the job, she was given absolute *carte blanche* to operate the opera foundation according to her personal criteria in return for a high salary – about 145,000 euros annually (Generalitat Valenciana 2015b) – and allowances for lavish spending on luxury travel and hotels, both unusual privileges in the cultural sector. She was valued by certain cultural sectors for her ability to attract musical directors and performers with an international reputation and to program operas considered to be of excellence within the international circuit (Aimeur 2014). However, in terms of her management effectiveness and efficiency, the Palace of Arts' model was very far from the self-funding ratios of other European opera houses; it produced only 37% of its own income, thereby becoming highly reliant on public revenues by 2014 (Generalitat Valenciana 2015a). In addition, the decrease in audiences (which halved between 2008 and 2013 from 80,000 to 40,000 spectators) has raised the public cost per spectator to 400 euros, a figure several times higher than similar opera houses such as the *Teatro Real* in Madrid or the *Liceu* in Barcelona (Rius-Ulldemolins and Hernández 2016), placing the Palace of Arts in a serious managerial and public crisis.

Additionally, since 2015 several cases of corruption have been uncovered which have severely affected the institution. The most important is that involving Helga Scmidt, because she is accused of dissolving the Palace of Arts Foundation patronage department and in its stead creating the company *Patrocinio de las Artes S.A.* (anglicised as Patronage of the Arts Ltd.) to manage arts sponsorships and from which she allegedly received illegal management commissions estimated at 508,000 euros. This private company was supposed to increase funding from patronage, but in reality, the opposite happened: it decreased. For example, with the support of the company's partners (prominent members of the Valencian upper class) the general director contracted the retransmission of operas onto the outside plaza at a cost of 472,000 euros when, in reality, the outlay was only 143,000 euros and the difference went to the company (Ballester 2016). In other words, a plan to cover up the failures of liberal discourse about patronage of culture was developed and incorporated into the debate about the democratisation of culture, thus allowing the continued exploitation of public resources.

Even though the Valencian regional government partly knew the facts from 2013, it was not until the release of the so-called Diogenes report (an anonymous complaint from the organisation itself), that officials began to investigate this corrupt practice (Nieto 2015). The Ministry of Culture was aware of the practices resulting in the squander and diversion of funds for two years, but it did not exercise

any control, impose any audits, or dismiss Helga Schmidt until she was put under investigation for corruption by a judge. Lastly, the public scandal of the police entering the Palace of Arts in January 2015 to detain its director, along with the ERE (*Expediente Regulación Empleo* or 'employment profile adjustment') reduction-in-workforce layoff imposed on staff, the resignation of the orchestra conductor Zubin Mehta in 2014, and the building's main exterior covering crumbling away – from a very new building – accompanied by the image of scaffolding work for more than a year (2013–2015), has resulted in severe damage to the image and prestige of the opera house only ten years after its opening (Amón 2015). In short, the Valencian regional government developed and maintained a cultural policy model, aimed at favouring international promotion and urban development, until its collapse caused by pressure from cuts and judicial investigations.

The Valencian Institute of Modern Art: the plundering of an artistic institution

The IVAM was created in 1986 by the Valencian regional government, according to the decree issued when it was established: to 'encourage, promote, and disseminate modern art'. In 1989 its new headquarters (the Julio González Centre), a new facility designed for museum activity with nine exhibition halls totalling 48,000 m², was inaugurated in the historic Carne neighbourhood.

During the nineties, the IVAM reached considerable prestige, especially in artistic circles and the national and international press: 'The artistic and cultural level of the project is beyond all doubt because IVAM not only has a local and national impact, but it has also acquired a significant international dimension' (Raussell 1999). During the tenure of its first directors, Tomas Llorens and Carmen Alborch, the IVAM developed an official museum practice, and it combined purchases and exhibitions by both local and international artists. This strategy situated the gallery as one of the leading cultural institutions in Spain, competing with the Reina Sofia National Art Centre in Madrid and the Museum of Contemporary Art in Barcelona. The success of this work also stimulated the art market, and so, during the nineties Valencia became an important art market hub; Valencia accommodated 7% of all art galleries in Spain, placing it as the city with third-largest concentration of art (Laporte 1995). At that time, even the Accounting Oversight Board (a theoretically independent body) congratulated the IVAM for appropriately balancing their accounts. With a budget of 10 million euros in 1991, the institution's finances were both average and similar to other cultural facilities such as the Museum of Contemporary Art in Barcelona (Rius-Ulldemolins 2016).

However, turbulence and deterioration of the institution's image began in the year 2000 when a clash about the installation of a piece of work on the museum's stairs degenerated into a public confrontation between the museum's director, Juan Manuel Bonet, and the PP's regional Minister of Culture, Manuel Tarancón, supported by the director of the Consortium of Museums, Consuelo Ciscar, the subsequent director of the IVAM. Even though the director had the support of the local and international art sector, two months later he had to resign. This climate of manipulation and control of the museum by political leaders increased during the 2000s, with continuous political interference in the museum's management. For example, the president of the Valencian regional government ordered the purchase of a piece from the artist Antonio de Felipe based on his own personal preferences, bypassing all of IVAM's procedures and contrary to the opinion of the Valencian Association of Art Critics.

In addition, even though the IVAM was appropriately sized as a medium-scale city arts centre, it did not escape the trend of building white elephants during the economic-boom years. Thus, in 2003 the museum expansion project, envisaged by architects Kazuyo Sejima and Ryue Nishizawa, was presented; it consisted of covering the museum building and all of the surrounding block with a 30-m high metal skin. This project was abandoned because of its high investment cost – estimated at 45 million euros – meaning that the museum now only has some blueprints and models and an abandoned 2800-m building site next to the museum, for which 3.5 million euros were paid. With this project, the Valencian regional government, run by the PP, wanted to convert a cultural institution with a prestigious and well-defined trajectory into a new cultural white elephant aimed at competing with large

international-level cultural institutions, without defining a priori which artistic collection or artistic project would be exhibited with this new expansion.

However, the decline of the institution worsened from 2003 when Consuelo Ciscar began directing it; she was chosen because of her political contacts at the highest levels of the PP and the Valencian autonomous government.¹⁰ Like Helga Scmidt, Ciscar was also not a stranger in the world of cultural policy: having previously been a civil servant at the Valencian Museum of Fine Arts, Director of the Consortium of Museums, and General Director of Culture and Regional Secretary of Culture in the Valencian regional government where she had generated numerous projects of questionable public value, such as the now closed City of Theatre in Sagunto. Nevertheless, protected by her political network, she was chosen by the regional head of the PP to direct the IVAM, inaugurating a period in which the institution was locked into a management style defined by personalised patrimony (Aimeur 2015).

The list of management malpractices and corruption between 2009 and 2013, revealed by the Valencian regional government Controller's Office (*Intervención de la Generalitat*) and investigated by the public prosecutor's office, include spending on unauthorised trips (137,000 euros), the appointment of curators at the director's discretion without agreement from the Artistic Commission (809,000 euros), hiring of external experts without justification (3.4 million euros), and the award of service contracts, such as those for IVAM publications, at a cost of 2.4 million euros without prior public tendering (Generalitat Valenciana 2015c). Although, perhaps one of the greatest irregularities was in the acquisition of art works: during her tenure the director bought work that fell outside the cultural institution's Advisory Committee criteria (standards which were later controlled and corrupted by Ciscar) and against the regional Minister of Culture's advice. Furthermore, research has shown that the work acquired between 2009 and 2013 was priced 110% higher than its value, meaning that the IVAM squandered approximately one million euros (Generalitat Valenciana 2015c).

However, the most grotesque case of the IVAM director's nepotism is that of her sculptor son, Rafael Blasco Ciscar: the public prosecutor's office is investigating why the IVAM hired companies which produce sculptural pieces he designed. They are also studying the IVAM's funding of art centre exhibitions such as that at the Cascais Cultural Centre where her son went on to hold major exhibitions. Although the government and artistic circles knew about these practices, only the art critic José Luis Pérez Pont, representing the Valencian Association of Art Critics, gallery owners, and artists complained about them in a press conference in 2011 (Associació Valenciana de Crítics d'Art 2011). Despite these serious allegations about Ciscar's management, no action was taken by the Valencian local government's Council of Culture nor were any accusations investigated by the public prosecutor's office until 2016, and so she remained unpunished until she was put under investigation and moved away from the position of director.

Finally, the lack of control and bad faith in the management at IVAM was reflected not only in the corrupt and clientelistic practices, but was also expressed in the visitor data. According to data provided in 2012, the IVAM had 1,147,637 visitors (1,156,280 in 2013) and would have achieved a podium position at the state and global level as the third most-visited art gallery in Spain (just behind the Prado and Reina Sofia) and making it one of the most popular in the world. Some journalists who were critical of the political power at the time expressed their surprise at these figures, wryly pointing out that the queues of visitors, 3750 visitors each day, were similar to the public figures reported: 'invisible' (Viñas 2014). New data has confirmed the absence of control and lack of scruples in the institution's direction, and equally as serious, the regional and state cultural authorities' lack of control in accepting these data at face value and publishing them without any attempt to confirm or compare them. Finally, in this case, the Valencian regional government's policy of dictating which visual arts the IVAM should develop degenerated into a cultural policy designed to serve as a platform for promoting select cultural managers with close links with the regional government's circles of power and with clientelistic relationships with the local artistic sector.

Conclusions

Without a doubt, as analysed here, cultural policies can also have a dark side. Some contextual and historical characteristics of this period of *País Valencià* explain the proliferation of corrupt and clientelistic practices oriented towards the enrichment of an elite, socio-political domination, and cultural-sector control. These practices are characteristic of a Mediterranean welfare state model society with a high level of negative social capital and where an economy linked to construction and tourism flourishes. This turns cultural policy into an opportunity to generate large white elephants and funding sources for a network of clientelist interests, in this case, linked to the conservative right PP political power, although these practices are not absolutely exclusive to this party. Thereby, large Valencian cultural institutions were understood by many in power as an easy public-sector target in which to 'set up' their relatives, friends, and loyalists (and to punish and marginalise their opponents), as well as a way to generate cultural white elephants to secure social hegemony at the local level and to promote their city (and regional) brand internationally. Indeed, this goal was partially achieved, as shown by the PP's prolonged dominance in Valencian politics (Flor 2015a). This dominion led to the emergence of several corruption cases that, evidently, are not limited only to cultural policy, but also include numerous public administrations and agencies, and which largely responds to the chosen economic development model (Naredo and Montiel 2011). Nevertheless, in our opinion, it is not a coincidence that the two most important regional cultural institutions were clearly affected by cases of mismanagement, cronyism, and corruption, as analysed in this manuscript. Rather, these problems correspond to the regional and local Valencian government's cultural political model which was aimed at international promotion and generating internal consensus under the slogan of 'putting Valencia on the map' which was fostered and developed for nearly two decades.

Thus, corruption and cronyism cannot be attributed to only two people, the directors Helga Schmidt and Consuelo Ciscar, but rather, their actions of plunder and squander are explained by a network of complicities within and between their organizations, the cultural sector, the political sphere, and even regional and state supervisory authorities. It goes without saying, that two decades of this corrupt regime had a negative effect on the cultural sector by altering the mechanisms of assessing artistic merit, inhibiting incentives for good cultural management and artistic innovation, and ultimately, erosion of autonomy of the cultural field by political powers. Furthermore, these two cases demonstrate how social capital (Putnam 2002) has been used negatively by those responsible for these cultural institutions to create an elitist network of silent complicity that has weakened the sector's capacity for criticism and has impeded the emergence of more democratising and participative dynamics.

Nevertheless, all of the elements of this dark side are contextual and are historically delimited to the *País Valencià*, and certain characteristics of cultural policy undeniably favoured this phenomenon: The coexistence of different cultural policy paradigms and objectives, along with the appearance of new goals linked to the economic and urban instrumentalisation of cultural policy, which favours the absence of clear objectives, control by public auditing agencies, and government supervision. Moreover, adopting policies aimed at promoting a creative city brand as well as the entrepreneurial exploitation of opportunities has accentuated the trend towards management-oriented major events or large-scale infrastructure, generating uncontrolled white elephants which consume extensive resources and contribute little public value. Meanwhile, the emergence of legitimising liberal-management culture narratives (such as those from private foundations), without adopting appropriate controls, has favoured the appearance of corruption, a pattern also noted in other areas of public administration (Miller 2015). Taken together, all of this leads us to think that these phenomena of corruption and cronyism in political and cultural institutions may also occur in other contexts and thus, more research into this dark side of cultural policy would be highly desirable.

Notes

1. The expression 'white elephant', which is common in Spanish and English, refers to infrastructure or buildings (for cultural, sports, health, residential, or administrative use) whose maintenance cost is higher than the benefits provided to the owner. White elephants may become modern ruins (Augé 2003) shortly after being inaugurated,

especially in the case of an economic crisis such as the one experienced in 2008 leaving authorities without the resources required to maintain these buildings which were thus, exposed to progressive deterioration.

2. The authors searched the research literature on clientelism, corruption, and cultural policies in databases including the ISI Web of Knowledge, Scopus, and international journals such as *International Journal of Cultural Policy* or the *Journal of Arts Management Law and Society*. One of the only articles found that dealt with the topic of cronyism and corruption was about the candidacy of Maribor, Slovenia, as the European City of Culture (Žilič-Fišer and Erjavec 2015) and its political effects, although the theme itself was secondary to the other issues discussed. In contrast, when the search on clientelism and corruption was expanded to general social-policy, the results significantly increased.
3. We can find many examples of the relationship between cultural and political fields. One example is the Spanish State's process of transition to democracy: the new democratic regime that emerged was based on the cultural sector, and especially, on the musical scene which was used to legitimise and dramatise the socio-political change. The so-called 'Madrid scene' allowed the image of Madrid as a modern and tolerant state capital to be built, as opposed to the grey city of Francoism (Archilés 2012). This required increasing amounts of state intervention in cultural fields, in a process where 'allied artists' were awarded and authors already aligned with Anti-Francoism and who were critical of the transition and new regime were 'punished' or forgotten (Martínez 2012).
4. In 2014 the Valencian Institute of Modern Art had a budget of 5.5 million euros, a relatively modest budget for a large institution, however, in 2007 it had been managing a budget of 14.5 million euros, thus representing a 62% reduction in 7 years (Generalitat Valenciana 2014b). For comparison, the budget for the Queen Sofia Palace of Arts was 19.7 million euros in 2007, and was 19.3 million euros in 2014 (Generalitat Valenciana 2015a).
5. According to The Global Competitiveness Index from the 2014–2015 World Economic Forum, Spain was in the 97th position on the global index of judicial independence, below most European states (http://www3.weforum.org/docs/WEF_GlobalCompetitivenessReport_2014-15.pdf, 343).
6. In 2010 the score was 56.3 (on a scale of 0–100) and in 2012 it was 63.8, much lower than the Spanish average (79.9) (Transparency International España 2016). In addition, the transparency of the Valencian Parliament was also significantly lower than the Spanish average. In 2013 the average overall parliamentary transparency index (IPAR; *índice de transparencia de los parlamentos*; also developed by Transparency International) for Spanish state, regional, and autonomous parliaments was 64.1, whereas the Valencian Parliament scored 52.6, only ahead of Madrid, the Balearic Islands, the Canary Islands, and Murcia.
7. According to *Compendium* data, in 2009, public administrations in Spain spent some 153 euros per capita, while the European Union average was 98.7 euros per head (Rubio Arostegui, Rius-Ulldemolins, and Martínez 2014).
8. The only substantial financial contribution made by the Spanish Ministry of Education and Culture (MEC) to large cultural institutions was the provision of 1.4 million euros to the *Palau de la Arts* in 2013, representing 2.9% of all the MEC's audited transfers. A contribution that, in 2013, was reduced to 423 thousand euros (representing only 2.1% of its budget, while its 5 million inhabitants represent 4.6% of the total population (Rius-Ulldemolins and Rubio Arostegui 2016).
9. Helga Schmidt, was born in Vienna in 1941 to a family with a musical and operatic tradition, and developed the whole of her professional career in the world of the great operatic institutions: she was the deputy director of the Vienna State Opera between 1973 and 1981 and was also the director of the prestigious Royal Opera House in London. In 2000 she joined the *Palau de les Arts Reina Sofia* project fulltime where she was its general director for fifteen years.
10. Consuelo Ciscar is the wife of a former Valencian regional government minister, Rafael Blasco (from 1985 to 2011 he occupied diverse roles, including the Presidency of Public Works and of Health), who was convicted and is currently imprisoned for diverting and siphoning international cooperation funds.

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ARTICLE



'The problem with permanence is that you're stuck with it': the public arts centre building in the twenty-first century

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ABSTRACT

Dedicated arts centres were a common outcome of the great expansion of the public sphere in the nineteenth and twentieth centuries. In the early twenty-first century, however, many of our arts centres present a challenge to cultural policy-making. Expensive to maintain and operate, they are often ill-equipped to host the increasingly diverse range of communities and arts practices that have emerged with each generation. The article outlines the difficulties that the presence of such arts centres present to cultural policy-makers, using case studies of four Australian centres. It argues that the 'mobilities turn' in sociology provides a useful framework for considering the challenges posed by a static building and its array of highly mobile stakeholders. The study focuses on the perceptions of arts centre managers as cultural intermediaries – giving voice to the opportunities and constraints for the arts centre building and to the needs and interests of public policy-makers, artists and audiences, and juggling the tensions between the ideological, political, demographic and cultural forces that define the field in which they routinely operate. The managers negotiate distinctive challenges that arts centres face within the context of decentralised and fluid understandings of creative spaces for contemporary leisure practices.

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Introduction

In the immediate aftermath of the Second World War, the newly created Arts Council of Great Britain (ACGB) published a guide for local government authorities establishing arts centres. It proclaimed that purpose-built arts centres were required for the production of art as much as were 'music, scenery and costumes, or paint, canvas and brushes', but that the war had left a 'crying dearth of suitable buildings in most of our cities, towns and villages':

[S]o every kind of improvisation had to be made, and concerts, plays, ballets, exhibitions had to be given in cathedrals and churches, hotels and restaurants, shops and commercial showrooms, town halls and country houses, hostels and camps – in fact, in almost every kind of building except one properly designed, adequately equipped and harmoniously decorated for the purpose. (Arts Council of Great Britain 1945, 5–6)

In response to Keynesian predictions that industrialisation would lead to greater leisure time, local arts centres became a common feature of post-war urban planning in Britain and Commonwealth countries. Keynes (1930, reprinted 1963) himself wrote that 'for the first time since his creation man will be faced with his real, his permanent problem – how to use his freedom from pressing economic cares, how to occupy the leisure, which science and compound interest will have won for him, to live

wisely and agreeably and well' (367), and his initiatives to publicly fund the arts were partially shaped by this expectation.

Contrast this goal of the ACGB with a statement – more than sixty years later and on the other side of the world – by Ricky Bryan, the Director of the Canberra Theatre Centre, Australia. Bryan argued that Australian arts centres 'have almost universally failed in our mission to be centres of creativity and culture for our respective communities' (Bryan 2013). Instead, such centres have become merely halls for hire where 'we sell our venues out to anyone who wants to rent them and [they] swing through town and take our money and leave ... but there is no engagement, no lasting legacy' (Bryan 2013). According to Bryan, arts centres are not doing the important, culturally enriching work of both shaping and meeting expectations of their cultural consumption activities, such as by 'commissioning local works, education programs, [and] community out-reach' (Bryan 2013).

These two quotes each capture a picture of the arts centre in a vastly different era. In the first, the ACGB expresses a belief in the obligation of government to service the perceived needs of the public with a professionalised arts sector. Those perceived needs include a sense of industrial and social peace, stability and belonging following the turmoil of war, providing a cultural anchor for the return of displaced and vulnerable British people. The ACGB's vision for an arts centre is bound up with a larger vision of a stable and homogeneous nation. In the second quote, Bryan witnesses with frustration a manifestation of a contemporary phenomenon: the profoundly disruptive impact of mobility on the ability of the arts centre to provide the kind of cultural anchor the ACGB envisaged. Depleted of local content, the work of one arts centre often simply replicates that of another, without (according to Bryan) attempting to understand and engage its residents.

This article seeks to provide a more complex picture of the arts centre than we see in either of these accounts. It does so by investigating how the mobility that characterises the early twenty-first century – of arts companies, artists and audiences – disrupts the traditional business of the arts centre. It examines the challenge to managers at four Australian arts centres, who attempt to adapt the built structure of the centre to rapidly changing demographics, political imperatives and audience expectations and capacities; one of our interviewees described this challenge: 'the problem with permanence is that you're stuck with it' (Darebin Manager of Creative Culture, March 2014). The rationale for placing the perspectives of arts centre managers into this critical literature lies in the fact that such managers are usually responsible for negotiating the tension caused by their ever-more-mobile stakeholders – audiences, residents, artists and local government – and the permanence of the built structure.

The article sets the experiences of these managers in the context of the current 'mobilities turn' in the social sciences, which examines the implication of increased but uneven human mobility for contemporary life, and aims to 'shift the focus from stasis, structure and boundaries to movement and mobility' (Costas 2013; 1467; see also Urry 2010). Urry (2010) described the late twentieth century as giving rise to an increased flow of peoples and objects 'across carefully constructed borders' (349), leaving societies weak in the face of 'fluid and mobile processes of globalization' (352). Yet despite its disruptive character, mobility is an inherent value of contemporary society, Urry argues. While much of the mobilities literature looks at the large-scale movement of people (such as the displacement of national populations) or resources (such as international trade in oil), mobility on a smaller scale provides a lens for considering the challenges to our social and cultural institutions, including the arts centre. The article argues that the relationship between mobility and the built structure of the arts centres is central to the challenges their managers face, and appreciating this relationship will be key to the success of the arts centre as the century continues.

Tensions around the arts centre

The arts centre in western societies may be regarded as a legacy of the nineteenth-century view of leisure as consumption, which was later accentuated in the mid-twentieth century with the growing responsibilities of the social-democratic state. Borgmann (1992) describes the nineteenth century as 'a time when department stores, libraries and opera houses were erected as magnificent settings in which

the public could gather and enjoy itself' (41). Public arts centre buildings continued to be invested with the political motives of successive eras. The stabilising and professionalising role that the ACGB saw the arts centre as playing after the Second World War also dominated discussions about the role of public cultural infrastructure in Australia's Department of Post-War Reconstruction, which vacillated between a national theatre as a permanent building in the capital city, or a touring company. Over the following half-century, a large number of arts centres were built in cities and towns throughout the country, all of them aiming to provide for the cultural needs of their residents and, later, to attract audiences from beyond their municipality. In describing the place of the arts centre in the United States in the late twentieth century, Wolff (2011) identifies four stages in the changing role of the performing arts centre, as: showcases for 'excellence' in traditional performing arts for the benefit of a social elite (1960s); part of urban revitalisation and gentrification programs (from the mid 1970s); places for established 'out of town' touring companies and family-oriented programming (1990s); and in the final and current phase, Wolff argues, as places for innovation (in both content and delivery), focused on diverse audiences (1–4). Wolff's analysis encapsulates the evolving understanding of the political, cultural and social purposes of the performing arts centre, over 5 decades, in responding to the changing expectations and demographics of the communities it serves.

But as the trends of the past two decades, such as migration and universal education, have increased the diversity of potential audiences, dedicated arts centres are regarded as less accessible to and popular than temporary, incidental and multi-purpose spaces. In their study of residents in the town of Wollongong, for example, Gibson et al. (2012) found a complexity of 'affective links to place' and that: 'Theories of creative cities and industries that emphasize cultural milieu or cluster effects only capture one possible form of affective urbanity' (299). They argued that local governments, influenced by creative industries discourses, have been focused on infrastructure provision and spending on flagship arts centres and institutions. However, decentralized, small-scale cultural infrastructure – the 'unheralded and prosaic sites of suburban creativity' such as community halls, writers' centres, youth music studios, art spaces – are highly valued by the public and perform an important function in encouraging vitality (Gibson et al. 2012, 299). Similarly, in the United States, Jackson, Kabwasa-Green, and Herranz (2006) identify that temporary venues – 'festivals, parades, arts markets, and even farmers' markets ... play important roles in both sustaining and advancing ethnic-specific artistic practices' (14), and are also often less costly than their permanent counterparts (see e.g. Eltham 2012).

In response, Elmquist (2012) argues that 'cultural leaders must stop the desire to enshrine an organization[']s history in a space but rather allow the organization to remain nimble, vibrant, creative, and nomadic and even allow organizations to dissolve if they cannot meet their financial needs' (202). There are notable examples of such practices. The National Theatre of Scotland (NTS) operates without theatres or public buildings of its own. The NTS sees its goal as to 'transform the meaning of national theatre on a global scale by creating a truly innovative structure, *free of bricks and mortar institutionalism*, which will be alert, flexible and radical' (emphasis added, NTS Business Plan, 2015, 4). As a national touring company, the NTS has produced work in arts centres, but also in forests and drill halls, on ferries, in shop windows, and tenement flats, often using existing public infrastructure to provide flexible and collaborative theatre experiences. Walmsley (2010) notes that 'because it is unencumbered by a space of its own, the organisation is forced into finding creative and appropriate spaces for every new production' (112). This approach enables the company to 'forge a special relationship with the places it performs in and, through the magic of these places, connect with its audiences on their home ground' (115).

Despite growing recognition of the benefits of flexibility, fluidity and decentralisation in spaces for the arts, faith in the power of the dedicated arts centre to advance socio-political goals in the twenty-first century continues to dominate many cultural policies. At the time of writing this article, a nine-year long territorial struggle persists in the La Trobe Valley, in Australia's east. In 2007, the local arts community declared the existing theatre insufficient for its purposes, prompting the La Trobe Valley Council to commission a feasibility study into the establishment of a new, state-of-the-art performing arts centre. The study report recommended either a site in Traralgon or the neighbouring town of Morwell, and in so doing it unleashed a contest between the councillors of those two towns that has persisted ever

since. The adjective 'state-of-the-art' used in relation to the proposed arts centre may well be a problem, because it signals a technically sophisticated and therefore static, expensive and quickly dated focus on a specific kind of arts presentation, rather than on mutability.

This is arguably symptomatic of a form of competition between geographic areas as economic market players in an era of high consumer and business mobility. Jakob (2013) comments about the relationship between public management and the arts centre: 'The transformation of urban governance from managerialism to entrepreneurialism ... has fostered a system of economic competition that pits not only national economies and cities but also, increasingly, neighbourhoods against each other ... They compete to attract investment, jobs, well-paid and highly educated residents, and tourists' (450). This has led towns to invest in arts centres and other 'lifestyle amenities' to magnetize their "talent" elite' (Jakob 2013, 450). Rosewall (2006) demonstrates this cultivation of spatial competition using a case study in Wisconsin, where established arts centres find themselves challenged in recruiting audiences. Rosewall found that smaller communities may lack a population large enough to support several activities per year, and so market to neighbouring communities, many of which have their own cultural facility and a similarly limited population (Rosewall 2006, 218).

The predicament of the arts centre has sometimes been attributed to competing political ideologies. Gibson et al. (2012), for example, identify a tension between neoliberalist creative industries-thinking with its emphasis on the commercial potential of creative inner city clusters, and the limited capacity of small, suburban and remote centres to deliver commercial innovation (288). The authors see 'a fundamentally geographical problem' in which 'the circle closes around circumscribed notions of "creativity" as commercial innovation ... and around the inner city/creativity nexus' (Gibson et al. 2012, 288). This has led cultural planners in suburban, outer urban and remote places to adopt creative industries approaches to arts centres that 'glorify metropolitan, inner city variants on creativity, eschewing the local people's talents and potential' (Gibson et al. 2012, 289). Following Florida's (2002) creative cities analysis, cultural policies are widely seen as a mechanism to encourage gentrification in the interests of economic improvement (Johanson, Kershaw, and Glow 2014). Gentrification brings with it increasing numbers of creative entrepreneurs (people and businesses) who 'are said to prefer ... old buildings and cultural environments that pique their innovative streak and aesthetic curiosity' (Chang 2016, 3). While creative spaces and cultural quarters have been a feature of urban policy, their development has led to critiques of increasing inequality within urban spaces (Evans 2004; Jayne 2004; O'Connor 2004). In fact, as Rosewall (2006) suggests, suburban, outer urban and remote areas may not benefit from the commercialisation of their performing arts venues and are better placed focusing on creativity within their local communities

The coupling of commerce and culture must be mediated and negotiated by those responsible for street-level interaction with the public; in this case the managers of arts centres who, we argue, wrestle with competing agendas and 'new demands on the nature, use and meaning of urban public space for "everyday" people and practices' (Mordue 2007, 448). The arts centre managers are cultural intermediaries, as defined by Bourdieu (1984), in the sense that they are professionals involved in producing and circulating symbolic goods and services. The notion of cultural intermediation has been developed (Caves 2000; Hesmondhalgh 2006; Maguire and Matthews 2010), and has come to be widely understood as a process of 'professionals and institutions in charge of several functions (selecting, distributing, promoting, prescribing etc.) between the stage of artistic creation and its consumption by the audience, some of them intervening at one or the other end of the process' Wenceslas (2016, 36). Wenceslas seeks to further refine this definition by focusing on types of intermediating 'labour' and provides a typology; a categorisation based on the primary functional role of professionals who work along the spectrum between cultural creation and consumption, from: mediating, appraising, management, distribution, production and the intermediation of artistic work (2016, 37). The managers of arts centres, according to Wenceslas' typology, sit across two categories: mediation and management. Mediation refers to the public facing role of 'guiding the audience through its relationship with the artworks' and the management role involves the management of staff of cultural institutions (2016, 37). Arts centre managers are caught between the permanence of their buildings and the fluidity and

changeable nature of the demands made upon those buildings. The perspective of these managers on their role in the production and circulation of symbolic goods is little understood and this research seeks to fill that gap.

Arden (2014) argues that bureaucratic discourse is dominated by conceptualisations of the public as 'orderly and knowable' (113). The experience of arts centre managers is notable in this context; they are part of the bureaucratic processes of government, the public spaces they manage have increasingly been co-opted by the marketplace and yet members of the public are proving themselves to be, as Arden describes, 'radically unknowable' – that is, elusive and ephemeral (113). The work of the arts centre manager exists in a tension between the fixity of the space they manage and a public which must be, in Bruno Latour's (2005) term, 'ceaselessly renegotiated' (66) since there is no one public and no 'undifferentiated "public good" that can be applied equally to all urban dwellers' (Mordue 2007, 460). If, as suggested by the critiques above, regeneration and cultural quarters deliver economic benefits but also exacerbate existing social inequalities, what role is played by the managers of arts centres as they attempt to facilitate a positive impact for their neighbourhoods?

Four Australian arts centres

The following discussion draws from interviews with the managers of four arts centres: the Northcote Town Hall, the Darebin Arts and Entertainment Centre (hereafter Darebin Arts Centre), the Dandenong Drum Theatre and the Geelong Performing Arts Centre (GPAC). Centre managers describe the principal roles of their organisations as programming and presenting both commercial and community-based productions with the goal of building local audiences and community engagement, whilst also ensuring financial viability. Three of the four centres are the responsibility of local governments, so the venue managers are local government employees; the fourth, GPAC, is the responsibility of state government. Blomkamp (2011) and Johanson, Kershaw, and Glow (2014) argue that local government has a distinctive and increasingly important role as a producer of arts and cultural policies that contribute to the strength and social relevance of the arts sector, providing direct services to meet the cultural needs of constituents. This local government responsibility has increased over the past decade or more because such governments have experienced 'a shift away from limited, bureaucratic responsibilities and towards both wider powers and stricter requirements to engage with communities, develop strategic plans and report on outcome achievement' (Blomkamp 2011, 3). Such governance is complex, 'characterised by uncertain and intangible outcomes, diverse institutional structures, dynamic relationships, ambiguous data, and multiple subjectivities' (Blomkamp 2011, 1). The managers of local arts centres are embedded in their communities; they see themselves as having an intimate knowledge of the community and are usually highly present at cultural events such as festivals, exhibition openings and event launches.

A case study approach has been taken here to investigate the perceptions and experiences of arts managers as they manage the arts centres under their care, particularly in suburban fringes of a large city experiencing rapid social change. A case study approach is an effective way of looking at individual programs of activity and the perceptions and decisions of the individuals involved (Yin 2009). In this instance, the case study approach elucidates the character of the context – physical, geographical, demographic, economic and managerial – in which the arts centre managers are working. We conducted qualitative, semi-structured interviews with the managers of the four arts centres to gauge their perceptions of particular aspects of the cases and their contexts and analysed public documents relating to the history and current management and operation of the venues.

Two of these buildings are repurposed nineteenth-century town halls. The Northcote Town Hall was refurbished as a cultural activities centre after the amalgamation of local government councils in the mid-1990s. It is located in a municipality that has another, more modern centre: the Darebin Arts Centre, which was built in 1994 and holds a 300-seat proscenium arch theatre, exhibition space and five multifunction rooms. While the Darebin Arts Centre is part performance space, part convention centre for hire, the Northcote Town Hall is an incubator space geared towards the development of new artistic work, with small performance spaces. At the time of our interview, the manager of both

venues regarded them as working together, but commented that ‘it is difficult to build two new programs in two new venues at the same pace at the same time, so we thought, “Northcote is ready to go off so we will make a big splash there and get that happening”’ (Darebin Manager interview, March 2014). The Drum Theatre, another repurposed nineteenth-century town hall, is located 34 kilometres from Melbourne’s central district in the City of Greater Dandenong, and is a 520-seat theatre venue which opened in 2006. The population of Dandenong is growing quickly: in 2011 it had an estimated population of 139,729, expected to grow to 155,528 by 2021. It is also the most ethnically diverse population in greater Melbourne, with residents from 151 nations, half of whom were born overseas (City of Dandenong 2014).

The Geelong Performing Arts Centre was built in the late 1970s in Victoria’s second-largest city, Geelong, 100 kilometres from the Melbourne. It has a 790-seat proscenium arch theatre, a 320-seat studio-style theatre and assorted smaller venues. Like Dandenong, Geelong is a town experiencing rapid growth, from a population of 140,000 at the opening of the centre it now has over 300,000, and its proximity to Melbourne makes it a growing commuter destination.

When in 2014, the managers of these centres were asked to describe the challenges they experienced in their roles, their collective reflections fell into three broad themes: the challenge of the growth in and complexity of diversity that results from international migration; the challenge of the everyday mobility of residents and audiences; and the challenge of negotiating the interests in demand for dominant or transcultural arts production companies, or ‘global networks’, and local productions. The ‘mobilities paradigm’ is useful for reviewing the impact all of these challenges, because it highlights the fact that managers are ever less able to predict audience behaviour and to align the behaviour of audiences, arts companies and the political motivations that drive the establishment and maintenance of arts centres.

The challenge of migration and cultural diversity

All three municipalities – Geelong, Darebin and Dandenong – carry a substantial proportion of Victoria’s recent waves of migrants. This population growth is especially difficult because the cultural needs and interests of new residents are dissimilar to the needs and interests of more established residents and the assumptions of the policy-makers and planners who established the centres. This is evident in regard to the ethnic diversity in Dandenong’s resident population, where many residents are ‘are not necessarily familiar with the Western idea of theatre, of coming to a theatre to see other people perform’:

There’s a lot of active cultures in Dandenong that continue to celebrate their own cultures in their own ways and that might mean that a large group of the community come together in someone’s backyard and sing and dance and perform in a shed because that’s the way those communities come together. ... The community in Dandenong is probably one of the toughest communities in metropolitan Melbourne, because there is no readymade theatre-going public. (Dandenong Manager interview 2014)

It is not just the form of the theatre that is challenged by the changing ethnic composition of the area, but also the content. The manager described commissioning a production with Indigenous themes (*Namatjira*), and its surprise reception by an Indian businessman, who said: ‘That’s really great, that’s the sort of show I want to see. What is often not realised is we’re new to this country and we want to understand the history. We don’t want to see Indian drumming ensembles because that’s where we’ve come from.’ Surprised by this comment, the manager saw it as an interest based partly on the fact that, in depicting the way ‘white society treated its Indigenous citizens’, *Namatjira* ‘echoes in the way that current society treats new arrivals’ (Dandenong Manager interview 2014).

In Geelong, the traditional mining and manufacturing industries of the area are being replaced by services industries, which has also contributed to a changing demographic and new challenges:

If we’re going to redevelop the centre, we can’t just keep talking to the same audience ... If you look at what the core businesses have been for Geelong, like Alcoa [mining] and Ford [vehicle production], people will come for comedy and contemporary music and the local musicals. But [industrial change in Geelong] means we need to be looking for other audiences. And if you look at the new businesses that are coming into Geelong, primarily health and services-related, research and innovation, then that’s a different mind-set. (Geelong Manager interview 2014)

In Darebin, also experiencing rapid demographic change, the manager described the arts centre's aim as 'less about convincing the diehard arts community to come to it and more about building the community in this area: us presenting work that is directly attractive to the diverse groups who live in this area' (Darebin Manager interview, March 2014). The managers' reflections on how they grapple with changing demographics in a period of high migration illustrates how 'the places of the city are constituted by flows and movements as much as by their morphological properties' (Jensen 2013, 108).

The challenge of everyday mobility

'Everyday mobility' is used in this context to describe the regular comings and goings of residents in or around the municipalities, as opposed to the long-term and long-distance migration described above. Everyday mobility in relation to the arts centres is influenced by perceptions of the buildings and the municipalities in which they are based, and in turn such mobility mediate and construct the arts centres as places (Sen and Johung 2013, 7). In mobilities literature, 'global fluids' are the 'heterogeneous, uneven and unpredictable mobilities of people, information, objects, money and risks, that move chaotically across regions in strikingly faster and unpredictable shapes' (Urry 2010, 356). While real or prospective audiences at the arts centres are not necessarily moving 'strikingly fast', they do defeat efforts to predict their behaviour, and often as a consequence of a substantial capacity for regular and independent mobility.

The manager of Dandenong's Drum Theatre also compared his own early sense of the apparent possibilities the Drum offered in the context of audience mobility with his subsequent, somewhat disappointing, experience:

When I first got here I saw the future of this place as being one that would draw more people from outside. I saw the revitalisation and the rejuvenation of Dandenong to be part of this ... part of the new future was about letting people know about Dandenong. ... I felt it really important that we program to attract people from other places. I looked at doing some exclusives as well but found pretty quickly that people were loathe to travel or had a [negative] perception about going to Dandenong. (Dandenong Manager interview 2014)

In Baumann's terms, this manager's experience represents a failure for the model of a 'gardening state', in which agents of government are concerned with 'what is growing and what should be weeded out' (as discussed by Urry 2010, 348). In this case, the 'careful husbanding' of proffered arts activities failed to attract audiences. Furthermore, the manager found the arts centre competing with those of neighbouring municipalities in the manner in which Jakob (2013) and Rosewall (2006) might predict. He reported: 'local communities began to say, "That's a nice show but it's not the sort of thing I want our theatre to be showing. I can go to Melbourne if I want to see that show"' (Dandenong Manager interview 2014).

