

Sovereignty and Software: Rethinking Cultural Policy in a Global Creative Economy

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ABSTRACT

This paper will critically appraise two approaches to cultural policy. The first focuses upon the need for a national cultural policy in order to establish a national 'common culture' among its citizens, through measures to promote the arts and popular media sectors, and set limits to the flow of imported materials into the nation-state. This is what has been termed the 'sovereignty' model, and has historically been the driver of cultural policy debates. It is what is seen as most under threat in the context of the WTO and the GATS, as well as proposed free-trade agreements with the United States.

The second approach, which is being termed the 'software' approach, aims to create cultural infrastructure and other environmental factors to promote a creative economy, whether at local, regional, national or supra-national levels. It questions the historical divides between 'culture' and 'industry', and between 'creativity' and 'innovation', and is focussed upon the development of future ideas and creative concepts. It draws upon national culture and heritage, but aims to avoid the 'museum' model of national culture in an age of globalization, cultural diversity, and the uneven dynamic of creative industries development at sub-national levels. It draws upon the very different conditions associated with the development of software to those of established arts and media sectors, and aims to extend the 'software' model more widely into cultural and creative industries policy.

It will be argued in this paper that the 'software' model provides a necessary corrective to the limitations of the 'sovereignty' approach, particularly in its delimiting assumptions about culture, national identity, and the relationship between creativity and commercial activity. At the same time, and in contrast to those who would see models of the creative economy as pointing to the limits of cultural protectionism, it will draw attention to the relationship between forms of 'communicative boundary maintenance' that maintain the core cultural infrastructure required to promote creative industries development, and dynamism in the global creative economy.

Cultural Policy and Citizenship: Accounting for Nationalism

To speak of Australian culture is to recognise our common heritage. It is to say that we share ideas, values, sentiments and traditions, and that we see in all the various manifestations of these what it means to be Australian. Culture, then, concerns identity – the identity of the nation, communities, and individuals. We seek to preserve our culture because it is fundamental to our understanding of who we are. It is the name we go by, the house in which we live. Culture is that which gives us a sense of ourselves ... With a cultural policy we recognise our responsibility to foster and preserve such an environment. We recognise that the ownership of a heritage and identity, and the means of self-expression and creativity, are essential human needs and essential to the needs of society.

(Creative Nation: Australian Cultural Policy Statement, October 1994, p. 5).

Cultural policy has long been associated with the principles of citizenship and participation on the one hand, and sovereignty and nationalism on the other. Miller and Yúdice understand cultural policy as ‘the institutional supports that channel both aesthetic creativity and collective ways of life – a bridge between the two registers’ (Miller and Yúdice 2002: 1). They interpret cultural policy as entailing the bureaucratic, institutionalised and regulatory management of the production, distribution and circulation of cultural forms and practices through the implementation of policies that act to shape and direct, rather than control or supercede, the creative/aesthetic and social/anthropological wellsprings of cultural activity. Such an approach draws upon Michel Foucault’s influential concept of *governmentality*, whereby the development of modernity is integrally tied up with a process of “governmentalisation” of the state’, whereby the foundations of state conduct upon citizens shifts from a principally juridical to an increasingly administrative and technical basis, and where techniques associated with the practice of government are government come to be dispersed through a range of social institutions, linked to yet distinct from the formal apparatuses of the state (Foucault 1991; c.f. Miller and Rose 1992; Flew 1998).

Understood in this way, cultural policy becomes central to an understanding of culture as it has developed historically, as well as flagging practical means of intervening in the cultural field, not – as conservative critics have argued – by imposing a bureaucratic orthodoxy upon the totality of culture, but rather through recognising, and working with, the discursive and institutional force-fields through which cultural policy and administration provides a means of acting upon the social through the

management of cultural resources. Tony Bennett has been the most vigorous advocate of this reforming mission of cultural policy, and the scope that it opens up for academics to achieve practical social reforms through engagement with cultural agencies and institutions. For Bennett, the ‘intrinsically governmental’ nature of culture in modern societies means that ‘the management of cultural resources in ways intended to reform ways of life remains very much a part of the active politics and policy of culture in contemporary societies’ (Bennett 1998: 104). Recognising the connection between cultural policy and citizenship rights has in turn enabled the concept of *cultural citizenship* to become an animating principle for social-democratic interventions in the cultural field. Murdock (1992), McGuigan (1996), Pakulski (1997), Stevenson (2000), and Miller and Yúdice (2002) have all drawn attention to the capacity to extend citizenship discourses from T.H. Marshall’s familiar trilogy of legal, political and socio-economic rights to the domains of culture and communication, both ‘as a matter of symbolic representation, cultural-status recognition and cultural promotion’, particularly for minority and marginalised groups (Pakulski 1997: 80), and as ‘a means of tying social-movement claims to actionable policy and a newly valuable form of entitlement that transcends class and is a guarantee against the excesses of both the market and state socialism’ (Miller and Yúdice 2002: 26).

