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In this paper, we analyze the evolution of Russian cultural policy from the end of the Soviet era through the current against the framework of welfare state regimes. The end of the Soviet Union 25 years ago ushered in a decade of liberalization marked by a withdrawal of the state from cultural responsibility and hopes that market demand and private support would emerge to fill in the void. With the latter hampered by the economic hardships of the transition and the loss of philanthropic traditions after more than 70 years of communism, a liberal policy regime did not take firmly hold and has gradually been replaced by a new cultural policy consensus more akin to a conservative welfare regime, marked by a return of the state to a more dominant role with the support of core cultural policy constituencies.

Keywords: cultural policy; Russia; welfare regimes; Soviet cultural policy

Introduction

The end of the Soviet Union a quarter century ago, and the concomitant end of state-controlled cultural policies serving socialist ideologies, ushered in a decade of the Russian state's withdrawal from the active pursuit of cultural policy objectives and a retreat from the significant financial commitments to culture of the Soviet era. During the 2000s, the state has slowly returned to assuming some level of financial responsibility; and in recent years, interest in formulating national cultural policy objectives has been growing in Russia. Much of current debate is focused on content priorities, such as attitudes toward traditions vs. innovation and creativity, the intersection between religious values and culture, questions of education and cultural demand, globalization, or of national identity and even state security. Demands are wide-ranging and sometimes conflictuous. While some argue for more artistic experimentation and diversity, others call for precisely defined, ideological criteria for granting state support for arts and culture; yet others question the legitimacy of such support in the first place. Opinions differ on what policies or activity

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is actually lacking, but most contributions to the cultural policy debate at least implicitly convey the sense that the state does not utilize its capacity to the fullest.

Whatever national cultural policy objectives may eventually emerge, the ability of the cultural infrastructure to implement them hinges significantly not only on the size and scope of public expenditures devoted to implementing cultural policies, but also on the nature and conditions attached to funding mechanisms, the privileges and benefits granted to cultural producers, the diversity of organizational auspices (state, municipal, private and non-governmental), and the specifics of cultural markets and their regulation. Accordingly, Russian cultural policy debates are replete with normative declarations concerning the fiscal and economic requirements of a functioning cultural infrastructure. However, careful analyses of the actual economic realities of this sphere can be found much more rarely. Among the few exceptions are Rubinshtein and Muzychuk (2014) who explored trends of cultural consumption and government financing of culture over the past 30 years along with polling data of cultural professionals and public figures. Rather negative assessments of the state of culture by the latter prompted Rubinshtein and Muzychuk to call for considerably increasing support for this field by adopting laws that would mark 'an absolute breakthrough in cultural and public affairs.' Evoking Plato's philosopher kings, moreover, they furthered the notion that the design of cultural policy and control over funding streams should be left to artistic elites, as 'a certain part of society [possesses] expert knowledge about the objectives of cultural development' (ibid., p. 18).

On the surface thus, the cultural policy landscape in Russia seems to have meandered from state control of the Soviet period to laissez faire attitudes of the 1990s to a revival of the state responsibility in the field and current calls to re-install the cultural intelligentsia as the appropriate guardian of cultural development. But how can we explain the apparent swings in Russian cultural policy-making over the past 25 years and is there a viable trajectory that will put policy development on a more even footing? In order to provide at least a preliminary assessment of these questions, we will discuss the development of cultural infrastructure and the extent of state support for arts and culture within the context of broader welfare state regimes, thereby extending the focus beyond privatization or state postures towards arts and culture.

Beginning in the latter half of the 1990s, privatization or desetatisation came to be the prevalent paradigm in cultural policy discourses that focused on the state vs. the market in the support and production of culture (van Hemel and van der Wielen 1997). While the withdrawal of the state can be conceptualized as taking several different forms, ranging from the outright sale of cultural assets to granting greater fiscal autonomy to cultural institutions to changing the tools used to support or regulate cultural institutions, the privatization focus has largely cast the role of government in cultural policy as somewhat unidimensional retreat from responsibility for the cultural infrastructure. This has led to a relative neglect of analyses of the different forms, incentives and consequences of outsourcing that have extensively been discussed in the broader governance literature (Dalle Nogarea and Bertacchini 2015). Moreover, much of the current governance thinking ascribes a critical role to government in steering and managing the mix of public and private parties involved in the new networked governance arrangements increasingly common throughout the Western world (Salamon 2002, Goldsmith and Kettl 2009). This then suggests an opening for considering more active government postures in cultural policy even within a broadly-conceived privatization context.