That buildings and people are relational is evident in the statement by the manager of the Drum Theatre when he identified the difficulties posed by the physical character of the nineteenth-century town hall building, supporting Chang's (2016) observations about the role of gentrification in shaping the 'mutually reinforcing relationships between historic buildings and emerging activities in cities' (1). While the Dandenong and Northcote town halls are both nineteenth-century buildings, the managers' experiences of these buildings are very different. The Drum Theatre is one of the Greater Dandenong Council's most important assets, serving Council purposes partly because it has prestige but also because: 'we've got nice meeting rooms so we work proactively with business to utilise that facility ... Council really likes the fact it has a facility that can accommodate that' (Dandenong Manager interview 2014). As a business centre then, the Drum Theatre is successful. It is also successful as a theatre venue in the sense that it allows for the touring of large-scale performances: 'the Australian Opera, Australian Ballet wouldn't come here unless this facility was here' (Dandenong Manager interview 2014). As a hall for hire, the Drum is heavily booked from October to December by schools and clubs for performances and awards nights.

However, the front town hall façade was retained for its heritage value, and this appearance constrains its appeal as an arts venue, giving the impression that it is 'a bank or a government building with big, thick walls and great glass windows that don't give people the sense that they're welcome'

(Dandenong Manager interview 2014). The manager described the irony of these conflicting impressions: while the refurbished building won several architectural awards, it does not appear accessible to its residents, nor to 'welcome people in' (Dandenong Manager interview 2014). The performance space also presents problems:

We've got a theatre that is a Western-style theatre looking to serve its community in a way that's going to be effective and engaging and be a really vital place within its community. ... We have a challenge there in terms of how you take a Western theatre that is well-suited to ballet and opera and integrate it into a community that's evolving and emerging and changing. (Dandenong Manager interview 2014)

With 520 seats, the theatre space is 'probably not the best configuration for this sort of community' (Dandenong Manager interview 2014). Given the opportunity to plan a theatre space for Dandenong again, the manager argued that he would 'advocate for knocking the whole building down' and designing a facility that 'has a soft interface', with a foyer that could be used as a 'community space, almost like a performance space, a meeting space, a comfortable and welcoming space ... so that the boundaries are more blurred' (Dandenong Manager interview 2014).

Although the Drum's manager regards this alienating impact of the building as a problem at least partially associated with its intractable façade, in Northcote it is the nineteenth-century town hall that is more effective in capturing a sense of community ownership than the purpose-built Darebin Arts Centre. The local council's Manager of Creative Culture describes how the Northcote Town Hall has 'really taken off', due to its High Street location and proximity to local music venues and cafes (Darebin Manager interview, March 2014). While the Northcote Town Hall is perceived as highly successful, at the Drum Theatre accessibility is regarded as a problem for potential audiences. How might we explain the difference between the attractions of the two repurposed town halls – both built in the late nineteenth century in a similar style – to their residents?

In part, the different responses reflect the different demographic base of the two municipalities as well as the forms the two spaces take. In contrast to Dandenong, the Northcote Town Hall is situated in the Darebin suburb with perhaps the most ethnically homogeneous, Anglo-Australian base, whose residents' western cultural capital and resulting familiarity and ease with formidable public buildings is likely to be greater than that of Dandenong. But the difference may also reflect the different forms that the refurbishment has taken: a dedicated theatre at Dandenong; a cluster of small, multi-purpose incubator work spaces in Northcote, surrounded by small commercial music venues that play a prominent role in attracting artists and audiences to the area and lend a porousness to the centre that is attractive to mobility-valuing audiences who enjoy a sense of being able to come and go easily and often.

In contrast, it is the more modern Darebin Arts Centre in the same municipality as the Northcote Town Hall that represents a challenge to the manager. An annual survey of residents finds that it is often misidentified as an indoor swimming pool because of its hard, glass exterior and bright lighting. 'So there's a real sense of people not knowing what it is' (Darebin Manager interview, March 2014). At the time of writing this article, the Darebin Arts Centre is under review. The mayor, Gaetano Greco, called the Centre 'out of date' and said it 'no longer seems to meet the required needs' of the city's growing population and changing demographics, particularly its growing artist population (Hoffman 2014). Both the Darebin Arts Centre and the Dandenong Drum are misidentified by their public due to the symbolic associations with their architecture, despite the very different architectural styles they hold.

The fact that the experience of one arts centre manager differs so markedly from that of another lends weight to the 'unpredictable' character of potential audiences in an era of easy mobility. But the example also demonstrates how the flow of people – or in this case a non-flow – is constitutive of a place: the Drum Theatre is not, no matter its programming, the stately and broadly attractive cultural centre of the manager's imagination because the municipality appears to deter the people of the surrounding neighbourhoods. In Jensen's terms it is a 'sociopetal' place, repelling rather than attracting people. At the same time, the resistance of people from outside Dandenong to the attractions of the Drum shape the kind of institution the Drum is – necessarily restricted to the cultural tastes of local audiences. In Jensen's terms again, 'how it materialises' is essential to 'how it works and feels', and mobility is not a side effect of urban planning but in fact constitutes it (2013, 26).

In Geelong, the manager also observed the mobility behaviour of the GPAC's audiences, but in this case, the centre was if not 'sociofugal' in the sense of attracting people (Jensen 2013), then certainly neutral: 'Geelong people go to Melbourne for the major musicals, but they rarely travel up for the annual program of Melbourne Theatre Company or the Malthouse [Theatre]. And if a show goes gang-busters in Melbourne, then those who missed out will make the effort to come to Geelong to see it' (Geelong Manager interview 2014). Despite being of a similar architectural era to the Darebin Arts Centre, with its doubtful future, GPAC's demographic base and distance from competitor centres make it more sustainable in terms of audience numbers.

The challenge of 'global networks'

In another example of arts centre management failing as a 'gardening state', efforts by managers to program high-quality productions by local companies are resisted by audiences, and it is here that we find resonances of Bryan's complaint with which this article began.

Telecommunications-driven marketing increases the familiarity and attractions of large-scale, commercial productions over those of smaller and locally produced productions, cancelling out the management team's efforts to stoke the success of the latter productions. The manager describes the impact of marketing on demand for children's shows *The Wiggles* and *Peppa Pig*, both of which originated in children's television, as compared to productions by a dedicated Australian children's theatre company, Patch:

It's dispiriting when you bring Patch Theatre which is an award-winning company from South Australia who go to New York and children's festivals around the world and are lauded for the amazing work they do, and we struggle to get people engaged with that ... We keep the ticket prices low and people still tell us at \$15 that it's too much to come to the theatre, yet \$35 a ticket for *The Wiggles* is absolutely fine. (Dandenong Manager interview 2014)

The difficulty in sustaining audience development for new products is also related to the cost of programming. At the Drum Theatre, the manager identified that without a strong sense of confidence that the theatre could sustain large audiences, many shows were scheduled for only one night. This presents a drawback because the centre would be strengthened by artists being 'part of the fabric of what we're presenting' in a manner that is 'more organic' and long term than programming will allow (Dandenong Manager interview 2014).

Useful here is Urry's (2010) notion of 'global networks'. Global networks represent the organising basis of multinational corporations that offer 'predictable, calculable, routinized' products across the world. In a sense they provide a foil to the vagaries of individuals and communities. Global networks underpin corporations such as American Express, McDonalds and Coca Cola but, Urry argues, can equally be seen in 'oppositional organizations', such as Greenpeace, and, we might add, in commercial arts productions such as *The Wiggles*. What is interesting about the Dandenong manager's description of the reception of *The Wiggles* and Patch theatre is that the status of the former as part of a global network places it not only in a transnational culture, but also in a different economy to the local productions: it holds higher value and enjoys longer runs than the local productions by virtue of its symbolic status. The tension between the aspirations of the manager, the behaviour of the centre's audiences, and the companies who – in Ricky Bryan's terms – 'swing through town' demonstrates a more complex relationship between people, companies and buildings than Bryan's outburst suggests. If arts centre managers have failed, as he suggests, to root their program in their local community, it is at least partly due to the changeable composition and behaviour of that community.

Conclusion

This article has taken the relatively static shape of the arts centre, as viewed through the eyes of those in the relatively stable position of arts centre managers, to examine how the apparently chaotic and unpredictable nature of mobility shapes the role and status of those arts centres as cultural institutions in the twenty-first century. That public buildings represent a challenge to policy-makers with each new

trend in cultural taste and appetite and with each budget cut at council will be of little surprise, as scholars have observed these challenges for many years. This article has suggested that viewing arts centre managers as witnesses to, and intermediaries between, the various flows of mobility provides an additional level of complexity to the challenges of managing an arts centre.

All of the respondents interviewed here work as mediators and managers dealing with large-scale and everyday mobility and its consequences. Large-scale mobility, including the migration of residents into their municipalities from other, non-western cultures or as workers from different industries, disrupts the appeal of traditional arts centre programming. Everyday mobility – the consumption behaviour of audiences – is shaped by and shapes the associations the arts centre buildings hold and the value of those buildings in their communities. Also contributing to and influenced by this mobility is the movement of arts companies, which is marked by a ‘two speed economy’, with media-driven and smaller productions valued differently and moving through the arts centre at different rates.

The lesson to be learnt from these forms of mobility is that what works for one centre, one audience base, or one company will not necessarily work for another and indeed may not work in five years time. The very different associations of the refurbished Northcote Town Hall and Dandenong Drum are evidence of this, as are the different associations between GPAC and the Darebin Arts Centres despite their common architectural era. The different reception of local and media-driven children’s productions at the Drum, the unforeseen response of an Indian businessman to an Indigenous production, and the disinterest of some cultural groups to the arts centre as a cultural institution at all provide other examples. The challenge of the arts centre manager is to trace and work with their various streams of mobility, negotiating and mediating the impermanence of their publics with the permanence of the space they manage.

Disclosure statement

No potential conflict of interest was reported by the authors.

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ARTICLE



'...to exercise in all loyalty, discretion and conscience': on insider research and the World Heritage Convention

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ABSTRACT

While research on the World Heritage Convention has expanded tremendously in the last decade, little attention has been directed towards the research published by a handful of what can be characterised as *insider researchers*. Within this context, 'insider researchers' refers to individuals working at or on behalf of the core international institutions implementing the World Heritage Convention, such as the World Heritage Centre, and thus conduct research on a system they are part of. Coding articles published in international peer-reviewed journals, this article explores the themes and topics tackled in these articles and addresses the strengths and weaknesses of insider research within the World Heritage context.

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Introduction

Over the last 20 years, research on UNESCO's (1972) *Convention concerning the protection of the world natural and cultural heritage* (henceforth the World Heritage Convention) has taken off. From a couple of doctoral theses, the field of World Heritage research is at present a thriving trans-disciplinary and trans-institutional field of research. That is, researchers from multiple disciplines working at a variety of institutions conduct research on different facets of the World Heritage Convention. In this article, our primary concern is the institutional dimension of World Heritage research and the role of *insider research* (Alvesson 2003; Brannick and Coghlan 2007; Dwyer and Buckle 2009; Greene 2014). Thus we address what happens when members of a 'community of practice' conduct research on and for themselves (Adler and Pouliot 2011). More specifically, we discuss the characteristics and effects of insider research undertaken by members of one particular community of practice, the international World Heritage bureaucracy, by examining articles published in peer-reviewed journals written by individuals working at or on behalf of the core international institutions implementing the World Heritage Convention, such as the World Heritage Centre. By drawing attention to patterns of referencing, the use of jargon and the themes and topics tackled by insider researchers, we explore the nature of these texts: Are the texts integrating academic heritage research and complying with academic standards such as source criticism and self-reflexivity, or are the texts primarily referring back to bureaucratic texts, principles and issues of their own community of practice? As such, the article contributes to raising awareness of the possible benefits and weaknesses of insider research within the World Heritage context.

This article first introduces the more theoretical aspects of the concepts of community of practice and insider and outsider researchers before we describe the data and the method used to analyse the

data. Following these introductory chapters, the empirical analysis discusses how the authors directly and indirectly position themselves and the World Heritage Convention through their texts. Finally, we summarise the strengths and weaknesses of current insider research on the convention.

Insider and outsider researchers – some theoretical reflections

International Relations scholars Emanuel Adler and Vincent Pouliot (2011, 17) characterise communities of practice as ‘... intersubjective social structures that constitute the normative and epistemic ground for action ... [with] agents made up of real people who ... affect political, economic, and social events’. What essentially defines such a community of practice is just practice, that is ‘socially meaningful patterns of action’ (Adler and Pouliot 2011, 6). Thus, communities can be identified by patterns of practice and membership is signalled through competent performances and articulations that require the members to draw on shared background knowledge.

As noted above, we examine what can be described as *the international World Heritage bureaucracy*. This community of practice includes members of the core institutions implementing the convention at the international level: the World Heritage Centre at UNESCO’s headquarters and the Advisory Bodies of ICOMOS,¹ IUCN² and ICCROM.³ As such, this community of practice includes members from different organisations, and while their opinions may differ, they nonetheless draw on shared background knowledge, interpret, act, and respond to patterned performances in similar ways (Adler and Pouliot 2011, 7, 8). Broadly speaking, the international bureaucracy functions as the convention’s experts on historical background knowledge, showing their competence through their vast knowledge of the convention text and its Operational Guidelines. Their patterns of practice have most commonly been researched at the international arena of the annual World Heritage Committee Sessions. Undertaking participant observation – acting as observers to the sessions – outsider researchers have examined the interplay between the members of the international bureaucracy and the members of the World Heritage Committee⁴ (e.g. Turtinen 2006; Beazley 2006, 2010; Schmitt 2009, 2015; Brumann 2012, 2016; Meskell 2012, 2014, 2015a, 2015b; Hølleland 2013, 2015; Meskell and Brumann 2015; Meskell et al. 2015; Bertacchini, Liuzza, and Meskell 2015; James and Winter 2017). While it is often the World Heritage Committee that is at the centre of attention in this research, the international World Heritage bureaucracy is often discussed by default because it serves as the committee’s opposing community, voicing concern for the committee’s political decision-making and the consequences for the ‘credibility’ of the convention. However, thus far little attention has been directed towards the fact that a handful of the members of the international World Heritage bureaucracy also conduct and publish research on the World Heritage Convention themselves. Hence some of the members of this community also serve as *insider researchers* – researching the system they are part and parcel of. It is this small community of insider researchers we explore in this article.

The concepts of insider research and insider researchers have been discussed by several scholars engaged in qualitative research (e.g. Alvesson 2003; Brannick and Coghlan 2007; Dwyer and Buckle 2009; Greene 2014). According to Brannick and Coghlan (2007, 59) insider research is ‘research by complete members of organizational systems and communities in and on their own organizations’. Outsider research, in contrast, is ‘conducted by researchers who temporarily join the organization for the purposes and duration of the research’ (Brannick and Coghlan 2007, 59). Dwyer and Buckle (2009, 58) further emphasise how insider research refers to researchers who have complete membership within the group of study, sharing ‘identity, language and experiential base with the study participants’.

However, while these defining traits can be identified among the insider research in the field of World Heritage (see below), it is crucial to point out most of the literature on insider research explicitly focuses on full-time researchers conducting ethnographic research using qualitative methods such as interviews and participant observation. These are methods and sources rarely used in the publications by World Heritage insider researchers (see Cameron and Rössler (2011, 2013) for a notable exception). Moreover, the authors of the publications examined are for the most part *not* full-time researchers. Thus, their articles may be closer to the notion of *self-ethnography* in which the researcher is studying

a setting he or she has natural access to and actively participates in (Alvesson 2003; Brannick and Coghlan 2007, 60). The researcher

[W]orks and/or lives in the setting and then uses the experiences, knowledge and access to empirical material for research purposes. This research is, however, not a major preoccupation, apart from at a particular time when the empirical material is targeted for close scrutiny and writing. The person is thus not an ethnographer in the sense of a professional stranger or a researcher primarily oriented to studying the specific setting. (Alvesson 2003, 174)

Despite the fact that the most of the articles discussed here are not, at least not directly, built on ethnographic data or interviews, the traits identified as central for insider researchers is nonetheless characteristic of the authors of the articles: Working at the core organisations for the implementation of the World Heritage Convention, they are very much part of the system they put under scrutiny, and use their many years of experience and their background knowledge of the convention to build their arguments. It is the insider researchers' vast pre-existing knowledge of the topic of study, their easy access to informants, social settings as well as empirical material that constitutes the main benefits of insider research (Greene 2014, 3–5). However, while these traits certainly represent the pros of insider research, they also constitute what may become its weaknesses: Insider researchers benefit from closeness, but the flipside is a lack of distance to the object of study which may compromise the possibility to engage freely and critically with the data. Furthermore, being an insider requires one to comply with the organisation's policies – not least in the public arena – unless one is actively using a public statement for the purpose of defecting (e.g. Christensen et al. 2014). The level of compliance may be particularly strong if the organisation is a bureaucracy bound by formal laws or staff regulations. As such, insider researchers are constantly faced with the extremely difficult task of balancing organisational compliance and loyalty and the analytic distance needed in order counter internal biases (Alvesson 2003; Brannick and Coghlan 2007; Greene 2014).

Role duality and managing organisational politics are further pointed out as some of the challenges in terms of insider research, especially when studying organisations (Brannick and Coghlan 2007). This is of particular relevance within the context of UNESCO, where the staff regulations require employees to 'exercise the utmost discretion with regard to all matters of official business' (UNESCO 2009, regulation 1.5) and declare upon accepting a position that:

I solemnly undertake to exercise in all loyalty, discretion and conscience the functions entrusted to me as an international civil servant of the United Nations Educational, Scientific and Cultural Organization, to discharge these functions and regulate my conduct with the interests of the Organization only in view, and not to seek or accept instructions in regard to the performance of my duties from any government or authority external to the Organization. (UNESCO 2009, regulation 1.9)

The difficult relationship between organisational compliance and the possibility to provide personal opinions as well as analytic considerations is indeed noted by the former director of the World Heritage Centre, Kishore Rao (2011, 171), as he states 'This paper reflects the personal views of the author and not necessarily those of UNESCO or its World Heritage Centre'. Thus the staff regulations and rules of UNESCO may contribute to making independent and critical insider research particularly challenging (see e.g. Hoggart [1978] 2011, 11 for further reflections on this double bind). This leads to another central issue, no matter whether one is speaking for or against insider research: the importance of self-reflexivity (e.g. Brannick and Coghlan 2007; Dwyer and Buckle 2009; Greene 2014). Being frank about one's own positionality and relations to the object of study are significant aspects in all qualitative research projects, whether being an insider or outsider (Dwyer and Buckle 2009, 55). Indeed, reflecting on these issues is particularly important when doing insider research as it contributes to creating a healthy distance to the object of study.

At this juncture, it is therefore necessary to briefly describe our own positionality. As heritage managers and researchers who have followed the international field of World Heritage for a number of years, we share certain professional experiences and understandings with some of the members of the group of study. However, we have not been members of the international World Heritage bureaucracy, nor do we have any official attachments to UNESCO. Thus we consider ourselves outsiders studying a group we are *not* members of (Dwyer and Buckle 2009, 57).

The empirical material and some methodological reflections

The empirical material has been gathered by searching the names of key members of the international World Heritage bureaucracy, in the databases of the publishing houses of Taylor & Francis Group, Sage Journals and Emerald Group Publishing. Only articles, i.e. not book reviews or shorter forums etc., on the World Heritage Convention have been included. Based on the searches, the following articles by the current and former Directors of the World Heritage Centre – Mechtild Rössler (2006; Cameron and Rössler 2011), Kishore Rao (2010), Francesco Bandarin (Bandarin, Hosagrahar, and Albernaz 2011) and Bernd von Droste (2011) – were included along with articles by Sarah M. Titchen (1996), Henry Cleere (1996, 2011) and Jukka Jokilehto (2011) who have been working for or held positions at the Advisory Bodies of ICOMOS and ICCROM. In addition, we have included articles by what one may call ‘semi-insiders’ who hold academic positions at universities, but also have worked closely with or acted as advisors to the World Heritage Centre or the Advisory Bodies. Within this category we have included articles by Sophia Labadi (2005, 2007) and Christina Cameron (Cameron and Rössler 2011; Herrmann and Cameron 2015). In total the material consists of 12 articles published over a 20-year period between 1996 and 2015.

The data has been analysed using coding. Coding is a method that ‘involves attaching one or more keywords to a text segment in order to permit later identification of statement’ (Kvale and Brinkman 2009, 201, 202). These codes are data-driven as they are developed while reading the texts (Kvale and Brinkman 2009, 202). Moreover, we were *coding for patterns*, and the same codes were applied repeatedly throughout the analysis of the data (Saldana 2009, 5, 6). Hence, the first sets of codes applied were text-based, that is they were derived directly from the text either as *singular concepts* such as Outstanding Universal Value, *phrases* describing the convention such as ‘widely acknowledged’ and *sentences* describing, for example, the current state of the convention such as:

In other words, the current practice, contrary to the intent of the World Heritage Convention, does not fully establish a ‘system of international cooperation and assistance’ to support States Parties in their efforts to identify and conserve their cultural and natural heritage of Outstanding Universal Value. (Rao 2010, 165)

These text-based codes served as a means to develop wider categories such as ‘jargon’, ‘international recognition’, ‘idealistic statements’ and ‘improving practice’ that helped categorise shared patterns within texts. Furthermore, a set of what can be described as ‘research-based codes’ were used, aiming to explore whether or not more traditional research elements such as the presence of research questions, the types of sources and source criticism, description of methods and self-reflexion were integrated in the articles. From these codes, two research driven categories, ‘internal frame of reference’ and ‘research-based frame of reference’ were developed. The ‘internal frame’ refers to the international World Heritage bureaucracy, predominantly drawing on, for example, policy documents, whereas the ‘research-based frame’ implies that the authors situate their argument within wider research themes by drawing on, for example, external references. Thus the coding has been used as a means to detect certain patterns such as similarities, differences, frequency or sequence within this group of publications (Saldana 2009, 6).

Insider research at first glance

This first section examines what we describe as ‘research-based codes’, moving from the external characterisation of the journals, through patterns of referencing, and then the methodological discussions.

Patterns of publishing

Starting from the journals themselves, one can observe certain patterns: the three first articles were published in the then-new journal *Conservation Management of Archaeological Sites* (Cleere 1996; Titchen 1996; Labadi 2005). In the following five years, articles were published in more established academic and broad-reaching journals (Rössler 2006; Labadi 2007; Rao 2010). All these articles were published at a time when World Heritage research writ large was in its infancy. Over the last five years or so, research interest on the World Heritage Convention has grown dramatically. It is therefore interesting to observe

that from 2011 insider researchers show a clear preference towards publishing in the new *Journal of Cultural Heritage Management and Sustainable Development* – a journal with close ties to UNESCO (as stated in the first editorial by Roders and van Oers (2011) and seen by the collection of authors of the first issue (Bandarin, Hosagrahar, and Albernaz 2011; Cameron and Rössler 2011; von Droste 2011; Jokilehto 2011)).

Patterns of referencing

Patterns of referencing highlight authors' affiliations to a field of research and often to schools of thought within a field. As such, the patterns of referencing illuminate the ways in which authors position themselves in relation to different communities. By coding the references of the material discussed here, our aim was to explore whether one could identify any patterns of referencing.

In total, the literature lists of the articles discussed here have 275 entries. Examining these in more detail, one can indeed identify a clear pattern of referencing: Dividing the text into two main groups, 'external references' and 'internal references', more than 70% of the references can be described as 'internal references', being either references to policy documents, self-references or references to other insider researchers (Table 1). However, as nearly half of the external references are found within one article published in a high-ranking academic journal (Labadi 2007), the general preference towards internal references is stronger: Over 80% of the references are internal and, looking only at the references of articles published in the *Journal of Cultural Heritage Management and Sustainable Development*, it peaks at nearly 90%. Breaking the internal references down further, one can observe that the majority of the internal references are to policy documents (62%), followed by the references to other insider researchers (27%) and self-references (11%) (Figure 1). Together the references are thus of an inward facing nature, highlighting how the insider researchers' background knowledge is firmly rooted in the extensive institutional archive and that insider researchers only to a limited degree seem to situate their arguments within academic heritage research in general. Thus the references point towards an 'internal frame of reference'. In the following section we examine the extent to which the key traits of a research-based frame of reference, such as descriptions of methods, source critique and some form of self-reflexivity, are present in the articles.

Patterns of methodological reflections

The aspect of closeness is one of the double-edged swords of insider research as it may compromise the distance often needed to carry out independent research (e.g. Greene 2014). However, when combined with rigorous methodological reflections enabling a certain analytic distance, the insider researchers' closeness serves as a benefit. Thus, this section examines how the insider researchers directly and indirectly position themselves through their methodological reflections.

Table 1. Breakdown of references of the material.

| | Total number of references | External ref. | Internal ref. | Published | Unpublished/ institutional publishing |
|-------------------------------------------|----------------------------|---------------|---------------|-----------|------------------------------------------|
| Cleere (1996) | 4 | 1 | 3 | 2 | 2 |
| Titchen (1996) | 27 | 3 | 24 | 7 | 20 |
| Labadi (2005) | 46 | 7 | 39 | 10 | 36 |
| Rössler (2006) | 12 | 3 | 9 | 5 | 7 |
| Labadi (2007) | 59 | 40 | 19 | 43 | 16 |
| Rao (2010) | 26 | 9 | 17 | 9 | 17 |
| Bandarin, Hosagrahar, and Albernaz (2011) | 5 | 1 | 4 | 1 | 4 |
| Cameron and Rössler (2011) | 4 | 0 | 4 | 1 | 3 |
| Cleere (2011) | 9 | 2 | 7 | 2 | 7 |
| von Droste (2011) | 17 | 3 | 14 | 8 | 9 |
| Jokilehto (2011) | 11 | 1 | 10 | 0 | 11 |
| Herrmann and Cameron (2015) | 55 | 4 | 51 | 6 | 49 |
| Sum | 275 | 72 | 194 | 92 | 174 |

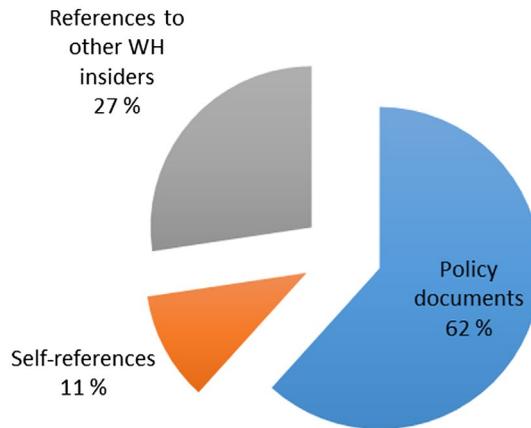


Figure 1. Breakdown of references classified as 'internal references'. $N=194$.

As noted above, the vast majority of these articles draw on the same type of sources, policy documents with a particular emphasis on the decisions from the World Heritage Committee. One might therefore have expected some form of source criticism or at least source commentary as, from an outsider research perspective, these sources have certain limitations (as pointed out by e.g. Turtinen 2006; Beazley 2006; Gfeller 2013; Hølleland 2013, 2014, 2015): Containing the final decisions, they lack the fuller minutes of the debates. As such, they may work as governing documents, but they do not enable the 'thick descriptions' that highlight the friction or negotiations behind the final decisions. In contrast to outsider researchers, the insiders often benefit from having taken part in the discussions that led to the decisions. As such, the very textual material forming the basis of the articles provides the insiders with the opportunity of engaging in direct self-reflection. It is therefore interesting that insider researchers tend to treat these historical documents in a very matter of fact manner – rarely as documents of negotiations (perhaps with the exception Jokilehto 2011). Hence, even though there is ample opportunity to reflect on the textually invisible discussions, this opportunity is seldom used. Indeed, none of these articles really engaged in any in-depth source criticism. Furthermore, it is only the insiders or semi-insiders with the closest ties to the academic research tradition that engage in methodological discussions (Titchen 1996; Labadi 2007; Cameron and Rössler 2011; Herrmann and Cameron 2015).

Moreover, the authors' identities as actors within the field of World Heritage is first and foremost indicated passively through their affiliations and in the autobiographies included in several of the articles (Cleere 1996, 232, 2011, 185; Titchen 1996, 240; Labadi 2005, 99, 2007, 170; Rao 2010, 171; Bandarin, Hosagrahar, and Albernaz 2011, 24, 25; Cameron and Rössler 2011, 54; Herrmann and Cameron 2015, 129). As such, their close connections and roles in the field of World Heritage are readily visible, but are not used as a means to engage in self-reflexive discussions nor commented upon as in any way impacting, either positively or negatively, the scope of research. The only author who really engages in any type of self-reflexive activity is Cleere (2011, 182, 183), describing his own role and belief-turned-disbelief in the implementation of the World Heritage Convention.

In sum, these articles are characterised by a relatively low level of methodological discussions, and a general absence of source criticism and self-reflexivity. Together this makes it reasonable to argue that the insider research has a strong internal frame of reference, even when published in academic journals with a broader audience.

Positioning through texts

The aim of this section is to explore the text-based codes and their overarching categories of 'jargon', 'international recognition', 'idealistic statements' and 'improving practice' in more detail. By examining

these categories, we identify and address the pros and cons of World Heritage insider research in more depth and discuss how the authors directly and indirectly position themselves.

Jargon as a means to display competent articulations

Researchers, as well as experts, position themselves through the use of jargon or specialised vocabulary. Indeed, it is the extensive use of specialised vocabulary such as 'Tentative Lists', 'periodic reports', 'referral', 'deferral', 'dossiers', 'properties' and the grammatically-incorrect 'States Parties' derived from the convention text and its Operational Guidelines which first strikes one when reading articles written by insider researchers. The use of technical jargon highlights the relational character of the articles as texts referring to and relying on the foundational and governing texts of the field of World Heritage. Together, this further adds to the inward-facing tendencies displayed in articles. The technical jargon also indicates that the authors are drawing on shared background knowledge. Indeed, the consistent and insistent use of the technical jargon signals competent practice to fellow insider researchers and may indicate that the articles are first and foremost written for peers. The insistence on and importance given to using the technical jargon proficiently also means that insider researchers indirectly position themselves in opposition to outsider researchers who may not be as familiar with the multitude of technical terms and do not necessarily make use of them, or who may even fail to use terms correctly. At times, these differences have surfaced directly in, for example, Rössler's (2010) review of Michael A. Di Giovine's (2009) *The Heritage-scape – UNESCO, World Heritage and tourism* where attention is directed towards the author's lack of knowledge in terms of UNESCO policies, factual errors, missing analysis of processes and references to UNESCO documentation (a similar tendency is seen from the former deputy director of the Nordic World Heritage Foundation, (Vinsrygg in Burström et al. [2009] critique of Brattli [2009]). This type of criticism indirectly, if perhaps unconsciously, contributes to positioning the 'internal frame' as the 'correct' one. This inward-looking tendency is even stronger when examining the thematic content of the articles.

International recognition – highlighting the positive aspects of the World Heritage Convention

Another pattern of articulation easily visible in the data is the way in which insider researchers accentuate the positive aspects of the World Heritage Convention. It is indeed a striking pattern as seemingly unconditional, positive declarations are not common among outsider researchers. In its simplest form this comes across as the authors emphasise the convention's worldwide recognition. Examples include positive statements which underline the Convention's high degree of ratification: 'The number of countries that have ratified the Convention substantiates its popularity and success, and currently stands at 186 of the 192 Member States of the United Nations' (Rao 2010, 162). Other authors stress the convention's international recognition by referring to its wide-reaching influence: 'As UNESCO's most successful international instrument, it influences heritage activity in virtually every country in the world' (Cameron and Rössler 2011, 42). The researchers thus underscore the convention's universal acceptance and global significance. This tendency to put an emphasis on the convention's international scope and success often comes across in introductory declarations which set the tone of an article, such as:

The World Heritage Convention currently covers 812 sites in 137 countries and is with 181 States Parties the most universal international legal instrument in heritage conservation. [...] [The World Heritage Convention] established a unique international instrument that recognizes and protects both the cultural and natural heritage of outstanding universal value. The World Heritage Convention's definition of heritage provided an innovative and powerful opportunity for the protection of cultural landscapes [...]. (Rössler 2006, 333, 334)

Hence, within the two first pages of the article, the convention is described as unique, the most universal legal instrument, innovative and powerful. Some insider researchers go as far as to argue that the World Heritage Convention is a means of making UNESCO known: 'Often referred to as a flagship program of UNESCO, the World Heritage Convention has brought a little-known international organization out of

the wilderness and made it a household name the world over' (Cameron and Rössler 2011, 43). Indeed, the benefits of the convention is a common thread addressed in different ways through emphasising the significance of the convention as *conservation instrument*: '[the Convention] is widely acknowledged as the foremost conservation instrument for recognising and protecting the outstanding cultural and natural heritage of humankind for present and future generations' (Rao 2010, 161). Interestingly it is precisely the severe challenges it faces as an efficient instrument for protection that is often discussed by outsiders (e.g. Maswood 2000; Aplin 2004; Smith 2011; Meskell 2014; Hølleland 2014, 2015; Brumann and Berliner 2016). Furthermore, the financial benefits of the convention are highlighted:

UNESCO has long been aware of the potential of World Heritage sites as powerful incentives to economic growth, not only as direct sources of employment and revenues for communities, but also as indirect generators of spin off income from sales in crafts, music and other cultural products. (Bandarin, Hosagrahar, and Albernaz 2011, 18)

While moderately phrased, no reference is made to the fact that determining the economic impact of a World Heritage status is one of the most difficult aspects to document (e.g. Hall and Piggitt 2001, 2002; Buckley 2004; Rebanks and Trends 2009). Authors also draw attention to the inclusive and diverse nature of the convention by stating that the World Heritage List is in fact 'composed of both celebratory places and sites with negative connotations' (Cameron and Rössler 2011, 50). As such, the articles tap into the thorny issue of balancing universality and diversity and thereby have the opportunity to engage with the vast amount of outsider literature on the topic (e.g. Omland 2006; Smith 2006), but this opportunity is not fully utilised. This is a shame as having followed the various internal attempts to address the issue of the 'biased list' first hand, insider researchers are in a unique position to shed a different light on the issue.

Briefly summarised, the World Heritage Convention is said to be successful, popular, innovative, inclusive, important for economic growth, vital in order to make UNESCO known and influential in terms of heritage activity worldwide. Actively drawing attention to the positive aspects of the convention, the quotes above can be read as an expression of loyalty towards the bureaucracy of which the insider researchers are part. This pattern of articulation can be conceptualised as outward facing, functioning as a means to justify the work of the World Heritage Convention to the outsiders. As noted, accentuating the positive aspects of the World Heritage Convention is specific to this group of World Heritage researchers, and exemplifies how 'insider researchers have a personal stake and substantive emotional investment in the setting' (Brannick and Coghlan 2007, 60). These statements are also indicative of the doubled-edged nature of closeness: As these statements are not combined with a strong degree of methodological reflections and self-reflexivity, the authors run the risk of coming across as overtly partisan. However, the extent to which this is the case is doubtful as the insider researchers are the first to address the weakness of the operations of the convention: Another common thread is precisely the authors' focus on improving practice.

Improving practice – instrumental advice

One of the positive aspects of conducting insider research is access and the vast pre-existing knowledge such researchers possess (Brannick and Coghlan 2007, 67, 68; Greene 2014, 3, 4). Thus, insider researchers have the means to attend to subjects which only insiders may have knowledge of and are able to address. This is visible through the way in which insider researchers propose and recommend new policies, systems and practices: One author 'proposes some improvements to the system' (Jokilehto 2011, 61) whereas another aims to make some 'bold proposals for consideration' for the identification, nomination and inscription of sites to the World Heritage List (Rao 2010, 162). Thus, based on years of close experience with and knowledge about the convention's operational systems and its procedures, the insiders certainly highlight that there is room for improvement and come up with instrumental and concrete advice for improvement: 'Possible changes might include the revision of the format of nomination dossiers to include a section on local community participation and involvement in issues related to World Heritage' (Labadi 2005, 99), or as Jokilehto (2011, 71) states when addressing the nomination

process: 'it should be possible to improve the information system, specifying the requirements so that the State Party could implement these in time'. This emphasis on the need to improve practice is perhaps most vigorously argued for by a former director of the World Heritage Centre, calling for something as strong as a *paradigm shift* within the nomination procedures (Rao 2010).

These quotes highlight that the insider researchers, who manage the convention on a daily basis, recognise the room for improvement. However, rather than engaging in a full critique of the founding ideas of the convention, the insiders frame their critique within the scope of bureaucratic possibilities: on improving practice (Johansson 2015, 63). Combined with the specialised language, the detailed recommendations make the texts come across as first and foremost directed at the international World Heritage bureaucracy, and a sense that this community of practice conduct research not on, but *for* itself. Hence, this builds up under the strong internal frame of reference and inward-facing nature of the research and highlights some of the limits of insider research; the closeness to the object of study may compromise the ability 'to raise provocative questions' and 'to engage critically with the data' (Greene 2014, 4, 5). Openly criticising the fundamentals, whilst remaining an active player within an organisation, is almost impossible. As such, insider research is bound to be consultative in nature, and the instrumental take on improving current flaws can be seen as a means to comply within their scope of possibilities. However, the ambition to ensure the best practice for a system they not only are part of, but also believe in also reveal a real sense of dedication towards World Heritage Convention.

Idealism – a sense of dedication

Lastly, we draw attention to a fourth pattern of articulation; the insider researchers' sense of dedication comes across through what may be described as an idealistic manner of writing. The following gives an example of such:

Drawing from UNESCO's experience, the paper provides compelling evidence in support of the idea that culture, creative industries and cultural heritage contribute a great deal to development, in terms not only of quantitative economic growth (income, employment), but also of qualitative standards of equity and well-being. (Bandarin, Hosagrahar, and Albernaz 2011, 15)

Other idealistic proclamations are given more indirectly: 'The nomination process led to awareness raising among local communities, to new pride in their own heritage, to rehabilitation and revival of traditions' (Rössler 2006, 337), or 'For those millions of people worldwide who are involved today in one way or another in the implementation of the World Heritage Convention, the vision of the pioneers may inspire and guide them in their work' (Cameron and Rössler 2011, 51). The last quote concludes an interview study with some of the significant players in the creation of the World Heritage Convention. Thus, the authors portray these founding fathers as self-evident inspirations and guides for everybody working with the World Heritage Convention worldwide today.