Yet there is a need for caution in too readily invoking Foucault to a politics of social-democratic reformism, not least because his own account made it clear that the rise of governmentality meant that ‘population comes to appear as above all else as the ultimate end of government’ (Foucault 1991: 100), and that, if bureaucratic push came to popular shove, ‘reason of state’ typically triumphed over the sovereign rights of

citizens (e.g. Foucault 1988).¹ Moreover, as Michael Schudson has observed, culture has been one of the most forceful and visible mechanisms through which citizens are integrated into national societies, since ‘the modern nation-state self-consciously uses language policy, formal education, collective rituals, and mass media to integrate citizens and ensure their loyalty’ (Schudson 1994: 64). Whether this is seen as the application of cultural hegemony by the dominant classes, as Antonio Gramsci suggested (Gramsci 1971), or as the formation of ‘imagined communities’ through everyday ritual and representation, as Benedict Anderson has argued (Anderson 1991), it has nonetheless remained the case that – however problematically and often violently – ‘nation-states cannot be understood, or even defined, apart from their achievement of some degree of cultural identity. If we ask not what force integrates a society but what defines or identifies the boundaries of the society to which individuals are integrated, cultural features are essential’ (Schudson 1994: 65).

There is thus a dualism at the heart of the concept of citizenship, in that the formulation “nation=state=people”, which has been central to movements for popular sovereignty from the American and French Revolutions onwards, has always possessed a cultural as well as a political dimension, and has been concerned with questions of governance over citizens as much as the identification of their legal, political, socio-economic and, it is now proposed, socio-cultural rights. It is insufficient to conceive of citizenship purely in terms of an inclusive and egalitarian discourse of rights since, as Barry Hindess (1993) has observed, citizenship has also always been defined not only in terms of reciprocal obligations to the nation-state, and through various forms of exclusion of those deemed to be ‘non-citizens’. The political element of nationalism, as a principle of citizenship tending toward universalism, has

also coexisted with its cultural element, which stresses the particularities and commonalities of the ‘people’ of a nation, in relation both to each other and to those outside of that collectivity.

Cultural policy is overlaid with a further dualism, which is its relationship to commodity production and wealth creation by commercial means. The significance of cultural policy to the development of the cultural industries or the creative industries has been widely noted, as has the need for cultural policy to more effectively engage with the wellsprings of commercial popular culture in order to be effective. In a UNESCO-commissioned study, Augustin Girard observed that national cultural policies had promoted state-funded cultural activities with limited impact, while largely ignoring and often condemning the commercial sector, and that ‘far more is done to democratise and decentralise culture with the industrial products available on the market than with the “products” subsidised by the public authorities’ (Girard 1982: 25). In a similar vein, Nicholas Garnham, in a report prepared for the left-wing Greater London Council in 1983, concluded that ‘Most people’s cultural needs and aspirations are being, for better or worse, supplied by the market as goods and services. If one turns one’s back on an analysis of that dominant cultural process, one cannot understand either the culture of our time or the challenges and opportunities which that dominant culture offers to public policy makers’ (Garnham 1987: 24–5). The Australian Government’s *Creative Nation* cultural policy statement combined aspirational national-cultural humanist idealism with a more hard-nosed attention to the economic benefits of investment in the cultural/creative industries:

This cultural policy is also an economic policy. Culture creates wealth ... Culture adds value, it makes an essential contribution to innovation, marketing and design. It is a badge of our industry. The level of our creativity substantially determines our ability to adapt to new economic imperatives. It is a valuable export in itself and an essential accompaniment to the export of other commodities. It attracts tourists and students. It is essential to our economic success.

(Creative Nation: Australian Cultural Policy Statement, October 1994, p. 7).

The capacity of national cultural policies, therefore, to reform ways of life and manage cultural resources in ways that enhance and enrich the lives of citizens is thereby linked to questions of the economic capacity and territorial integrity of nation-states. In an era of globalization, new media technologies such as satellite TV and the Internet, and multicultural societies, such developments may in fact raise the significance of cultural policy, but they do so in ways that also disperse the cultural policy field, and throw up very different challenges to those which cultural policy studies has traditionally contended with.