Different postures or patterns of government support have frequently been subject to comparative analyses of cultural policy in the past. Cummings and Katz (1987), for example, identified governments acting as patrons, market manipulators, regulators, or impresarios as four prevailing patterns of government assistance for the arts in post-war Western Europe, the United States, Canada and Japan. Chartrand and McCaughey (1989) proposed another influential typology, distinguishing between four models of state involvement in cultural policy, i.e. the facilitator state, the patron state, the architect state, and the engineer state. The facilitator model is characterized by modest public funding and the encouragement of private initiative through tax incentives and grants. The patron state model implies more generous financing, with policymakers and bureaucrats having no influence on the allocation of funds, which are managed on the arm's length principle by independent councils comprised of culture figures and experts. Within the framework of the architect state, the state purposefully develops the cultural sphere, though not making it dependent on current political ends. The fourth model of the engineer state presumes that the cultural sphere serves as an instrument in the state's hands.

What all these models have in common is their near-exclusive focus on the state and its cultural bureaucracy, in as much as the privatization narrative focuses too narrowly on market mechanisms. We prefer to utilize an approach that additionally considers interdependencies between the two as well as other forces and actors and their influence on cultural policy. Specifically, we consider cultural policy as a part of broader regimes, as suggested by Zimmer and Toepler (1996, 1999; Toepler and Zimmer 2002) who correlated cultural policy models with welfare regime types. Loosely following this approach, we are interested in how shifts in the interplay between state regulation and administration, cultural producers, artistic elites and interest groups, as well as demand and interest in arts and culture among the population changed cultural policy development in Russia over the past quarter-century. While the notion of welfare state regimes is drawn from cross-national comparative research, we propose to apply the concept to a temporal comparison. In contrast to Western states where cultural policies are deeply embedded in relative stable historical and political contexts, the former Soviet-Bloc countries had no established blueprints of their own to fall back on. Cultural policy-making in Russia, as much as in other parts of the region (see, f.i., Preda 2012, Rindzevičiūtė 2012, Vojtíškováa and Lorencováa 2014) remains unsettled and in search of a stable blueprint to pursue.

Cultural policy and welfare state regimes

The notion of welfare regimes derives from the influential work of Esping-Andersen (1990) and Esping-Andersen and Korpi (1987), which redefined welfare state analyses by shifting emphasis beyond the degree of social spending towards the adoption of social rights and the influence of historical processes, political power, coalition building and alliances of social classes in shaping social policy goals, rights and expenditures. A key consideration is the notion of 'de-commodification of the status of individuals vis-a-vis the market' (Esping-Andersen 1990, 21), that is, the degree to which a welfare regime institutes social rights and entitlements that relief individuals from dependency on the market and its hardships. Considering historical-institutional contexts, political power distributions among social classes and their representative actors (parties, unions, churches, industry groups) and the level of

'de-commodification' achieved, Esping-Andersen identified three distinct welfare regimes among capitalist societies that correspond to prevailing ideological doctrines.

- The liberal welfare regime is 'market-biased' (Esping-Andersen 1990, p. 100) in its belief in the emancipatory power of free markets. Accordingly, social rights and protections are weak, public services are limited and selective and individual welfare is highly commodified, relying on private market transactions or voluntary support.
- On the other end of the spectrum is the social-democratic regime, which features state-dominated egalitarian welfare services and high levels of de-commodification. Social rights are guaranteed and made available equally and universally to all social strata of society.
- A third model is the conservative welfare regime, which also provides a level of decommodification with a relatively strong state presence. However, it lacks an egalitarian focus and aims to preserve the corporatist status quo, by leading individuals 'to subordinate self-interest to recognized authority and prevailing institutions' (Esping-Andersen 1990, p. 38). To achieve this, the state selectively accommodates demands of diverse social interests. Welfare services vary in scope and are tailored to the needs of various social groups and classes, respectively, attempting to mediate inequalities, rather than leveling the existing social differences.