Another author emphasises the importance of being true to *the spirit* of the convention: 'The 'conflict of interest' argument also runs contrary to the spirit of the Convention, as it is in our collective interest to identify and protect heritage of OUV and hence we all have to work together for this' (Rao 2010, 164). As such, the author states how there is almost a self-evident collective obligation to protect the heritage of outstanding universal value. Similar rhetoric is used in other statements:

It is the premise of this paper that as foreseen by the World Heritage Convention, the identification, nomination, inscription and conservation of outstanding heritage is in the interest of the global community, and that it therefore requires a collective global effort *throughout and at all stages of this entire process on an ongoing basis*. (Rao 2010, 165, emphasized in the original text)

Thus, the author reassures that the premise of the article coincides with principles of the World Heritage Convention. Keeping the staff regulations in mind this is of course hardly a surprising statement, but as the message comes from an insider researcher and is uttered in a written, public context, this type of statements strengthens the outward-facing portrayal of the World Heritage as a concept based on a moral universal imperative (Ronström 2014, 29).

Conclusion

The aim of this article has been to examine the characteristics and effects of insider research undertaken by members of the international World Heritage bureaucracy. Firstly, we want to stress the *value* of the scientific publications published by the international World Heritage bureaucracy. The articles give voice to an important group of heritage practitioners affiliated with vital international heritage institutions with far-reaching powers. As insider researchers, they benefit from a vast pre-existing knowledge and access to their object of study. Accordingly, the articles offer valuable inside information and insights to subjects and discussions shedding light on the developments of World Heritage practice that outside researchers would find difficult to obtain and navigate. Yet the texts also highlight the challenges bound with researching formal organisations of which one is part. This is partly bound up with the fact that there are limits to what a member of any bureaucracy with formal regulations can publicly articulate (e.g. Christensen et al. 2014). Thus it is perhaps not surprising that most of the articles are written with a sense of loyalty to UNESCO and the principles and ideals of the World Heritage Convention. Indeed, UNESCO employees are subject to staff regulations which compel them to swear loyalty to the organisation and to exercise utmost discretion in regards to all matters of business (Hoggart [1978] 2011, 11). Thus, at present the insider research seems to suffer somewhat from these constraints, resulting in research which is critical within the scope of possibilities and thereby focuses on improving the current system of practice. This does nonetheless highlight that complying with bureaucratic regulations impacts the possibility to conduct free and independent research. However, as pointed out by the literature on insider research, there are ways of addressing these limitations by creating more distance to the object of study by actively acknowledging the fact that one is an insider researcher, through methodological discussions and by situating one's research within the wider field by more actively drawing on other academic texts (Greene 2014). Within the current articles, however, there is a tendency to *not* situate the articles within the field of heritage research at large, and not to engage in any in-depth methodological discussions, source criticism and self-reflexivity. As such, one is left with a sense of unfulfilled potential: If these insider researchers to a greater extent exposed the discussions which led to the decisions adopted and addressed why measures to improve practices succeed or fail, this would contribute to a greater sense of self-reflexivity and distance to the object of study. This in turn is likely to open up a space of dialogue between insider and outsider researchers analysing the implementation of the convention.

Notes

1. International Council on Monuments and Sites.
2. International Union for Conservation of Nature.
3. International Centre for the Study of the Preservation and Restoration of Cultural Property.
4. The World Heritage Committee consists of 21 of the States Parties to the convention.

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Social engineering and cultural policy – theoretical and empirical reflexions from Swedish cultural policy in a historical perspective

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ARTICLE



Social engineering and cultural policy – theoretical and empirical reflexions from Swedish cultural policy in a historical perspective

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ABSTRACT

This article explores the influence of social engineering in various forms within Swedish cultural policy, seen in a historical perspective. In social engineering cultural policy measures, reforms and projects are justified by scientifically based research rather than party based ideological arguments. Karl Popper's classification of the utopian and the step-by-step engineering make up the starting point, redefined as paternalistic engineering, welfare state engineering and utilitarian engineering in order to apply these ideas to cultural policy. Social engineering was predominant in Swedish cultural policy mainly during the post war period. In the 1950s as well as in the 1970s this engineering takes on a paternalistic character, in the struggle against injurious culture, such as video violence. Current practice of paternalistic engineering is directed at revealing and identifying invisibles structures in the field of cultural heritage. The welfare state engineering had its highlights in the planning era of the 1960s and the 1970s, and today culture as a beneficial factor for both citizens and society is labelled utilitarian engineering.

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state

Introduction

In the debate preceding the introduction of the Swedish Film censorship in 1911 medical researchers claimed that they found links between epilepsy and children's movie viewing (Blomgren 1998). Scientists have since been engaged in legitimizing the fight against the so-called injurious culture such as dance music, 'bad' literature (pulp fiction), comics and video violence (Blomgren 2007). According to researchers scientific results have been a prominent feature when it comes to motivating cultural reforms and initiatives of various kinds. Today scientists are engaged in 'proving' that culture and art promotes social sustainability, increase children's creativity, contributing to better health and developing creative communities and regions by including so called cultural planning. Over the years researchers from various scientific fields such as medicine, sociology, psychology, economics, etc. have entered the field. In this article I call these ideas social engineering using scientifically based theories, analyses and methods to change and improve the conditions for citizens and society.

Social engineering as a concept is wide and has many different meanings.¹ One interpretation of the concept I find relevant for this article has its root back in the end of 1800s. At this point one noticed the need of human expertise to deal with employment issues in factories and plants. Technical expertise was not sufficient, extended expertise, named social engineers, able to handle human resources in the factories were identified as a necessary skill. This separation between technical and social expertise came later on to meshes, and the concept social engineering was used as a metaphor for dealing with

social relation as a machinery, in a technical and scientific manner (Larsson, Lettel, and Thörn 2012, 12). Another interpretation of social engineering I find relevant can be traced in 1920s describing young American men and women from better homes, who from the beginning of the former century were settled in poor urban areas in order to help the people living there create a better life for themselves (in Hirdman 1989, 11).

These two kinds of interpretations, a technical or natural science approach and method, considered helpful to identify and present solutions of social problem such as unemployment insurance and social policy reforms in society, were also central in Karl Popper's idea of social engineering (Popper 1986, 42 ff).

The basic idea is that the politicians or an ideology's primarily task is not to solve problems for individuals or the society; it's up to science of rational and 'objective' methods. The Swedish philosopher Ingmar Nordin has summarised this conception as:

.... step by step, by the method of trial and error, politicians and experts will be able to work out the most rational technique to tackle each and every problem within society. In this way, the blind struggle between partial interests is replaced by an enlightened management based on scientific knowledge and technological rationality – in the interest of all. (Nordin 1991, 459 f)

Rationalism and social engineering have been discussed, as a principle, by Popper (1960), but also by philosophers such as Zygmunt Bauman in *Auschwitz and modern society* (1994) and James C. Scott's *Seeing Like a State* (1998). According to Bauman and Scott social engineering corresponds with the emerging of modern society and rationality. Society is regarded an object to be continuously planned, managed and improved. In Sweden Alva Myrdal, a prominent Swedish sociologist and politician, described the 1930s new policies inspired by this kind of ideas.

The idea was that you now had to step from the mere registration of facts and analysis of causal relationships to the setting of rational plans for appropriate changes. Such constructive engineering is in itself more reasonable in Sweden than in any other country. The scientific theory behind it, namely the application of a system of relevant value premises, alongside the system of observable facts, has actually been tested in Sweden. (Myrdal, A 1944, in Hirdman 1989)

According to Alva Myrdal, science plays a constructive role in the policy, i.e. it is not just about analysing social problems but also serves to propose appropriate policy and measures to be implemented in solving problems. Roughly this means that the political parties, the government and the parliament, with their fundamental role in a representative democracy, ought to transfer both the problem and the implementation to the social engineers.

In this article I intend to discuss and analyse different types and cases of ideas and conceptions of social engineering, meaning when scientifically based research are used to justify cultural policy measures, reforms and projects rather than being grounded in party based ideological arguments within Swedish cultural policy in a historical perspective. These ideas could originate from bureaucrats, researchers, politicians, civil servants or other identified actors. I see these actors mainly as carriers of ideas, and I am not systematically trying to identify ideas among various professionals or other actors. I emphasise that this article does not study influences or impacts from social engineering in actual policy and politics; it merely discusses the topic on a rhetorical level. In order to answer that kind of question one would require another kind of empirical data.

My empirical material will consist of examples from Swedish cultural policy (broad definition) from the early 1900s to date. The main reason for choosing Sweden as case is that social engineering have been noticed as a central theme in the history of the Swedish welfare state project, particularly the ideas from 1930s and the role of the scientist and politicians Alva and Gunnar Myrdal (Hirdman 1989; Marklund 2009). Abroad the Swedish social engineering has been described as both a successful middle way between totalitarianism and capitalism, often called The Swedish Model, and as an example of a totalitarian model characterised as 'a death chamber for personal progress and individual initiative ... , threaten to turn democracy into it's opposite, into a dictatorship'. (Marklund 2009, 278); see also Huntford 1971). My intention, though, is not to take part in this discussion, merely to demonstrate how social engineering as a concept has been used to describe Swedish welfare state policy.

The problem – cultural policy and social engineering

My aim is to discuss and problemize if, and if so, in what way ideas of social engineering have been noticed in cultural policy. In order to do this I find it necessary to problemize both what distinguishes cultural policy as a policy area and social engineering as a concept, and how this could be interpreted in cultural policy. However central and fruitful Karl Popper's principal discussion about this may be, his dichotomisation about the piecemeal and utopian engineering are too wide for my purpose. I have to redefine the concept and develop different kinds of social engineering ideas within the cultural policy areas that would better fit in to cultural policy.

A principal starting point in my article is that different interpretations of social engineering and its role depends on the political system, or the basic idea about the state's role and domination in cultural policy. Different categorisations have been applied in cultural policy research to describe or classify different 'epochs' or phases as well as models describing the categorisations of nation's cultural policy and politics. In his analysis of Nordic cultural policy Duelund makes an example of classifying cultural policy in different phases. According to Duelund (2003), Nordic cultural policy can be divided into four different phases: The Democratisation of Culture (1960–1975), Cultural Democracy (1975–1985), Social and Economic Instrumentalisation (1985–1995) and Economic and Political Colonisation (1995–2007). Another way of classifying cultural policy is that of Hillman-Chartrand and McCaughey (1989), which are the most well known classifications of cultural policy: They seek out four different positions for the state to publicly support fine arts: The Facilitator, The Patron, The Architect and The Engineer. These ideal types are inspired by different empirical examples from cultural politics and policy. Swedish cultural policy, as well as in the other Nordic countries, is usually given as one of the most evident examples of the Architect model (Vestheim 1995).

For my purpose both of these classifications are too vague to describe the role of social engineering in cultural policy. One critical voice against Hillman-Chartrand and McCaughey's model as well as Duelund's classifications, is the shortcomings of understanding more complex relations in cultural policy. In particular the role of politicians, the political parties and the relationship between the state, the bureaucracy and the citizen are not problematized to any greater extent in the classification above (Blomgren 2012). The presented categorisations also lack a discussion about policy variation, both between different political levels such as the state, the regional and the local level, or between different nation-states that are characterised in the same phases or in the same models.

For my purpose the most important objections are how the political system, or what basic idea in the role of the state dominating cultural policy, is *not* being problematized in the categorisations above. This question includes ideas of what kind of culture and arts the state ought to support or restrain, and who should be given responsibility to implement the policy. I find these questions have a huge impact on the role of social engineering, which I will present below.

The social engineering in the perfectionistic influenced cultural policy

According to one basic idea called perfectionism, the state has a responsibility to promote a certain conception of what constitutes a good life and a good society for its individual citizens. Aristoteles is a prominent figure and a forerunner of this tradition. He argued that all human activities, including art and politics, have for its object the attainment of some good (Aristoteles 1961, 25). The standpoint in this idea is that if there is a way to live the good life, the state has an obligation to promote that life or ban whatever threatens this.

If there exists a 'true and an objective conception' there is a good opportunity for social engineers to have a strong influence over the society and the individual citizens in leading them in the determined direction. This is also distinctive and characteristic of utopian social engineering and its techniques. Such beliefs have been criticised for violating individuals in the state's goal of building 'perfect societies' (e.g. Hirdman 1989, Popper 1980). According to Karl Popper in his seminal work *The Open Society and its Enemies*, Plato advocates the utopian technology to achieve the highest political goal – the ideal state

– at any price, when the target represents the ultimate good. In this endeavour there is no possibility of compromises between the different parties; ‘if you know the right thing you do the right thing’. In order to realise the ideal state one should make use of a major plan for the entire society. In Poppers ideal typical extension this could lead to a strong centralised government of the few, which is likely to lead to dictatorship (Popper 1980, 160).

In a historical perspective, both Nazi Germany and the Stalin era can be characterised as ideal typical examples of utopian social constructions, where the ‘right’ political and ideological values-driven policy is the primary task. During the Nazi era the art’s task was to reflect the new human type that Nazism would produce. The art would be a tribute to man, who were to be freed from all weaknesses and uncontrolled excesses (Karlsson and Ruth 1984, 164 ff.)

Applebaum (2012), describes in her book *Iron Curtain* the project to create the new man, *Homo Sovjeticus*, in Poland in the early 1950s. By creating ideal cities with new architecture and design this new species should be given room to spread. In these new communities traditional organizations and institutions had no place. The new socialist city was free from historical burdens; the town and the factory were meant as a laboratory for the future society, culture and way of life (ibid., 452). In this respect architects and artists played an important role. According to Hillman-Chartrand and McCaughey (1989) cultural policy in these societies can be described in terms of an Engineering Model, where the state directs public cultural policy in a very explicit and oppressive way, resembling the previously communist dictatorships in Eastern Europe and the Soviet Union. I am aware that the examples above are to be considered as extreme cases that never influenced Swedish cultural policy. My intention is, however, to show where the perfectionist ideas of utopian engineering may lead. Similar ideas can also be noted in democratic countries where the social engineer plays an important role to obtain the ‘objective’ goal pointed out by the state.

What characterises this kind of engineering in cultural policy is that society and its citizens are seen as objects continuously to be planned, managed and perfected. The ultimate task of cultural policy is to educate people in a moral, spiritual and political sense, i.e. classical paternalism (Bennich-Björkman 1991, 58; Blomgren 1998; Hylland 2014). I will thus describe this kind of engineering as ‘the paternalistic engineering’. The engineer’s role is wider than simply putting the good art and artists in focus, which is central to traditional cultural policy (Blomgren 1998; Hylland 2014). It is not about giving people good art for the sake of art itself, but for the sake of making them better citizens.

The task of the state will either be to restrict consumption of harmful culture or to support culture aiming to promote wellbeing, happiness, needs, or what else that can be considered good for man (Dworkin 1979, 78). It’s however not limited to evoking the good qualities of the citizens, equally important is to nip the evil in the bud in order to protect citizens (Uddhammar 1993, 125). Above all it’s in restricting access to harmful culture that professions, such as physicians, psychologists and teachers, historically have had a great influence. The introduction of film censorship in Sweden in 1911 was justified on the basis of a presumed damage to the general moral provided by harmful movies, whilst the paternalistic attitude also could be about correcting ‘wrong’ or creating the ‘right’ political or ideological preferences. In this case politics and ideology are consequently superior to artistic and aesthetic quality values. We know Beethoven’s music was prohibited during the Cultural Revolution in China, as his music was considered bourgeois and thus a threat to the right (perfectionistic) ideology (Blomgren 1998).

Social engineering in the active neural influenced cultural policy

According to Popper there exists, beside the utopian engineer, a second type of social engineers, namely the ‘step-by-step engineer’, or piece-meal-engineering, characterised by the rational seeking of society’s greatest and most urgent injustices rather than its ultimate good (Popper 1980, 160). Popper argues that examples of such injustices are unemployment insurance and social policy reforms in order to reduce inequalities in society (ibid). The aim is thus to increase and promote the citizen’s autonomy,

which is a main objective of a welfare state. This can be seen as a right allowing citizens to lead a life where they at least can have offer manoeuvre and freedom of choice to some degree (Bendz 2004, 15).

An important principle distinguishing this idea from the perfectionist idea is that the state should not point out what kind of 'ultimate good' citizens should be devoted to. The State is to be *neutral* in these matters. In order to give every citizen the opportunity to realise her individual perceptions of the good, the state however has to be *active*; the state should provide the necessary structures and conditions. Or to speak with the political philosopher Joseph Raz:

The government has an obligation to create an environment providing individuals with an adequate range of options and opportunities to choose them. The duty arises out of people's interest in having a valuable autonomous life. (Raz 1990, 417 f.)

The basic idea of *active neutrality* is a cornerstone of the welfare state in Sweden after World War II, the main objective being equal opportunities for citizens' independently of social class or geographical location access to welfare services. It was manifested through social reform in the education policy area, where primary school was expanded, and in the expansion of elderly care services in Swedish communes.

In cultural policy the state's main task is to create an environment to provide individuals with a range of options and opportunities. Examples of such reforms have been the support of cultural infrastructures such as libraries and organizations; aiming to reduce obstacles for the citizens to create opportunities to participate or engage themselves in different arts and cultural events. Equal opportunities is the main objective. The state may not, however, as in the perfectionist idea, point out 'good' or 'bad' culture to the citizen's standard, in these matters it must remain neutral. In their endeavour to develop the welfare state in order to reach all citizens, the step-by-step engineers, which I here label 'welfare state engineers' have had a strong influence, especially during the 1960s and the 1970s where ideas of rational planning and organising of society in order to create equality were predominant.

Another conception, also inspired by the basic idea of the active neutrality, is the utilitarian conception. In short it is distinguished by the view that whether an act is right or wrong depends on whether one believes its consequences to be good or bad. This in turn can be defined in various and different ways (Strauss and Cropsey 1987, 710). The best moral action is the one that maximises pleasure and limits pain. Thus defining utility as the aggregate pleasure after deducting pain from pleasure of all involved in any action. The two most prominent utilitarian philosophers are Jeremy Bentham and John Stuart Mill. Bentham is considered the founder of utilitarianism and John Stuart Mill later developed the idea including not only quantities of pleasure and pain but also distinguishing different qualities in these two concepts (Miller et al. 1995, 539). The common denominator between the two philosophers is their consequentialist view, one of them focusing on the consequences of the state's actions in order to decide if the state actions are right or wrong, or moral good. But unlike the perfectionist idea, no predetermined desirable values are to be fulfilled. The social engineers' assignments, what I label 'utilitarian engineering', is through step-by-step actions to increase the benefits for citizens and society. It is common in cultural policy to label these ideas as instrumental, meaning culture can be used as an instrument for regional development and economic growth, which implies a shift of focus from the traditional arts values (Duelund 2003; Gray 2007, 204; McGuigan 2004). The content of art and culture is subordinate; the key is seeing art and culture as instruments to achieve broader social values and goals. However, I find the concept 'instrumental' too wide and too indistinct to be used in my analysis; utilitarianism catches my purpose better, as I see all types of engineering by definition instrumental, irrespective of whether it is built on ideas of paternalism or active neutrality.

In this paragraph I have presented two ideal-typical categories of social engineering, the utopian and step-by-by step, and redefined them in order to apply these ideas in cultural policy. I am aware of the simplicity of my ideal types; the reality is far more complex. In my concluding paragraph I will follow up and discuss this.

The engineers of cultural policies – a historic swoop

In this part I intend to discuss and problematize in which historical periods ideas of social engineering has had a prominent role in Sweden. I start by discussing examples concerning the domination of perfectionist beliefs and when the paternalistic inspired ideas of engineering was given a prominent role. Thereafter I will discuss ideas of and roles in in the neutral active state in welfare and utilitarian engineering.

To protect and improve – the paternalistic project: to reshape the inner man

Social engineering's strong position in Sweden's cultural policy was mainly in the post war period. In the cultural field, however, there have been streaks of social engineering much earlier, if one also includes measures to protect citizens from harmful cultural and art manifestations. Teachers, priests and doctors engaged in the debate in the early 1900s about feature film's harmful effects on citizens in general, and children/young people in particular (Blomgren 1998). The arguments, partly scientifically justified by these professions, led the government to introduce film censorship in 1911, which in turn was a restriction of the freedom of expression.

But the most elaborate and appealing document in Swedish cultural policy, establishing social engineering ideas in the cultural policy domains in its paternalistic form for the first time, was in the Social Democratic cultural program *Man and the present (Människan och nutiden 1951)*. This program was a result of the Social Democracy Party's cultural committee and was presented at the party congress in 1952 (Frenander 2014, 114). Even if the Social Democracy Party was holding government, this was not an official governmental document. Yet the program reflected ideas of social engineering that were common in that period.

Even traditional cultural policy proposal, such as creating better links between the citizens and the arts, was discussed in the program named short-term goals of cultural policy, were discussed. The program, however, mainly focused on a discussion about the area's long-term and pressing challenges. One important mission was to prevent the so-called pre-democratic values found in the authoritarian approach from taking place at home and in schools, but also in the relationship between employees and management. Besides the program also mentions the conflicting notions of sexual cohabitation problems. Finally the program pointed out, as an important long term objective in cultural policy, the importance of combatting the tendency towards passive leisure content among citizens. The aim being to provide better opportunities for real recreation, relaxation and recovery, external activity and comprehensive internal human development (ibid., 20).

The challenge in cultural policy was to 'step into the minds of men' and change the so-called pre-democratic values, authoritarian upbringing and sexual cohabitation problems. Cultural policy mission was essentially to create a new kind of people and ultimately create a comprehensive internal human development. The task was far wider than the mere distribution of good art, a campaign launched in the 1930s cultural policy programs (Frenander 2005). Now the mission was to create new personalities with a broader mind and more independent attitude towards all that meet the individual events, people and ideas (ibid., 25). Cultural policy's primary task was to focus on the causes governing the individual's perception and reception of art. Contemporary findings in psychology, sociology and anthropology had concluded, according to the program, with man being less a product of his own circumstances than by current social structure and associated values (ibid., 19). This in turn is a significant argument from a paternalistic viewpoint, where the citizens' well-being was in the centre of attention.

Citizens' diverse musical tastes were explained by social psychological theories. The workers listening to the accordion and the merchant's daughter going to classical concerts could be explained by social psychology theories on habits of social products (ibid., 75 ff.). It was not the music itself but the sound entering the person that caused unease within (ibid., 75). Explanation factors could be sought in the family, the playgroup, school, the workplace etc. The idea being that musical taste could be changed;

it was not given once and for all. In principle, reforms built on scientific basis of various kinds could make people abandon accordion music in favour of symphonies.

The problem was thus not art itself but the citizens' inner ability to appreciate the fine arts. Lack of capacity was not limited to arts; it was extended to a matter of taste in general. According to the program, people generally lack the ability to create their own personal environment, one notion being that people in general love to buy good looking objects and place them in their homes without any sense whatsoever of connection with objects acquired earlier. With no contact between the parts the parts cannot subordinate to the whole. The environment itself must be reformed, according to the program (ibid., 94). The paternalistic conception is rather strong, the cultural policy should aim to change not only the individual art taste, but even how one arrange one's furniture and decorations in one's own home.

In sum, cultural policy issues and challenges should be resolved primarily through social and psychological theories and methods. Art theoretical studies were criticized for being too focused on problems related to how art was produced. The way artistic products influence the spectator has not by far been studied enough (ibid., 53 ff.). The state's task was to stimulate modern psychological perspectives of education and personality development problems. The subject of psychology and education were, according to the program, to be strengthened in the universities and colleges through multiple and different professorships. It is also necessary to rapidly improve the position of sociology and social psychology in research and teaching purposes (ibid.).

In this paternalistic version the social engineers' assignment was not only to transform the environments but also the citizen's inner life and ability to appreciate good art. One believed that problems could be solved with rational new scientific methods. The paternalistic influenced ideas of using science to change the citizens from the inside had no impact on specific cultural policy during the following years.

The fight to minimise the damage continues

Although paternalistic engineering had little cultural-political influence in setting the policy agenda in practical policy there was, however, one area in the beginning of 1970s where professional representatives once again came into the spotlight: in combatting the negative effects of commercialism, which was one of eight national cultural goals adopted by the Parliament in 1974 (Prop. 1974:28). A new so-called window of opportunity for paternalistic influenced ideas of engineering was now opened in the fight against commercialism in general and its negative effects in particular.

In 1977 a new state agency, State Youth Council (Statens ungdomsråd), started mapping youth entertainment in order to examine how commercial amusements of various kinds influenced children and adolescents. The work group consisted of representatives of some political youth organisations, student organizations, but also scientists (State Youth Council 1983, see also Blomgren 2007) and their main issue was not whether commercialism did any harm to children and adolescents, but in what way commercialism harmed them, as in the program of 1951.

In different reports from the State Youth Council, the commercial culture's negative impact on all children and adolescents was described.² Pedagogues, sociologists and psychologists were involved in these reports. Even the Swedish Arts Council published a report called *Five Researchers on Culture Commercialism (Fem forskare om kulturkommersialism)*, Statens kulturråd 1982). In this report people's use of commercial culture were explained by theories of repressed needs. In a quote remaining of the formulations from the 1950-program the author stated:

Man's short-term requests can originate from repressed needs or be seen as compensation for unmet needs. On a short term basis it is often both easier and more pleasurable to repress needs than to mobilize your forces and satisfy them ... An intensive use of commercial culture can be understood in this light. (Statens kulturråd 1982, 166)

The paternalistic protective engineers' era, however, had only just begun. In the beginning of the early 1980s video violence came in focus; precisely 9.30 pm on Tuesday 2th of December 1980. It was the very same evening Swedish television viewers could see scenes from the movie *The Texas Chainsaw*

Massacre, giving the concept video violence a 'face'. After the program an intense debate flared up as to how the videos should be subjected to precensorship (Dahlquist 1998). The debate lasted throughout the 1980s. In the fight against video violence, psychologists, welfare officers, psychiatrists and other behavioural scientists such as doctors, teachers and police officers were involved. Many of them made a career out of this, as they were hired to write reports and were involved as experts in conferences and meetings (ibid., 114).

The main theme was always about how these videos inflicted great harm to the citizens. A professor in science of education established as a fact how violent videos teaching racism, superstition and battered women were shown as entertainment (interview with Ebbe Lindell, professor in educational science, *Arbetet* 27/4 1989, in Dahlquist 1998). It was argued that vigorous efforts by society were crucial in order to stop violence video rampage.

Researchers created a consistent picture of how reality was being constituted, which in turn had an impact on how media presented the unanimous scientists stressing the negative effect of violence in film and television: 'The more violence we see on TV, the more indifferent we are facing real violence.' (Eva Ekselius, journalist, *DN* 27/7 1982, in Dahlquist 1998)

Themes from the early 1900s and onwards were recognised in the seventies and eighties. With their scientific 'objective' arguments the social engineers came to control the formulation of the problem, i.e., they scientifically pointed out commercialism and visual impacts of violence with the result having been 'ordered' by politicians and authorities involved. The debate about the negative effects of video violence exemplified how scientists and the state, through the authorities, ran a common front against the threat that ought to be combatted (Dahlquist 1998).

The parliament did not however decide to implement pre-censorship on video films, a widespread demand in the general debate. Today there is still a 'fight' going on, the focus is today, however, the eventual negative effects of computer games and network on children and the youth.

To organise citizens' historical and ideological awareness

Another conception, built on a basic perfectionist idea, is that the state and the engineers should have a mission to correct or create the 'right' preferences of political / ideological conceptions for the citizen. Culture and art are here seen as carriers of both implicit and explicit ideological and political values that may be considered harmful to the individual's well-being or the opposite, considered good for man (Dworkin 1979, 78). The engineer's assignment is here to promote right values enlightening the citizens, for example proper cultural heritage, along with different methods to block or pay attention to damaging ideas or values, yet another of paternalism's characteristic traits.

In a historical perspective the Academy, in areas such history and archaeology, has been a prominent collaborator on the creation of national identities, both in Sweden and other countries. The emergence of 'Swedishness' and Swedish cultural heritage has been manifested in schools and museums for a long time (Aronsson 2006). There was a 'right kind of heritage' to be taught and provided to citizens, and the responsible for this mission were professionals or engineers, such as historians, archaeologists and museum staff. Also teachers who educated the school children in the Swedish heritage were involved in this mission.

The Swedish traditional cultural heritage has come to be noticed and criticised for reproducing an outdated view of national identity, for example excluding the story of national minorities, women and immigrants. In their proposal for a cultural program of action for the Green Party (*Miljöpartiet*), the current cultural heritage is problematized and criticised. According to the program of action, museums reproduce dominating norms, values and images of society. Norms and values etc. deviating from contemporary dominating standards have often been removed from historiography and have thus become invisible. (*Miljöpartiet* 2015, 6).

Even within the Swedish Film Institute (SFI), norms we take for granted have begun to be questioned, such as cultural, social and economic norms diffused through art and culture. These kinds of norms are often invisible. One way to reveal them is through ideological and intersectional analysis. Feminist and

anti-racist perspective help us reveal the invisible power structures in society as well as the beliefs that govern our personal relationships (SFI 2016).

In the examples above the concept of invisible power structure is mentioned. The way to reveal them is by ideological and intersectional analysis. One example of engineers who are able to reveal and identify the invisible, is mentioned in the proposal for the Green party program: 'Independent researchers, together with organizations representing the underrepresented groups, will carry out further education in intersectionality and postcolonial theories for all boards and all staff in cultural institutions.' (Miljöpartiet 2015, 7)

Independent researchers, or engineers, with the 'right' theories of the intersectional and postcolonial theories, are given the responsibility to educate boards and staff in cultural institutions in these theories, in order to reveal the invisible norms. There are parallels to the paternalistic influenced conceptions characterising the program of 1951, where the engineering role in cultural policy was to step into the minds of men and 'change the so-called pre-democratic values'. In the program of 1951 one marked sociologists and psychologist as engineers with the right competences in this mission. In the mission to reveal invisible norms it is more important to have a correct theory than a formal academic position. The engineers' task in this case is to point out wrong ideological conceptions and educate other professionals in the cultural sector in how to detect them.

In sum, perfectionistic (ideas) and paternalistic influenced ideas engineers have been identified for more than 100 years. They have most frequently appeared in debates about the negative effect of cultural commercialism, often caused by cultural industries. Here pedagogues, sociologists, physicians and psychologist have been central to the mission to protect the citizens. My last example of paternalistic influenced engineering ideas came from the debate about hidden ideological structures that according to some critics are built-in artefacts. In order to reveal these wrong ideas professions with 'right' kind of theories should be hired.

Some examples of a step-by-step engineers' role in welfare and the utilitarian inspired cultural policy

In this section I will highlight two kinds of ideas of step-by-step social engineers that appear in what I designate as the *neutral active state* and its pluralistic influenced cultural policy. I focus on the ideas that came to reflect the new cultural direction from 1960s to mid-1970s, when the welfare state engineering played a prominent part. It is followed by a discussion of the utilitarian engineering ideas of today that have had an impact, particularly on a regional political level, over the last two decades.

To build the egalitarian society – the welfare engineering ideas are introduced

The new cultural policy, with the introduction of a State for Cultural Affairs in the mid-1970s, was inspired by contemporary predominated political beliefs in which rationalism and planning were key concepts. There was a strong belief in political solutions to solve social problems, and a widespread optimistic view of the possibilities to control and plan the community (SOU 1997:57, 45).

Within the cultural policy area a variety of books were produced in the 1960s, in which researchers and commentators highlighted the need for more scientific research. Books and articles were produced about society's impact on the arts, and on how citizens were affected by and received art (Schein 1980). My Klockar-Lindner (2014) describes in her thesis how cultural policy in the 1960s came to involve, among other things, sociologists arguing for a more specific cultural policy, relevant to the citizens and not only focused on the artists (ibid.). The approach of behavioural science was to place the receiver or consumer of culture in the center of analysis (ibid., 67). An influential researcher in this context was Harald Swedner. His cultural sociological studies on theatre habits, showing how primarily the higher social groups were going to the theatre, aroused a heated debate (Blomgren and Blomgren 2002, 41).

The results of the surveys also came to influence the government's rules (usually called directive) for the Arts Council, who in 1968 was assigned 'to make inquiries and proposals regarding the state

cultural policy' (SOU 1972:66, 19). It should be noted that The Arts Council should primarily address issues related to the long-term direction of the state measures in the cultural field, as the focus for cultural policy was promoting a greater equality in society (SOU 1972:66, 19).

Cultural policy had a broader objective than merely supporting artists, as well as to ensure the spreading of fine arts and culture to the citizens. In the Arts Council report (1972:66) it was emphasised that cultural policy was used as an instrument to include all citizens in cultural life and contribute to a better social environment and equality (SOU 1972:66, 172). There were similarities with the program of 1951 in placing citizens at the center of cultural policy, thus letting cultural policy play a greater role than just supporting artists and institutions. One now focused on the broader groups, who did not receive stimulation and possibilities for their own activities (ibid., 172). This was now the task for welfare state engineers.

The report of 1972 was influenced by rational planning models and by ideas of program budgeting, which was introduced to all state authorities at the time (Jacobsson 2014, 45 ff; Jacobsson 2016, 52 F; SOU 1997:56). Bengt Jacobsson characterises these ideas as social engineering, where effects and costs of the various programs were identified and valued, and the whole report from 1972, in its conceptual apparatus, respired planning and rationality (Jacobsson 2016, 53).

The governmental proposition (1974:28), which was also the decision of Parliament, pointed out that the overall objective of cultural policy should be seen as

(o)ne of several instruments to create a society characterized by equality and giving people opportunities for a richer life. The cultural efforts should be aimed at making the cultural experiences available to all, and also make it possible for everyone to express their innate creativity. (ibid., 293)

If psychologists and sociologists were highlighted in 1951, the commission and the government bill were written from a 'cultural bureaucracy' perspective, where rational planning, organisation and economic instruments could be used to control cultural policies in the desired direction. The idea being that it was possible for the welfare state engineer to create a good society through rationality and planning. At that time ideas of an unlimited faith in the public sector's capacity, through far-reaching political decisions and actions to create a good society, had its highlights (SOU 2009:16a, Part 1, p. 150).

These ideas differ in a fundamental way from those formulated in the program of 1951. In the 1970s there were no descriptions or suggestions of how people's inner life should be refined. The concept 'equality' was usually defined and interpreted in the way that citizens should have a right to participate in cultural and arts activities. This objective could be reached by expanding the cultural infrastructure in order to equalise participation in cultural consumption, which in turn would allow people a richer life. As to what these richer lives consisted of was not, however, defined. In concrete terms the policy aimed at creating conditions in order to make it easier for the citizens to get in touch with art, yet the government had no perfectionistic or paternalistic ambitions. As Ronald Dworkin puts it: 'If the state subsidy has as its purpose protecting structure rather than providing particular aesthetic events, the charge of paternalism is defused' (Dworkin 1992, 232).

In sum, the parliament did not suggest any specific ideas about how the 'ultimate' egalitarian society should be realised through cultural policies. In the beginning of the 1990s the Arts Council did a major inquiry, executing a governmental assignment, about cultural participation of different social groups. In the main report *Broadening Participation (Att vidga deltagandet)* the Council found that there were still primarily the higher social groups who frequented theatres, museums and libraries (Statens kulturråd 1991:1). The result thus being the same as Harald Swedner found in the beginning of the 1960s; in that sense nothing had happened, in spite of all engineering and cultural policy reforms.

From equality to promote, enhance and maximise the good – the utilitarian engineers

The above conceptions can be designated as 'rights-based', where the citizens' autonomy through the welfare state and its engineering is a comprehensive central value to be affirmed (see Bendz 2004). Within the active neutral cultural policy there also exists, according to me, different kinds of utilitarian

rooted conceptions. In cultural policy, new types of social engineers, such as economists and geographers, entered the scene. Their missions have been, and still are, to show how culture activities can increase different kinds of benefits for individuals and society. As I wrote in an earlier paragraph these ideas are often referred to as 'instrumentalism' in cultural policy research.

One of the first examples of the utilitarian inspired engineering in cultural policy in the 1980s were projects about the so-called creative industries and other cultural activities that would lead to increasing society's economic growth (Blomgren 2007). It was primarily on a local and regional level these ideas and policies had the biggest influence. In Britain, McIntyre (1996) argues that it was in the mid-1980s the local authorities searched for mechanisms and strategies for reinvigorating their local economies, with different commercial cultural oriented actors. In these types of projects professions from the economic academic field have been influential (Blomgren 2007).

A prominent scientist that above all had a big impact on regional and local cultural policy in Sweden, is Richard Florida and his studies of the creative class. In principle, all regional development plans in Sweden have highlighted the role of culture for future growth (SOU 2009:16b: Part 2, p. 195). An important player in this context is EU, as it finances development projects and research in these areas.

Another area highlighted as 'socially beneficial' is social sustainability. The concept refers to the social dimension of the so-called *Brundtland report* (*World Commission on Environment and Development*, 1988). The task of culture is here to serve as a tool for creating social sustainability. The EU programme *Horizon 2020* offers great sums to universities for research projects aiming to show the benefits of social cohesion, and where culture has an important role.

Culture making us healthier is a third utilitarian project often highlighted in present cultural policy. In the latest state culture investigation in Sweden one pointed out the positive connection found between cultural consumption and welfare, and the consumption of culture (SOU 2009:16, part 2, p. 204). Medical researchers and physicians played an important role here in order to make citizens live better and longer, both by consuming and participating in culture. At the regional level scientific evidence showing how culture promotes good health has become important. A quote from a regional culture plan may serve as a typical example:

In recent years, research has provided strong scientific support for what many people have known intuitively and for a long time; that people who engage in meaningful things have better health than those who do not. (Region Östsam 2011, 16)

Although the idea of culture being good for health is not a new one, as highlighted in the above quotation, the quotation shows a shift towards evidence that implemented measures will have positive effects, with reference to research similarly expressed in the video violence debate. The difference being that 'bad' culture made us aggressive, while 'good' culture makes us live longer. Unlike the more pronounced paternalistic notions, which singled out 'evil' culture and art, there is no specifically stated content in the arts and cultural expressions to be found that presumably will make us healthier.

A final example is cultural planning seen as a rationally inspired method where art and culture are highlighted as important resources in local and regional development (see e.g. Bianchini and Parkinson 1993). By identifying arts and cultural resources the uniqueness of a place, such as a region or a local municipality, are identified. These are in turn important factors in the work of marketing places, developing them in a social, cultural and economic sense (Lindkvist, Månson, and Bergman 2010, 78). These activities can be seen as a prime example of how rational science-based methods and techniques can develop and market municipalities and regions.