The Dispersal of Cultural Policy

This paper will not attempt to trace the historical origins of cultural policy, except to note that, in line with the earlier discussion of cultural policy's historic enmeshment with modernity as idea and governmental practice, its origins are best understood as being coterminous with the French Revolution of 1789, and in particular with the idea that art treasures and monuments were understood to be the property of the nation and the responsibility of the state (*patrimoine culturel*). Nor will it dwell upon the many

and various approaches to cultural administration that sought to bind a people and a nation through the production and dissemination of culture, which ranged from the uses of public exhibitionary spaces such as museums to provide appropriate tutelage for those populations in liberal societies who would subsequently possess the full rights of citizens (Bennett 1995); the 'long process of enculturation' through which Latin American states used interventions in popular culture to align culturally heterogeneous and class-stratified populations to a national-popular cultural formation that could be aligned to the nation-state's projects of capitalist modernisation (Martin-Barbero 1993); or the many and myriad ways in which culture was imbricated into the popular mobilisation strategies of totalitarian states, both Fascist and Communist. I will take contemporary cultural policy as having arisen from the formal creation of the Ministère d'Etat chargé des affaires culturelles (Minister of State in charge of cultural affairs) in Gaullist Fifth Republic France in 1959, and the appointment and subsequent role played by Andre Malraux as head of this new ministry. I will also take documents prepared by UNESCO subsequent to this period as central to the formation of cultural policy on an international scale.

Malraux's broad trajectory for cultural policy identified three clear tasks for a national cultural policy: heritage, creation and democratisation. First, the concept of *heritage* foresaw a role for the state in distributing the 'eternal products of the imagination' in the most equitable and effective manner throughout the national population: the construction, and renovation, of museums, galleries and other exhibitionary spaces both within and outside of the major cities was one of the major tasks of a national cultural policy. Second, the state had an ongoing role in promoting the *creation* of new artistic and cultural works, and needed to use public funding to provide a

catalytic role to the creation of new works, and the support of artists and cultural workers. Finally, and perhaps most controversially, the objective of *democratisation* constituted an activist role for cultural policy in redressing socio-economic inequalities by cultural means. The problem with the latter, which would become abundantly apparent with the left-wing revolts against the Fifth Republic in May 1968, was that 'democratisation' remained largely associated with the national distribution of 'great works', whose canonical status had been largely secured by existing cultural elites, rather than a democratisation of practices associated with the production, dissemination, and evaluation of culture, and its links to the mass of the population (Looseley 1995). A similar set of problems was found to pervade strategies to democratise culture through additional funding to existing arts bodies, as Rowse (1985) found in the Australian case, and, as Bourdieu (1984) has amply identified, there exist significant socio-cultural bases for such assumptions, based around the status of *cultural capital* as a formation that is both relatively autonomous from, yet integrally linked to, other forms of socio-economic power in class-divided societies.

In the subsequent history of French cultural policy, as with that of many other countries, we can identify two recurring debates for cultural policy. The first, noted above, is the question of how cultural policy can be effective in the commodified sectors of cultural production, and move beyond its historic base in cultural heritage and the subsidised arts. Significantly, both Girard and Garnham identified, in their respective cultural policy interventions, the urgent need to understand policies towards broadcast media production, distribution and content as core domains of cultural policy, and not simply elements of a technology-driven communications

policy. Similar observations would be made about the need to develop content policies for digital media in the 1990s.² The second recurring issue is the extent to which a cultural policy entails *action culturelle*, or cultural policy-makers identifying and supporting cultural activities and institutions in ways that bring these closer to people, communities and societies, or whether it needs to move towards *l'action socioculturelle*, whereby culture is understood as being principally constituted by the activities of people and communities, and cultural policy-makers need to realign their understandings of the role and purpose of cultural policy accordingly. This latter understanding of cultural policy itself has a spectrum of possibilities, from public support for the autonomous cultural activities of young people and marginalised groups without institutionalising such activities, to policies which largely accept the dominant forms of popular entertainment, and aim to use cultural policy to widen access and better promote these popular cultural activities.