It is important to bear in mind that Esping-Andersen's analysis was restricted to capitalist democracies. As such, market dynamics are prevalent in all three regime types. The differences relate to the degree to which social welfare markets are contained by state intervention on behalf of consumers or recipients of welfare services. While Esping-Andersen exclusively focused on social welfare, Zimmer and Toepler (1996) argued that if these welfare models were in fact true 'regimes,' their distinctive logics, ideologies, and institutional patterns would transfer to other policy fields as well, including arts and culture which, after social welfare, health and education, morphed into the fourth pillar of the welfare state during the twentieth century. As such, institutional arrangements in the field of arts and culture will in tendency, though not necessarily in detail, follow the outlines of the prevailing respective type of welfare regime.[1] The key notion of de-commodification usefully applies to culture as much as social welfare: freeing cultural consumers as well as producers from market pressures and considerations through public provision and support and enshrining a right to culture and a focus on access and education are hallmarks of a highly de-commodified cultural policy. Differences in emphasis on excellence and quality vs. broad access guaranties mark, *inter alia*, differentiating features of more de-commodified cultural policy regime types. Adapting the underlying logic of Esping-Andersen's welfare-specific measures, Zimmer and Toepler (1996) applied an analogous approach to the analysis of cultural policy in the US, Sweden and Germany to show how these policies correspond to their underlying welfare regimes. The work suggested that government support of culture in countries with laissez faire liberal welfare regimes is quite insignificant, which is compensated for by market demand and especially by philanthropic patronage as the primary responsibility for culture is considered to be a private one; market bias prevails in culture as well, cultural rights are limited, and the arts remain highly commodified. By contrast, conservative regimes systematically support primarily

traditional forms of cultural life and high culture in their efforts to maintain the status quo; and social democratic regimes, based on the notion of egalitarianism, provide generous support to various cultural activities. Both conservative and social-democratic regimes consider culture to be a public responsibility and are marked by high levels of government involvement (Table 1).

Overall, this approach does not just consider the role of the state in the provision and funding of arts and culture, but also highlights the role of other actors and the mix of institutions, policy motives and goals, and cultural demand in forming approaches to high and popular culture. While traditional cultural policy typologies prioritize the state's relations with the producers of cultural benefits, thus placing greater significance on mechanisms ensuring or limiting autonomy of cultural organizations, a welfare-regime based approach also focuses on intermediary structures and interests and cultural demand, analyzing relations between state authorities and cultural producers in the context of interrelations between both of them and the interests of the population, whose influence on the field of culture is determined more by their roles as voters, taxpayers, consumers or patrons than by their artistic tastes as such.

How does this line of argument apply to the Russian case? Welfare regimes generally reflect options for citizens to use the mechanisms of government to satisfy preferences not fully satisfied by the market. Obviously, there are no reasons to analyze this in the Soviet realities of the mid-twentieth century, when an individual played a dual role as an object for raising a 'new man,' on the one hand, and as a productive resource in the planned economy, on the other (Zvorykin 1970). Both implied that the population's majority preferences were not among the key factors determining state policy. However, the situation began to change at the end of the 1980s. Without substantially analyzing the changes that have occurred since then, it should be acknowledged that the economy in modern Russia is generally market-based (even though it depends quite significantly on the state), and the political elite portrays itself as representing the ordinary people's preferences, although in practice they may pursue quite different objectives in many aspects. This means that the concept of welfare regimes is useful in analyzing domestic social policy trends, although it would be unreasonable to expect that the realities would fully coincide with it. Assessing Russian social policy from a welfare regime angle, for example, Jakobson (2006) has shown that such analysis reveals mutual inconsistency between declared policy and policies pursued de facto. The former are expressed in the

Table 1. Cultural policy and welfare state regimes.