Examples of how researchers are engaged in today's cultural policy can obviously be multiplied and extended. There are, for example, many projects aiming to increase children creativity, and in the long run enhance their results in school (Bamford 2006). The 'modern utilitarian engineers', regardless of area or academic professions, have in common the idea of cultural activity as a beneficial factor for the citizens as well as for society at large.

Today's ideas are similar to the ideas reflected in the cultural policy of the 1960s and 1970s, in the promotion of strong methods and confidence in scientific methods. Political party ideology is absent, in favour of rational engineering ideologies as a forming cultural policy. Another similarity is the absence of perfectionistic ideas defining 'bad culture' for individuals to avoid, and stressing culture and art content as beneficial for each individual.

A clear difference between the welfare state engineering of the 60s and 70s is how the utilitarian engineers of today are not creating 'major plans' on a state level in order to plan and identify measures to increase equality opportunities among all citizens throughout the country. Contemporary utilitarian engineers often make use of a specific regional and local place to be developed. They also focus on designated policy areas, such as increasing health or social cohesion through culture. In other words, the optimistic mission to transform society that characterised programs and reforms in the 60s and 70s have been replaced by less extensive utilitarian projects at the regional level. There are many models to choose between, not just one.

Conclusion – some principal problems with social engineering

My starting point in this article was Karl Popper's classification of the utopian and the step-by-step engineering. I renamed and reformulated these concepts in order to better apply them in cultural policy, for this there are two main reasons. First, Popper's classifications are normative 'biased' and used as a political critique against totalitarian states, such as Nazi Germany and Stalinism, categorised by Popper as examples of utopian engineering societies. Against this totalitarian idea the step-by-step engineering was the democratic way of steering and making decisions. An idea characterised by negotiations and compromises in order to find a solution the majority could accept, as there according to Popper exist no best objective solution. Popper's ideal types seem too simplified to be directly applied in cultural policy. Second, the classifications are too wide to serve as a starting point for the understanding of cultural policy in a democratic state. Cultural policy in Sweden is characterised by two different basic ideas of what role the state should play; the perfectionistic and the active/neutral idea.

In the article I call the first type the paternalist engineers, having traits of utopian ideas of perfectionism, in the sense that there exists an objective goal or enemy. The question is not whether commercialism is bad and should be banned but *how* it should be banned. Another conception is how to change individuals having false ideas by scientific methods, exemplified in the program of 1951 and in today's projects teaching citizens to reveal hidden structures in art and cultural artefacts.

In the basic idea of the neutral active state, the role in cultural policy includes two main conceptions being two variants of step-by-step engineering. The first is the welfare engineering who uses methods of social planning, creates both structures and other support measures to strengthen the citizen's possibilities to be engaged in cultural policy. The motivation is to create an equal society where all citizens have equal access to culture as a welfare right. These ideas were highlighted in cultural policy in the 1960s and 1970s. The second is the utilitarian conception where the main idea is to create the greatest utility in different ways, such as economic growth, social inclusion and better health for the citizens or society with the help of cultural policy.

A common feature in a historical perspective, independent of type of engineering, is the references to scientific theories and facts in different cultural policy fields. Politicians have often referred to scientific arguments instead of motivating the chosen policy from a political or ideological starting point. A typical characteristic in cultural policy, as a result of a lack of party ideological differences, is that social engineers have been involved in reproducing and reinforcing the prevailing cultural policy ideas, such as the fight against video violence and promotion of the role of culture in order to develop society. In my historical exposition cultural policy has not been a field of party political disputes, instead there has been a consensus between the political parties. This may also suggest a lack of strategic interest from the parties involved in this area. This in turn may explain the fact that even if ideas of social engineering has had a sizable role on a rhetorical level in cultural debates through the years, it has not influenced the actual 'concrete' cultural policy.³

Finally I will discuss some overall discussions about social engineering and its role in cultural policy. Regardless of type of engineering there is still a fundamental problem with the relationship of science and politics in the field of cultural policy. A common feature in the different projects and ideas discussed, is how the scientific community and the official authorities have been heavily involved in joint projects. When society through the state and regional authorities wants to change or demonstrate their correct chosen direction, researchers have been engaged in legitimizing the chosen path. One problem deriving from this being the borderline between politics and science and unclear differentiations of roles and functions. For academic activities autonomy and freedom from political control is an ideal. What happens to autonomy when governments engage universities in various projects aiming to change society in a certain direction decided by the politicians?

A major risk is how the researcher's critical role in society may be reduced in favour of reproducing existing dominating ideologies or paradigmas in cultural policy. Dahlqvist exemplifies these questions on the professions' role in the video violence debate, but it has equal relevance independent of what kind of area it appears in. Regions, state authorities and EU are promoting research projects in areas such as social inclusion in order to create better health using culture; with promotion of local societies, economic development with culture and increasing democratic ethos through culture. There may be a problem when both the scientific community and policy share a common vision, to quote Alva Myrdal: 'the application of a system of relevant value premises, alongside the system of observable facts' (Myrdal, A 1944, in Hirdman 1989). The fact that academic institutions legitimize chosen policies and turn them into a political actor, involved in policy-making, could lead to a diminishing and even wipe out of their critical role, thus becoming a major democratic problem. A worst case scenario could also imply a threat to the individual's autonomy, referring to my discussion on the utopian engineering in both Nazi Germany and the previously communist dictatorships in Eastern Europe and the Soviet Union, where public cultural policy was used in a very explicit and oppressive way in order to strengthen the political system and ideology.

The above problem is primarily based on democratic notions of institutional and individual autonomy. One could however also ask whether social engineering may transform communities and individuals in the desired direction (see e.g. Nordin 1991). Is social engineering a successful method? One criticism of social engineering is the premises as a starting, i.e. how scientific methods set out to determine what is good for people. Not all people, and this is the problem, have at any given time the same priorities and preferences as to what is considered a desirable life (ibid., 462). The difficulty is to find 'objective' criterias for 'good' and 'bad or harmful' arts for individuals as for societies, even if it is done with scientific overtones. Is it possible to create more growth, social sustainability, stop video violence or find methods to make ordinary citizens more positive to 'good' arts, such as opera and ballet? In this article I have not analysed social engineering from this perspective, as this would require a separate article.

Notes

1. Social engineering can be interpreted in any many different ways. Besides the society oriented conceptions, social engineering is used to denominate the art of manipulation people, so that they give up confidential information, used by hackers (criminals) for example to fool people to giving up their password (www.webroot.com/us/en/home/resouces/tips/inline-shopping-banking/secure).
2. Examples of reports were, *At Any Price (Till varje pris 1978)*, *A Contribution in the Debate About the Commercialization of Leisure (Debattinlägg om fritidens kommersialisering, 1978)*, *Blows and Caressing. Threatening Reading – on Youth Magazines (Smockor och smek, h hoo smek. Hotande läsning – om ungdomstidningar, (Jalakas 1980)* and *Not for Sale (Ej till salu 1983)*.
3. In this article I have no ambitions to explain this phenomenon. Foremost because I have not made any systematic studies about debates and discussions and the concrete policy outcomes, besides that, my empirical material are not systematically chosen for this purpose.

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No potential conflict of interest was reported by the author.

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ARTICLE



License to judge: fleshing out expertise in cultural policy

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ABSTRACT

This paper endeavours to examine different types of expertise in cultural policy. Unlike other conceptual studies, it focuses on the abstract notion of expertise i.e. the different forms of cognition and knowledge deployed in cultural policy, rather than the personage of an expert. The article proposes a distinction between *arts expertise* and *technocratic expertise* and employs five analytical categories within which they are discussed and compared with each other. Although a clear-cut differentiation seems impossible to achieve, the binary approach helps to shed light on how different forms of expert judgement in cultural policy can be framed and legitimised as well as how vulnerable they are to political influence and the concomitant pressure of the democratisation of policy-making.

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We live in an age of experts – that is to say expertise and expert power have deep implications on the nature of politics and political decision-making. The rise of experts in cultural policy has received substantial attention from scholars who have either provided insightful case studies into the use of policy-relevant knowledge in real life (e.g. James and Winter 2017; Williamson, Cloonan, and Frith 2011) or developed conceptual discussions on the role of public intellectuals (Ahearn 2006a, 2006b) and academics (Schlesinger 2013) in cultural policy development processes. The theoretical studies seem to revolve around the perspective that focuses on the personage of an *expert*. The primary aim of this paper is to offer an inverted approach and shed light on the more abstract notion of *expertise*, understood as different forms of cognition and knowledge deployed in cultural policy.

The impulse to write this article stems from the author's recognition that the notion of expertise in cultural policy studies has been used in a somewhat confusing twofold fashion. On the one hand, it refers to a system of artistic evaluation, based on the criteria of professionalism and aesthetic values. On the other hand, it is linked to a technical decision-making process where particular knowledge is required to choose between competing policy options. In order to explain this dichotomy, we can assume that there are essentially two types of expertise in cultural policy: *arts expertise* and *technocratic expertise*. This paper examines these two ideal-type conceptions and uses five analytical categories within which they are framed and – albeit to a limited degree – distinguished from each other.

The paper employs a dialogical approach, combining conceptual studies on expertise with real-life examples from the field of cultural policy provided in the existing literature. The article begins with a discussion about the transformations in the realms of science and politics which led to the arrival of expertise. Section two translates these changes into the reality of the cultural sector. The rest of the article examines and compares two types of expertise according to five categories: their function, epistemology, politicisation, legitimacy and participation.

Before we proceed, it is necessary to make a comment about the terminology used in this paper; in particular, the abundance of the words 'science/scientific' which may provoke a sense of unease among scholars arguing that the knowledge relevant to cultural policy is not 'scientific' in the sense that the typically scientific domains are (astronomy, chemistry, genetics etc.). However, this article refers to the more general meaning of science understood as 'any area of knowledge obtained using, or arranged according to, formal principles, e.g. political science'.¹ This broad definition includes knowledge and methods of its production in the domains particularly relevant to cultural policy: economy, law, sociology, public policy and so on.

The rise of expertise in the policy realm

The increase of professional and scientific expertise was one of the most notable transformations affecting the political realm in the twentieth century. My argument is that the process in question was linked to much more general changes, one of an epistemological nature and another that entailed a transition in what Rose and Miller (2010) call the political rationalities and technologies of government.

The *epistemological* change is linked to the positivist and triumphalist approach that largely underpinned scientific method in the twentieth century and enabled science to (self)reassert its authority. After the era of Romanticism which, as Isaiah Berlin (1999) has shown in his lavish works, broke away from the vision of the world as a rationally-organised unit that can be understood by mathematical puzzle-solving, in the twentieth century scientific empiricists regained their privileged status. Referring back to the Enlightenment of the eighteenth century, science positioned itself as a domain which, through laboratory investigation, does not only have access to the truth but is also capable of successfully taming nature and rendering it operable and favourable to humankind (Funtowicz and Ravetz 1993). For supporters of this vision of science, it meant that people's lives would be safer, easier and more enjoyable. But the theory developed by Horkheimer and Adorno (2002) showed that there is a flip side to the uncritical pursuit of enlightenment and progress: it creates a new kind of slavery and barbarism in Western society which, driven by fear of the unknown, blindly surrenders to the all-pervasive domination of technology and science.

The first decades of the previous century were marked by a 'realist' orientation towards scientific knowledge. This means a tendency to present scientific knowledge in terms of a 'reflection of the objective properties of the world' (Ezrahi 2004, 256). The re-organisation and institutionalisation of sciences transferred the centre of scientific inquiry from individuals and their subjective judgments to networks and centres which operate in a standardised and technology-based fashion. In doing so this gave rise to 'mechanical objectivity' in the production of knowledge (Nowotny 2003, 155). This seeming 'objectivity' of science gave individuals who belonged to the scientific 'core', those in possession of esoteric, highly technical and theoretical knowledge, a privileged position and an authoritative say not only in 'purely scientific' issues, i.e. those addressed and solved through laboratory study, but also in public decision-making. Because of its ostensible 'neutrality', knowledge seemed like an attractive resource for a political problem-solving in liberal democracies committed to a humanistic concept of freedom. The diffusion of knowledge endorsed by the age of the Enlightenment has been a pillar of the liberal-democratic notion of political action, permanently attested by an enlightened public (Ezrahi 1990).

With the rise of late modernity – called 'reflexive' (Beck, Giddens, and Lash 1994) because it deals with the management of 'risk' and spill overs from the previous, industrial modernity – this vision of the use of knowledge in politics was largely falsified and replaced by the 'post-normal' approach (Funtowicz and Ravetz 1993). The view is that knowledge production should no longer be perceived in absolute, realist terms – as a detached, esoteric specialism – because in reality it is much more contingent, value-laden and grounded in socially-robust conceptions of relevance and reliability that we would often like to think (Jasanoff 2003a). This relates especially to expertise applicable in numerous areas of public decision-making, where problems are characterised by a high level of complexity and uncertainty as well as political salience. Coming to the end of the twentieth century, instead of the earlier view that an expert is the possessor of the best available knowledge, a view has arisen that expert knowledge

is limited. Because it is gained and employed in particular social, cultural and political contexts, it is bound by institutional imperatives and vulnerable to the given society's distinctive forms of validation (Jasanoff 2003a, 2003b). Consequently, the role of experts in diverse areas of public decision-making has ceased to be seen as that of an impartial, apolitical advisor and their claim to 'objectivity' has been lost.

Against this backdrop, over the last few decades the out-dated, realist vision of expertise has been maintained and cultivated by technocratic dogma. The increased pressure on the measurement of outcome through 'reliable' methods has reinstalled expertise at the heart of public policy. Although experts' ambiguous relationship with politics has made it impossible to classify expertise as purely academic activity, expertise kept its prerogative as a source of evidence in evidence-based administrative processes.

The change in the *rationalities and technologies of government* emerged to encounter the transforming role of the state in the rise of liberal societies. According to Foucault (2007), since the eighteenth century we have been facing a new, modern form of exercising governmental power. In order to comprehend the latter we must refocus our political imagination and abandon the vision of the state as all-embracing unity, a 'monstre froid' (Rose and Miller 2010, 272) with a central, unique source of power and sovereignty (Foucault 1978, 92–93). Instead, the problematics of government should be elucidated in relation to power which, as Foucault (1978, 93) explains, is the 'multiplicity of force relations' which are omnipresent and polycentric – they take shape and come into play in enterprises, institutions, families, professional and voluntary groups etc. This definition relocates the centre of power from the apparatus of the state towards autonomous economic agents and citizens. This does not, however, mean that the state relinquishes its power; a mere withdrawal from the state but a new, liberal method of government. The latter operates through different techniques for leading and administration, so-called 'technologies of citizenship' (Cruikshank 1999): programs, campaigns, techniques of consultation, persuasion, nudging and empowerment so that individuals conduct their lives in light of what is good, healthy, worthy etc. and collective bodies (institutions, companies etc.) become more efficient, flexible and autonomous (Lemke 2001). In this fashion, solutions to private concerns are being linked with the aspirations of the state.

The personage of the expert is central to the deployment of these governmental technologies. Unlike the state itself, s/he is presumed to act outside the scope of partisan interests, speaking exclusively 'in the name of science'. Drawing on this image, governments apply professional expertise to issues like healthcare, social insurance, public schooling or institutional culture in order to 'depoliticise' them, although at the same time to maintain control over these areas and correct them with reference to their more favourable norms (Foucault 2007).

The rise of expertise in cultural policy

The discussion about science-based expertise put forward in the previous section may seem vaguely related to cultural policy. The latter seems to be markedly different from other policy areas where scientific approach has held sway. However, the rise of expertise in cultural policy has been driven by similar forces to those in other domains of policy-making. Firstly, the epistemological turn in the post-war period, which bestowed authority on a 'specialist' – an individual with in-depth knowledge of his/her field of study – giving rise to new institutional settings where public issues were not only technically solved but also recognised, framed and given meaning by 'certified' experts. In the field of culture this can be seen in the establishment of arm's length bodies and other expert group systems. Some could argue that this translation does not work because those employed in arts councils and similar agencies make primarily artistic judgements based on particular forms of inquiry, norms and practices which are distinct and sometimes at odds with those deployed in areas where scientific knowledge has been granted with public authority. However, if we put epistemological problems aside ('What is the most adequate form of judgement and how do we know it is so?') and focus on the issue of legitimacy ('Who has the authority to judge and why?') then we will realise that in cultural policy, like other policy areas, those who enter decision-making fields are the ones capable of making putatively 'objective' or

realist-type assumptions about the quality of a piece of art and are therefore endowed by a society with a special 'licence to judge' (I shall return to this later in the article).

Moreover, with the arrival of technocracy in public policies, a new type of expertise has been given power and a status of credibility – technocratic expertise. It is a kind of expertise that, using scientific methods and analysis, is able to cope with contemporary public problems and the increasing pressure on the efficiency of public services. The rise of technocratic expertise in cultural policy has been accompanied by a tendency to transform questions of taste (what is good and what is bad?) into questions of technical decision-making (what are the benefits of particular policy options?) (Cummings and Katz 1987, 5) and in so doing to convert cultural policy into a field where experts' opinions are seen as expressions of science-founded, and therefore unobjectionable, truths.

Secondly, the new modes of government which incorporate techniques of indirect control and mobilisation to tackle diverse social problems and risks, have also used cultural policy in order to address specific governmental ambitions and hopes. The first decades after WWII were marked by an increase in governmental rationality called 'welfarism', witnessing a proliferation of strategies, devices and technologies that link artistic creation to the betterment of citizens' lives at personal, social and economic level. In welfare societies, cultural patronage has been recognised as an inalienable responsibility of the state, but not so much 'for art's sake' as for the improvement of social conditions and living standards (Vestheim 2010). Even the cultural policy models based on the arm's length principle, typically characterised by the affirmation of artistic excellence as an end in itself (Hillman-Chartrand and McCaughey 1989) were envisioned by its creators as means to achieve a 'moral and ethical transition in society' (Upchurch 2011, 69). A welfare state is linked to a reservoir of programmes and strategies in culture: ranging from tax regimes, artistic training courses and cultural education to the establishment of institutional networks and cultural facilities in order to ensure the fulfilment of social and economic objectives. Expertise plays a central role in this system, matching diverse techniques of mapping, calculation, enumeration and estimation with politico-moral aspirations (Rose and Miller 2010).

However, expertise is never simply about inventing solutions to the problem at hand but also involves the demarcation and problematisation of an issue in line with discourses which have been rendered dominant and uncontested. For example, one of the most salient issues in cultural policy in post-war Europe has been participation in the arts. Across the continent governments have been persistently fostering the idea of widening the cultural involvement of citizens. The history of cultural participation surveys carries back to the first post-war decades and the issue has been systematically measured ever since. Stevenson, Balling, and Kann-Rasmussen (2017) point out that the rhetoric built upon the results of the surveys, insists that arts participation is presented as a 'problem' that occurs due to the citizens' systematic drop-out from what these surveys consider 'cultural' activity. Curiously, this very rhetoric is shared in many European countries which, according to the authors, does not have as much to do with possible similar survey results as with underlying discourses that have gained dominance across Europe. The discourses in question embody the idea of 'enlightening' citizens by widening access to the arts by providing public subsidies. This naturally implies that 'culture' is produced in state-funded theatres, museums and concert halls and 'cultural participation' is the engagement in those art forms and institutions that have been recognised and selected by a group of art experts. Furthermore, although the data seems to suggest that the main reason for non-participation is the lack of interest in activities related to 'high culture', the rhetoric used in the political realm insists that the problem lies in economic, geographic or psychological 'barriers'. The issue is problematised so that the appropriate solution – instead of adapting the publicly available cultural offer to the *actual needs* of respondents – would centre on widening access to culture people *are expected to need*.

This is a suggestive example of the influence of expertise on culture in liberal democracies. Like in other policy domains, expertise has been linked to setting 'benchmarking rules' on citizens (Swyngedouw 2005, 1998), i.e. rules of desirable performance to which individuals are supposed to conform. Non-participants are portrayed as a category of citizens 'outside the parameters of society' (Stevenson 2013, 81), who are expected to reassess the use of their leisure time against what is 'good', 'worthy' and 'valuable'. In expert cultures the framing of meanings and applications of these words is

not done by a process of public negotiation but is derived from what experts themselves assume to be given and true.

Two types of expertise in cultural policy

The aim of the discussion so far has been to present the rise of expertise in cultural policy with reference to broader transformations in the scientific and political realms. It has also been mentioned, albeit cursorily, that the word 'expertise' has been used by cultural policy scholars in multiple contexts that can be synthesized into two main concepts. On the one hand, an expert is someone who knows art, a competent individual whose judgements lay the rules of access to the field of 'legitimate culture' (*culture légitime*) (Bourdieu 1984). On the other hand, an expert is a specialist who has access to and an understanding of, as well as produces and disseminates knowledge that is relevant to cultural policy. Whereas the first type possesses a capacity of aesthetic judgement that is both subjective and trained in academic institutional systems, the second type makes assessments based on empirical research and scientific methods devoted to values such as objectivism and a clear-cut division between truth and error.

The primary concern of this section is how these two types of expertise can co-exist in cultural policy. Specifically, it raises and addresses several dilemmas such as: how are these types distinct from each other and what are the criteria that govern the distinction?; is the dividing line clear-cut or are we dealing with a continuum of overlapping forms of knowledge?; what is the nature and the limits of their entanglement in politics?; are they responsive to the concomitant pressure for the democratisation of policy decision-making?

The remainder of this paper addresses these questions by examining and comparing two types of expertise according to five categories: their function, epistemology, politicisation, legitimacy and participation. The first two categories (function, epistemology) provide characteristics of each type of expertise, its role in cultural policy and highlight the main differences between arts expertise and technocratic expertise. The following three categories (politicisation, legitimacy, participation) were identified by scholars (e.g. Brown 2015; Jasanoff 2003a, 2003b; Turner 2001) as the issues central to the problem of expertise in contemporary societies. Each category provides a different view on the nature and terms of validity of the expertise types and gives grounds for a discussion on whether (and how) they are frameable, nameable and distinguishable from each other. The discussion, summarised in Table 1, is organised according to the five categories that form the body of this section.

Function category

It seems appropriate to begin with the basic question: *what kind* of expertise are we coping with and what is its role in cultural policy? The review of the existing cultural policy literature shows that there are essentially two kinds of topics that underline and problematise the issue of expertise. The first topic is concerned with forces that have conquered the cultural field in the last few decades and subjugated it to the demands of technocratic functionalism. The forces in question have rendered the assumption standard that cultural expenditure should be justified on the basis of how well it contributes to measurable socio-economic objectives (e.g. van den Hoogen 2014; McGuigan 2005; Schlesinger 2009). The role of expertise is linked to a host of activities that involve the production, translation and instrumental utilisation of knowledge in order to understand *when, how, by what means* etc. of these contribution taking place. The second topic concerns the arm's length principle applied in arts funding, which refers to diverse 'expert systems' (panels, groups, commissions etc.) for selecting cultural projects to be granted public subsidies (e.g. Cummings and Katz 1987; Klammer, Petrova, and Mignosa 2006, Madden 2009; van der Ploeg 2005; Vestheim 2009). Expertise in this sense is in the possession of an esoteric group of avowed specialists who assess the worthiness of cultural endeavours on the basis of artistic skills and professionalism (Nielsen 2003).

**Table 1.** Arts expertise vs. technocratic expertise in cultural policy.

| Category | Question | Distinction | Overlapping zones |
|----------------|--------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Function | <i>What kind of expertise?</i> | <i>Arts expertise:</i> assessing artistic quality <i>Technocratic expertise:</i> assessing the profitability of certain policy options | Substantial: both types of expertise are entangled in the issue of quality Spatial: both occur in the same locales (institutional, personal) |
| Epistemology | <i>How do experts know what they know?</i> | <i>Arts expertise:</i> based on aesthetic experience <i>Technocratic expertise:</i> based on scientific analysis and empirical evidence | Social embeddedness: both types of expertise are culturally and socially contingent |
| Politicisation | <i>Where is the boundary between politics and expertise?</i> | <i>Arts expertise:</i> no direct evidence that funding decisions are affected by political ideologies <i>Technocratic expertise:</i> knowledge used instrumentally and symbolically for political purposes | Political entanglement of experts: both types of experts are appointed by politicians and/or their resumes (career paths) include political posts |
| Legitimacy | <i>Who has expert authority and why?</i> | <i>Arts expertise:</i> experts known by the public at large <i>Technocratic expertise:</i> experts unknown or 'hidden' from the public | Authority based on discretionary decisions: both types of experts are granted with power by bureaucrats Knowledge imbalance: general public not able to understand issues at hand |
| Participation | <i>How much is expertise open to public?</i> | <i>Arts expertise:</i> relatively inclusive; no strict distinction between right or wrong <i>Technocratic expertise:</i> only specialists can 'talk sense' and make judgements | Uneven distribution of power: institutional frameworks hinder participation of non-specialists |

If this is a sound recognition, we can readily agree that there are two types of expertise in cultural policy. The first type, technocratic expertise, is evidence-based; it involves training and experience in domains such as economics, sociology, political science, management etc. and is used at different stages of cultural policy framing and implementation, including the development of performance standards and indicators as well the evaluation phase. The second type, art expertise, is used when specific funding decisions come into play; those believed to be best made on the grounds of aesthetic criteria.

The simplicity and clarity of this demarcation seems comforting and *prima facie* satisfactory. However, a competent reader may be somewhat loath to accept this dyad, finding the intellectual construct naively pure in relation to the perplex reality of policy-making. While it is plausible to think that the two types of expertise involve two different kinds of familiarity (e.g. economic knowledge vs. understanding of art), it is also true that in the field of cultural policy where distinct, often rival values are woven together and conflicting aims are reconciled, these two types of expertise are not only complementary and additive, but also interwoven to such a degree that it is often impossible to draw a demarcation line separating an art specialist from a policy expert.

There are at least two overlapping zones between these types of expertise. Firstly, there is an interconnection of a substantive character, namely, they are both entangled in the problem of *quality*. Quality here is not understood as a 'monocultural' paradigm that cultivates artistic merits as the sole eligible criterion of assessment. Instead, it is defined in a pluralistic fashion which combines distinct points of views that stem from, e.g. expert judgement of artistic value, how it is received by society, reflection and response in regards to the given artistic work and expert assessment of the given artistic activity's economic value (see Nielsen 2003). These different types of quality-providing, although incomparable and based on different types of expertise (art studies – social science – economics), consistently refer to each other (for instance, cultural economists like David Throsby (2001) insist that the value of a cultural good is an aggregate of its aesthetic, historic, social, economic etc. qualities), making the embodied types of expertise impossible to discern.

Second, there is an overlap of a spatial character that asks: what is the *locale* of each expertise type? By *locale* I mean the place (institution, university, city council etc.) or group (professional circle, association) where certain types of expertise are put to work. As pointed out earlier in this paper, the

technocratic turn has led to the introduction of technocratic expertise to cultural policy. The arm's length funding bodies, originally the locale of arts expertise, have been invaded by new paradigms of performance which imposed the use of empirical methods in the evaluation of cultural activities (Belfiore 2004). In this fashion, arts councils and their regional branches become both sites and sources of the two entwined types of expertise.

Therefore, in cultural policy it is hard, if not impossible, to link up particular agents to particular functions or to explicitly define where the work of one expert ends and the work of another begins. Yet, even if we promptly endorse the assertion that there cannot be any firm lines between *experts* of particular kinds, it does not challenge the idea that *there are* different types of cognition and knowledge (and hence expertise) in cultural policy. Let us therefore continue the 'boundary-work' using the remaining four criteria.

Epistemology category

As far as the epistemological approach is concerned, the two types of expertise seem to entail opposite kinds of inquiry and incompatible purposes. On the one hand, central to arts expertise is the ability to make judgements based on aesthetic experience, which has traditionally – at least since Kant's *Critique of Judgement* [1790] – been perceived as inherently subjective. More than a century ago [in 1914], the art critic Clive Bell wrote in *Art* (2005) 'any system of aesthetics which pretends to be based on some objective truth is so palpably ridiculous as not to be worth discussing. We have no other means of recognising a work of art than our feeling for it'. On the other hand, technocratic expertise is presumed to generate and apply knowledge based on empirical research and objectivity. What makes a work of art 'justified art' is the presence of the peculiar emotion it provokes – what gives the scientific knowledge validity is the possession of evidence. While artistic judgement addresses the question 'is it worthy, good or original?', the scientific methods ask 'is it truth?'

The separation of art and science was brought about by the age of Enlightenment and prevailed uninterruptedly until the first decades of the twentieth century (Regidor 2011). However, when post-modern thinkers such as Thomas Kuhn, Bruno Latour and Paul Feyerabend started to articulate their disbelief in the idea that science has access to universal truth, the border between the two diffused. The early 1970s saw the arrival of a new wave of science studies, which reconceptualised science as a 'social activity' (rather than an isolated, self-sufficient domain) and argued that, given its cultural and historical contingency, it cannot escape interpretative biases (Collins and Evans 2002; Jasanoff 2003b). It was emphasised that scientists, like other people, do not solely follow abstract rules but are vulnerable to the opinions of others and influenced by the all-pervasive, historically-situated and socially-validated ideas of what the world is like.

It is not only science that has undergone a tremendous change under the impact of social studies. The ground-breaking work of Bourdieu (1984) showed that aesthetic tastes, cultural inclinations and lifestyles do not simply mirror economic hierarchy in the given society, but play a double role of both derivatives and (re)producers of social classes. Cultural preferences are not something 'subjective', something that grows autonomously, but depend on people's long-term exposure to a particular, class-belonging *habitus* – a system of dispositions created through a social process, within a structure of class-specific limitations and opportunities. Vestheim (2010) believes that Bourdieu's theory explains why public cultural funding systems, strongly influenced by the cultural traditions of aristocrats and high bourgeois, favour the artistic preferences of the elite (dominant) class. Arts experts do not simply follow their aesthetic instincts but are participating in the reproduction of their own social class.

The parallel shift in science and art towards social constructivism has rendered the traditional opposition (objectivism-empiricism vs. subjectivism-interpretivism) vulnerable to criticism and in so doing has blurred the epistemic division between the two disciplines. For example, it has been revealed that peer-review processes in art and science are equally biased by professional inclinations and prejudices (Regidor 2011). In the light of this recognition, the putative objectivisation of decision-making

standards by integrating technocratic expertise into cultural policy has turned to be just another form of temporarily imposing the most prevalent truths accepted by society.

Political category

The liberation of artists from the caring yet suppressing patronage of the church and royal courts, left them free to express criticism of the ruling classes, coercive social practices and bloody wars. Art has become an expression of the 'values of a given culture or social class' (Rose 2012) and in this fashion it has been rendered 'political'. Also with science, the suggestion that it is inescapably and immanently political has become plausible after rejection of the traditional, positivist approach in science and technology studies (Brown 2015). But what does 'political' actually mean? Collins and Evans (2002, 245) distinguish between politics 'intrinsic' to the core scientific activity (e.g. politics of the scientific community) and 'extrinsic', i.e. politics with a 'big-P' when the activity in question is *affected* by politics and politicians. While the intrinsic form of politics is commonly accepted by scientists, they overtly disapprove the extrinsic form.

The aim of this section is to deal with the more controversial (extrinsic) type of politics and its influence on expertise in cultural policy. This task entails the adoption of a 'spatial' concept of politics (Brown 2015), namely *where* politics occurs, and outlining the boundaries between politics and expertise.

The epistemological shift has superseded the vision of experts as the best-informed, non-partisan advisers with the view that the expert's knowledge is socially contingent, value-laden and depends on the intellectual climate of the given period. Over the last few decades, expertise has ceased to be an authoritative source of political decision-making and experts have lost their privileged position of those who 'speak truth to power' (Jasanoff 2003a; Scholten and Verbeek 2015). However, this change should be understood as a transformation rather than a diminishment of the expert's role in the public realm. As a matter of fact, experts have become more 'public' than before in terms of their presence in the media and corollary recognition, as opposed to their consultancy role hitherto deployed 'behind the curtain' of bureaucratic decision-making. The institutionalised relationships between universities and political agents have been replaced by a proliferation of 'boundary organisations' (think tanks, committees, advisory boards) which have situated themselves 'somewhere in between' research and politics (Scholten and Verbeek 2015, 189). Schlesinger's (2009) study on think tanks in cultural policy reveals their transgressive character and persistent brokering between research, government and the media. He analyses the career paths of former think tank analysts and shows that, firstly, their background is much more related to the field of media and communications than to traditional scientific/academic research and, secondly, their connection to think tanks has facilitated their very prominent political future. This does not necessarily mean that think tanks are entirely political bodies and, as Schlesinger puts it, produce 'policy discourses that make claim to knowledge' (4) instead of knowledge per se. However, it sheds light on the connection between politics and knowledge and shows that the nature of this relationship is that of reciprocity rather than authority.

The 'expertisation of politics', namely the expansion of expert systems in the political sphere, has been accompanied by the 'politicisation of expertise'. The latter means not 'less knowledge utilisation, but rather that the type of utilisation shifts from instrumental to symbolic knowledge utilisation' (Scholten and Verbeek 2015, 189). Central to the 'traditionally' technocratic mode of government is that it uses knowledge instrumentally, in order to develop certain policy strategies (so called 'evidence-based policy'). The symbolic utilisation of knowledge is based on a fundamentally different concept of dialogue between research and politics where knowledge is being used to affirm and justify pre-existing policy rationalities as well as to legitimise diverse actors in the political arena (Scholten and Verbeek 2015, 190). The prevalence of this phenomenon in British cultural policy has been disclosed by Belfiore (2009), who showed that operational usage of facts, mendacity and 'bullshitting' about (in reality, dubiously scientific) evidence of the social benefits of cultural activity has become legitimised and generally accepted as the basis for policy-making.

As far as arts expertise is concerned, the discussions on politicisation have centred on experts' connection to (or disconnection from) partisan politics. It has been popularly believed that experts working in arm's length agencies are generally divorced from political life (Cummings and Katz 1987; Klamer, Petrova, and Mignosa 2006; Madden 2009; van der Ploeg 2005; Vestheim 2009). Quinn's (1997) study is one of the few that candidly challenges the approach, arguing that the fact of being appointed by members of political parties inescapably affects experts in how they direct public funds. However, neither the studies that affirm experts' apolitical stance nor the ones that deny it are particularly useful for this paper. Firstly, although often intellectually convincing, they do not offer strong empirical evidence that arts expertise in cultural policy is (or is not) tainted by political ideologies (Mangset 2009, 280–281). Secondly, because their focal point is on experts (their political origins) and not expertise (their decisions). It is necessary for future research to take this gap into account.

Legitimacy category

In this paper I have already referred to the problem of experts' legitimacy by pointing out that in cultural policy, like in other policy domains, expertise has been treated as if it were based on realist-type measures which ensure the cognitive authority of experts and provide them with a special 'licence to judge'.

Yet this forces us to pose another question – who grants experts this licence, and on what grounds? The question underlies the problem of legitimacy which besets the terrain of expertise in many policy areas. According to Stephen Turner (2001), different types of expertise can be distinguished on the basis of who is the main audience and source of legitimacy. In particular, he distinguishes between five distinct types of expertise. Type I denotes expertise of esoteric and corporatist nature, e.g. possessed by a community of physicists, granted with an authority which is universally recognised and accepted. Type II is entrusted with legitimacy only by a very particular group or sect (e.g. a theologian). Type III is represented by those who perform paid services (e.g. massage therapist) and create their own group of followers among those who find these services satisfying. The adherents of Type IV are professional agencies or activist organisations which employ experts to persuade wide audiences and exert influence in particular areas of public life. Finally, the audience of the last type (Type V) are bureaucrats who use expertise in administrative processes. Unlike other types, Type V is not accepted (or often even known) by the public and the only source of its legitimacy is its discretionary acceptance by members of public administration.

The primary concern in this paper is with Type V expertise. Experts of this type deal with administrative issues which are ordinarily 'not discussed in newspapers until after they become institutional facts (...) and may be subject to administrative secrecy of some kind' (136). Turner worries that experts who are not known by wider public are those who pose a potential threat to democracy, exerting influence over public issues 'through the back door'.

At first glance cultural policy does not seem to be dogged by this problem. After all, members of arts councils or public policy advisors are usually known by (or at least announced to) the public at large. Ahearne (2006a, 2006b) shows that advisory functions in cultural policy have been often undertaken by 'public intellectuals' who seldom work in 'hidden clusters' like policy experts in other fields, and for whom the public visibility achieved through media coverage is a defining measure of their influence. However, public intellectuals are not technical specialists, i.e. academics immersed in domains such as the economy or social science, who occupy the position of cultural policy experts. These individuals tend to work in specialised agencies (e.g. policy audit committees) or groups which are normally invisible to the general public.

Moreover, even if, unlike 'scientific' specialists, the members of arts councils and other arm's length agents responsible for the distribution of public funding are publicly *announced*, it does not mean they are publicly *acknowledged*. Members of the said bodies are elected and appointed at the discretion of bureaucrats who, according to Quinn (1997), call the fundamental principles of the arm's length system – political detachment and ideological neutrality – into question. This election process also

precludes public discussion on cognitive authority exercised by these experts and, in so doing, it may beget doubts as to the truly public nature of their legitimacy.

Finally, the legitimisation of experts is troublesome not only because their work is subject to secrecy or the election procedures compete with democratic processes, but also for a much simpler reason, the imbalances in knowledge between those who do and those who do not understand issues at hand. This is a serious threat for a liberal democracy as it renders citizens incapable of genuinely participating in public decision-making or makes this participation a sham (Turner 2001).

Participation category

This makes us turn to the problem of public participation in expert-led processes in liberal democracies. There is a relatively broad consensus that expert systems of policy-making are intrinsically exclusive and characterised by high costs of entry to be able to make a sensible contribution to the debate. However, some scholars believe that the level of exclusivity may vary depending upon the domain of expertise. Collins and Evans (2002) offer a particularly apt case for the purpose of this paper, they argue that while in the art world 'expertise' – defined as a skill of special viewing – is possessed by arts critics (rather than the creators themselves) who are therefore best equipped to make judgements regarding works of art, in science those who actually *do it* are better able to assess scientific quality than external viewers. This is because, the authors claim, while art is naturally directed at its consumers (the bottom line is, it needs to be experienced), science has more esoteric nature and for that reason the distribution of 'interpretative rights' among its audience is much more restricted and troublesome than in the case of art, where unexpected reactions and original interpretations are provoked rather than restrained.

Although it is hard to agree with the first part of this argument (it is certainly not true that artists are incapable of assessing the work of their peers or their own), the authors make a thought-provoking point by suggesting that arts expertise is more inclusive or 'democratic' than scientific expertise, where the distinction between truth and error can only be made successfully by those belonging to closed professional circles. This intuition is grounded on the presumptively common-sense assumption that, unlike in hard-core academic disciplines, in art there is no strict distinction between right and wrong and therefore expert authority is somewhat limited or sharable.