Cultural policy for Malraux was a policy for the arts and for cultural institutions. Insofar as Malraux considered other sites of cultural formation, such as the broadcast media, they were seen as 'dream-factories', for which it is the role of cultural policy to struggle with for the attention of the population (Looseley 1995: 36). The development of cultural policy in the post-WWII era was, for the most part, principally (although not totally) at odds with such concerns. In the bi-polar world of the Cold War, UNESCO identified a productive brokering role for itself in promoting the development of national communications infrastructure in the post-colonial states of Asia, the Middle East and Africa, as a means of both promoting the modernisation of these societies through the provision of cultural and communications infrastructure (as sought by the United States), and presenting the concept of national cultural

sovereignty as a legitimate aspiration of newly-independent states. As Mattelart (1994) carefully maps, this attempt to combine the governmental aspirations to achieve ‘the state in its ordinary dimensions’, with attempts to regulate global media flows through the UNESCO-sponsored ‘New World Information and Communications Order’ (NWICO) quickly falls apart in the early 1980s, not simply because of the intransigence of the U.S. and its allies, but also because the national advocates of cultural protectionism had, to varying degrees, proved to be out of line with the cultural aspirations of their own populations in terms of access to audiovisual materials from outside of their own countries.

Craik *et. al.* argue that cultural policy can be defined as ‘the range of cultural practices, products and forms of circulation and consumption that are organised and subject to domains of policy’ (Craik *et. al.* 2000: 159). To this end, Craik *et. al.* (2000: 159) identify the four critical domains of cultural policy as being:

- *Arts and culture*, including direct funding to cultural producers, and funding of cultural institutions, such as libraries, museums, galleries and performing arts centres, and the funding of cultural agencies responsible for such funding administration;
- *Communications and media*, including policy mechanisms to fund and support broadcast media (both publicly-funded and commercial), and policies related to new media technologies, multimedia, publishing, design, and digital rights management in a convergent media environment;

- *Citizenship and identity*, including language policy, cultural development policy, multiculturalism, diasporic identities, cultural tourism, and questions of national symbolic identity;
- *Spatial culture*, including urban and regional culture and heritage, urban and regional planning, cultural heritage management, cultural tourism, leisure and recreation.

As always, the tricky question arising from such a list is where does culture start, and where does the domain of culture end? Moreover, this is not an existential question, but rather a policy question, integrally connected to how best to harvest, manage and distribute cultural resources. Craik *et. al.* draw attention to a range of areas where the ‘ambit of culture’ could be connected to cultural policy, according to their definition, including: gambling, sport, online gaming, virtual communities, reading, gardening, design, eating, dancing, and sexual practices (Craik *et. al.* 2000: 160). Of these, the one that is most significant and sensitive is that of sport. I recall here the words of our Australian Prime Minister, John Howard, when questioned about why he had given the Australian of the Year award to the third successive Australian Test cricket captain in ten years, and he responded ‘Sport is an important part of the Australian psyche. Anybody who thinks that sport is not part of the fabric of Australian life misunderstands this country quite dramatically’ (Pearlman 2004: 6).

Tom O’Regan (2002) has observed that, with each extension of the domain of cultural policy, there is the possibility of a corresponding dilution of the ‘cultural’ dimensions of such policies. If the problem of traditional arts policy was that of ‘too much culture’, or policies towards national culture that were based upon a limited and self-

referencing discourse of what was culturally significant and thus worthy of policy attention (c.f. DiMaggio 2000), the implications of cultural policy becoming enmeshed with areas such as industry and economic development, urban planning, tourism, lifestyles and the management of multicultural communities are that cultural policy can become a victim of its own success, as cultural policy agendas are adopted through the whole of government. O'Regan identifies the implications of this for cultural policy advocates in the following way:

The process of expanding the remit of culture initially came out of the major cultural policy institutions themselves. But “culture” has been substantially normalised on a variety of governmental horizons with unpredictable consequences ... We failed to recognise that we were asking other institutions, other departments, other sectors not to be enlisted for us, but to enlist us for their purposes. Culture was being made part of their, not just our, agenda. They were thinking with and thinking through culture and the result is a series of developments which substantially wrest control of cultural policy from cultural policy institutions and their agendas to the instruments and agendas of other bodies and frameworks. The longer this process lasts and the more experience there is in implementing and evaluating cultural perspectives in government, the more the cultural turn becomes caught up in, determined by and transformed through these larger governmental plays – increasingly whole-of-government, economic and regional development focused (O'Regan 2002: 22).