	Liberal	Conservative	Social-democratic
Cultural policy focus	Laissez Faire	Status Quo	Egalitarianism
Emphasis on high culture and established arts	Low	High	High
Emphasis on popular culture and folk arts	Low	Low	High
State involvement	Low	High	High
Responsibility for culture	Private	Public	Public

Source: Based on Zimmer and Toepler (1996).

declared objectives and partially in legislative acts, and the latter in the state's real actions, including the practical enforcement of these acts. In social policy, the former oddly combines traits of different regimes, primarily the social democratic and partially the liberal one, while the latter includes visible signs of gradual, although not wholly consistent, development of a conservative regime. The longstanding coexistence of declarations and realities not matching each other has been possible due to quite soft social obligations inherited from the Soviet era. In a word, the ambitious guarantees for all stipulated by the constitution and basic laws are defined in such a way that they can and even are supposed to be broadly differentiated through more specific decisions by both the legislative bodies, including regional ones, and especially by the executive ones.

Understanding cultural policy as a part of prevailing broader welfare regimes, as suggested by Zimmer and Toepler (1996), we will investigate whether these inconsistencies and trends observable in Russian welfare policies will also provide a basis for analyzing change in the Russian government's support for arts and culture over the past 25 years. In the following, we argue that the nature of late-stage Soviet cultural policy ushered in a period of liberalism that gradually gave way, however, to a more conservative cultural policy regime. We are particularly interested in how the state, the cultural infrastructure and artistic elites, as well as demand for, and interest in, arts and culture among the population affected cultural policy regime change over the entire post-Soviet period. Russia's current, officially stated cultural policy pronouncements – which have drawn attention and criticism in both Russia and the West – take a very broad and encompassing view of culture well beyond the confines of the cultural infrastructure that is the focus of this paper. We will briefly discuss Russia's current cultural policy pronouncements further below, but our primary concern is not the broader ideological content of specific policy positions, which, similar to the social policy case just discussed, may not get implemented as proclaimed and not significantly affect the underlying regime characteristics.

Background: Soviet cultural policy

The evolution of Soviet cultural policy forms the historical-institutional background of post-Soviet developments. Its original purpose was to serve as a tool for 'developing the masses,' that is to instill the knowledge, skills, and, more importantly, world views that, according to communist thinking, would be in demand in future society (e.g. Lunacharsky,[2] 1925). Conflicts emerged early on about whether a utilization of the specific skills and knowledge of the bourgeois cultural elite was needed to pursue these goals or whether it should be replaced by a new proletarian intelligentsia (Fitzpatrick 1970, Read 2006). Traditional elites were briefly purged during the cultural revolution, but soon reinstated under Stalin (Fitzpatrick 1974). During Stalinism, moreover, cultural policy objectives started being interpreted even more pragmatically, with an emphasis placed not so much on human development, but increasingly focused on regime protection and the need to mobilize the population for labor and defense (e.g. Stalin 1997). In the final stages of the Soviet period, cultural policy objectives became more amorphous. The 1977 constitution (which remained in force with amendments until the Soviet Union's breakup), for instance, framed the issue in terms of 'moral and aesthetic education.' While specific objectives and the intensity with which they were pursued thus changed over time,

the essence of Soviet cultural policy remained the intention of 'training a new type of man' (Zvorykin 1970, p. 16) in keeping with the normative judgments of the political leadership with assistance of both the guardians of ideology and cultural experts.

This approach accorded the state a dominant role in the cultural sector, not only in setting cultural policy objectives, but also in cultural production (with almost exclusive public ownership of cultural assets) as well as the means of support. Almost fully decommodified, the cultural infrastructure was financed through the state budget, trade union and collective farm funds and receipts from admissions or ticket sales were marginal, albeit some parts of the cultural infrastructure was supposedly self-supporting, but with deficits covered by the state (Zvorykin 1970). The menu of cultural offerings was ideologically controlled and determined by what was believed to be in the state's best interests without much focus on popular preferences. Informal art scenes existed, but were suppressed when drawing too much public attention (Rueschemeyer 2005).[3] Otherwise, only marginal cultural expressions, such as informal rock clubs and other emanations of youth culture, escaped state control. However, the rational construction of cultural policy was undercut by two interrelated factors over the entire Soviet period. One was the use of members of artistic communities as experts with quite some degree of influence over policy implementation (Fitzpatrick 1970, 1974). Albeit generally loyal to ideology and the authorities, artists as experts were still susceptible to the interests of cultural institutions, and the self-interests of the artistic communities.