However, as plausible as it sounds concerning arts expertise in general, i.e. that of arts journalists, academics and other professional viewers, this rule does not apply to cultural policy, where the authority of arts expertise is derived from institutional conditions and the uneven distribution of power that successfully hinders 'unprofessional' voices. Although quite a few scholars announced the putative transition from the democratisation of culture to cultural democracy, namely from a top-down policy of a state-approved culture redistribution to a bottom-up approach which invites the public to have a say on different issues in culture governance (e.g. Matarasso and Landry 1999; Mulcahy 2006), others provided evidence that the participation focus is merely rhetorical and cultural policies in western liberal states persistently reproduce elitist funding patterns (e.g. Blomgren 2012; Jancovich 2017). Studies show that both artists and bureaucrats are equally reluctant to cede any of the decision-making responsibility to 'laypeople'.

As far as technocratic expertise is concerned, the argument put forward by Collins and Evans sounds convincing as long as we adhere to the positivist view of science. But this vision has been already rendered flawed and out-dated, and both scholars and supranational bodies² have generally endorsed greater participation of non-experts in the process of knowledge-production. They have argued that risks societies, which face problems that esoteric knowledge alone cannot adequately answer, need to build up new forms of reciprocity between policy-makers, experts and the general public, taking into account heterogeneous demands, experiences and the different life worlds they represent (Jasanoff 2003a; Nowotny 2003). The argument is not simply about allegiance to democratic principles but it is that lay-expertise can substantially enrich the process of investigation, adding realism and common-sense experience to the ordinarily abstract and generalised experts' visions of the nature of the problem, and the relevance of information (Funtowicz and Ravetz 1993; Jasanoff 2003b; Wynne 2003).

Furthermore, audiences should endlessly interrogate the expert framing of public issues and meanings which, if left unchallenged, can purvey idle or unjust concepts of the world, imposed on the public without question (Jasanoff 2003b; Wynne 2003). For example, the Polish cultural system is heavily based on public arts institutions which have been continually reputed to be 'ineffective' by expert economists³ contracted by local authorities to carry out analysis, that would support the development of cultural planning. This propositional truth – although not necessarily invalid per se – has not been followed by definitions of what 'ineffective' or 'effective' is, what the point of reference is and therefore what information should be considered relevant (e.g. not only hard facts and numbers but also local values or different aspects of quality).

In spite of the apparent 'participation gold rush' in public policies that has marked recent decades, there is evidence that participatory decision-making in cultural planning still resembles an 'empty ritual' (Arnstein 1969, 216), where members of the public are informed rather than involved (Jancovich 2017) and public consultations take place in expert-designed settings where people can choose from options which embody preconceptions and theoretical commitments of experts and authorities. It therefore seems that both types of expertise in cultural policy – arts expertise and technocratic expertise – are entangled in firmly institutionalised power relations which preclude a challenge to the cultural elite's authority and control.

Conclusion

The aim of this paper was to set out an approach to the analysis of expertise in cultural policy. The proposed distinction between arts and technocratic types of expertise is one of many possible ways to deal with the question of how different forms of cognition and judgement come into play in policy-making processes. This is why the distinction is treated as an intellectual tool to frame the abstract notion of expertise rather than a propositional truth that in cultural policy we deal with two firmly separate repositories of methods, perceptions, evaluations etc. The analysis of the two types of expertise within the analytical categories has shown that clear differentiation is impossible because they are naturally interwoven – not like bricks in a wall but like threads in a fabric.⁴ Still, this interconnection can only be identified if we recognise the distinction between the two types of expertise in the first place.

This paper has also shown that the two types of expertise have fruitfully co-existed at least since the post-war period (e.g. as mentioned earlier, diverse methods of calculation were used to measure arts participation) but with the rise of technocracy an extraordinary importance has been attached to technocratic expertise. This does not necessarily mean that arts expertise has become secondary or less influential in terms of distribution of public funds. As Crossick and Kaszynska agree (2016, 19), there is little evidence that the shift towards data-based evaluation and measurement had a significant effect on the allocation of government's expenditure on culture. Moreover, some can argue that the focus on evidence-based policy may have helped legitimise arts spending in the eyes of hard-headed decision-makers. Yet, the focus on quantifiable effects of cultural activity have led to the transformation of cultural policy into a field where those who can claim technical expertise occupy privileged positions and there is an increasing demand that cultural policy-making ought to be based on empirically established facts and 'reliable' knowledge. This is, however, in tension with the traditional concepts of cultural policy, primarily concerned with the 'matter of taste' (Cummings and Katz 1987, 5) understood not only as aesthetic taste but also as making value judgements about what is good or bad in regards to cultural and social goals that democratic governments are expected to pursue.

Much more should be said to comprehensively fulfil the promise in the title of this paper. As indicated earlier, future research could provide more evidence about the political influence on arts funding decisions. Moreover, the task of fleshing out expertise begs questions about the criteria of experts' legitimation, in other words, the possessors of *what kind of knowledge* (and skills, experience, taste etc.) are granted with the status of expert? Are the criteria based on accredited competencies or public recognition? Finally, who and on what grounds sets the rules of access to the decision-making field?

Notes

1. The Chambers Dictionary, 13th edition, www.chambers.co.uk.
2. The European Commission in 2001 has adopted White Paper on Governance with an associated *Report of the Working Group 'Democratising Expertise and Establishing Scientific Reference Systems'* (Jasanoff 2003a).
3. for example, such arguments have been posited by Jerzy Hausner (a former Minister of Labour and Social Policy and Deputy Prime Minister in the social democratic government) who developed a cultural reform proposal based on ideas such as autonomisation of cultural institutions, shift of emphasis from lump sum subsidies to grants-based funding and introduction of tax schemes to engage private sponsors and donors.
4. This metaphor has been borrowed from Hans-Thies Lehmann's book *Postdramatic Theatre* (2006, Routledge).

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Notes on contributor

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Enhancing the mobility of collections and access to cultural heritage: immunity of cultural objects from seizure in Poland

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ARTICLE



Enhancing the mobility of collections and access to cultural heritage: immunity of cultural objects from seizure in Poland

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ABSTRACT

This paper analyses, from the perspective of cultural policy considerations, the legal regime established by the recent Polish law on the immunity from seizure of cultural property on loan (2015). It deals with current trends of international museum exchange and explains the benefits and risks involved in cross-border loans of cultural material. This analysis is carried out by focusing on the actual practice and experiences of Polish museums, national and international regulations in force, and human rights considerations. The authors attempt to situate the Polish model for the protection of foreign cultural property on loan within the broader comparative context of the domestic legislation on museum exchange adopted in selected national jurisdictions. The article also offers a more general cultural policy discussion in the context of international museum exchanges of cultural material. Laws and policies facilitating such exchanges are weighed against other rights and interests encompassed in the protection of cultural heritage and the realisation of all human rights, including cultural rights.

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Introduction

Mobility and the sharing of collections constitute one of the key areas of international cultural policy, fostered by museum professionals and supported by various international institutions and bodies. While there is widespread support for the cross-border movement of exhibits, the actual international museum exchange practice also poses substantial risks and legal difficulties, for both state and non-state lenders. In fact, the change of location of an object from one state to another clearly may entail a change of the jurisdiction over it. In other words, an exhibit transferred from one country to another might become subject to a different applicable legal regime. In such new legal circumstances, the rights of a foreign lender might be less protected than in his or her country of origin. Thus, a lender's rights in an object on loan may be limited vis-à-vis the rights of other persons and entities, which may be enforced in the territory where the exhibition is intended to take place. In the worst case scenario, the consequences of legal actions brought in relation to an object on loan may lead to the seizure or forfeiture of the contested property.

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[§]These authors were members of the Expert Committee on Immunity of Foreign Cultural Property on Loan, established by Poland's Ministry of Culture and National Heritage at the National Institute for Museums and Public Collections, with the objective to prepare a draft of a Polish regulatory act on the mobility of collections (2012–2014).

In practice, the seizure of such property may serve various purposes. First of all, the property may be taken into custody to secure the enforcement of judgments. This refers to the enforcement of judgments granting the physical recovery of the seized object as well as to judgments which may be satisfied through the sale of such property. The seizure may also serve to establish *in rem* or *in personam* jurisdiction. In all cases, a foreign lender is deprived of control over the seized property, which may result in a permanent loss of possession. The situation of the cultural property of a foreign state is particularly difficult when the seized object constitutes national heritage of that state. The seizure of such an object may greatly affect the collective rights of the national or other cultural communities of that state to access and enjoy their heritage and their cultural identity. For these reasons, many states have already adopted special regulations concerning the protection of foreign cultural property on loan from the risks relating to its seizure or attachment. With respect of state-owned cultural property, certain provisions have also been adopted in the text of the 2004 United Nations (UN) Convention on Jurisdictional Immunities of States and Their Property (UN 2004; hereinafter: UNCSI). In addition, the International Law Association (ILA) drafted a comprehensive proposal for a new international treaty – the Draft Convention on Immunity from Suit and Seizure for Cultural Objects Temporarily Abroad for Cultural, Educational or Scientific Purposes (ILA 2014; hereinafter: the ‘2014 ILA Draft Convention’).

The enhancement of mobility of collections for the purpose of international cultural cooperation, exchange of knowledge, and enforcement of the human right to access and enjoy cultural heritage, is however often challenged by a set of counterarguments. Indeed, it has been voiced that the protective regulations concerning foreign cultural property on loan may hinder the human right of access to justice, especially for those individuals who were deprived of their cultural heritage as a result of war and/or genocidal practices (Jakubowski 2013). Moreover, another set of arguments refers to potential conflicts and clashes between international obligations on the return and restitution of cultural material and those arising from the protection of cultural property on loan for cultural, education or scientific purposes.

This article deals with the aforementioned dilemmas in light of the 2015 Polish amendment to the 1996 Museum Act (Poland 1996) providing a new regulatory regime on the immunity from seizure of foreign cultural material on loan (Poland 2015a; hereinafter: the ‘2015 Amending Act’). It begins by presenting an overview of the international legal and policy framework for the mobility of collections, including the existing measures for the protection of foreign cultural property on loan. Next it analyses the policy considerations voiced in Poland which led to the enactment of a new law on the protection of cultural property imported from abroad with the objective of public display in a temporary exhibition. This analysis is carried out in light of the actual practice and experiences of Polish museums, domestic regulations in force, and human rights considerations. Then the focus of this article moves to a discussion of the provisions of the 2015 Amending Act. It explains their meaning and application as well as the policy considerations underlying these regulatory choices. It also situates the Polish model for the protection of foreign cultural property on loan within the broader comparative context of the domestic legislation on these matters in other selected jurisdictions. The last part of this article offers more general cultural policy-oriented conclusions with respect to the international museum exchange of cultural material, weighed against other rights and interests characterising the protection of cultural heritage and realisation of cultural rights.

Providing access to cultural heritage through the mobility of collections

Cross-border loans of cultural property are primarily the fruit of the post-Second World War rise of museum industries. Although the first international initiatives in these matters were undertaken in early 1930s, cultural exchange became a global cultural priority – an indispensable element of states’ cultural policies, including their cultural diplomacy – in the second half of the twentieth century (Vrdoljak 2015). Indeed, in 1966 the United Nations Educational, Scientific and Cultural Organization (UNESCO) adopted the Declaration of Principles of International Cultural Co-operation (UNESCO 1966), which stressed the significance of enabling ‘everyone to have access to knowledge, to enjoy the arts and literature of all

peoples, to share in advances made in science in all parts of the world and in the resulting benefits, and to contribute to the enrichment of cultural life' (Article IV.4). The aims of international cultural cooperation were 'to develop peaceful relations and friendship among the peoples and bring about a better understanding of each other's way of life' (Article IV.2), thus contributing 'to the establishment of stable, long-term relations between peoples, relations that should be subjected as little as possible to the strains which may arise in international life' (Article IX). Museum exchanges constituted a key element of this international cultural policy (UNESCO 1976a), and were supported by the International Council of Museums (ICOM), founded in 1946. Indeed, within its first year ICOM adopted its first resolution on the international exchange of cultural objects (ICOM 1947). Both today, and at the time of the UNESCO and ICOM original initiatives, the legal status of foreign cultural property on loan from abroad has been one of the major difficulties in relation to international museum exchanges. Its uncertain legal status raises crucial questions: Is it a special category of property, and can it be per se protected from any judicial measures of constraint? Or perhaps such objects are ordinary assets regulated by the general private law regime? Does, or should, the applicable legal regime apply different solutions between cultural property that is privately-owned and that which is state-owned?

The answer to the last question also raises the issue of state immunity from jurisdiction and enforcement measures. The very nature of state immunity flows from the principle of sovereign equality enshrined in Article 2.1 of the UN Charter (UN 1945a), which provides, *inter alia*, that 'State conduct should not be subordinated to the scrutiny and decisions of courts of other States.' This provision is aimed at protecting the sovereign competences of one state from the exclusive jurisdictional competence of the other (Koskenniemi 2009, 486). Such normative values make state immunity a binding principle of international law. While its sources are found in customary international law, the need to codify the law on state immunity has been postulated since the end of the nineteenth century. The first attempts at treaty regulation were taken on the initiative of the Council of Europe (CoE). However, the European Convention on State Immunity of 1972 (CoE 1972) has been ratified by only eight of the 47 CoE Member States. Almost in parallel, codification efforts were initiated by the UN International Law Commission, which assumed that the future codification convention should be based on the doctrine of the so-called limited (restrictive) immunity of a state.¹ Thus it was decided that the scope of the future UN treaty would cover civil proceedings against foreign states, excluding situations in which they act as sovereigns. The text of the UNCSI was opened for signature on 17 January 2005. To date the treaty has not entered into force, due to the insufficient number of ratifications. Nonetheless, it should be emphasised that more and more states are considering acceding to it, and its provisions are increasingly treated as an actual codification of the rules of customary international law (e.g. Weller 2005, 1023–1024; Gattini 2008; van Woudenberg 2012, 434).

In this context, the fundamental question refers to the differentiation between those actions that only a state may perform (such as diplomatic or military activities), which would be immune from foreign jurisdiction, and actions that can be considered as commercial or private acts, which would not be protected by the regime of jurisdictional immunity of states. A similar differentiation would relate to state property, and that which serves exclusive, non-commercial sovereign purposes would be protected from enforcement measures, while other assets that might be used for state commercial activities would not be so protected.

Although, the UNCSI does not explicitly mention international cultural exchange as a non-commercial activity, it does provide, in Article 21.1, a list of categories of state property which 'shall not be considered as property specifically in use or intended for use by the state for other than government non-commercial purposes'. The list includes 'property forming part of the cultural heritage of the state or part of its archives and not placed or intended to be placed on sale' (Article 21.1 (d)) and 'property forming part of an exhibition of objects of scientific, cultural or historical interest and not placed or intended to be placed on sale' (Article 21.1 (e)). While similar, these two categories of cultural property have different legal connotations.

The first gives effect to national regimes on the protection of cultural heritage, recognising that state cultural property of this kind shall be per se immune from any attachment and seizure, since it

is inherently linked to the statehood and identity of a nation and cannot be perceived as a mere asset (Brown and O'Keefe 2013, 344, 345). Such a solution seems to be in line with the prevailing international practice, supported by national and international jurisprudence.²

The application of this special immunity is reflected, albeit in a roundabout manner, in the law of states which deny immunity to those states responsible for supporting international terrorism. For instance, the amendments concerning a terrorism exception to state immunity, passed on 13 March 2012 to amend the Canadian State Immunity Act (SIA), recognised the particular status of cultural heritage objects coming from states which supported terrorism. The amendments allow victims of terrorism to sue those foreign states listed by the Government of Canada as supporters of terrorism in a Canadian court (Canada 2012). Under section 12(1)(d) of the SIA, states which supported or support terrorism are not immune from attachment and execution when such measures relate to a judgement 'rendered in an action brought against it for its support of terrorism or its terrorist activity'. However, this exception contains an exception. It refers only to property 'other than property that has cultural or historical value', which continues to have immunity.

A similar line of reasoning appears to be followed under the United States (US) Foreign State Immunities Act of 1976, even though the state sponsored terrorism exception does not mention any special regime for a foreign state's cultural property (US 1976). In the 2003 case of *Campuzano v Iran*, a group of victims and survivors of a 1997 Hamas suicide bombing in Jerusalem were awarded a \$71 million judgement by the US District Court for the District of Columbia against the Islamic Republic of Iran, which was held responsible for supporting and financing terrorist attacks in Israel. The victims mounted a legal battle to execute the judgement against Iranian-owned cultural objects held by US museums and academic institutions, lodging motions in courts in Illinois and Massachusetts for attachment orders seizing, *inter alia*, ancient Persian artefacts preserved at the Oriental Institute in Chicago and at Harvard University (Caprio 2006; Curavic 2010).³ However, for the time-being they have not been allowed to satisfy their award from Iran's cultural property, and thus need to seek other remedies (Bouboushian 2016).

The second category of cultural property listed in Article 21 (21.1 (e)) of the UNCSI is 'property forming part of an exhibition of objects of scientific, cultural or historical interest and not placed or intended to be placed on sale'. This category is arguably more linked to the policy-oriented consideration of protecting international inter-museum exchanges of cultural material, rather than on the principle of the protection of a foreign sovereign's national cultural heritage. Therefore, the customary nature of the above – cited provision might be questioned under the rules of international law on state immunity. However, it seems that more and more states recognise the binding, customary character of the obligation to protect a foreign state's cultural property on loan from any measure of constraint. Significantly, in September 2013, the delegation of the Czech Republic, supported by the delegations of Austria and of the Netherlands, proposed the Declaration on Jurisdictional Immunities of State Owned Cultural Property to the CoE's Committee of Legal Advisers on Public International Law (hereinafter: the '2013 CAHDI Declaration') (CoE 2013a). This non-binding international law instrument, already signed by 16 CoE Member States, reaffirms the customary nature of the UNCSI rules. It confirms that property of a state 'forming part of an exhibition of objects of scientific, cultural or historical interest, and not placed or intended to be placed on sale cannot be subject to any measure of constraint, such as attachment, arrest or execution, in another State'. It also explains that:

such measures of constraint can only be taken if immunity is expressly waived for a clearly specified property by the competent national authorities of the State owning the property or if the property has been allocated or earmarked by that State for the satisfaction of the claim which is the object of the proceeding concerned.

In this context, the signatories of the 2013 CAHDI Declaration have reaffirmed their commitment to such rules enshrined in the UNCSI 'in relation to any dispute that may arise in connection with cross-border loans of such property intended for public display' in order to 'promote the mobility of State-owned cultural property.'

The two above-mentioned provisions of the UNCSI were aimed at resolving the recurring problems that had arisen from claims for seizure of such property. But their interpretation and application may pose certain difficulties in practical terms, since the notions of valid title and lawfulness of acquisition

may differ from one jurisdiction to the next. In fact, the major obstacles to the safe international museum exchange were associated for a long time with the risk of lawsuits brought by heirs of pre-revolutionary collectors against Soviet museums and other entities which acquired nationalised works of art from the government of the Soviet Union (Noonan 2005, 45; Merryman, Elsen, and Urice 2007, 55, 56). Clearly, the acquisitions of many state museum collections, which took place during wars, revolutions, and colonialism, can hardly be considered as having been lawfully acquired. The first country to introduce domestic law regulations on the protection of foreign cultural property on loan was the USA, which did so both at the federal level (US 1965a) as well as in a number of state (local) regulations. The 1965 US Federal Act secures a time-barred legal protection against any measures of constraint (pre- and post-judgement), whilst it does not provide for immunity from suit. In other words, a denial of immunity from jurisdiction before by an American court does not affect the protection from seizure. Consequently, the cultural object at stake is protected from measures of constraint and may be returned to the state from which it was imported, even though legal proceedings against this state can be undertaken before the courts in the US. This has already happened. In particular, in the *Malewicz* (2005) and *Chabad* (2013) cases foreign states lending cultural objects to the US were not granted immunity from jurisdiction. One result of these cases is that some of the biggest museum players are discouraged from sending their collections to the US.

Similar dilemmas have also affected many other jurisdictions. Moreover, the rules on state immunity clearly do not apply to foreign exhibits owned by non-state persons, like private museums or individual collectors. To accommodate such various scenarios and diversity of lenders, several states have adopted domestic regulations on the immunity of cultural property on loan. However, these national regimes substantially differ with respect to the legal consequences of the protection granted. Some of them only provide immunity from pre- and post-judgement measures of constraint (immunity from seizure). In some other regulatory models the protection has a much wider scope, as they provide jurisdictional immunity. Accordingly, no court proceedings (civil, administrative, and sometimes even criminal) can be initiated and conducted during the period for which protection is granted (immunity from suit). However, in the latter case a number of difficulties may arise as to the compatibility of such regulations with various competing obligations under national and international law that might be at stake, such as the protection of human rights and the restitution of stolen or unlawfully exported cultural goods. Indeed, this problem has recently been debated in the US in relation to the Foreign Cultural Exchange Jurisdictional Immunity Clarification Act, passed by Senate on 12 October 2016 and signed by President Barack Obama on 16 December (US 2016b). This new piece of legislation is intended to grant a foreign state, or certain carriers, immunity from federal or state court jurisdiction for any activity in the US associated with a temporary exhibition or display of a work of art or other object of cultural significance. It denies immunity only in cases concerning rights in property taken in violation of international law, in which the action is based on a claim that the work was taken: (1) 'between January 30, 1933 and May 8, 1945 by the government of Germany or any government in Europe occupied, assisted, or allied by the German government;' or (2) 'after 1900 in connection with the acts of a foreign government as part of a systematic campaign of coercive confiscation or misappropriation of works from members of a targeted and vulnerable group.' While the enactment of the act has been supported by US museums, some civic organisations have vigorously contested it. For instance, the Victims of Communism Memorial Foundation has argued that the new regulation would privilege Russian museums, which hold a number of objects plundered and pillaged in the first half of the twentieth century. In other words, there is a risk that the museum exchanges may serve to protect the unlawful actions of this foreign state (Arnsdorf 2016). Moreover, it has also been argued that the act would 'prevent claimants from recovering their rightful property' and enable museums to 'knowingly be able to exhibit stolen and looted art and antiquities' (Davis and Masurovsky 2014).

In any case of conflict between national rules concerning the legal protection of cultural property loaned for exhibition from abroad, and those of an international character, the latter will have priority as no state may invoke the provisions of its internal (national) law as justification for failure to perform its international obligations. However, at the same time it does not seem that the immunity from seizure of cultural property on loan has yet evolved to the level of customary international law. Even if such a

claim can be made with regard to state-owned property, it can reasonably be rejected with respect to property owned by non-state actors.

Viewed in such a light, it is important to mention the initiative taken by the ILA aimed at codifying growing general international practice, as well as offering a more complex system for protecting the integrity of international loans for cultural and scientific purposes. Although the ILA is a non-governmental organisation and its resolutions do not have similar normative weight as the practice of states or international organizations, its opinions and projects are widely debated, influencing other bodies and international institutions. The ILA Draft Convention includes both provisions on immunity from seizure and immunity from suit (though the second type of immunity is optional – to be decided by each contracting state at the time of signature, ratification, and acceptance or approval of the treaty). Thus, it is aimed at providing the safest return of loaned cultural objects to the territory of the sending state, and in addition the protection may cover both state and non-state property. However, it also aims to strike a balance between the various interests and obligations involved. Accordingly, under Article 5 the protection does not apply in cases where the receiving state is bound by other conflicting obligations under international or regional law. Moreover, the ILA Draft Convention contains a due diligence requirement, under Article 7, which establishes that prior to the temporary loan to the receiving state for cultural, educational or scientific purposes, the receiving state and the sending state shall, jointly or separately, ensure that efforts to determine or confirm the provenance of the object have been carried out with all due diligence, in compliance with the standards contained in the ICOM Code of Ethics for Museums (ICOM 2004a). Undoubtedly, the solutions proposed by the ILA Draft Convention, if adopted as a binding international instrument, would significantly improve global cultural exchange. The question which remains open, however, is whether states would be willing to accede to such a treaty. Indeed, the serious downside of this project, and one which was addressed at the last round of discussions on the final text during the ILA meeting in Washington DC in April 2014, refers to the difficulties inscribed in the wording of Article 5. Its broad formulation, giving priority to any other international obligations of the receiving state against those binding under the proposed convention, puts into question the scope of the entire project, making it problematical whether the new legal regime would give sufficient guarantees of security for foreign exhibits on loan. At the same time, however, it seems that no other solution would be feasible, as strengthening the regime for legal protection of foreign cultural property under the new treaty could also undermine international efforts to eliminate tainted cultural property from the market – one of the most important objectives of cultural heritage law and policy, fostered, *inter alia*, by the vast UNESCO legal instrumentarium.

The route towards implementation of immunity from seizure in Poland

Poland's path to enactment of its anti-seizure legislation mirrors all the problems encountered by the ILA. As in many similar cases, Poland decided to provide legal protection to foreign cultural property as a response to recurrent difficulties in receiving exhibits for displays organised by Polish museums. In 2009, the National Museum in Warsaw (MNW) could not obtain certain masterpieces from the Hermitage Museum in St. Petersburg and the Pushkin Museum in Moscow for the exhibition titled *Le Siècle français: The 18th Century French Paintings and Drawings* (Danielewicz and Guze 2009). This was due to the policy considerations adopted by Russian institutions to not lend exhibits to states which did not adopt anti-seizure regulations. Three years later, the authorities of the Czech Republic denied the projected loan of a number of valuable works of art for another big exhibition organised by the MNW and the Royal Castle in Warsaw: *Europe Jagiellonica Art and Culture in Central Europe under the Reign of the Jagiellonian Dynasty (1386–1572)*.⁴ The reason for their refusal was the threat of possible actions by the Swiss company Diag Human to attach the cultural property of the Czech Republic in order to satisfy an award against that state obtained from a court in Vienna. In light of such experiences, the Polish government decided to proceed with a new legislative initiative.

Enactment of anti-seizure legislation is usually welcomed and treated as enhancing the mobility of collections. The advantages of granting immunity from seizure to cultural property on loan often



coincide with the benefits the cultural exchange may bring (Palmer 1997, 37–88; O’Connell 2006). It enhances the movement of art and serves as a means of promoting international cultural cooperation, strengthening bilateral or multilateral diplomatic relations. Thus immunity from seizure is often described as an instrument to overcome the reluctance of lenders to send their cultural objects temporarily abroad (Chechi 2015, 288–291). Apparently this policy consideration, i.e. to attract loans of foreign cultural objects, also played a fundamental role in Poland’s adoption of its anti-seizure legislation. Such a regulatory initiative was particularly needed in light of the fact that Poland did not have any national statute covering the immunity of foreign states and their property. Moreover, Poland has neither ratified the UNCSI, nor signed the 2013 CAHDI Declaration. Polish jurisprudence is also very limited in this regard, although Polish courts seem to define sovereign immunity from enforcement measures as an almost absolute rule. Until the adoption of anti-seizure legislation in 2015, Polish authorities used to provide foreign lenders of cultural material with special letters (of a type sometimes referred to in the literature as ‘letters of comfort’) issued by the Ministry of Culture and National Heritage (MCNH). These documents stipulated that no Polish agency or representative would undertake to seize cultural objects loaned by a foreign state or institution while they are located on the territory of Poland during the period of a temporary exhibition. However, even though the letters of comfort were issued by public authorities, they were merely declarations and could not be considered as binding on the judiciary.

Indeed, the decision whether to lend or not to lend artworks to another country depends very often on the kind of guarantee a receiving state is able to offer. In the countries which have not enacted immunity from seizure legislation, potential lenders seek the protection of their cultural property in these so-called ‘letters of comfort’ provided by a competent authority. According to the definition adopted by the Open Method of Coordination Subgroup of the European Union (EU) on immunity from seizure, a ‘letter of comfort’ means a written confirmation that the authorities of the receiving state will do everything within their power to safeguard cultural objects on loan from seizure (EU 2010; van Woudenberg 2010a, 188). In the light of the results of a survey conducted by the Group in 2009–2010, fourteen EU Member States (Cyprus, Estonia, Finland, Greece, Hungary, Italy, Lithuania, the Netherlands, Poland, Portugal, Romania, Slovenia, Spain and the United Kingdom) granted such documents at the time when the underlying research was carried out. However, the weak legal nature of the letters of comfort has inclined three of those states to adopt anti-seizure legislation (United Kingdom (2007), Finland (2011) and Poland (2015)), providing a more solid legal framework for cross-border cultural exchanges.

Polish regulatory framework: the 2015 reform of the 1996 Museum Act

As in many other states, the cultural policy considerations behind Poland’s legislative initiative on the protection of foreign cultural property on loan from seizure were seen as problematic on the grounds of both constitutional law and international law. First of all, the question arose whether the new amendment to the 1996 Museum Act is not at odds with the right of access to justice and the right of ownership. Article 64 of the Polish Constitution (Poland 1997b) protects the right to property, which can only be limited by means of a statute and only to the extent that it does not violate the substance of such right; and access to justice is guaranteed under Article 45 (‘everyone shall have the right to a fair and public hearing of his case, without undue delay, before a competent, impartial and independent court’). These rights are also granted by the European Convention on Human Rights (hereinafter: ECHR) (CoE 1950b) and its Protocol No. 1 (hereinafter: Protocol 1 ECHR) (CoE 1952c), to which Poland is a party. Accordingly, Article 6.1 ECHR provides that ‘[i]n the determination of his civil rights and obligations (...), everyone is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal established by law’. While Article 1 Protocol 1 ECHR recognises the right of every natural or legal person ‘to the peaceful enjoyment of his possessions’ of which she or he shall not be deprived ‘except in the public interest and subject to the conditions provided for by law and by the general principles of international law.’ On the other hand, the Polish Constitution also provides certain cultural rights. In particular, Article 73 provides that the ‘freedom to enjoy the products of culture shall be ensured to everyone’. Moreover, under Article 6 ‘The Republic of Poland shall provide conditions

for the people's equal access to the products of culture which are the source of the Nation's identity, continuity and development. Thus, the new anti-seizure piece of legislation was intended to give effect to and balance these two groups of rights.

The amendments to the 1996 Museum Act, introducing the protection of foreign cultural objects on loan from seizure, were passed on 5 August 2015. The Polish legislative model is built on the experiences of other states which have already adopted immunity regulations, and reflects the parallel works of the ILA, while taking into account national differences and particularities. Indeed, national regulations take various approaches depending 'on their respective legal tradition and system, and also on the amount of international art loans they [the countries] are conducting, temporary exhibitions they are hosting, or the demands of lending states or museums' (EU 2010, 31). According to van Woudenberg (2012, 7, 8), there are five general models of national anti-seizure regimes: (1) automatic immunity; (2) immunity following application; (3) immunity following application, publication and a period in which no objections are lodged; (4) immunity from forfeiture; and (5) sovereign immunity. The Polish model could arguably be assigned to the third category, as it provides for immunity following a formal application and publication in a public bulletin for thirty days, and when no objections are lodged (similar to the regulations in force in France and Switzerland). It should be noted that the protection is not given automatically and is subject to the notification procedure. The appropriate public authority is supposed to verify whether the application fulfils the requirements set out by the law. The protection applies once these requirements are met. No additional action by the authorities is needed. The process does not take the form of an administrative decision, which simplifies the entire procedure.

The protection, under the 2015 Amending Act, covers cultural property loaned to Poland by foreign lenders. Its legal nature is not contractual, i.e. it is not based on a contractual relationship between the borrower and a foreign lender (Palmer 1997, 118 ff; Haellmigk 2009, 106–152). In addition, the protection is limited to immunity from measures of constraint, i.e. against any potential seizure, and does not extend to protection against the institution of legal proceedings before Polish courts. The immunity from seizure is thus not designed to deprive any court or tribunal of their judicial competence or power to adjudicate or settle a specific dispute by adjudication; it is not about immunising a foreign lender from potential suit. In other words, the appropriate court does have jurisdiction, but cannot take any measures of constraint against the cultural objects on loan. However, this protection is not absolute. It does not apply when the import of a foreign exhibit was in contravention of the law, or the loaned object was illegally exported from the territory of Poland.

The anti-seizure regime was introduced to the 1996 Museum Act, under Section 4a titled *The legal protection of movable property of artistic, historical or scientific value lent from abroad for a temporary exhibition organized on the territory of the Republic of Poland*. The amended law does not give a definition of 'objects of artistic, historical or scientific value'. The use of such a broad descriptive term is intended to bypass the disputes over the variety of legal notions already existing under Polish law, such as 'cultural good', 'national heritage', 'monument' or 'museum object'. Use of any of the aforementioned terms would narrow the scope of the regulation and exclude those movables which do not fall within the term used. At the same time, the objects loaned from abroad form a specifically defined category of property: objects forming a part of an exhibition of objects of scientific, cultural or historical interest. Moreover, the 2015 Amending Act does not limit its application to cultural property owned by foreign states; it also protects foreign non-state lenders, both natural and legal persons. The immunity can be granted to an unlimited number of cultural institutions and private individuals from abroad. However, the purpose of importing the object to Poland is defined narrowly: it must be a public display within a temporary exhibition. No other purpose, such as repair, conservation or scientific research, is provided for by this act. Additionally, the introduced legal regime does not refer to objects which are within Polish territory on the basis of a long-term loan that has no expiration date. This means that the 2015 Amending Act only concerns temporary loans lasting up to twelve months, and that no extension is possible.

The immunity from seizure applies only if several conditions, of both a legal and policy nature, are satisfied. The first requirement is that of public interest. Accordingly, the import of the foreign object into the territory of Poland has to lie in the public interest. This is to be established and verified through a

so-called 'test of public interest', which means that 'organizing a temporary exhibition without a grant of immunity would not be possible, or would be possible but only at unreasonable expense'. This prerequisite of public interest can also be perceived as a restriction on some constitutional rights, like access to justice or the right to enjoy one's property. Therefore, the test of public interest is also intended to verify the cultural or scientific importance of the exhibition, even though the Museum Act does not explicitly contain references to the objective of the exhibition (cultural or scientific). In other words, the significance of the exhibition must justify its protection.

Next, the new anti-seizure piece of legislation also provides that the protection does not apply when the import of foreign property into the territory of Poland would be unlawful. Of prime importance here is that the immunity is denied when Poland is bound to give effect to conflicting obligations under international or regional law concerning the protection of cultural heritage from illicit trafficking. Accordingly, the immunity from seizure cannot be granted for stolen, looted or otherwise illegally-obtained objects. Neither can the protection be granted if it is established that a cultural object had been illicitly removed from Polish territory. In particular, the protection from seizure will not be applicable in the case of cultural property looted or otherwise removed from Polish territory during the Second World War.

Last but not least, the new legal regulation clearly emphasises cultural policy considerations, which explains why such a wide range of entities can apply for the protection from seizure, including both state and non-state persons. Moreover, an exhibition displaying foreign objects on loan can be organised by either a Polish public cultural institution, as defined under applicable regulations, or a museum established by a private person. However, loans between institutions or individuals within the Polish territory are not eligible for the protection. In addition, the protection will be secured only if it is established that organising the temporary exhibition would not be otherwise possible, or would be possible only at an unreasonable expense.

As already mentioned, the immunity from seizure under the new Polish regulation does not apply automatically. During the application process several conditions need to be satisfied. Following a request by the foreign lender, the Polish borrowing institution (organizer of the exhibition) must file an application to the MCNH. In order to obtain the protection, the application must be submitted at least six months prior to the intended date of import of the exhibits. The application needs to contain all the relevant information, as set forth in the implementing regulations to the 2015 Amending Act. This consists of the details of the exhibition, including a list of the objects for which immunity is sought, a copy of the loan agreement between a Polish institution and a foreign entity, a copy of an export licence, and a statement by the applicant/organising institution that the object is not listed in any of the following Polish data bases: National List of Stolen Monuments, National Register of Lost Cultural Goods, Interpol's Stolen Works of Art; and is not being searched for as a Polish war loss.

If the application fulfils the above conditions for protection, the application will be published in the Bulletin of Public Information on its website. This initiates a thirty-day 'open period', during which anyone who may be considered an interested party may object in writing to the designated body. However, the objection must specify that one of the following conditions apply: (1) the object is located in the territory of Poland; (2) its import is in contravention of applicable law; or (3) it was exported illegally. Potential claimants (for instance, someone who claims he or she is the owner of the exhibit) can thus object and therefore block the application of the immunity from seizure. In such a case, the organizer of the exhibition is asked to provide any lacking and necessary information. If such information is deemed satisfactory, the protection from seizure applies. The outcome of this procedure must be announced online prior to the temporary import of foreign cultural objects to Poland. The announcement lists a precise description of the protected works and their origin, sets forth the length of the exhibition, and identifies the organizers of the exhibition. It is, however, important to note that the protection can be still questioned beyond the 'open period' for lodging an objection. A failure to object, prior to an object's temporary importation into Poland, does not preclude a claimant from taking further actions. If it turns out, even after the object has entered the territory of Poland, that its importation was contrary to law or the object was exported from Poland illegally, the immunity does not apply. No additional action

is needed, as in such instances the protection is invalid *ex tunc* (from the outset) and the object is not immune from seizure.

The immunity will only provide protection for a period of twelve months beginning on the day the object enters the territory of Poland. During this period certain judicial measures in the course of civil, administrative, or criminal proceedings cannot be applied. Accordingly, foreign cultural property protected under the 2015 Amending Act is immune from: (1) pre-judgement attachment to secure claims in civil and administrative proceedings; (2) execution of a judgement rendered in judicial or administrative proceedings; (3) attachment to secure fines, punitive measures, and claims for damages in criminal proceedings. This protection expires in three situations: (1) with the expiration of the period of protection; (2) on the date of export of the object from the territory of Poland; and (3) if the loan does not meet the conditions for granting the immunity, i.e. its import was contrary to law or it was exported illegally. However, it needs to be stressed again that the anti-seizure legal regime, by definition, does not prevent claims relating to foreign property on loan (actions *in rem*) or actions against a foreign lender (actions *in personam*), but rather provides only that the property itself cannot be seized in an enforcement action while situated on the territory of Poland in accordance with the above-described conditions.