Globalisation, Cultural Policy, and the Rise of Creative Industries

If national cultural policy is seen, perhaps paradoxically, as being eroded by expansion of the domains of culture and the range of agencies associated with its governance, it is also seen as being threatened, in a far more direct and less paradoxical sense, by processes of economic globalisation and the associated rise of multilateral trade agreements. In particular, the signing of the General Agreement on Trade in Services (GATS) in 1994, which extended the trade liberalisation principles of the General Agreement on Tariffs and Trade (GATT) to the rapidly growing services field, has been seen as a threat to national cultural policies. In particular, the *Most-Favoured-Nation* (MFN) and *National Treatment* provisions of the GATS, which require equality of treatment between domestic and foreign service providers, have been seen as threatening the distinctive forms of national cultural policy that have developed in the post-WWII period, particularly in the highly traded audiovisual industries. The European Union, for instance, has argued that its Member states have evolved distinctive audiovisual media ecologies to that of the United States, characterised by a leading role for public service broadcasting, cultural policy initiatives to cater for cultural and linguistic diversity within the nation-state, and a formative role for mass media in the development of citizens (EU 1998). In a similar vein, Grant and Wood (2004) argue that national cultural policies provide a means by which nation-states which are smaller than the United States can manage the ‘curious economics’ of cultural production, where the factors which determine which cultural products succeed commercially are utterly unpredictable (William Goldman’s famous “nobody knows nothing” principle), but where this complex and unpredictable risk-reward dynamic is best managed through access to the largest possible markets, in order to support the highest volume and widest range of cultural products. Grant and Wood propose that this has been managed by national governments other than the

United States through a diverse cultural tool-kit, which includes public broadcasting, local content quotas, spending rules, foreign ownership controls, competition policy and subsidies, and it is the capacity to apply this tool-kit to the conduct of relevant national markets that is most at risk in application of the GATS framework and aggressive applications of a principle of free trade in cultural goods and services:

Misplaced market reductionism can only have damaging consequences for the undisciplined, contradictory but endlessly fertile bazaar of the human imagination. States that commit their cultural sectors to the discipline of the GATS would be obliged to extend national treatment to foreign providers of creative product – in stark denial of the local particularity of much cultural expression. The effect would be to deprive policy-makers of the most effective measures in the tool kit of diversity: local content quotas and requirements for mandatory expenditures on domestic productions. They would also be forced to surrender to foreign ownership creative industries that are critical to cultural security (Grant and Wood 2004: 417-418).

This is a familiar list of concerns about trade liberalization in the cultural sphere, and its overall concern that, in the absence of local policy subvention to maintain distinctive cultural infrastructures, there may be an overall reduction in the cultural and linguistic diversity of global cultural and media content is a valid one. At the same time, the issue is still very much couched in terms of the protectionist role of nation-states in maintaining particular levels of cultural production through various forms of intervention in cultural markets, in order to sustain the linkage between these states and their citizenry, or an equivalence between the political space of the nation and the cultural space of its people. As both Schlesinger (1997) and Miller and

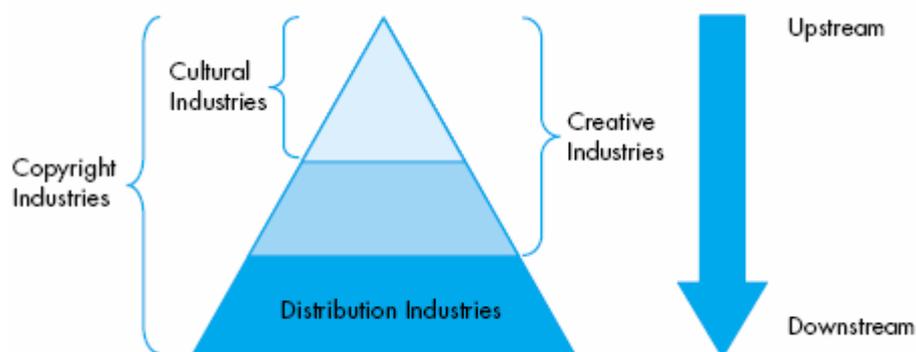
Yúdice (2002) have observed, however, these dichotomies of the global market versus state intervention, or between free-market economics and cultural protectionism, are thrown into question by the various ways in which cultural policy is increasingly used, not only to manage a national cultural space and engage in ‘communicative boundary maintenance’ (Schlesinger 1991), but to promote ‘national champions’ (or, in the case of Europe, leading European players in global creative industries), who directly compete with the North American conglomerates in the global entertainment markets. As a result, we should be cautious about uncritically endorsing the rhetorical strategies of cultural policy-makers that ‘reference citizen-consumer debates, pitting loyalty to custom and nation against pleasure in choice, but trying to steer around the ensuing complications by privileging local production where possible’ (Miller and Yúdice 2002: 184).

Promotion of local creative production and creative industries has increasingly become a core element of cultural policy and its dispersal, noted above, into other spheres. The rationales have, however, changed, and it is important to explore the arguments that underpin such changing logics of cultural policy. Whereas traditional cultural policy models typically placed a largely non-commercial arts sphere at the centre of creative processes, and saw its influence permeating out to broadcast media and to other services sectors (e.g. Throsby 2001), more recent contributions to creative industries literature have placed creativity at the core of the ‘new economy’, where wealth creation is increasingly driven by ideas, intangibles and the creative application of ICTs, presenting creativity as an ‘axial principle’ of the new economy, as labour, organization and information have been in previous epochs (Healy 2002; c.f. Howkins 2001; Florida 2002; Flew 2002; Mitchell *et. al.* 2003). In such creative

industries frameworks, the question of whether an activity is or is not artistic, and whether it is principally initiated through public funding or through a commercial model, becomes less relevant. Drawing upon work undertaken by the Singaporean Government on the economic contribution of its creative industries, Terry Cutler (2003) has proposed that cultural inputs – the traditional focus of cultural policy – are the ‘upstream’ generators of content for the creative industries, and that the commercial products and services arising from such engagement are disseminated ‘downstream’ through the distribution industries in the form of copyrighted forms, whose identity further morphs into the services industries more generally.

Figure 1

The Cultural and Creative Industries: An Analytical Framework



Source: MTI 2003: 2.

As Cunningham (2002) observes, if ‘creative industries can lay claim to being significant elements of the new economy in and of themselves’, this has significant implications for the ways in which cultural policy and its overall role is conceived:

*The concept of creative industries is trying to chart a historical shift from subsidized 'public arts and broadcast era media, towards new and broader applications of creativity. This sector is taking advantage of (but is not confined to) the 'new economy' and its associated characteristics. Here, technological and organizational innovation enables new relationships with customers and the public that are not reliant on 'mass' models of centralized production (media) and real-time public consumption (the arts). Interactivity, convergence, customization, collaboration and networks are the key. Creative industries are less national, and more global and local/regional, than is typical among public broadcasting systems, flagship arts companies and so on. Their characteristic organizational mode is the micro-firm to small-to-medium-sized enterprise (SMEs) relating to large established distribution/circulation organisations. And while many creative enterprises remain identifiably within the arts and media, it is the case that creativity inputs are increasingly important throughout the services sector. In the same way that enterprises **in general** have had to become information intensive, so are they becoming more 'creativity intensive' (Cunningham 2002: 59).*

Two implications follow from the rise of the creative industries framework for contemporary cultural policy. The first is to draw attention to the importance of consumption to contemporary citizenship practices, which indicates how far cultural policy debates have moved from their Malrauxian lineage of conceiving of culture as a national patrimony to be distributed to populations by means of cultural policy. Anthony Elliott has observed that 'the critique of the consumerist citizen as the negative index of modernist citizenship is surely lacking in critical depth' (Elliott 2000: 59), not least because globalisation increasingly requires citizens to conceive of

issues in ways that are both transnational in their scope and efficacy, and bring people into alliances and allegiances (e.g those around personal identities, or environmental consciousness) whose boundaries inevitably overspill those of the nation-state, and whose processes of identity formation are bound up with practices of consumption. Moreover, at a more basic level, cultural policies only establish their efficacy and their connection to citizens through the act of consumption: the publicly-supported cultural product which is not consumed by any significant section of the population has surely failed in its initial purpose. Néstor García Canclini has drawn out this question further in his critique of cultural policy in Latin American states, which he argues has become increasingly disconnected from the consumption practices of its people, focusing upon ‘a conservationist vision of identity and to an integrationist view based upon traditional cultural goods and institutions’ (Canclini 2001: 129). This is in contrast to the dynamism of both transnational private media corporations seeking to aggregate media audiences across national boundaries, and the more grounded and localised work of independent and civil society-based media and cultural institutions. Moreover, one consequence that Canclini sees of the lack of connection between state, corporate and independent initiatives in the cultural sphere is the failure of most Latin American states to develop coherent and effective strategies for harnessing the potential of new ICTs to promote equitable development and cultural diversity in increasingly multicultural and globally integrated societies. It is only by taking seriously actually existing cultural consumption practices that such a reconnection of cultural policy to citizenship can be achieved in these societies – hardly a new conclusion, but one that clearly needs restating.

The second issue, related to the first, is the need to establish cultural policy as a catalyst for new ideas and new forms of creative expression, that draw from, but are not necessarily tied to, a local or national point of origin. Shalini Venturelli (2002) has drawn attention to how, in the Global Information Society, where the local, regional and national bases of wealth creation are increasingly based the ability to create new ideas and new forms of creative expression:

Cultural wealth can no longer be regarded in the legacy and industrial terms of our common understanding, as something fixed, inherited, and mass distributed, but as a measure of the vitality, knowledge, energy, and dynamism in the production of ideas that pervades a given community. As nations enter the Global Information Society, the greater cultural concern should be for forging the right environment (policy, legal, institutional, educational, infrastructural, access etc.) that contributes to this dynamism and not solely for the defence of cultural legacy or an industrial base. The challenge for every nation is not how to prescribe an environment of protection for a received body of art and tradition, but how to construct one of creative explosion and innovation in all areas of the arts and sciences (Venturelli 2002: 12).