Final remarks – balancing the competing interests

Overall, the enhancement and promotion of the mobility of displays of cultural goods involves a complex and difficult relationship between various interests and rights, including two seemingly conflicting international cultural policy considerations: cultural exchange, and the fight against the movement of stolen and illicitly removed cultural materials. Moreover, it also refers to the broader question of the conflict between collective and individual cultural rights to accede cultural heritage and other (mainly) individual human rights. As Farida Shaheed, UN Special Rapporteur in the Field of Cultural Rights (until 2015), rightly observed such potential clashes and unequal situations are to be ‘dealt with differently,’ considering the principles enshrined in international human rights law. Therefore, ‘varying degrees of access and enjoyment may be recognized, taking into consideration the diverse interests of individuals and communities according to their relationship with specific cultural heritages’ (UN 2011b, 19, para. 76). The trends and practices described in this article have shown that the reconciliation of these rights and interests has indeed been approached in various ways and at the different levels of international law, domestic law, and cultural policy. Arguably, these attempted reconciliation mechanisms concern two major sets of problems. The first relates to the categories of property which are immune from seizure during a loan period. Generally speaking, the immunity from pre- and post-judgement constraining measures applies to state-owned cultural property as a matter of customary international law. It seems that a foreign state’s property temporarily imported for non-commercial cultural purposes is also increasingly seen as enjoying protection under international law. In principle, such protection does not cover foreign non-state cultural property imported with for the purposes of public display. However, a number of states grant immunity to foreign exhibits as a matter of public policy, aimed at providing access to cultural heritage to a wider public and fostering international cultural cooperation. The second consideration refers to the nature of the protection offered, in particular whether it covers immunity from suit. Here it must be noted that this protection does not automatically apply as a matter of international law. Indeed, international cultural exchange cannot be perceived as an unquestionable value which takes precedence over any other claim related to foreign cultural property on loan, or its lender. The international practice in this regard is currently inconsistent and national solutions vary substantially.

The process of drafting the new Polish anti-seizure legislation has reflected these difficulties. The adopted regime is designed to secure for foreign lenders a legal protection for a limited time against any measures of constraint (pre- and post-judgement), but it does not make them immune from jurisdiction. Accordingly, it does not offer full or absolute protection, since it does not remove all the potential risks to which foreign lenders might be exposed. In fact, it only secures loans of foreign cultural property whose title and provenance are uncontested. Accordingly, the adopted regulatory model does not



contravene other obligations that might be at stake, under either national or international law, relating to such loaned foreign property. In this sense it helps to eliminate tainted objects from museum circulation. Importantly, the protection offered under Polish law extends to a wide range of both state and non-state actors, and their property, involved in international cultural exchange, which should better facilitate such exchanges. However, whether this new legal regime will convince more foreign lenders to loan their cultural material to Poland remains to be seen.⁵

Notes

1. The restrictive principle of sovereign immunity refers to the principle that the immunity of one state in the courts of other states is restricted to claims involving the foreign state's public acts, and does not extend to suits based on its commercial or private conduct (Yang 2012, 11–19).
2. In particular, see the judgement of International Court of Justice of 3 February 2012 (*Jurisdictional Immunities of the State* 2012).
3. For the Massachusetts litigation, see *Rubin v Iran* (2013), and for the Illinois litigation see *Rubin v Iran* (2016).
4. The exhibition was organised by Gallery of the Central Bohemian Region, Kutná Hora (Czech Republic), Centre for the History and Culture of East Central Europe at the University of Leipzig and House of Brandenburg-Prussian History, Potsdam (Germany), and the MNW and Royal Castle in Warsaw (Poland).
5. As of December 2016, this new legal regime has not been tested in Poland's museum practice.

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ARTICLE



Performance measurement as policy rhetoric: the case of federal arts councils

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ABSTRACT

Various reforms at the federal level have led bureaucracies, including arts councils, to design and implement performance measurement systems. We still know very little about whether performance measurement has any influence on the external conditions of arts councils, or whether it serves as policy rhetoric for arts advocacy. In this article, we seek to understand the answers to these questions by conducting a case study of performance measurement at the National Endowment for the Arts (NEA). We conclude that there is little evidence that performance measurement at the NEA has had any appreciable effects on agency appropriation levels. Therefore, as a policy response to federally mandated performance measurement systems, arts councils might do better in focusing exclusively on metrics that capture internal efficiency, as opposed to those that serve to demonstrate performance to external constituencies.

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Introduction

Various reforms at the federal level have led bureaucracies to design and implement performance measurement systems as a mechanism for tracking and reporting on internal and external progress (Frederickson and Frederickson 2006; Radin 2006). While participation in performance measurement activities are generally mandated by political principals, both the selection of a system and its corresponding metrics and processes have often remained at the discretion of individual bureaucracies (Moynihan 2008). Not only do scholars continue to debate what systems and metrics work best, but it is also unclear how different agencies and departments respond to performance regimes. While the conditions at one agency may lead it to report its performance passively, another may do so purposefully, perversely, or politically as a strategy for management (de Lancer Julnes 2008; Moynihan 2009).

Federal arts councils are not immune from performance measurement regimes. In the U.K., New Labour's shift toward evidence-based policy-making has infiltrated all areas of government, including the arts (Belfiore 2004). In the U.S., the National Endowment for the Arts (NEA) participates in the Government Performance and Reliability Act (GPRA) – a federal mandate requiring agencies to engage in annual performance measurement. Nevertheless, given that many of the core goals of arts councils, such as cultural enrichment and artistic expression, are inherently difficult to measure, performance measurement is likely to differ in important ways from bureaucracies where outputs and outcomes are less subjective and/or more readily amenable to quantification. In other words, 'It's easy to measure impact when you're saving people's lives [referring to other Federal programs that use output-based measures],¹ but measuring the impact of the arts using indicators is a much harder task (Schuster 1997).

At this point, the literature on performance measurement in the arts is inconclusive with respect to whether performance measurement has any influence on the external conditions of arts councils, or whether it serves as policy rhetoric for arts advocacy. In this article, we seek to understand the answers to these questions by conducting a case study of performance measurement at the NEA. We conclude that there is little evidence that performance measurement at the NEA has had any appreciable effects on agency appropriation levels. Therefore, as a policy response to federally mandated performance measurement systems, arts councils might do better in focusing exclusively on metrics that capture internal efficiency, as opposed to those that serve to demonstrate performance to external constituencies.

Challenges of performance management

Despite the persistent (and in many cases, growing) popularity of performance-based systems for accountability and management, there are also several challenges that can work to undermine the effectiveness of these systems. In many cases these challenges have proven to be insurmountable and have resulted in performance management regimes that are ineffective at best, and that often result in significant additional problems stemming from unintended consequences associated with gaming, cheating, and purposeful manipulation of performance data (Hood 2006; Moynihan 2008; Radin 2006; Radnor 2008).

One of the most significant problems associated with performance management centers on the selection and measurement of important organizational outcomes (e.g. Bird et al. 2005; Hatry 2002; Radin 2006), which is particularly problematic in settings where desired outcomes are complex, nuanced, and are not easily quantified. For instance, while the performance of public schools is often assessed via student performance on standardised test scores, many educators have raised serious concerns about the extent to which these scores accurately capture student learning, particularly with regards to development of skills such as critical thinking, creative expression and artistic ability, and emotional maturity (Ravitch 2010). Radin (2006) argues that most organizations in the public and nonprofit sectors have goals and missions that are difficult to measure quantitatively, and notes that efforts to impose performance measurement within these organizations often works to inhibit the ability of agency personnel to leverage their extensive experience and expertise in crafting effective solutions.

Other problems with performance management include half-hearted implementation and use of data on the part of top-level agency officials and prominent political principals (Behn 2014; Brudney, Ted Hebert, and Wright 1999; Dull 2009; Moynihan 2008), and issues related to psychological and cognitive biases that limit the ability of various stakeholders (both within and external to the organisation) to accurately interpret and analyze performance data (Baekgaard and Serritzlew 2015; Charbonneau and Van Ryzin 2015; Nielsen and Baekgaard 2015; Olsen 2016). While the data that are produced via performance measurement systems are often portrayed as objective and unambiguous, the reality is this information is both constructed and interpreted by human actors, each of whom is subject to a set of biologically imposed constraints on rational decision-making (Moynihan 2008). Baekgaard and Serritzlew (2015), for example, show that when citizens are asked to interpret performance information, they often engage in motivated reasoning such that the conclusions they draw about performance data are highly conditional on existing beliefs about public organizations. Similarly, Olsen (2015) found that citizens exhibit negative information bias, such that they respond much more strongly to data suggesting poor or declining performance compared to data suggesting an equivalent improvement in organizational outcomes. Further, because these boundedly rational human decision-makers are operating in a political environment that is often filled with conflict along partisan and ideological lines, performance data are quite often politicised and used as a tool for persuasion to support an existing policy agenda, rather than as a mechanism for neutral or unbiased fact-gathering. In reviewing performance management regimes in both the U.S. federal government and in several U.S. state governments, Moynihan (2008) found that these reforms were often implemented for improved political messaging and that they rarely resulted in the desired substantive improvements to budgeting or organizational performance.

Research in a variety of settings has found that performance management is particularly problematic in policy areas such as healthcare (Pollitt et al. 2010; Vendramini, Lecci, and Filannino 2014), education (Cave 1997; Ravitch 2010; Stensaker and Harvey 2010), social welfare (Dias and Maynard-Moody 2007; Heinrich and Marschke 2010; Soss, Fording, and Schram 2011), and research councils (Sá, Kretz, and Sigurdson 2013), because assessment of performance for organizations in these areas is inherently difficult to measure quantitatively due to the nature of their mission. In contrast, organizations that deal with less nuanced and more technical and engineering-oriented problems, such as transportation, infrastructure, and municipal government, are often better able to implement performance systems because outcomes are easier to track and quantify (Ammons 2013; Poister, Pasha, and Edwards 2013; Sanger 2012). While relatively little systematic research has been done to evaluate the impacts of performance management on arts councils, we argue that they share many characteristics with organizations that have encountered roadblocks in effective use of performance data: namely that they operate in a policy area where performance is difficult to quantify objectively and where there is a lack of consensus among stakeholders regarding the importance and legitimacy of various outcomes. The key point is that performance management has been found to be highly problematic across a number of non-arts policy arenas, and that complaints or criticisms of performance management in the arts are not unique to this sector.

Schuster (1997) provides an early look at the use of performance measurement in U.S. arts funding, in particular of various matching grants schemes and how they can fall into the trap identified by Kerr (1975) of rewarding 'gaming' of metrics rather than the actual intended outcomes. But most analysis of metrics in the arts has been in the U.K. where the New Public Management (NPM) had great influence on reporting by arts councils.

We might trace the beginning of this thread to King and Blaug (1976) who reviewed annual reports from the Arts Council over the preceding decades to try to ascertain the goals of the Council: what exactly did it hope to achieve? Although there is not a great deal of emphasis on metrics at this point, it does raise a key aspect of NPM: that in evaluating any government agency, the focus ought to be on the intended outcomes rather than simply listing the agency's activities. The challenges in evaluation they identify are familiar to this day: 'The Arts Council certainly has objectives – but most of them are too ill-defined to make evaluation possible' (1976, 124). King and Blaug also identify the conflict in goals that are inherent in arts councils, in particular between wanting to foster and support *excellence* in the arts as well as *diffusion* of the arts. In the U.S., this tension was raised very publicly when Rocco Landesman, appointed as Chairman of the NEA in 2009, generated great consternation by remarking, in his first interview as Chairman:

'I don't know if there's a theater in Peoria, but I would bet that it's not as good as Steppenwolf or the Goodman,' he said, referring to two of Chicago's most prominent theater companies. 'There is going to be some push-back from me about democratizing arts grants to the point where you really have to answer some questions about artistic merit.'²

As the NPM was implemented in many governments in the 1990s, there was the introduction of metrics of outcomes to better promote transparency in government spending as well as for evaluation of programs. One response from the arts sector, still present, is the increased rhetorical emphasis on 'instrumental' benefits from the arts – in terms of outcomes in education, health, social inclusion, and more recently, urban development and the export prowess of the creative industries sector – as opposed to the 'intrinsic' benefits of the arts for the pure sake of their ability to give fulfilment and enjoyment to its patrons (instrumental considerations are hardly new, dating back at least as far as Plato [Belfiore and Bennett 2010]). A focus on outcomes rather than activities in public management does not *necessitate* a turn to the instrumental benefits of the arts, but the quest for metrics does, since the instrumental benefits are more easily quantified: 'how is such-and-such aspect of the quality of life and/or incomes affected by the arts?' The instrumentalization of the benefits of the arts was also a result of the cultural sector wishing to be seen to be linked to policy fields that were more salient, such as health, education, and inclusion (Belfiore 2004; Gray 2008). We also do not wish to confuse instrumentalization of the arts with the positive externalities from the arts. Externalities occur when one person's cultural activity

benefits another person, who may or may not have participated in that activity. But instrumental benefits can still exist even if confined only to individuals who directly experience the arts, in health, skills, and happiness, for example (McCarthy et al. 2004). O'Hagan (2016) looks at the instrumental benefits of national identity and social cohesion, innovation (which might include works of social and political critique), and economic benefits from providing a local cultural environment amenable to in-migration of talent and entrepreneurship (as in Florida 2002), as they are stated in the objectives of national arts councils in Ireland, England, Australia, and New Zealand. The desiderata of increased access and participation in the arts could be seen as 'intrinsic', and as a benefit that on the basis of equity ought to be more widely enjoyed. Yet it could also be seen as crucial for the instrumental outcome of identity and social cohesion, which is unlikely to be strong if participation and enjoyment of the arts under consideration is only from a narrow segment of the population.

Was the instrumentalization of the benefits of the arts necessary? Former UK Culture Secretary Chris Smith remarked:

The Treasury won't be interested in the intrinsic merits of nurturing beauty or fostering poetry or even 'enhancing the quality of life'. So I acknowledge unashamedly that when I was Secretary of State, going into what always seemed like a battle with the Treasury, I would try and touch the buttons that would work. I would talk about the educational value of what was being done. I would be passionate about artists working in schools. I would refer to the economic value that can be generated from creative and cultural activity. I would count the added numbers who would flock into a free museum. If it helped to get more funds flowing into the arts, the argument was worth deploying. And I still believe, passionately, that it was the right approach to take. If it hadn't been taken, the outcome would have left the arts in much poorer condition. (Smith 2003, 1, 2)

The statement raises questions in that while Smith first claims there would be little interest in the intrinsic benefits of the arts, he gives examples – artists working in schools, more people attending museums – that can be entirely about the intrinsic good of the activities. But he does highlight the role of political *rhetoric* in arts advocacy, even if the way in which such rhetoric is persuasive is something of a black box.

Performance management at the NEA

In this case study, we focus on how the NEA has participated in performance management, and whether there have been appreciable effects on agency Congressional appropriations. Or whether the evidence from the NEA points toward performance management being used as political rhetoric to advocate for the arts, and maintain the status quo. We use public record documents, including agency strategic plans, performance accountability reports (PARs), appropriations requests, and reports on the deliberations by the Committees on Appropriations in the House of Representatives and the Senate to investigate our claims. We qualitatively analyze these data for the period between 1999 and 2016, which includes years in which the NEA both did and did not participate in federally mandated performance management systems.

Since GPRA

In 1965, President Lyndon B. Johnson signed a bill into law establishing the NEA. The agency would be a national arts funding body designated to support artists and arts organizations, 'to nurture American creativity, to elevate the nation's culture, and to sustain and preserve the country's many artistic traditions' (NEA 2009).

Like many federal agencies, the NEA's experience with performance management has grown more extensive over time. Increased use of performance metrics at the NEA has been led primarily by agency leadership, and external pressure from the administration.

Implementation of GPRA in 1997, which required federal agencies to develop strategic and performance plans, coincided with an extreme period of controversy for the agency. In 1989, an NEA funded exhibit by Robert Mapplethorpe, which included a series of photographs containing sexual content,

helped fuel a debate between conservatives and the art world about the appropriateness of federally funded art (Rushton 1992). Around this same time, another NEA-funded exhibit by artist Andres Serrano, which included a Christian cross immersed in a jar of urine, sparked further controversy (McConnell and Hess 1999). As a result of these and other events, the NEA's grant giving activities came under great scrutiny and conservative efforts to reduce the purview of the NEA were ultimately successful. In 1996, the agency's appropriations were cut by 39%, half of its staff was cut, and the Republican controlled House of Representatives announced a plan to phase out the agency over a two-year period. Additionally, the Endowment was prohibited from distributing grants to individual artists. Efforts to abolish the NEA continued until late 1997, but ultimately were not able to gain the approval of both houses of Congress and the President (NEA 2009).

In 1998, President Bill Clinton appointed Bill Ivey as the seventh NEA chairman. In his first meeting with White House personnel, Ivey recalls being told the following by Bob Nash, Director of Presidential Personnel: 'Agency relations with Congress are terrible, morale within the agency is terrible, and the NEA's constituency is beginning to turn on the Endowment. Your job is to address these problems.'³ Under Ivey's leadership, the agency made modest efforts at performance management. The agency produced a five-year strategic plan for FY 1999 through FY 2004, which laid out a series of goals the Endowment would focus on through its programmatic activities (NEA 1999); yet the plan did not specify any performance metrics. While the NEA – like all federal agencies during this time – was being strongly encouraged by the administration to develop objective, numerical methodologies designed to measure the impact of funding, Ivey and his staff were reluctant and managed to delay implementation of establishing specific performance metrics throughout his entire term.

In order to improve the agency's external image, Ivey focused his efforts elsewhere. During his three and half year tenure, Ivey, who was known as a populist, focused on shifting the image of the agency as serving the culturally and wealthy elite to expanding access to the arts among a greater American public (NEA 2009). For example, Ivey created the *Challenge America* initiative, which continues to provide small grants to organizations for projects that extend the reach of the arts to underserved populations – those whose opportunities to experience the arts are limited by geography, ethnicity, economics, or disability.

Ivey's initiatives were largely continued by his successor, Dana Gioia, who served as the Endowment's chairman between 2003 and 2009, and launched a series of programs aimed at expanding the agency's reach to military bases and rural areas. Those efforts were ultimately successful, in that they helped provide much needed stability and moved the agency away from the controversial topics that plagued the NEA during the preceding decade. Furthermore, under Gioia's leadership the NEA's budget continued to increase and approached pre-'culture wars' levels (Figure 1).

The agency continued to update its strategic plan throughout the 2000s under the leadership of Gioia and submitted the requisite performance plans required by GPRA. Despite Gioia, like his predecessor, also being hesitant to implement performance management at the NEA, pressure from the administration was too strong. In 2004, the agency submitted its first Performance Accountability Report (PAR) to the U.S. Office of Management and Budget (OMB), which detailed the results of tracking performance metrics at the agency from 2001 – frequency metrics that measured output in terms of NEA programs collected from final grant reports.

As Table 1 makes clear, the NEA started to change how it communicated performance to OMB in around 2003. This change was due to agency leadership's decision for the 'general goals and outcomes in the Strategic Plan and the performance goals in [the NEA's] annual performance plans [to] mirror one another' (NEA 2003, 5), but it also reflected the agency placing more emphasis on performance management under Gioia's leadership.

The year 2009 was a transformative one for the NEA in terms of performance management. With the election of President Barack Obama, a Democrat, and a Democratic controlled Congress, the NEA would begin to make progress on developing its most ambitious performance management system to date. In 2009, President Obama appointed Rocco Landesman as NEA chair, and Joan Shigekawa as Landesman's Deputy. Both were strong proponents of using metrics to gauge and guide agency performance.

Table 1. Selected NEA output-based performance metrics, FY2001–FY2004.

| FY2001 and FY2002 | FY2003 and FY2004 |
|--------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------|
| Concerts/readings/performances | Projects and artists whose primary purpose is to create or present art |
| School and other residencies | Projects whose primary purpose is to strengthen communities through access to the arts |
| Exhibitions | Other government agencies participating in interagency arrangements with the Arts Endowment that support the Arts Endowment's mission |
| Artworks created | |
| Fellowships to writers | |
| Apprenticeships | |
| National Heritage Fellowships | Amount of matching funds report by Arts Endowment grantees, including State partners |
| Collaborations with Federal Partners | |
| Projects in different countries | Communities directly benefiting from Arts Endowment-funded projects involving outreach and touring |

Sources: FY2001–FY2004 NEA performance accountability reports.

Table 2. Selected NEA outcome-based performance metrics (with sources), FY2012–FY2016.

| Metric | Source |
|---------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------|
| Post-award review by independent experts of artistic excellence in NEA grants awarded primarily for the purpose of creating art | An assessment by independent experts of a random sample of grant awards are the grants are closed out |
| Percent of adults experiencing arts during the NEA's most recent general population survey period | An independent survey of a random sample of U.S. adults |
| Percent of adults who report being affected by NEA-funded art exhibits and performances | An independent audience survey conducted on a random sample of grant awards to support art exhibits and performances |
| Percent of children/youth and teachers who demonstrate learning in arts education standard-based project | Final reports completed by recipients of grant awards for arts education standards-based projects |
| Types of partners in communities that enlist the arts in efforts to improve livability | Final reports completed by grant award recipients |

Sources: FY2012–FY2016 NEA strategic plan.

Together, Landesman and Shigekawa made several decisions to devote substantial agency resources to designing an improved performance management system. First, the agency engaged a consulting firm in strategic planning and evaluation to help with the design of a new system, including new performance indicators. The newly designed metrics were in direct response to OMB's growing focus on outcome-based measures. As a result, the FY2012–FY2016 strategic plan initiated several new data collection methods aimed at understanding agency performance beyond outputs (Table 2).

In order to be able to implement the data collection processes, and analyses required to construct the newly designed outcome-based metrics, the agency's staff capacity was expanded. In particular, the research arm of the NEA increased their ability to evaluative work. At least four new staff members with Ph.D.s were hired between 2011 and 2013.⁴

Since 2012, the NEA had updated its strategic plans (which inform its performance plans) primarily by dropping outcome-based measures that have proven to be of little use and/or too burdensome to implement. Additionally, agency personnel made decisions to drop certain metrics due to concerns that too much information was being collected, much of which was not being used effectively.

Use of performance information

The Endowment uses performance measurement to evaluate its internal operations, as well as in appropriations requests to Congress. In appropriations requests, performance measurement is used as justification for requesting funds from Congress for the upcoming fiscal year.

Since at least 2004, the Endowment has referenced specific performance metrics in making appropriations requests to Congress; however, the selection of which metrics appear in appropriations requests has remained at the discretion of the Endowment. For example, in 2004, the agency published three overarching goals for its operations in its FY2003–FY2008 Strategic Plan and 2004 PAR: (1) Access to

Artistic Excellence; (2) Learning in the Arts; and (3) Partnerships for the Arts. For each goal, there were between 3 and 5 outcomes listed, each with one or more associated metrics. Figure 2 is a snapshot of the outcomes, and metrics related to the goal 'Learning the Arts' as published in the 2004 PAR for the NEA.

Despite listing four individual metrics for the agency goal of learning in the arts, the agency's 2004 and 2005 appropriations requests only includes data for one of these metrics: the number of children and youth directly participating in projects whose primary purpose is to impart newly acquired skills, knowledge, and/or understanding of at least one art form. In the agency's 2004 appropriations request, they state the following as evidence of achieving this outcome: 'Serving 5–6 million children to achieve the intended outcomes of increased learning in and through the arts for children and youth.'

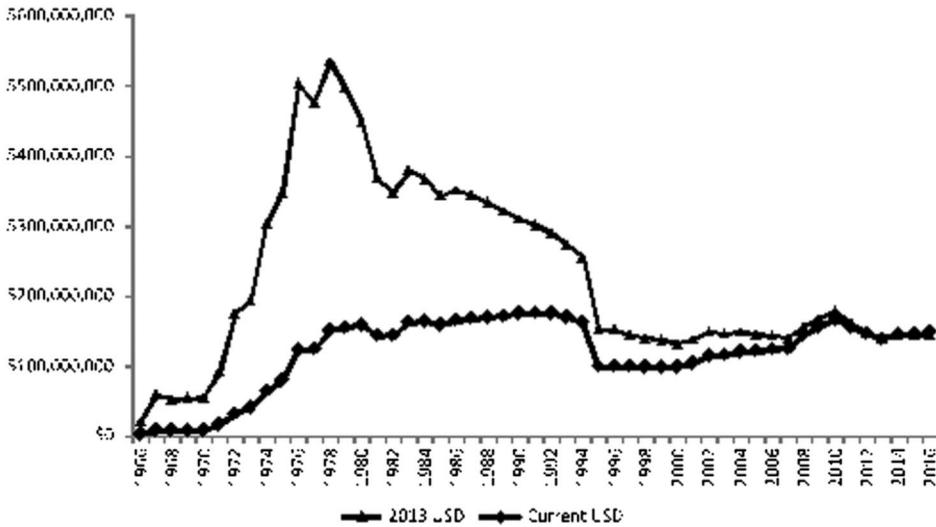


Figure 1. National Endowment for the Arts' appropriations history. Source: arts.gov.

| 2. LEARNING IN THE ARTS: Advance learning in the arts. | Learning in the Arts | |
|----------------------------------------------------------------------------------------------------------------------|-------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| a. Children & youth demonstrate skills, knowledge, and/or understanding of the arts. | | <i>The number of projects whose primary purpose is to impart to children & youth newly acquired skills, knowledge, and/or understanding of at least one art form.</i> |
| | | <i>The number of children & youth directly participating in projects whose primary purpose is to impart newly acquired skills, knowledge, and/or understanding of at least one art form.</i> |
| b. Teachers, artists, & others demonstrate knowledge & skills necessary to engage children & youth in arts learning. | | <i>The number of projects whose primary purpose is to provide professional development opportunities for teachers, artists, & other arts instruction providers.</i> |
| c. National, State, and local entities demonstrate a commitment to arts learning for children & youth. | | <i>The number of national initiatives in which the Arts Endowment directly participates that recognize and support the arts as essential to the development of children & youth.</i> |

Figure 2. Goals, outcomes, and indicators related to 'learning in the arts'. Source: FY2004 NEA performance accountability report.

Table 3. Difference between NEA requests and appropriations.

| Year | Requested | Appropriated | Difference |
|------|-------------|---------------|---------------|
| 2004 | 117,480,000 | \$120,971,000 | \$3,491,000 |
| 2005 | 139,400,000 | \$121,263,000 | -\$18,137,000 |
| 2006 | 121,264,000 | \$124,406,353 | \$3,142,353 |
| 2007 | 124,412,000 | \$124,561,844 | \$149,844 |
| 2008 | 128,412,000 | \$144,706,800 | \$16,294,800 |
| 2009 | 128,412,000 | \$155,000,000 | \$26,588,000 |
| 2010 | 161,315,000 | \$167,500,000 | \$6,185,000 |
| 2011 | 161,315,000 | \$154,690,000 | -\$6,625,000 |
| 2012 | 146,255,000 | \$146,020,992 | -\$234,008 |
| 2013 | 154,255,000 | \$138,383,218 | -\$15,871,782 |
| 2014 | 154,466,000 | \$146,021,000 | -\$8,445,000 |
| 2015 | 146,021,000 | \$146,021,000 | \$0 |
| 2016 | 147,949,000 | \$147,949,000 | \$0 |

Sources: NEA appropriations requests; arts.gov.

NEA appropriations are decided upon through a systematic process of review, which includes the agency submitting its requisite appropriations request to the Congress and both the House and Senate Appropriations Committees reviewing the request and deciding on agency appropriations for the upcoming fiscal year (NEA 2012, 3). For example, in the July 2016, the House Appropriations Committee recommended \$149,849,000 for the NEA's FY17 budget, which was equal to the President's request for the agency. The Senate Appropriations Committee recommended \$148,449,000. Any discrepancy between levels recommended by the House and Senate must be voted on by both Congressional units.⁵

In determining agency appropriations, there is little evidence that actual performance metrics have been used. Neither the reports on the House and Senate committees on appropriations for the Department of the Interior, Environment, and Related Agencies (the specific committees responsible for deciding on appropriations to the NEA) make mention of performance metrics submitted by the NEA. In fact, when providing rationale for Congressional appropriations, committee reports tend to focus on information from NEA appropriations requests that stress the intrinsic, as opposed to the instrumental, benefits that agency's programs provide. For example, in 2008 and 2009, when the amount appropriated by Congress exceeded the agency's request by \$16,294,800 and \$26,588,000, respectively, the House committee on appropriations stated as justification for the funding increase the 'high quality of new programs initiated by the agency' and the committee's pleasure with existing national initiatives including the *American Masterpieces*, *Big Read*, and *Operation Homecoming*. None of these programs had any formal metrics associated with it in the agency's appropriations request for that year.

If the NEA's use of performance metrics in appropriations requests have been effective, we could expect to see differences between the amounts the agency has requested and the total amount that has been appropriated by Congress especially in years following agency administration's decisions to devote more resources to performance measurement. Table 3 lists the amount requested by versus appropriated to the Endowment in regard to Congressional funds.

What this table makes clear is that there is no discernable effect more sophisticated 'outcome-based' performance metrics have had on agency appropriations. Since introducing outcome-based performance metrics in 2012 the agency's level of appropriations has remained virtually unchanged, even when the agency in these years requested increased levels of funding. In fact, the level appropriated by Congress has consistently remained equal to or less than the amount requested by the agency since 2011.

Discussion

The idea that performance metrics have no appreciable effects on funding for government agencies is not new. An analysis of the FY 2005 budgeting process at OMB in the U.S. federal government found that results-oriented measures from the Performance Assessment Tool (PART)⁶ had little to no impact

on redistributing resources to programs that had favorable outcomes. The rationale for this finding may be that many of the outcomes are ill-defined (Gilmour and Lewis 2006a), thus budgeting officials may not give much credit to their results. Further, there are political influencers to results-oriented performance budgeting, such that the political content of programs tend to overshadow the impact a program's performance scores (Gilmour and Lewis 2006b).

Upon examining the difference between the appropriations requested by the NEA and actual appropriated levels in Table 3, it becomes clear that the differences have to do with the respective party majorities in the House and Senate, and the two units' partisan alignment (evidence suggests that arts appropriations in U.S. states do not track as closely with which political parties are in power [Lewis and Rushton 2007; Noonan 2015]). In 2007, when the majority parties in both units were both Democratic, appropriations levels for the NEA saw a marked increase. This changed when in 2011 the House was led by the Republicans. Until the House and the Senate return to a Democratic majority rule, it is safe to say that NEA appropriations levels will not increase beyond their current levels.

If instrumental metrics, like the NEA's performance measurement indicators, do not have observable effects on agency activities such as funding, why do arts councils continue to invest resources in using metrics to demonstrate the impact of the arts? In the context of the NEA's efforts in designing and implementing a performance measurement system, we provide a few possible answers to this question. First, arts councils in many instances are required by governmental regulatory authorities to produce performance metrics. In the case of the NEA, OMB requires that the agency submit a series of materials detailing the agency's activities in performance measurement, including strategic plans, annual performance plans and reports.⁷

Second, federal arts councils, such as the NEA, may use performance measurement to improve efficiency of their internal operations. When asked about how specific metrics in the NEA, 2012–2016 strategic plan have been useful, Director of the Office of Research and Analysis stated:

The NEA's Office of Guidelines & Panel Operations and program staff use the applicant-satisfaction survey results to inform broader customer-service improvement efforts across the agency. The NEA's Office of Research & Analysis tracks the percentage of milestones met on its research agenda, to help guide its annual portfolio and staff workload.⁸

In theory, efficiency improvements in internal operations should give way to better outcomes, hence improving external conditions; however, studies of the causal effects of performance measurement have not yet identified the mechanisms responsible for changes in external conditions, at least in respect to federal initiatives in performance measurement. Further, the use of data to improve internal decision-making relies on agencies developing policies around data-driven decision-making, and like agency personnel described, these policies are largely absent at the NEA. Finally, the use of performance information to lead internal decision-making does not explain the rationale behind constructing metrics intended to demonstrate performance to external constituents, like Congress. In other words, if metrics designed to demonstrate agency performance have no observable effects on external conditions, such as funding, then it might be better for agencies to focus on internally-useful metrics that may help agencies achieve operational efficiency gains.

Third, arts councils may engage performance measurement, and attendant metric publicising, as political rhetoric for arts advocacy. In the context of public administration, the idea that federal agencies might design and implement performance measurement systems for the purpose of political advocacy is not new and is linked to the difficulty with designing effective performance measurement systems. In other words, crafting an effective performance measurement system is difficult. It requires that one develop a sophisticated understanding of: (1) cause-effect relationships that lead to intermediate and long-term outcomes of interest; (2) the extent to which public programs can affect these relationships; and (3) the feasibility of various data collection efforts and potential measurement issues that such efforts might entail (Hatry 2006). As a result of this complexity, elected leaders often rely on agency officials, who possess superior expertise and policy knowledge, to help design the performance measurement and reporting systems that will ultimately be used to hold their organizations accountable. Agencies, at least under some circumstances, can use their informational advantage to shape

performance regimes such that they produce positive, but potentially distorted, accounts of organizational productivity, thereby undercutting (or perhaps buffering against) efforts to impose external controls (Moynihan 2010; Thompson 1967). In short, just as elected leaders often use performance measurement to advance a political agenda, agency officials can also leverage performance information to promote their own interests.

In the context of the arts, this is also done outside the boundaries of formal performance plans. In other words, arts councils politically advocate with metrics through the various programs and initiatives they spend agency resources on. Take for example, the NEA's partnership with the U.S. Bureau of Economic Analysis (BEA) in producing statistics on what portion of the GDP is attributed to arts and cultural industries. In 2013 the NEA and the BEA released a preliminary report on data from the BEA's Arts and Cultural Production Satellite Account (ACPSA), which classifies the portion of GDP attributable to the arts and culture sector, as well as for inclusion in national input-output matrices. At its release, then Senior Deputy Chairman Joan Shigekawa remarked 'The Arts and Cultural Production Satellite Account is an unprecedented resource for detailed, reliable data on the economic value associated with arts and cultural activity' (NEA 2013). Researchers will have access to the data, which is valuable for study of trends in the cultural sector. But the data quickly became a metric for arts advocacy, even though not a 'performance metric' as such.

In a release from January 2015, the NEA published an 'Issue Brief' that used the ACPSA data to construct dubious 'economic impact' estimates, whose sole purpose is as a means to inflate the dollar value of the arts for advocacy, in terms that suggest, falsely, respectable economic analysis and statistical precision:

The 2012 ACPSA multipliers indicate that every \$1 increase in the demand for arts and culture generates \$1.69 in total output; for every job created from new demand for the arts, an additional 1.62 positions are also created. (NEA 2015)

When the ACPSA 2013 data was released in early 2016, the NEA's press release began:

Today's creative economy gets a big boost from the arts, according to new data from the National Endowment for the Arts and the U.S. Bureau of Economic Analysis. The latest figures cover 1998 to 2013 and they spotlight fast-growing arts industries, export trends, employment figures, consumer data, and more. In 2013, arts and cultural production contributed \$704.2 billion to the U.S. economy, a 32.5 percent increase since 1998 ... Arts and culture produced more than some other sectors, such as construction (\$619B) and utilities (\$270B). (NEA 2016)

The ACPSA figures have become, in practice, a reported metric by the NEA even though in no way can the proportion of GDP represented by various sub-sectors of the creative industries be traced back to specific NEA policies. It is a strategic use of quantitative measures that, as presented, offer no guidance to evaluation of past policies or direction for the future. In addition, it is a tool the agency uses to advocate politically for the impact of the agency's programs, and the importance of the arts.

Conclusion

In sum, metrics have multiple uses: they can be used internally to better understand the performance of various units and practices, in terms of, say, quality of service to stakeholders and constituents, or they can be used to inform elected officials and the public about the scale and scope of agency activities, or they can be used by funders to incentive performance along particular axes, fostering accountability.

But there is a need to be cautious about the potential for these systems to create unintended consequences that detract from performance. A number of studies have found that dysfunctional performance management regimes generate unethical behaviour, such as cheating and manipulation of data. A prominent example of such behaviour can be found in many K-12 systems where educators have been found to engage in a variety of activities such as 'teaching to the test,' strategically using learning disabilities programs to exempt certain students from taking the exams, and even outright cheating wherein teachers manually changed incorrect answers in the quest to show improvements on standardised exams (Bevan and Hood 2006; Bohte and Meier 2000; Jacob and Levitt 2003; Radin 2006; Ravitch 2010).

Aside from gaming and cheating, performance management reforms can also result in substitution effects where public employees and other actors overly focus on the elements of service delivery that are measured within the performance system, at the expense of tasks that may be equally important but which are not measured (Bevan and Hood 2006; Heilig and Darling-Hammond 2008; Radnor 2008; Umbricht, Fernandez, and Ortagus 2015). Such practices can often have significant implications for democratic values such as due process, equity, and fair treatment of vulnerable populations (Moe 1994; Soss, Fording, and Schram 2011). In short, when performance management is implemented poorly, it is not only ineffective, but can actually serve to make matters worse.

In arts councils, in the U.S. and elsewhere, the most important caveat in the use of metrics to demonstrate performance is whether they change the activities of the councils to favour those programs and associated outcomes that most easily lend themselves to quantitative measurement, *at the expense of the programs whose values are not easily or accurately captured in statistics*. At the NEA, the use of metrics has satisfied demands from government overseers without having significant effects on agency appropriations, and perhaps more importantly, in the choice of programs, since at least 2004 when the NEA began including metrics in appropriations requests. Nonetheless, as the political environment changes and moves from a less conservative (i.e. 'big') to a more conservative (i.e. 'small') government, the consequences of focusing on metrics have the possibility of becoming more severe. At least in the U.S., history has taught us that in eras of conservative lawmaking, federal arts funding experiences drastic declines. In the past, lawmakers have cut funding to the NEA without much justification leaving programmatic decision-making largely to agency bureaucrats.⁹ The ability of metrics to signal what federally funded programs are more or less successful – even if done incorrectly – can provide the justification lawmakers need to exercise control over agency decision-making. In other words, while in theory, agencies might use metrics to advocate for progress, in practice, lawmakers can use as reasons for eliminating specific programs the metrics that help 'prove' their failure. Therefore, as a policy response, federal agencies – in particular, arts councils – might do better in focusing exclusively on metrics that capture internal efficiency, as opposed to those that serve to demonstrate performance to external constituencies. Doing so can help ensure that agency bureaucrats who are experts in a particular policy domain retain their autonomy in programmatic decision-making, and ultimately position federal agencies for long-term gain.

Notes

1. Ned Read (Office of the Chairman for Management and Budget, NEA), phone interview with Joanna Woronkovicz, 25 March 2015.
2. See Robin Pogrebin's 7 August 2009 article in the *New York Times*, 'New Endowment Chairman Sees Arts as Economic Engine'.
3. Bill Ivey, e-mail message to Joanna Woronkovicz, 17 March 2015.
4. We identified research staff members listed in NEA publications between 2011 and 2013 and searched Linked-in profiles for educational credentials.
5. As of January 2017, neither the House nor the Senate had voted on the proposed increase to NEA FY17 appropriations.
6. The Program Assessment Rating Tool (PART) was developed by OMB during the George W. Bush administration in 2002 to help agencies rate the effectiveness of their programs. The Obama administration did not utilize PART in its mandates for agency performance measurement. See https://www.whitehouse.gov/omb/performance_past for more information.
7. See OMB Circular A-11 (Part 6) for OMB guidance for performance measurement for federal agencies.
8. Sunil Iyengar, email message to Joanna Woronkovicz, 28 June 2016.
9. An exception might be in 1994 when the NEA voted to eliminate funding for individual artists. While this decision was ultimately made on the part of agency bureaucrats, many argue that it was made in response to Congressional pressure stemming from the funding of controversial artists. See Diana Jean Schemo's November 3, 1994 article in the *New York Times*, 'Endowment Ends Program Helping Individual Artists'.

Disclosure statement

No potential conflict of interest was reported by the authors.

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ARTICLE



Broadcasting after devolution: policy and critique in the Welsh media landscape 2008–2015

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ABSTRACT

This essay examines the provision of media (especially broadcasting) in Wales and considers recommendations made in key reviews and reports which have sought to bring about change in how the media serve people in a devolved Wales. It provides a critical insight into how these debates have developed since 2008 and reveals how some of the monumental economic, policy, production and technological changes that have affected broadcast and digital media internationally have taken shape in Wales specifically. The chief aim is to identify how a distinctly Welsh media policy agenda is developing in the context of devolution. This research is timely given the growing political pressure from several parts of the UK both for greater accountability of broadcasting to the nations of the UK and also for substantive devolution of powers over broadcasting to their governments. The essay argues that media scholars need to pay further attention to how policy evolves in the context of multi-governmental levels such as those existing in the devolved nations of the United Kingdom.

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BBC; devolution; public service broadcasting; S4C; UK; Wales

Introduction

This essay critically examines the provision of media in Wales and considers recommendations made by a series of key reports which have sought to bring about change in how the media serve the people of a devolved Wales. The chief aim is to identify how a distinctly Welsh media policy agenda is developing in the context of devolution.¹ The essay argues that media scholars need to pay further attention to how policy evolves in the context of multi-governmental levels such as those existing in Northern Ireland, Scotland and Wales which comprise the devolved nations of the United Kingdom. It draws upon research conducted by the authors as part of the Wales Media Audit 2015 (specifically the Review of Policy Development, 2015, 124–138), which was carried out by the Institute of Welsh Affairs Media Policy Group, a voluntary body of media experts and academics. Because the last substantive audit of media in Wales was published in 2008, the policy group focussed its analysis on the period 2008–2015 (for analysis of earlier periods, see Andrews 2006; IWA 2008). We critically reviewed reports and academic research on the media in Wales published between 2008 and 2015 by more than a dozen organisations including the Welsh Government, the UK Department for Media, Culture and Sport (DCMS), the Electoral Commission, Ofcom, the UK's communication regulator, the Commission on Devolution in Wales,² and the BBC Trust (for a list of all reports, see Wales Media Audit 2015). Surveys were also used to gather updated information from the broadcasters in Wales, though some of this data remained

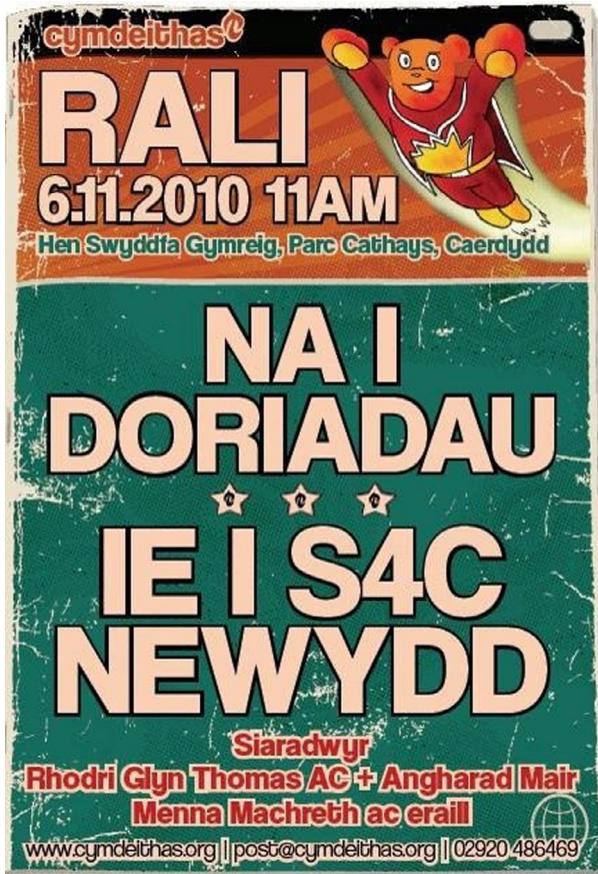


Figure 1. Poster for rally in support of S4C following DCMS cuts in 2010. Source: Author's own photographic image.

confidential due to commercial sensitivity. A complete, pre-publication draft of the Media Audit Report was shared via the IWA's website with an open invitation to members of the public and stakeholders to share comments, offer corrections and challenge findings, and some changes were duly made to the final published report as a result. This methodological strategy was itself a deliberate intervention by the Media Policy Group geared towards nurturing collaborative policy-making.

In 1998, shortly after resigning from his post as Secretary of State for Wales, Ron Davies (1998), claimed that 'devolution is a process' not an event. This has been endorsed not only by political developments, notably the 2011 referendum to increase the primary law-making powers devolved to Wales, but also by the evolution of Welsh politics and a growing sense that a distinctly Welsh public sphere requires, amongst other things, a robust media analysis of government's actions. Political scientists such as Roger Scully have noted how 'devolution has placed the primacy of a "British" perspective on Welsh political life into severe question' (Scully 2011, 74) while others such as Charles Jeffery argue that 'devolution has opened up, rather than "settled" the scope for debate about political community in the UK' (2009, 91).

Although many areas of public policy including education, aspects of the creative industries, and health have been devolved to the Welsh Government, broadcasting remains a power reserved to Westminster. This means that the Welsh Government has no legislative powers or control over broadcasting, including public service broadcasting through the medium of Welsh. However, several aspects of media policy including business, culture and heritage have been devolved to the Welsh Government. Media policy in Wales is the product of multi-governmental level policy-making. In other contexts

where political, state and national boundaries are coterminous, a specifically national approach to broadcasting systems may appear common sensical. While numerous scholars have, to different degrees, stressed the increasingly global nature of media systems, including at the level of production, sales and regulation (Hardt and Negri 2001; Lunt and Livingston 2013), arguably the primary (but not sole) frame for many aspects of media provision and regulation remains the nation-state (Flew et al. 2015). As Sabina Mihelj argues,

in often hardly noticeable ways, national belonging continues to inform people's perceptions of the world, collective memories and expressions of belonging. It is also repeatedly used to legitimate, as well as to challenge, the functioning of representative institutions, and to further collective action. (2011, 1)

However, the devolved nature of the UK and the porousness of its media systems as they operate across the UK's internal national boundaries makes such an alignment far from easy. Philip Schlesinger makes this point when he argues that 'multilevel government coupled with multinationality, multiethnicity and multicultures adds to the complexity of how we must conceive of the shaping of cultural and communications policy' (Schlesinger 2009, 9). This essay is premised on the assumption that media scholars need to consider challenges to specifically nation-state models of media policy not just from the perspectives of globalisation but also from the trend internationally towards 'the decentralization of government within developed democracies' (Jeffery 2009, 290).

As devolved politics have developed, the normative nation-state framework for media systems has come to be challenged. For example, in Wales, as in Scotland and Northern Ireland (see Iorwerth 2011; Ramsey 2015; Schlesinger 2009) there has been much public discussion about whether full or partial responsibility for broadcasting in Wales should be devolved to the Welsh Government. In their submission on broadcasting to the Silk Commission, the Welsh Conservative Group in the National Assembly for Wales stated their support for a 'mechanism for joint accountability to both the Assembly and the UK Parliament' (2013, 4). Meanwhile, Plaid Cymru 'wants to see further powers over broadcasting devolved to Wales. This would include full responsibility for and funding for S4C; a BBC Trust for Wales and greater Welsh representation in Ofcom' (Plaid Cymru 2014, 2–3). In contrast the Labour government in Wales has stated that 'it does not agree with those who argue that ... broadcasting should now be devolved' (cited in Commission on Devolution in Wales 2014, 96). In his analysis of Welsh arts policy, Paul Chaney points out that 'devolution means that policy' is no longer the preserve of the state at a federal level but instead is 'also mandated in meso-ballots where regionalist parties have greater influence and contrasting policy priorities – and crucially where they may use the arts to express national identity, further attempts at nation-building, and pursue the goal of "regional" autonomy' (Chaney 2015, 612). Arguably this dynamic is visible in the cross-party Commission on Devolution in Wales which recommended in 2014 that 'responsibility for funding the public expenditure element of S4C should be devolved to the National Assembly for Wales' and called also for the creation of a 'devolved governance body' for the BBC 'within the UK Trust framework' (Commission on Devolution in Wales 2014, 101).

As political power has moved outwards from Westminster via the process of devolution, the English-language press and broadcasting media systems in Wales have tended to remain static or even retrench to a more centralised and concentrated ownership model with major editorial operations and commissioning decisions taking place outside the borders of Wales in the offices of both the main British broadcasters and the owners of local and regional press titles. This argument may strike the reader as peculiar given the BBC's prominent policy, launched in 2008, to move 50% of production spend beyond the M25 principally through new bases in Salford, Glasgow and Cardiff. However, as discussed below what this has actually meant in Wales is growth in production of network programmes; the English-language content produced at the BBC's flagship Roath Lock drama studios is overwhelmingly orientated to a UK-wide and international audience, not to Wales specifically. This distinction matters, we would argue, because national media systems ought to provide diverse representations of the nation to itself. Indeed this very conviction underlies the BBC's current charter which lists amongst its public purposes the duty to 'sustain citizenship and civil society' and to 'represent the UK, its nations, regions and communities.'³

This contradictory dynamic – between the devolution of powers to the nations from London and the concomitant retrenchment of media power in London and England – underscores many of the arguments between individuals and organisations in Wales on the one hand and representatives of the major UK corporations and commercial companies on the other. Indeed Williams goes so far as to argue with reference to the press in Wales that Trinity Mirror, the most prominent publisher of local newspapers in Wales, is ‘more concerned with the financial interests of shareholders and London-based executives than the public interest and the strength of the Welsh public sphere’ (2013, 75).

Crisis what crisis?

Wales thus faces something of a paradox. The process of devolution is continuing apace and while there is an imminent prospect of further powers for the National Assembly and Welsh Government, coverage of matters relating to Wales is in danger of significantly diminishing, both within Wales and across the rest of the UK. There is worrying evidence of serious contraction in the media serving Wales. While on the surface it may appear as if citizens and consumers are being well served, with increasing improvements of connectivity coming to most parts of Wales and a proliferation of television channels and social media, the truth behind this apparent media abundance is far more complex. Since 2008, for example, there has been a significant reduction in spend, range and diversity of television programmes available both in the English and Welsh languages specifically for viewers in Wales. The total reduction in spend on English language television programming for Wales across BBC and ITV is greater than the corresponding reductions in any of the other devolved nations of the UK, from £39 to £27 million (Ofcom 2015a and Ofcom 2015b). Several commercial radio services have closed and ownership of those that remain has consolidated into three main groups, with greater networked programming and reduced local content, while newspaper circulations of the few titles produced in Wales have declined significantly. It is especially striking to set these figures in the context of the National Assembly’s own short history. ‘In 1999, the year the National Assembly was created, the *Western Mail’s* circulation was a little over 55,000. By 2003, at the end of the Assembly’s first term, it had fallen to 45,000’ (Osmond 2013). Currently it is fewer than 20,000 (ABC data cited by Thomas 2015).

Widespread closure of Welsh local newspapers (Williams 2013), substantial cuts to editorial roles in the Welsh press (Shipton 2016), declining readership for many national UK newspapers several of which have drastically cut staff on the ground in Wales (see Osmond 2013), together with substantial cuts to public service broadcasters in Wales, especially the BBC and S4C (see IWA 2015) have resulted in a Welsh media environment where plurality and sustainability are major concerns for trade unions, media professionals, politicians and campaigners. Most of all, these changes potentially threaten the capacity of citizens to remain informed, educated and entertained about the nation in which they live, work and vote.

Many of these challenges are not unique to Wales. The decline of press advertising in the digital era and the consequent threat to the longstanding press business model is common across the Western world. However, as Schlesinger and Benchimol (2014) note, the ways in which different small nations negotiate these changes varies and is reflective of ‘how each political culture has evolved’ (6). In social democratic Nordic countries, for example, a consensus has emerged around state intervention which accounts for why subsidising the national press is ideologically acceptable in Denmark and Norway whereas ‘presently it would be unimaginable for such a policy to be applied to the press’ (ibid.) in the UK. In a similar vein Syvertsen et al. (2014) argue that while there are common debates across the Western world about the value and future of public service broadcasting, the iterations of public service broadcasting and the policy-making that helps inform its development differ from country to country.

In Wales, as in the rest of the UK, public service broadcasters have played a major part in supporting and developing the cultural life of the nation, providing a wide range of programmes and other content about life in Wales. While advocates of public service broadcasting may point to the economic contribution made by PSBs in their investment in content, export, jobs and infrastructure, it is at least as important to recognise the cultural and linguistic contribution made by PSBs to the publics they serve.

Such media organisations are vital cultural institutions. Viewing of BBC is higher in Wales than in the other regions and nations of the UK (Ofcom 2015a, 43). Left to the market alone, there would probably be little, if any, provision of dedicated content for viewers and listeners in Wales. It is unsurprising then that in an environment where the capacity of markets to provide national media content is profoundly limited, the significance of – and support for – public service models of provision is far greater. It is also why the future of public service broadcasting specifically has occupied centre stage in public debates since devolution about the health of the media in Wales and its capacity to foster a comprehensive Welsh public sphere. There is not space here to review the literature on the public sphere nor to assess its relationship to the history of public life and media institutions in Wales specifically. However, we present the idea of a comprehensive Welsh public sphere firstly as a response to evidence presented here (and elsewhere) that the media ecology in Wales is not consistently supporting an informed citizenry, and secondly as a provocation to media policy-makers and institutions to attend to this deficit with urgency and imagination. Devolution leads to multilevel government which in turn means a more complex configuration of public spheres. A comprehensive Welsh public sphere would be rich in universally accessible information and diverse forms of cultural representation of, by and for the people of Wales while also reflecting the reality that Wales is a devolved nation within the UK.

Moreover, we may recall here Syvertsen's warning that it is misleading for media scholars to approach discussion of policy debates as if there were a homogenous, linear model of public service broadcasting. Media policy emerges from within the context of public policy more generally. The emphasis on public service remains strong in Wales partly because markets free from public service requirements do not offer a substantive alternative for Wales-specific content. The Welsh Government's creative industries policies have developed during the period of neoliberalisation (see Hesmondhalgh et al. 2015) in which an emphasis on intellectual property rights, markets, deregulation and entrepreneurship has been preminent. However, it is vital to recognise the countervailing salience of public service as an enduring ethos that informs not just policy debates about media but also the role of the welfare state more broadly. Wales has never elected a Conservative Welsh government; the Labour party in Wales has consistently been in government either by itself or in coalition with either the Liberal Democrats (2001–2003) or Plaid Cymru (2007–2011). At times in its recent history, Welsh Labour has actively sought to distinguish New Labour from Labour in Wales, rhetorically expressed by the former First Minister, Morgan (2002) as 'clear red water' (see also Chaney 2015, 623). None of this means that media policy in Wales runs directly counter to wider UK media policy. Rather the point is to understand that a different emphasis exists in terms of the values of public service broadcasting vis à vis arguments premised on the idea that consumer choice could readily be realised by market provision.

One consequence of the lack of a dedicated national press in Wales has been that broadcasting has historically filled the gap and developed as the main source of news for people living in Wales. Concerns about the democratic deficit have, if anything, grown in recent years even as technological developments such as the expansion of high-speed broadband, video on demand and social media have provided new opportunities for public communication. As Rhodri Talfan Davies (controller BBC Cymru Wales) notes, the BBC's

own research shows very clearly that the public's understanding of politics and public policy in Wales lags considerably behind their grasp of UK-wide politics. Despite nine in every ten adults saying they have a real interest in news about Wales, our latest survey found just half of adults in Wales could name which party was in government at Cardiff Bay, and only 31% could name Wales' First Minister unprompted (2014).

These contradictory realities of dynamic devolutionary politics and policy-making on the one hand, and a contracting provision of media in Wales on the other, make an analysis of the state of the mediated nation timely and vital. Critics point out that there is a real risk that in building a democracy in Wales there will be no meaningful conduit by which information on the activities of Government and civic society will be able to reach Welsh citizens. Based on current trends, in the future there may only be limited public discussion of Welsh affairs and very little scrutiny of the actions and policies of government in Wales in the media. This is a concern both in terms of news provision in Wales produced specifically for Welsh readers, listeners and audiences but also in terms of the extent and quality of news reporting

in UK media about Wales and devolution more broadly. However the value of PSB cannot be reduced to information in the form of news and current affairs alone. As Enric Castelló argues, 'A nation needs its own fiction. It is for this reason that many countries have used fictional narratives to create a self-image' (Castelló 2007, 49; see also Blandford et al. 2010, 3). The steep decline in on-screen representations of Wales in English, including in genres such as arts, comedy, drama and light entertainment, means that PSBs' capacity to enrich the nation's cultural life and represent the diversity of Welsh society is also greatly inhibited. Moreover, research undertaken for BBC Audience Council Wales by Blandford et al. (2010) concluded that:

viewers have a tacit expectation that the BBC should 'represent the UK nations and regions' (BBC Charter 2016). However there is a widespread view that the BBC, with other broadcasters, does not consistently live up to this expectation (2010, 89).

This perception is held not only by audiences but also by television producers and policy advisors in Wales. Writing as then chair of the Welsh Government's Creative Industries Sector Panel, Ron Jones (executive chairman Tinopolis) argued that:

The approach taken by the BBC has not been to our advantage. Firstly, they have chosen high cost drama that produces few hours and little network portrayal of Wales. Secondly, the absence of most other genres creates an industrial mono-culture that precludes a balanced television economy (2011).

The considerable success of BBC Wales television drama commissions for the UK-wide BBC network with series such as *Doctor Who* masks the reality of a major decline for 'Wales has seen the biggest decrease, by more than a fifth, in spend on nations' programming since 2008' (Ofcom 2014). Angela Graham (freelance television producer and chair of the IWA Media Policy Group) has argued that:

We cannot be complacent about the welcome success of network product. Although that benefits Wales in many important ways it is, more often than not, content which is not culturally specific to Wales. It could be made anywhere. (2014)

The media have a vital contribution to make in ensuring an informed citizenry, sustaining a vibrant public sphere and enhancing the status of the Welsh language as a popular, modern vehicle for communication between citizens themselves and between citizens and the institutions of civic society and the state (see Tomos 1982; Williams 2003). Scholars such as Barlow, Mitchell, and O'Malley (2005), Davies (1994) and Medhurst (2005, 2010) have noted how, in the absence of long-established independent civic institutions in Wales, the media has played a pivotal role in representing Welsh cultural life and civic identities. As Leighton Andrews has argued, 'without the Welsh broadcast media, a sense of a Welsh identity distinct from the English might be hard to identify' (2006, 193).

Wales, language and public service broadcasting

Historically these arguments have been especially salient to the campaign to establish and then to support the Welsh-language public service broadcaster, S4C. As Elin Haf Gruffydd Jones points out, 'television enables a language community to speak to itself' and it 'can build and strengthen that community's sense of collective identity' (2007, 190). In the context of minority-languages, media power refers both to the deleterious linguistic effects of an ecology in which the mass media operate solely or predominantly through the medium of dominant languages but also more constructively as the potential power minority-language media possess to sustain threatened languages and cultures (see Cormack and Hourigan 2007). Whilst only a minority of people living in Wales speak Welsh, there is widespread public support for the channel and these two factors – public support and established political campaigning – helps explain why the cuts to S4C's funding in 2010 (down from £100 million in 2010 to £82.2 million by 2015–2016) as part of the UK Coalition Government's austerity package were met with both public resistance and political criticism from all the parties in the then Welsh Assembly. For example, several public rallies were called by Cymdeithas yr Iaith Gymraeg (The Welsh Language Society), which had lead the campaign for a Welsh-language channel in the 1970s and early 1980s.

A key area of debate was the potential consequence of the transfer of responsibility for the bulk of S4C's budget from DCMS to BBC Trust from 2013. This was a significant structural change which meant that the BBC licence fee would, for the first time, become the main source of S4C's income. In particular, concerns mounted regarding how two rival PSBs would maintain their editorial independence when sharing income and when one broadcaster, the BBC, was so vastly greater in size and prominence across the UK than the other exclusively Welsh broadcaster, S4C. Allied to this concern, however, was the very fact that such a major change to a PSB's funding arrangements could be made by Westminster without the Welsh Assembly Government having any direct say in the matter. It was not just finance but democratic accountability that was at stake in the DCMS' action, and it revealed quite starkly the asymmetrical nature of the existing arrangement of territorial powers within the UK. A letter signed on 9 October 2010 by the leaders of all four parties in the Welsh Assembly insisted that 'the far-reaching changes which have been announced should be the subject of an independent review commissioned jointly by the UK Government and the Welsh Assembly Government.' They continued:

the review should put the delivery of high quality Welsh language broadcasting at its heart recognising that S4C has been the institution that has secured such a service since its creation [...] it is time for a comprehensive examination of all aspects relating to the governance and regulatory oversight of S4C, including where political responsibility should lie, on the basis of ensuring a secure and sustainable funding stream for the channel.

Despite this rare political consensus within the Welsh Assembly, the call for a review of S4C was not heeded for another six years (an independent review is scheduled to begin in early 2017) by which point the BBC had already taken over responsibilities for the majority of S4C's funding while facing the requirement to cut £550 m a year from its own budget by 2020. In the end it was neither rallies nor letters in Wales that was the catalyst for a review. Instead debates in Parliament provided an opportunity for criticisms by Welsh Conservative MPs Guto Bebb and Simon Hart of their own government's actions. This in turn led, firstly, to the Secretary of State John Whittingdale reversing cuts to S4C's budget announced in the Chancellor's 2015 autumn statement and secondly, to the freezing of the existing grant to S4C for 2016 ahead of a comprehensive review of S4C announced on 3 February 2016. Both Bebb and Hart spoke publicly of the Conservative party's manifesto commitment to S4C and argued that the proposed cuts would mean a broken political promise and that in a year when elections to the Welsh Assembly would take place. The echo of early political struggles was audible here for it was the decision by Home Secretary Willie Whitelaw in Margaret Thatcher's Conservative government in 1979 to renege on the promise to provide a Welsh fourth channel that led to escalating protests, civil disobedience and the threat of a hunger strike by the then leader of Plaid Cymru, Gwynfor Evans MP.

While there is not space here for a micro-analysis of the cuts to S4C and their effects since 2010, we want to summarise key points regarding what we might learn from this recent history. Firstly, Welsh-language public service broadcasting continues both to command public support and elicit organised political action by activists who regard minority-language media as a vital component of a meaningful Welsh public sphere. Secondly, this public support is reflected in the shared support in principle for Welsh-language public service broadcasting in the Welsh Assembly, notwithstanding political differences that may exist in terms of the precise structure and funding-levels of S4C. Thirdly, it makes evident the fact that power over the future of Welsh-language broadcasting lies in Westminster no matter how anomalous such an arrangement may seem to many in Wales. Fourthly however, it also demonstrates the potential for Welsh MPs to hold DCMS to account on Welsh-medium broadcasting even though this would seem to be a drop in the ocean compared to the overall changes which both the previous Coalition government (2010–2015) and the current Conservative government (2015–) have been able to make to public service broadcasting in Wales.

A more recent feature of the debate on the service offered by the media to Wales is the quality and diversity of its offering through the English-language. An increasingly prominent feature of the debate on the media in Wales has been the comparisons drawn between the service offered to Welsh-speakers through the provision of S4C and Radio Cymru (the BBC's Welsh-language radio station) on the one hand, with the lack of a comparable service to viewers and listeners in Wales on the other. While Radio Wales means there *is* a sustained English-language *radio* service, the same is not true for television. For



example, Ron Jones (2010), executive chairman Tinopolis Group, one of the UK's largest independent production companies, argued that:

The breadth and depth of English language television for Wales compares very badly with that in Welsh. English language television is a key component of creating the new Wales and reinforcing the feeling of what it is to be Welsh. The Welsh language will not survive a Wales that no longer know or understands what it is to be Welsh [...]. The BBC may see its commitment to Wales as being more easily served by shipping in network productions than by making programmes for Wales.

Indeed this argument has become sufficiently prominent in public debate about the future of Welsh broadcasting that shortly after his appointment as Director General of the BBC, Tony Hall himself confessed that:

English language programming from and for Wales has been in decline for almost a decade [...]. It means, inevitably, that there are some aspects of national life in Wales that are not sufficiently captured by the BBC's own television services in Wales, and I would include comedy, entertainment and culture in those categories. Does this matter? Of course it does: the vitality of any nation must surely rest on more than its journalism. One cannot fully realise a nation's creative potential or harness its diverse talents through the important, but narrow, prism of news. (Hall 2014)

At the time of writing, however, there is little evidence of concrete action being advanced on the basis of Hall's trenchant analysis. It is striking that increased concern with the provision of English-language television for Wales has not resulted in major opposition to Welsh-language services per se. Instead there appears to have been a growing acceptance of bilingual media provision as the necessary condition for what Jones above terms 'the new Wales' media ecology. It remains debatable both whether a comprehensive Welsh public sphere exists and whether media in Wales when taken as a whole are supporting the attainment of such an ideal in a sufficiently plural and diverse fashion. It is to this matter that this essay now turns.

Plurality

A key theme to emerge from our review of the policy literature was plurality in the media in Wales. Much of this debate focussed on English-language news provision, particularly on television. This is due in large part to challenges facing the future of ITV's public service provision in Wales as part of the new Channel 3 license agreements. In its *Communications Market Report for Wales*, Ofcom (2014, 55) notes that 53% of respondents to Ofcom research cited television as their main source of local news followed by the Internet (13%) and radio/newspapers (12%). A feature of UK media policy in recent years has been diminishing levels of regulation of commercial broadcasting including reductions in the public service obligations of broadcasters such as ITV and Channel 5. Development in this area provides another example of how the driving forces behind media policy emerge from UK-wide trends (the decline in television advertising revenue having been an important feature of the debate over ITV's public service obligations), but have specific effects and consequences for media policy debate in Wales and for the nascent ideal of a Welsh public sphere.

One such example is commercial radio. The concept of an All Wales Commercial Radio Licence emerged in 2008 when the former owner of Real Radio, the Guardian Media Group, was awarded an FM licence for mid and north Wales. The Group already held the licence for Real Radio in South Wales and it successfully applied to Ofcom to enable pan-Wales programming to be shared across the two licence areas, effectively creating a commercial radio service for the whole of Wales. However, during this decade UK commercial radio revenues came under severe pressure as the internet emerged as a viable, local as well as global, advertising medium. Faced with this threat to the financial viability of commercial radio, the regulator responded by allowing significant deregulation, with substantially reduced local content obligations and liberalisation of the location rules, in order, as Ofcom saw it, to secure sustainability. Radio groups responded through a process of market consolidation with local independent stations being networked to form big UK brands such as Smooth, Heart and Capital – a strategy driven by the need to generate revenues in the face of significant fixed costs. In Wales there were extensive mergers with plurality of ownership effectively reduced to three radio groups serving Wales.

While much of the policy debate during 2015–2016 focussed on the BBC (which also provides S4C with its Welsh-language news programmes), it is vital to acknowledge the major role played by ITV in the Welsh news media ecology. Its output ensures that there is a genuine alternative source of news provision for viewers in Wales. The early evening *ITV News Wales at Six* reaches around 800,000 people a week in Wales and its share of viewing has grown from 16.9% in 2011 to just under 20% in 2014 (data provided by ITV Cymru Wales). ITV also contributes to Welsh current affairs with programmes such as the investigative *Wales this Week* and the weekly politics show *Sharp End* together with *Y Byd ar Bedwar* a Welsh-language current affairs series made for S4C.

Concerns emerged in 2009 that ITV could hand back its Channel 3 licence for Wales and the West of England. Analysis by Ofcom suggested that the costs associated with providing the Channel 3 service exceeded the financial benefits of holding the licence, which included the requirement to provide news, current affairs and other programmes for viewers in Wales. As noted by the Welsh Affairs Committee (2009a; 2009b), it seemed likely that ITV would not be able to maintain its service. In the same year, the *Digital Britain White paper* (2009) focused on issues of plurality of public service content, particularly in the nations in the digital age, but it did not recommend removing the Channel 3 licensees' obligations to provide news for the nations and regions before 2016. Following Ofcom's Second PSB review in 2009, ITV agreed to maintain the Channel 3 service but with reduced public service commitments for ITV Wales. Throughout this period there were regular calls for an all Wales licence for ITV/Channel 3 by bodies such as the Ofcom Advisory Committee for Wales (Ofcom ACW Phase 1 and 2), National Assembly for Wales' Broadcasting Committee (2008), the Broadcasting Advisory Group, Welsh Government (2008) and the National Assembly for Wales' Community Equality, and Local Government Committee (2012). In 2011, ITV promised to maintain the existing level of programming for Wales recognising the value of national programming and in 2014, ITV renewed its PSB licence. The award of ITV's new Channel 3 licence specifically for Wales in 2014, means that provision of news, current affairs and other programming will continue at existing levels until 2024. This represents four hours of news and 90 min of non-news programming per week.

However, in 2009 the Labour government had also proposed an alternative solution to the challenge of maintaining plurality in the nations and regions, based on ideas initially set out in Ofcom's second review of public service broadcasting, 'based on the establishment of independently funded consortia to provide an alternative source of news to the BBC' (Ofcom 2009, 1).

James Stewart (2012) has argued that these proposed independently funded news consortia (IFNCs) could have 'produced innovative ideas for an alternative supply of public service journalism to compete with the BBC.' He describes how the IFNC for Wales might have operated:

Imagine a news service – rooted in Channel 3 – for a small country of 3 million people which went beyond a daily half-hour TV programme, morning and hourly bulletins and a limited web site. The newsgathering operation would be fed by staff in bureaux across Wales (which ITV no longer has) and a network of local newspapers and radio stations (the consortium). The service would include a fully-fledged web site with opportunities for citizens to contribute and participate. The outputs would include a supply of news (like a Welsh PA service) available to all non-commercial outlets (as well as the members of the consortium) including local websites and blogs, community radio and local TV. The blogosphere – such as it is in Wales – could become a central feature of the networked service.

However this bold initiative was cancelled in 2010 by Jeremy Hunt, Culture Secretary who favoured investment in broadband and the development of local TV stations across the UK. To date, only two such stations, *Made in Cardiff* and *Bay TV*, have launched in Wales, although Ofcom has also licensed a station in Mold. It is worth noting that *Made in Cardiff* is owned by *Made Television Ltd* which is based in Leeds.

While one could argue that plurality in Welsh television news in the English-language has been preserved, the press in Wales is increasingly characterised by concentration of ownership, title closures, job losses and declining advertising revenue. In his submission to the parliamentary Welsh Affairs Committee's Broadcasting in Wales Inquiry, Martin Shipton (chief reporter and father of the NUJ Chapel at Media Wales), argued that strategic decisions by the press to give free access to online content on the basis that increased digital advertising revenues would follow and cover costs of content production have proved fallacious. Thus:



Newspaper companies, and their associated websites, are facing tough times not primarily because of 'unfair' competition from the BBC, but because of strategic decisions they have taken and because of revolutionary changes in patterns of advertising. It follows that the greatest threat to media plurality in Wales comes from the inherent weakness of the media companies themselves (2016).

Trinity Mirror, which owns Wales Online, has argued that it is contributing to plurality, noting in conversation with members of the IWA Media Policy Group that this more populist tabloid web site has reached an average of 5 million hits per month (though consistent standards for evaluating the impact of web based news services have yet to be established). Still, as Shipton points out there are major issues with the business model – the readership is moving online, but the bulk of revenues currently still come from print, which is challenging for sustainability. However, this is an evolutionary scenario – it could be that mainstream traditional advertisers do not yet fully trust online in terms of reach and impact. It is possible that with the development of convergent media, Wales Online could emerge as a 'third voice', balancing BBC and ITV. However, the NUJ has been openly critical of Wales Online's reliance on 'Click Bait' and recently successfully opposed the introduction of performance targets for journalists based on numbers of clicks.

While public subsidy of broadcasting is long established, political support for subsidising newspapers has been patchy. Most Welsh-language periodicals receive public subsidy; *Golwg*, a weekly print publication receives public subsidy from the Welsh Books Council. *Golwg* 360 created in 2008 as a Welsh-language online news service also receives public subsidy through the Welsh Books Council. In contrast, English-language news has continued to be seen as a matter for markets. The National Union of Journalists (2015) have argued that more public efforts could be made to support Welsh journalism for example in the form of grant support for news start-ups in those areas of Wales that have little or no local news provision. Research conducted by scholars at Cardiff University's Centre for Community Journalism (see Howells 2015; Williams, Harte, and Turner 2014) testifies to the contribution hyper-locals make to local Welsh news but also suggests that the scale of such outfits means that they do not pose a sustainable pan-Wales alternative to daily printed newspapers. It is hard to see how the ideal of a Welsh public sphere can be fully realised within the current pattern of increasingly restricted news content published by an ever smaller number of news organisations most of which are based outside Wales.

Governance and accountability

Both specific governance arrangements for PSBs and the wider issue of media accountability to voters and license-fee payers have been persistent areas of critical debate in Wales during the period. Questions of governance and accountability have been addressed by numerous inquiries and reviews including (but not limited to) the National Assembly for Wales Communities, Equality and Local Government Committee's *Task and Finish Group on the future outlook for the media in Wales* (2012); the Silk Commission on Devolution in Wales (2014); the National Assembly for Wales Communities, Equality and Local Government Committee's Inquiry into the BBC Charter Review (2016); the Parliamentary Welsh Affairs Committee's Broadcasting in Wales inquiry (2015–2016); the BBC Trust's (2016) service review of BBC nations' radio and news on television and online, and the Clementi (2016) *Review of the Governance and Regulation of the BBC*. This list reveals how media policy in Wales has been the subject of discussion both across different governmental and legislative levels in Cardiff and in London, and also as a component element of much broader reviews often concerned with UK-wide reviews of governance arrangements. There is no single locale for the *ownership* of Welsh media policy. Moreover, the review of media policy in Wales tends to be shaped by the remits and policy logics of divergent reviews many of which emanate from outside Wales. Consequently, there is a real challenge in securing a cohesive and comprehensive analysis of Welsh media policy in its service to Wales specifically.

The ideal of a nascent Welsh public sphere seems to struggle to emerge from the multi-level governmental framework which shapes Wales' very visibility as a space for policy-making in its own right. One set of responses to this situation has been for advocates of a distinctly Welsh media policy to press for and defend Welsh representation on prominent governing bodies including the BBC Trust and Ofcom.

For example, the Commission on Devolution in Wales noted that whilst Ofcom has offices in each of the UK nations together with an Advisory Committee for Wales, 'Welsh input could be strengthened further by ensuring that Wales is represented on the Ofcom board. This should be through either a specific Board member for Wales or by designating responsibility for Wales to an existing Board member's portfolio' (2014, 99). Moreover, in the run-up to BBC Charter renewal, repeated concerns have been expressed in Wales that unless there is a specific Welsh representative on the governing body of the BBC, Welsh voices will not be heard by the Corporation. This representative model has been endorsed by the Clementi review:

the precedent of having representatives on the sovereign board of the BBC for Scotland, Wales and Northern Ireland has been in place since 1952 and has provided an important link between the BBC and the Nations it serves [...] the current practice of having members for the constituent Nations of the UK should remain in place (Clementi 2016, 35)

Several researchers (Cushion, Lewis, and Groves 2009; Thomas, Cushion, and Jewell 2004) have argued that prospects for an informed Welsh public sphere have been hampered by citizens' dependency on UK news, most acutely so during Welsh Assembly elections. Prominent Welsh politicians including the former Presiding Officer of the National Assembly for Wales, Rosemary Butler AM, have identified lack of media coverage about the assembly as contributing directly to what has been termed in Welsh media policy discussions as a 'democratic deficit'. She defined the democratic deficit as 'the gap in coverage that Welsh people face in the newspapers they read and the news programmes they watch. I believe it is one of the most profound problems facing the devolution process in Wales' (Butler 2014). Politicians have a direct stake in ensuring that their political activities and campaigns are reported to the electorate, yet this has not translated into substantial concrete action by Welsh Government. In 2006, Andrews argued that 'it is likely that the National Assembly will take an increasing interest in the media' (191). However, in practice this interest has been slow to develop and even slower to lead to any discernible action or change. This is despite the publication in 2012 of a review by the *Task and Finish Group on the future outlook for the media in Wales* which listed 23 recommendations to Welsh Government, including a recommendation that:

The Welsh Government should establish an independent forum to advise on policy in relation to the media in Wales. The forum should draw on expertise from across the media sectors. Its purpose should be to look to the future and to advise on matters across all sections of the media (2012, 5)

No such forum was established which is why four years later in March 2016, the same committee had to call again upon the Welsh government to establish

as a matter of priority, an independent media forum for Wales. The role of the forum should include, but not be limited to, reviewing, monitoring and evaluating Public Service Broadcasting provision in Wales and providing expert advice to the Welsh Government. It should draw on expertise from across the media sectors and academia (2016, 3).

At a slow pace there seem to be emerging a broad consensus from the National Assembly that it and the Welsh Government need to take a more active role in ensuring that the media in Wales is held to account by elected representatives. Evidence of this consensus is the establishment in June 2016 of the Welsh Language and Communications Committee in the National Assembly of Wales, and an announcement in the same month by Alun Davies AM (Minister for Lifelong Learning and Welsh language) that a new independent media forum for Wales is to be established in response to one of the recommendations of the Communities, Equality and Local Government Committee report on BBC Charter review. Nonetheless, this emerging consensus stops short of suggesting a plan for devolving powers over broadcasting to Cardiff from Westminster. This is one of the most striking examples of how media policy is being shaped (or arguably, being arrested) by the complex relationships between governmental levels which characterises devolutionary politics. As Garnham reminds us,

[C]hanges in media structure and policy, whether these stem from economic developments or from public intervention, are properly political questions of as much importance as the question of whether or not to introduce proportional representation, of relations between local and national government, of subsidies to political parties [...] politicians, political scientists and citizens concerned with the health and future of democracy neglect these issues at their peril. (1990, 104)



Conclusion

When it comes to media policy and media power in Wales, the dominant paradigm is one of sustained contradiction. At a time when Wales as a democratic entity has never been more clearly defined, the sources of information for debate and scrutiny about our government, culture and identity are drying up. Yet Wales also has a history of effective media activism in the Welsh language which has succeeded in bringing about major policy change and industry development, most notably through the campaigns for and creation of S4C. Unfortunately, there has been little comparable activism – either in scale or efficacy to date – in favour of English-language media in Wales. We believe that the Wales Media Audit Report (2015) and responses to its recommendations is a significant step in addressing this relative absence and offers a robust evidence base from which to call for more comprehensive and sustained English-language content for Wales. Moreover, the establishment of the entirely voluntary membership of the IWA's Media Policy Group together with its active intervention in research and public policy-making, testifies to the genuine potential for collaborative policy-making that draws together academics, professionals working within competing public service broadcasters, freelance workers, and regulators all of whom have a vested interest in seeing a plural, sustainable, and culturally responsive media landscape in Wales.