An important implication of Venturelli's arguments about the importance of local creativity in the Global Information Society is the need for nations to adopt mechanisms to promote local creative content development, and to be able to protect these initiatives from international trade rules and regulations that may undermine such elements of the local 'cultural tool-kit'. At the same time, the purpose of these is precisely not to protect national culture. Rather, it is the need to maintain the policy and infrastructural mechanisms that can best promote 'the capacity of a nation to

continually create content, or widely distributed expression, for which they will need to invest in creative human capital throughout the economy and not merely in gadgets and hardware' (Venturelli 2002: 14). As Venturelli concludes:

A nation without a vibrant creative labour force of artists, writers, designers, scriptwriters, playwrights, painters, musicians, film producers, directors, actors, dancers, choreographers, not to mention engineers, scientists, researchers and intellectuals does not possess the knowledge base to succeed in the Information economy, and must depend on ideas produced elsewhere (Venturelli 2002: 16).

The Open Source Software Movement: An Alternative Paradigm for 21st Century Cultural Policy?

While Venturelli's work is enormously suggestive about how to approach cultural policy in a way that stresses its value to the global creative economy, and is not driven by top-down nationalism and pre-ordained conceptions of cultural value, it is nonetheless frustratingly light on empirical detail about what alternative policy approaches may look like. Canclini does engage more directly with questions of policy detail, drawing out the need for alternative cultural policy models, drawing attention to the need for a common Latin American model for cultural promotion and the need for common quotas for Latin American audiovisual content, along the lines of the European Union model. He does so, not in order to provide direct policy advice to national governments, but in order to encourage a rethinking of the relationship between the state and civil society in national cultures, to promote policy co-

ordination among the Latin American states that has its basis in something other than subordination to United States hegemony, and to 'rethink the role of the state as an arbiter or guardian against subordinating collective needs for information, recreation, and innovation to the profit motive. To guard against the risks of state intervention and the frivolous homogenisation of diverse cultures by the market, it is necessary to get beyond the binary option between the two and to create spaces where the multiple initiatives of civil society can emerge' (Canclini 2001: 133).

Interestingly, the place where developments along these lines have been occurring over the last decade is in the development of software. The 'open software' and 'free software' movements³ have pioneered decentralised, networked and collaborative initiatives to develop new forms of software, which is licensed through non-proprietary General Purpose Licenses (GPLs). This means that not only can users acquire the software for free, as in without cost, but also acquire access to the source code, which they can in turn apply, modify or reconfigure. Underpinning the emergence of this large community of software developers, from which software such as the Linux operating system has emerged as a major alternative to proprietary systems such as those developed by Microsoft, are a series of broad principles whose domain of application moves well beyond the realm of software. The first is a general belief in freely-available content, not, as Lawrence Lessig has pointed out in *Free Culture*, as in 'free beer', or no-one having to pay for anything, but in the sense that creativity and innovation are best served by information and culture that is as widely available as possible, 'to guarantee that follow-on creators and innovators remain *as free as possible* from the control of the past' (Lessig 2004: xiv). In this respect, their belief in the intrinsic value of an 'information commons' or a 'creative commons' is

threatened by recent initiatives to strengthen the intellectual property rights *regime*, which they see as the danger of creating a “‘permission culture – a culture in which creators get to create only with the permission of the powerful, or of the creators of the past’ (Lessig 2004: xiv). Second, there is a belief that collaborative, non-proprietary initiatives ultimately generate better product, and that open source has a compelling commercial as well as a moral logic. Eric Raymond has contrasted the ‘cathedral’ model of corporate- or government-controlled initiatives to that of the ‘bazaar’, or initiatives generated by co-operating autonomous communities such as software developers, to argue that ‘Perhaps in the end the open-source culture will triumph not because cooperation is morally right or software “hoarding” is morally wrong ... but simply because the commercial world cannot win an evolutionary arms race with open-source communities that can put orders of magnitude more skilled time into a problem’ (Raymond 1998). Finally, there is an implicit belief in the value of a *gift economy*, whereby people will freely choose to participate in a collaborative initiative on the basis that sharing and collaboration are good things to do, and that the benefits they derive from such participation can be principally non-material in form (Best 2003).

Elinor Rennie (2003) has proposed that this *new politics of access* can be fruitfully applied to an understanding of the future of community-based media. While access on the part of community broadcasters to spectrum has been historically contingent upon the goodwill of the state, which balances up traditional public interest and ‘common good’ criteria in deciding whether to award licenses, Rennie argues that the emergence of the Internet and other decentralised network forms has generated ‘new public interest’ rationales for a diverse range of community-based media:

The new public interest is something all together different. It involves embracing a range of possible publics that may conflict with or contradict each other. There is no claim to what the “good” is, only a striving for it: more players and more ideas means a greater chance that some kind of progress will emerge, either in the form of economic advancement or the advancement of democracy. When partnered with access, this communitarian ideal is transformed into a more dispersed, random and inconclusive idea of the good life (Rennie 2003: 56).

New public interest theories and commons ideals are not constructed in opposition to the market, nor in cultural protectionism. Indeed, they foresee a different role for the state, in acting as the guarantor of competition, innovation, openness and cultural pluralism in local, national and regional media and cultural systems, as seen in the colation of interests that questioned the impact of the AOL/Toime Warner merger in 2000. Rather than seeing that the promotion of greater market competition in broadcasting as endangering core cultural policy principles, it can be argued that it may promote core social democratic values such as program diversity and media pluralism more effectively than a rearguard defence of quasi-corporatist policy settlements that exchange restrictions on competition for social and cultural safeguards (see Flew 2004 for more discussion of this). At the same time, as Rennie observes ‘without the participation of civil society ... the new public interest would be in danger of becoming just another argument for free markets – a revival of liberal economics and competition policy’ (Rennie 2003: 56). The issue rather becomes one of creating policies which co-ordinate the diverse state, corporate and independent cultural producers and distributing institutions and participants, in ways that are

tailored, not simply to the logic of state cultural policy or corporate profitability, but to promoting dynamic, innovative and diverse media and cultural systems in multicultural and globalised societies. Rather than seeing the rise of the creative industries as threatening cultural policy then, we can conclude with Canclini's observation that it may provide a catalyst for new thinking in the field:

Increasing awareness of the sociocultural influence and the economic potential of the cultural industries seems to have made conditions more suitable for the public and private sectors to work together to develop research programs and co-operation policies focusing on the public interest on an international scale (Canclini 2000: 319).

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¹ An analogous set of concerns have been raised about the tendency of Bennett and others to champion the dispassionate 'reason of bureaucracy' in the cultural policy domain, partly because of a concern

that it subordinates ethics to questions of power (McGuigan 2000). There has also been the concern that, because this analysis was largely developed in Australia during a long period of social-democratic Labor governments sympathetic to the cultural policy agenda, it may well have overestimated the capacity of cultural policy-makers to pursue agendas independently of the interests of the political party in power, as the period of conservative rule in Australia since 1996 would appear to bear out.

² A series of key national information policy statements were made in the mid-1990s, including: the U.S. government's *National Information Infrastructure Task Force* (1993); the European Union's *Europe and the Information Superhighway* (Bangemann Report) (1994); Singapore's *IT2000 – A Vision of an Intelligent Island* (1992); the Canadian government's *The Canadian Information Highway: Building Canada's Information and Communications Infrastructure* (1994); Japan's *Program for Advanced Information Infrastructure* (1994); the Australian government's *Creative Nation* (1994) and *Networking Australia's Future* (1995) reports; the Malaysian government's *Multimedia Super Corridor* strategy (1995); Korea's *Infomatization Strategies for Promoting National Competitiveness* (1996); and the OECD's *Global Information Infrastructure – Global Information Society* report (1997). For the most part, these statements were focused upon the development of broadband infrastructure to support national ICT sectors and more effectively diffuse the benefits of ICTs; statements such as Australia's *Creative Nation*, which focused upon multimedia content development, were the exception rather than the rule. For a review of these information policy statements, see Northfield 1999; Barr 2000.

³ The underlying principle of open software is not simply that it is freely available, but that the source code is made available to all users, who can modify it accordingly. The concept of 'free software' has been associated with Richard Stallman, who founded the Free Software Foundation and developed the GNU General Purpose Licence in 1983. Stallman and his followers have largely pursued a moral case that free access to software and source code is a basic right of a free society. While most open source software initiatives are consistent with the principles of free software, open source advocates tend to stress the technical superiority of the software developed by such means rather than the moral right to free software, and argue more of an economic case for adopting open source models. In practice, both groups can be seen to pursuing broadly similar objectives.