This essay has critically assessed the ecology of media policy in Wales, tracing both the principle areas of public debate including plurality, governance, and representation, and also the structures and relationships which shape policy-making within the multilevel government model that characterises Wales as a devolved nation. UK devolution has been a rather idiosyncratic and often piecemeal process which is clearly far from over. Like all nations, Wales has its own distinct media preoccupations, cultural and linguistic concerns, and economic challenges.

However, media scholars should recognise that the kind of complex governmental structures that pertain in Wales are indicative of wider international tendencies towards constitutional change, including the devolution of power, within existing Western democracies. This entails moving beyond reductive binary debates of whether *either* nation-state *or* globalisation models are ideal analytic models. Rather we need further to develop our critical understanding of how multilevel governmental structures, and the kind of complex socio-political formations of identity and belonging which underscore them, shape both media policy and also the contribution media make – or fail to make – to enriching public life.

Notes

1. This essay refers to Welsh media policy with an awareness of the problems of doing so given that powers over broadcast media are reserved to Westminster.
2. The Commission on Devolution in Wales is commonly referred to as the Silk Commission in light of its chair, Paul Silk.
3. The current BBC Charter will expire on 31 December 2016.

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'Innovation is a dirty word': contesting innovation in the creative industries

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'Innovation is a dirty word': contesting innovation in the creative industries

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ABSTRACT

Innovation is a term that is used and defined in many different ways. This holds for innovation in general, but particularly for innovation in the creative industries. In cultural policy and in academic literature, the creative industries are often addressed in the relation to their innovative capacities, yet a shared conceptualisation of innovation in this sector is lacking. This paper seeks to develop a conceptualisation of innovation in the creative industries based on 43 interviews with creative workers about their views and practices. Results indicate that creative workers articulate numerous views on innovation, with three main approaches: innovation as something completely new, innovation as a contribution to society and innovation as a continuous recombination of new and existing elements, with the latter being most prevalent in the creative industries and considered a central (by-product of the) process of creative production that is highly contextual to specific localities and fields.

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Introduction

Innovation is one of the numerous terms in (social) science that are conceptualised in many different traditions of thinking, yet at the same time, the term has had a profound influence on both policy and production. Innovation is exceptionally hard to quantify in measures and rates, making it a complex concept to work with. This holds for innovation in technological and production processes, but even more so for the creative and cultural industries, which often lack the traditional measures of innovation such as R&D expenditure and patents (Chapain et al. 2010). Many still view innovation in an atomistic and linear manner, with inventions as inputs and market success as outputs. Additionally, most research on innovation focuses on the science, technology, engineering and mathematics (hereafter STEM) sectors, making the concept not, or only to a limited extent, applicable to other industries, such as the service industries or creative industries (e.g. Jaaniste 2009).

At the same time, broader social and industrial developments such as the culturalisation of the economy (Lash and Urry 1994; Scott 1997) and the growing importance of creativity and the knowledge economy (Leadbeater 2000) alter the realm of what we see as 'new' or 'innovative'. Together with the seminal works of for example Florida (2002) and Landry (2000), these developments led to the assumption that the creative industries are a key contributor to innovation economies. Ideas, processes, products and talent that are developed by the creative industries drive productivity in and outside these industries (Cunningham 2013). Therefore, ever since the creative industries became a

fashionable discourse and policy construct in the 1990s, policy documents and grey literature increasingly presented innovation as synonymous to creativity and the creative industries (Oakley 2009) by, for example, stating that '[k]nowledge and creativity are becoming powerful drivers of economic growth in the contemporary globalizing world' (UNCTAD 2010, 209). These discourses were strongly tied to Throsby's (2001) concentric circles model in which the creative arts are considered to be generators of ideas developed by other industries, and are, as Oakley (2009) argues, also applied by the general economy. Ultimately, this resulted in a wide variety of policy measures to stimulate the creative economy (e.g. the European Agenda for Culture's Policy Handbook or the Dutch Top Sector of the Creative Industries), without fully understanding how the innovativeness of the creative industries would spill over into the wider economy.

Yet (or furthermore), both in academic as well as in this grey literature, the creative industries are often underrepresented in the sense that innovation in these sectors is difficult to grasp and measure statistically (Cunningham 2008; Miles and Green 2008). With these social and policy changes in mind, the call for a new approach to innovation in the creative industries becomes more urgent. As Hutter and Stark (2015, 1) recently argued:

[a]s modern society transforms itself into a society of continuous self-change, the scope of innovation widens to all processes that introduce something new. A very broad definition is needed to capture cases as diverse as the shapes of specific synthesizer sounds to new labour market policies, or from a new fashionable style of painting to the invention of a mathematical proof.

We seek to take the first step in developing such a new, broad definition of innovation by focusing on the creative industries. As mentioned above, these industries are, both in research and in policy documents, often heralded as the quintessential innovative industries (Evans 2009), yet, they are problematic in the assessment of their innovativeness. Despite their heterogeneity, their mode of production differs from most other sectors in the sense that it is characterised by a continuous stream of improvements and changes (Lee and Rodriguez-Pose 2014). Every website, sculpture, theatre production and photograph that is not a replication of other works of art receives its value by being something unique and new (Caves 2000). Arguably, an atomistic and linear approach to innovation can therefore not be upheld when discussing the creative industries.

This raises the question of how creative industries innovation may be different from other forms of innovation, such as innovation in the STEM sectors. We seek to refine the conceptualisation of innovation specifically for the creative and cultural industries by building on the findings on 43 in-depth interviews with creative entrepreneurs about their definitions, experiences and interpretations of innovation in their field of work. Our aim is to contextualise innovation in a way that does justice to the manifold practices of creative industries entrepreneurs, while revealing its highly social and spatial embeddedness in creative industries production systems.

Problematising innovation and the creative industries

The conceptualisation of innovation has strong historical roots which provide important insights in the current issues in the usage of the term. Initially, innovation was coined by researchers involved in technology development and economics. The early discussion was heavily influenced by the work of Joseph Schumpeter, who considered the entrepreneur to be the principal player in innovative production. Schumpeter's often cited definition of innovation covers the width innovation still has today: the introduction of a new good, the introduction of a new method of production, the opening of new markets, the conquest of a new source or supply of raw materials or half-manufactured goods, and the implementation of a new form of organisation (Schumpeter 1934). In his definition, innovation is considered to be a new combination of means of production, distinguishing it from invention, which 'is without importance to economic analysis' and mere reproductions of existing business models (Schumpeter 1939, 85). This importance to economic analysis has nowadays become an increasingly difficult aspect, as profit, especially in the creative industries, is not always the main indicator for success. On the other hand, innovation in Schumpeterian terms does fit the current creative industries: innovation became a

term strongly tied to individual entrepreneurship. As individual entrepreneurship in the form of SMEs or freelancers is abundant in the creative industries (Hesmondhalgh 2012), these industries undeniably fit this aspect of a Schumpeterian approach to innovation.

However, in the years of Schumpeter and the subsequent decades, the most prominent means of production were often focused on industries other than the creative. The vast majority of research on innovation published in the decades following Schumpeter's definition focused on R&D in sectors such as agriculture, manufacturing and mining. This research was frequently based on the Organisation for Economic Co-operation and Development's (OECD) Frascati (from 1962) and Oslo (from 1992) manuals, which employed a technological product and processes (hereafter TPP) definition of innovation. TPP innovation is defined as: 'implemented technologically new products and processes and significant technological improvements in products and processes' (OECD – EUROSTAT 1997, 31).¹ Not surprisingly, these TPP approaches to innovations poorly fit other sectors, such as the service or the creative industries (Eltham 2013; Stoneman 2009) because their innovations often take a different shape than those in the TPP industries.

As argued above, in early and mid-twentieth century, the creative industries were not often considered to be a relevant area of economic analysis and academic research on innovation. This changed towards the end of the century. Especially over the last two decades, a corpus of academic literature and policy reports discussing this presumed association between the creative industries and innovation has grown tremendously (e.g. Brandellero and Kloosterman 2010; Desrochers 2001; Gordon and McCann 2005; Grantham and Kaplinsky 2005; Landry and Bianchi 2005; O'Connor 2004; Oakley, Sperry, and Pratt 2008; Pratt and Jeffcutt 2009; Scott 1999, 2006).

The creative industries, often used interchangeably with the terms cultural industries or cultural economy, are considered those industries that 'have their origin in individual creativity, skill and talent and which have the potential for wealth and job creation' (DCMS 1998). In the Netherlands, a common definition demarcates the creative industries as those industries producing products and services that are the result of creative labour (Rutten et al. 2004). Other definitions highlight the importance of cultural, artistic or entertainment value in products and services (Caves 2000), the industries that 'deal primarily with the industrial production and circulation of texts' (Hesmondhalgh 2012, 16) or a group of core creative arts that diffuse outwards to other (creative industries related) industries through concentric circles (Throsby 2008).

How did a mostly STEM sector oriented concept as innovation become affiliated with the creative industries? In the recent years and along with the rising importance of a cultural economy or even a culturalisation of global capitalism (cf. Scott 1997), creativity has become increasingly instrumental to economic and employment growth agendas. Especially in knowledge economies, the industries producing non-tangible goods and ideas are considered important foundations of innovation and subsequently economic progress. Therefore, also encouraged by Florida's (2002) work on the creative class, the importance of enhancing creativity and innovation trickled through to many levels of policy and politics.

However, despite this peak of interest in the creative industries and innovation, academic research sparsely studied the specific features of innovation in the creative industries. Moreover, the development of an overarching (i.e. multidisciplinary yet cohesive) conceptualisation of innovation in the creative industries for the policy field has been hampered by the fact that, throughout Europe, the cultural and creative industries have been coined a key economic sector whose innovative capacities were believed to branch out or spill over to the wider economy (DCMS 1998; UNCTAD 2008). The enthusiasm about the innovative capacities of the creative industries was mostly based on assertions rather than actual evidence for the link between creativity, culture and innovation (Oakley 2009). Inevitably, such a normative approach obstructed the development of a neutral definition of innovation in the creative industries in many policy papers.

Consequently, in the policy field, innovation in the creative industries is mostly considered in its relation to spill-overs to the broader economy (Pratt and Jeffcutt 2009), but how is innovation defined in contemporary academic research on the creative industries?² In many existing accounts of research on

innovation in the creative industries, a TPP like approach to innovation is adopted, using atomised and linear unidirectional depictions of the innovation process (e.g. Godin 2006), where creativity is generally seen as an external input to 'non-creative' sectors or waning regions and cities. The same holds for other definitions of innovation, for example, the one developed by Gordon and McCann (2005, 525), who stated that '[i]nnovation involves the successful implementation of a new product, service, or process, which for most activities entails their commercial success', or the definition of Fagerberg, Mowery, and Nelson (2005), which can be summarised in carrying out a new idea for a product or process. Both studies argue that innovation is different from the mere inception of an idea or invention, and consider successful implementation a core aspect of innovation. In the creative industries, however, commercial success is not always the most prominent objective of production.

In other discourses and as mentioned in the introduction, the creative industries are considered innovative by nature, with creative practitioners continuously producing new products and services. However, in these discourses, innovations take a different form than in the STEM sector innovations, as such innovations often are minor and subtle aesthetic changes in a product's look or design, or its production process (Stoneman 2009). In either case, the context specific, organisation dependent and institutionalised nature of the underlying processes has remained largely obscured from the analysis. Even though among others Castañer and Campos (2002), Caves (2000), Miles and Green (2008), Stoneman (2009), Cappetta, Cillo, and Ponti (2006), Jaaniste (2009), Bilton (2009, 2015), Lorenzen and Frederiksen (2008) and Gordon and McCann (2005) proposed one or several conceptualisations and definitions of innovation in the creative industries, they employ a rather diffuse set of concepts. For example, their conceptualisations range from hidden innovation (innovation that is hidden from traditional measures, without a scientific or technological basis or created from novel combinations, or small local innovations taking place 'under the radar' [Miles and Green 2008]), stylistic innovation (the reassignment of meanings to an existing product or its change in aesthetic characteristics [Cappetta, Cillo, and Ponti 2006]), soft innovation (innovation in products that are not generally considered functional in nature but are mainly aesthetic [Stoneman 2009]) to artistic innovation (the introduction of something new in a(n) (organisational) field [Castañer and Campos 2002]). Even though overlap can be found, each definition highlights a different interpretation of the term.

Besides formulating alternative definitions, some authors explicitly differentiate the innovations in the creative industries from other, often technological innovations. According to Caves (2000), creative industries innovation primarily consists of process innovation, new combinations of existing elements or fringe styles, while 'normal' innovation emerges mainly from purposive and typically costly efforts built on scientific and engineering knowledge. Pratt and Gornostaeva (2009) also address the difference between creative industries and innovation in other sectors: the former is often not a technological big bang, but a more organic and systemic process that is influenced by complex structures in regulation and the market. Another distinction is made between cultural product and process (hereafter CPP) innovation and TPP innovation, with the former considered to be the creative counterpart of the latter. Instead of the STEM sectors and patents, CPP innovation is based on the expressive-reflexive knowledge systems of the humanities and social sciences and copyrighted products. It includes the R&D, application and diffusion of cultural products and the way they are made, delivered and distributed. On the production side, the driving forces behind CPP innovation are often creative inspiration, while on the consumer side, innovation is often driven by developments in consumer tastes (Jaaniste 2009). Lee and Rodriguez-Pose (2014) differentiate in forms of innovations: original, fully new innovations vs. learned innovations; innovations already existing yet new to the firm.

Nevertheless, while the aforementioned authors address the exceptional nature of creative innovation, Lee and Rodriguez-Pose (2014) argue that innovation in the creative industries does not take a different form than innovation in other sectors. Their approach to innovation is often reflected in innovation measurement documents. For example, the Community Innovation Survey is one of the measures used to quantify innovation in the creative industries (e.g. Bakhshi and McVittie 2009). This survey relies heavily on the Oslo Manual, using a broad yet technological view on innovation. This

indicates that the STEM oriented approach to innovation in the creative industries is still present, despite the many disputes around the nature of innovations especially within these industries.

In sum, contemporary research offers a wide variety of conceptualisations of innovation with relation to the creative industries. Yet, a coherent conceptualisation of innovation in the field of the creative industries is needed. Instead of taking a theoretical approach, we propose to focus on the experiences of practitioners in the creative industries. By doing this, we aim to provide a definition of innovation that captures the idiosyncrasies of innovation in the creative industries, yet that also does justice to the general tendencies of their field of work. This leads to the following research question: What do creative practitioners experience as innovation in their field of work, and how do they give meaning to this concept? The literature review indicates that innovation takes on many different shapes, dependent on the approach of the author and the industrial sectors. Therefore, a useful line of thought – and one that we propose to follow here – is to adopt a process approach to innovation within a field of innovation and creativity (cf. Bourdieu 1993; Pratt and Jeffcutt 2009). Based on the particularities of the creative industries addressed in the aforementioned research, ‘newness’ in the creative industries often has a different meaning compared to innovation in the STEM sectors. Therefore, we expect that innovation emerges in places by agents in a structural context, embedded in interactive processes of embodied learning and feedback. In order to answer the research question, we have taken a qualitative approach by exploring the meanings, definitions and explanations given to innovation by creative entrepreneurs in the Netherlands.

Methods and data collection

The creative industries are, both in this project as well as elsewhere in academia, policy and politics, often addressed in relation to their contribution to innovation. Similar to innovation, classification of the creative industries has been a subject of debates for decades. The most prominent definition of the creative industries has been coined by DCMS (2001). This classification has been subject to many changes, but most prominently includes nine industries: advertising and marketing; architecture; crafts; design (product, graphic and fashion); film, TV, radio and photography; IT, software and computer services; publishing; museums, publishing and libraries and music, performing and visual arts.

In an initial round of short, open and informal interviews with creative entrepreneurs conducted in the winter of 2013–2014, we found that many respondents do not identify with most common conceptualisations of innovation, as they considered these definitions to be mostly associated with technologically based industries. Therefore, 43 in-depth follow-up interviews have been conducted with creative entrepreneurs in order to gain a more refined and grounded understanding of the meanings of innovation both to producers and researchers. All our respondents worked in one or several of the DCMS sub-sectors of the creative industries, with the majority employed in the film, TV, radio and photography sectors, IT, software and computer services sectors and design sectors. The most important selection criterion here was a self-reported relationship with creative entrepreneurship. Interestingly, we found little to no differences between respondents working in separate sub-sectors. Therefore, we treated our respondents as one group: creative entrepreneurs, and did not distinguish between the disciplines in the following analysis.

Additionally, all respondents were located in the Netherlands. The Netherlands has a well-developed creative industries sector that experienced a strong growth in the 1990s and early 2000s (Stam, De Jong, and Marlet 2008). Similar to the sector’s structure in other European countries (e.g. Boix et al. 2016; Power 2003; Turok 2003) the Dutch creative industries are most prominently agglomerated around the major metropolitan areas (Stam, De Jong, and Marlet 2008) and primarily consist of SMEs (Braams and Urlings 2010). Even though all respondents work in urban areas, our sample was not limited to the capital or large cities, but also included smaller cities outside of the major metropolitan areas. Finally, all were located in creative business centres: large, often historical buildings that housed between some 40 and 400 creative entrepreneurs.

The respondents have been recruited in several ways. First, gatekeepers such as the small-scale clusters' managers functioned as intermediaries. Second, some respondents forwarded our invitation to their acquaintances, thus leading to snowball sampling. Third, a number of respondents have been recruited by the occasional small talk in the elevator or when walking around the place. The vast majority of interviews took place in the respondents' workplaces, though some interviews were conducted at lunchrooms, meeting rooms or 'on the go'. Interviews lasted between 30 and 90 min, averaging at about 55 min, and were recorded and transcribed. All interviews were subsequently coded and analysed using Atlas.ti by taking a primarily semantic and inductive thematic coding approach (Braun and Clarke 2006). Recurrent themes were explored further through a grounded theory inspired approach consisting of phases of open coding, axial coding and selective coding (Strauss and Corbin 1990). In these coding processes, we have chosen to focus on the definitions given to innovation in general, the definition of innovation in their field, their self-evaluation in terms of innovativeness, the context in which innovation occurs and the relationship between specific places and innovation. Of the interviews, 42 were conducted in Dutch (and the remaining one in English), and the relevant fragments were translated into English for this paper.

Innovation in the creative industries from the perspective of creative workers

Not surprisingly and similar to the plethora of definitions coined by academics and policy makers, the respondents did not articulate one coherent vision on the meaning of innovation. In fact, many respondents struggled to come up with a general definition of innovation in the first place. There often was a noticeable reluctance to reflect on innovation and their own innovativeness.

The reluctance to discuss these topics has two reasons that resonate with the history of the concept of innovation and the creative industries. First, many respondents considered innovation to be a term that is associated with the STEM sectors: sectors that are highly different from the field the respondents are operating in. Evidently, this is strongly tied to the heritage of innovation being historically predominantly used for R&D and patent focused sectors. Second, this indifferent attitude to innovation was partly caused by the aforementioned perceived increasing importance of innovation for the creative industries. Respondents did not associate with it, nor did they feel represented by the often articulated idea of the creative industries as an engine for economic growth and innovation (e.g. DCMS 1998; UNCTAD 2008). In fact, a few respondents expressed negative thoughts about this creative industries 'innovativeness imperative', and considered the term 'innovation' to be a platitude, or to be misused or overused for the creative industries.

I don't feel myself, I am not feeling like an innovator. I see it more like ... I think about something technological or eh, something smart we don't know yet. Eh, I don't often have that in my work. I am also not doing very innovative things. But ... what I ... what I feel about this place [a start-up cooperation] is that it wants to go forward, to break free from the established patterns, the business patterns that exist. So we are all searching, sometimes unconsciously, [...] because we're self-employed, you want to do things differently. You want to break away from the systems so to say. That's perhaps not very innovative, but it is progressive, thinking ahead, or ... different. [Claire, Graphic designer]

I have not been thinking about [innovation]. I don't have an answer [to the question what is innovation]. [...] I don't consider myself innovative. I am creative. [Leo, Photographer]

I start to see innovation a bit as a dirty word, because it is overused. [...]. It starts to lose its meaning. [...] Often I lose my interest in presentations when it says: it is about innovations of [makes snoring sounds and pretends to fall asleep]. [Tom, New media designer]

However, when the creative workers were asked to give a definition of innovation in relation to their own experiences, many respondents did develop a definition that covered either innovation in general, or innovation in their fields. This indicated that innovation has indeed become an empty term for many creative entrepreneurs, but as soon as it connected to specific contents or their own experiences, it immediately became meaningful. From our analysis, three distinct patterns of innovation definitions arose, reflecting the full gamut of existing definitions: innovation as something completely new, innovation with a social impact and innovation as a continuous process of renewal.

The complete newness approach

The first of these definitions highly resembles the atomistic, linear interpretation often voiced in the context of the STEM sectors and TPP innovation: the form of innovation mostly to be found in the OECD (1962, 1992, 1997) manuals. Innovation here is presented as something that is *completely new*; an object, process or service that was not yet in existence before. The newness here could be found in technology, techniques, new materials and new forms of software or computer programmes (see also the definition of Bakhshi and Throsby [2012]). Noticeably, these accounts of innovation require radical change and a strong creative imagination: being able to see things that are not yet existing. Most respondents formulating this *complete newness* approach to innovation, however, rarely felt like they themselves were able to do this. Such a form of innovation was, for most, reserved for the STEM sectors.

Innovation is when you create something that is not yet existing. [Kim, Photographer]

I think innovation is something [...] that does not exist yet. And I find that difficult, because actually everything exists. And then you quickly move towards technological progress. [Claire, Graphic designer]

Nevertheless, even though the majority of creative workers argued that this *complete newness* innovation is rare in the creative industries, some referred to a number of other aspects that were frequently associated with innovation in the creative industries. Firstly, innovativeness is considered to be strongly related to, or even inseparable from, technology and technological development. A new camera that provides new possibilities, faster computers giving more opportunities to create state-of-the-art designs and new chemical techniques that enable novel forms of ceramic glazing are all examples of externally developed technologies that influence the potential for creative practitioners. Instead of seeing TPP innovation and CPP innovation as two mutually exclusive aspects of innovation, this implies an alternative concentric circles model, with technology diffusing to the outer circles containing the creative industries.

The examples are not limited to the respondents' disciplinary field and experiences of their own work. A number of respondents referred to developments and objects outside their daily lives, and even outside Schumpeter's broad scheme of forms of innovation; travelling to Mars being probably the most imaginative example. A noteworthy pattern here is the recurrent reference to tangible 'innovative' objects, in particular the 3D printer, which was often considered the epitome of innovation. In our analysis, we found numerous references to this object, as well as ways in which it could be used to transform their creative work practices and its astonishing influence on society. This – again – is an example of a technological breakthrough that influences the work and experiences of creative workers.

My first association of innovation without thinking it through is eh, a 3D printer or Tesla. [Abel, New media]

A 3D eh, 3D metal printer, that's what I think is an innovation. What it does, it touches upon people, upon society. It contributes to society. [Bjorn, New media]

The social impact of innovation

This *innovation with a social impact* is also a recurrent theme, and is the second definition of innovation that emerged from the analysis. Here, what makes an innovation an innovation is not its newness, but its social impact or relevance. Making the world a better place is a characterising element for defining innovation for these creative entrepreneurs. This could be related to technological developments such as the aforementioned 3D printer, or development in business models and apps like taxi service Uber, for example, by being able to make prosthetics and making taxi services more affordable. Both these examples are derived, not surprisingly, from sectors outside the creative industries. This broad definition is related to the concept of social innovation that is also mentioned by Jaaniste (2009).

Even though many creative workers did not participate in specific social innovation activities, in some cases their definition did refer to more creative developments. A creative development, for example designing a chair, was rendered meaningless by one of the respondents if no one wants to use it. Community art projects are, for many respondents, also an important aspect of their work. Several

declared to have strong ties with local politics and social movements. For them, the aim was not so much to invent new products, but mostly to make 'nice things for the people' [Francis, Fine Arts]. Hence, innovation does not have to be a grand revolution: it also appears on a smaller level. The characterising feature is not its successful implementation in terms of market success (such as Gordon and McCann's [2005] definition) indicates, but the social impact.

Personally I see [innovation] as a development, so people that develop something, innovate something, innovation that matters. So eh, a technological or creative development [...], a development that improves people and society. [Bjorn, New media designer]

If you develop a technology, it wouldn't solve anything. If it doesn't realise someone's dream, yes, it's not innovative. And technology is perhaps easy to make tangible, but social innovation [...], you need to look very carefully because otherwise you wouldn't recognise it. [Eric, Advertiser]

Innovation as a continuous process of renewal

The third and final definition of innovation that was voiced by the creative workers is, in most cases, closest to their personal experiences. Even though many respondents referred to *complete newness* and *innovation with social impact*, few were involved in major breakthroughs such as 3D printing and articulated having explicit social commitments themselves – they considered themselves first and foremost creative entrepreneurs, and not predominantly the saviour of the world (although some did argue that they wanted 'to make the world a better place' [Marcus, New media designer]). Therefore, a number of creative workers developed a definition of innovation that is similar to what Lorenzen and Frederiksen (2008) consider a constant form of product innovation resulting in continuous streams of small adjustments.

Indeed, the respondents argued that they rarely develop fully new products; on the contrary, most products are a variation on a pre-existing design, suggesting a very soft innovation (Stoneman 2009) like approach. This can be either a combination of old and new, such as a garment with new technological functions or an existing website design with *a new plugin, or even old with old, such as the development of new innovative artwork collections or combining one's existing work with someone else's* in order to develop an unexpected outcome. Improving efficiency of existing processes is also an aspect of innovation that was mentioned repeatedly. In either case, the linear, 'great breakthrough' idea of innovation was dismissed for a notion that focused much more on small steps and unexpected creative outcomes (see also formal innovation [Bianchi and Bartolotti 1996] and stylistic innovation [Cappetta, Cillo, and Ponti 2006] here). In sum, innovation, in this third form, is not something *new*; it is a process of *continuous renewal*.

Innovation is renewal. And renewal does not have to be a new product. [...]. Giving something a new function. Finding cooperation with a business that is not obvious. [Jessica, artist]

Renewing, innovating [is] finding an adjustment that gives something just a different value from what it had before. [Brenda, Heritage professional]

A lot of entrepreneurs here that are creative, they deal with innovation differently than companies like Philips. [...]. I think [what they do] is also innovation, but more indirectly. You can develop a material, and with this material, I can make something. That is indirect innovation. [Andreas, New media designer]

With regard to innovation as renewal, it is important to note that for many creative workers, making something new or changing an object or process, is not an ultimate goal or their incentive to work. On the contrary, many argued that without continuously developing new products and services, an artist cannot survive. Creative workers, thus, are repeatedly on the outlook for renewal and innovation. However, some respondents stress that these improvements can hardly be measured, and the degree of innovation is only relative to what is perceived as 'new' or 'better' within their own economic network. In this field, market success may be seen as an objective indicator; entrepreneurial (peer) recognition as a more subjective indicator of innovation. Such indicators tie in rather neatly with a Bourdieusian (1993) framework of analysis and fit the definition of innovation in the creative industries as described by Castañer and Campos (2002): innovation in the creative industries is characterised by innovativeness within a specific field.

[Talking about an existing project] I find it very interesting, is it innovative? I find it a good move, but is it really innovative? In this sector it may be innovative. I don't think many businesses this size made this step. [Marcus, New media designer]

The others are also on the move, and if you're not renewing or doing innovative work, and you're doing the same for too long, then eventually the competition will roll past you, [...] because you've become out-dated. [...] Especially as an artist. [Sebastian, Event organiser]

This confirms the distinction of several forms of innovation outlined by Lee and Rodriguez-Pose (2014), who discerned original or new to the market innovation and learnt or new to the firm innovation in new services and products or new processes. The latter is much more common in the creative industries, and is often a result of the recombination of existing knowledge, ideas or technologies being already applied elsewhere. Stam, De Jong, and Marlet (2008) also found that in the Netherlands, creative firms excel most prominently in new product and service innovation, whereas the introduction of goods and services to the industry is more on par with other industries.

In conclusion, the first two definitions, *innovation as complete newness* and to a lesser extent *the social impact of innovation*, indicate that there are some differences between innovation in the creative industries and innovations in other industries. The innovations elsewhere are often regarded as grand technological breakthrough and often as a development that could change society for the better. Even though a number of respondents argued that they were involved in (spin-off) social innovation or fully new innovative products or services, most respondents claimed that their work does not have such a character or impact (even though many were involved in a form of community arts of engagement).

If it is not the STEM sector or TPP oriented definition that fits their work best, how should we address innovation in the creative industries? Arguably, the third definition provides an answer to this question. Innovations, according to many respondents, always occur in a context. For example, applying a newly learned technique for developing photographic films (see also the learned innovation definition of Lee and Rodriguez-Pose [2014]), or combining several existing forms of art. The explanation for this distinction can be found in the difference between the goal and the means. In many creative industries, innovation is not regarded a goal as, for example, patents are for the STEM sectors. On the contrary, to do their everyday work, creative workers have no other options than creating a new or adjusted product or service. This leads to a significantly different and broader approach to innovation.

Conclusion

In our research, we have sought to refine the conceptualisation of innovation specifically for the creative and cultural industries by exploring the definitions, experiences and interpretations of innovation of creative practitioners in and outside their respective field of work. Our findings are based on an analysis of 43 in-depth interviews. We aimed to do justice to the many aspects of the creative industries by taking these particular practitioners' views as a starting point for our analysis.

Our first observation is that many respondents at first felt little affinity with the concept of innovation in their own fields of work, despite (or perhaps because of) the assumed relationship between innovation and the creative industries. The innovation and creative industries discourse that emerged from the 1990s especially in, but not limited to, the field of cultural policies, contributed to the developments of many cultural and creative industries through (increased) subsidies and other forms of investments (Oakley 2009; Pratt and Jeffcutt 2009). However, the results of this study indicate that such an 'innovation and the creative industries' hype also has detrimental effects in the sense that it could alienate the actual creative workers from these policies. Indeed, some of the respondents did not identify with this innovation imperative and they voiced two distinct arguments for this. On the one hand, they felt 'tired' of the ubiquitous discourse of the innovative capacities of the creative industries, and on the other hand, many argued that the concept did not fit their practices as creative workers.

This is strongly related to another significant finding of our research: the overall conception of innovation in a general sense among practitioners in the creative industries is still a fairly traditional notion of technological improvement and the adoption of ground breaking technologies for manufacturing

new products. A good illustration of this definition is the example of 3D printing often voiced by the respondents as the epitome of innovation. At the same time, many argued that such technological progress alone cannot fulfil the conditions for innovation; innovation, according to some respondents, has to have a social impact as well. The most prominent examples tell us that the common assumption of invented technologies as being external to the creative field still is widely supported, even among creative workers. However, once the creative practitioners hypothesised about their own work, and considered, for instance, how such an invention can be used as input in the creative process in order to generate innovative output, several respondents synthesised existing common notions of innovation with their own working practices and developed a more nuanced definition of innovation for the creative industries.

This synthesis was voiced by a significant part of our respondents who dismissed linear models of innovation when talking about their own practices, and focused much more on the exceptional nature of their specific creative industry. Here, the emphasis in their definitions of innovation within their own field was not on ground breaking technologies, but rather on incremental improvements and experiments (which Caves [2000] sees as inherent to creative work). These small 'innovations' were rarely considered as being fully new within the economy or the creative industries in general, and in some cases not even within their own sector. On the contrary, respondents argued that this newness was highly contextual and localised. Similarly, many rejected the idea of being specifically innovative individuals, yet at the same time, they saw their work as innovative (within a specific context) in a self-evident way. Likewise, they linked innovation to creativity or even the necessity of a creative drive in their work. Innovation in their field, they argued, is intertwined with their everyday work; it is part and parcel of working in sectors such as the creative industries as was also indicated by Hutter and Stark (2015). This also corroborates the findings of Oakley, Sperry, and Pratt (2008) for British artists and advertising professionals. In addition to such contextualised forms of innovation, some respondents also referred to social and communicative effects of innovation, which resonates with Dogruel's (2014) conceptualisation of media innovations.

In conclusion, we argue that innovation in the creative industries is best understood by taking a holistic view, including its sources and outcomes, and that innovation is a process or a by-product of a process that is more than mere creativity or successful implementations of novel ideas or products. Contrary to STEM sectors innovation, in which innovation is goal-oriented and often a costly and well-planned procedure (Caves 2000; Pratt and Gornostaeva 2009), the results indicate that for creative entrepreneurs, innovation in the creative industries is a process and a by-product of creative production, and is dependent upon openness to the environment and the utilisation of existing or creating new methods that increase or deliver high quality outputs that are new in specific contexts. The goal of this innovation is not so much developing the spill-overs to the wider economy as many policy reports indicate (e.g. UNCTAD 2010), but rather achieving an artistic or social goal that allows the creative worker to continue his or her practices. Thus, our perspective partly overlaps with the traditional view of TPP and the more recent CPP innovation (Jaaniste 2009), yet it places less emphasis on the market and societal acceptance. In our view, and most similar to the notion of artistic innovation as described by Castañer and Campos (2002) or Pratt and Jeffcutt's work (2009), innovation in the creative industries should be considered a field-specific process that has value in specific contexts and locations and takes different shapes in different settings. This allows an introspective view on the creative industries and, thus, a better way of understanding innovation in this particular context. Moreover, such a definition indicates that many innovations are produced out of the motivations to make things better or to make better things, but also that these innovations are shaped and created by their localities and the idiosyncrasies of the creative fields.

Discussion and limitations

What does this mean for research on innovation and the creative industries? In current research, innovation is defined in many different ways, either through contrasting it to TPP innovation (e.g. Caves 2000;

Jauniste 2009; Pratt and Gornostaeva 2009) or by developing a specific creative industries innovation definition (e.g. Cappetta, Cillo, and Ponti 2006; Castañer and Campos 2002; Miles and Green 2008; Stoneman 2009). In cultural policy, a similar attitude towards innovation and the creative industries can be observed (Oakley 2009). The primary concern in both fields is that, even though innovation and the creative industries are considered to be tightly interwoven, little attention is paid to how we should consider innovation within these industries.

Our analysis of definitions voiced by creative workers indicates that innovation in the creative industries is often contextual, meaning that the changes in style, form, product, service or organisation are rarely fully new. On the contrary, most innovations are new in a specific field (following Castañer and Campos 2002): a specific place, a sub-sector or a particular scene. Obviously, evaluating such forms of innovation is much more complicated than those that can easily be quantified, such as the traditional measures of for example R&D expenditure and patents (see also Gordon and McCann 2005). Yet, the current assumptions on which much of the policy reports and to a lesser extent academic research is built, do not fully catch all these nuances of innovation in the creative industries. Taking our proposed contextualised field approach to innovation helps in nuancing the link between innovation and the creative industries, and opens up doors to new forms of analysis that include the many forms of innovation in these sectors. Such a field approach requires a sensitivity to the multitude of interactions that contribute to the development and adoption of creative products and services, as well as a conscientious study of the products' and services' contributors and its consumers. In the words of Pratt and Jeffcutt (2009, 274): 'Interaction is the key, but interaction that cuts across the conventional boundaries of this field (e.g. commercial/non, formal/non, arts/cultural etc.)'. In practice, this demands a careful and in-depth analysis of the many facets of the practices of creative entrepreneurs, including but not limited to: social (micro) interactions and cooperation, co-location, the creatives' physical environment (e.g. cities, neighbourhoods, buildings and offices), education, and local and national policy measures.

The explorative nature of this study does raise some additional questions that could be addressed in future research. The first issue is related to the overlap between the creative industries and entrepreneurship. Nearly all respondents were either self-employed or were part of a small sized enterprise. Even though this is common for the creative industries (Hesmondhalgh 2012), this could indicate a conflation between entrepreneurship and creative workers. Future research on entrepreneurship and innovation could clarify whether the findings are indeed characteristic of the creative industries, or if they are a result of generic attitudes of small entrepreneurs and those working in SMEs. Furthermore, our sample primarily consisted of Dutch creative workers located in the Netherlands. Cultural connotations of a concept such as innovation (e.g. Mueller and Thomas 2001) may have influenced how it is discussed among the respondents. Discussing innovation in the Netherlands with creatives or entrepreneurs might therefore yield different results compared to doing similar research in other countries. Cross cultural or cross national comparative research could explore the generalisability of the findings of this study.

Additionally, while this paper aims to take a new step in reconceptualising innovation in the creative industries, further steps are needed for developing a more in-depth understanding. First of all, this analysis is based on self-reported definitions of innovation; this allows an insight in the self-perceived practices of creative entrepreneurs, but does not capture their actual multi-faceted innovation practices. Moreover, little is known about how this continuous, field-specific form of innovation occurs and how this could be measured (if at all) or assessed. Therefore, further research is needed to investigate the sources and forms of innovation of creative entrepreneurs. Such research should examine the daily practices of innovation of creative entrepreneurs in order to develop a better understanding of the negotiations of newness and creative (re)production in order to fully grasp the many shades of innovation in the creative industries.

Notes

1. Even though the more recent Oslo Manuals (e.g. the third edition) increasingly acknowledge non-technological facets of innovation, it still fails to include many aspects of innovation in the creative industries (Chapain et al. 2010).

- Obviously, the creative industries are a heterogeneous construction; some sectors, such as the arts, have a different view on innovation than for example web design or advertising (Stam, De Jong, and Marlet 2008). However, in this paper, research on the creative industries refers to these industries in general. For more in-depth studies regarding innovation in specific creative disciplines, we refer to e.g. Cohendet and Simon (2007), Grantham and Kaplinsky (2005) and Tschang (2007) (see also the overview of Miles and Green [2008]).

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