The other factor was that many policy decisions ultimately paid tribute to the esthetic personal tastes of the political leadership and homage that many of them paid to what experts considered genuine culture. Stalin, for example, had a 'strange fascination – a mixture of attraction and repulsion – for genius or great talent' (Lewin 2005, p. 90), which quite significantly influenced his attitudes toward artists and other cultural figures.[4] Considering 'the numerous instances of Stalin's personal interventions in the fate of prestigious apolitical poets, his consultations with bourgeois scholars …, and the competitive anxiety of other party leaders to demonstrate that they too were on visiting terms with the great non-Communist writer Maxim Gorky [suggests] that the leadership respected "real culture" … ' (Fitzpatrick 1992, p. 245).

As a result, the real-existing cultural policy was oriented not only toward objectives beyond the cultural sector but also toward interests and preferences of the cultural intelligentsia, that is the elite closely related to it, as well as interested 'members of the communist political hierarchy' (Rueschemeyer 2005, p. 160), while the population at large was cast merely in the role of a passive audience. Although tensions developed over time within the cultural policy community between professional cultural administrators and the acclaimed artistic experts, as a rule, both continued to treat 'middlebrow tastes' with disdain. Unconstrained by market forces or elections, the political leadership was likewise disinclined to let the preferences of the masses influence cultural production. The doctrine of socialist realism in the visual arts, for example, was judged as producing broadly accessible art and serving the needs of the population on ideological grounds rather than popular demand (Kay 1983). In sum, Soviet cultural policy comprised relatively generous state support for a state-controlled cultural infrastructure that was mutually supported by both

political and artistic elites (despite censorship), but with no particular regard for cultural demand of the population.

Liberalization of post-Soviet cultural policy and its consequences

By 1991, the moment of the Soviet Union's breakup, the cultural policy agenda was largely focused on changing relations between cultural workers and the government, and in particular on the acquisition of freedom of artistic expression by the former, and the conditions for continued and even increased state support (see, f.i., Gubenko[5] 2013). While a new cultural policy agenda began to materialize, other changes were simultaneously taking shape: the dependence on an authoritarian government was spontaneously replaced by dependence on the preferences of the masses, influencing both market demand (as paying consumers of cultural goods) and as voters shaping the political options for cultural policy makers. Unfortunately, key participants in the debates about the policy agenda viewed the emerging political process as the intervention of the ignorant into a field that should be left to experts (Rubinshtein and Muzychuk 2014).

In either case, the post-Soviet cultural policy vector was actively shifting toward *liberalism*. At some level, this happened quite consciously by intentionally emancipating producers of cultural benefits from further state control and tutelage. At another, it happened somewhat unintentionally by emancipating *consumers* as well from the preferences of both cultural producers and the government. This happened amid a drastic decline in the economic fortunes of both the population and the state, while for the population at large neither personal nor public expenditures on culture were principal, high priority, and political representation of the interests of the cultural sector was weak. Arts and culture were increasingly exposed to the market, but market demand during a difficult transition period remained lackluster.

The trend towards a liberal regime type in the early post-Soviet period was also clearly visible in new laws and regulations. The new Russian constitution's article addressing culture focused narrowly on the theme of freedom of artistic expression. A minimalistic approach toward decommodification prevailed in other relevant federal laws adopted in the 1990s. While many declarations were made proclaiming 'a special role of an art worker in cultural activities,' or 'guarantees of general accessibility of cultural activities, cultural values and benefits' (Fundamentals of the Russian Federation Law on Culture of 1992, Articles 27 and 30), concrete economic guarantees were established only in relation to library and museum collections, free library services, and free access to museums for certain categories of people. The scope of government funding of the cultural sector as a whole was significantly reduced compared to the Soviet period, and its structure changed toward the preservation of what had been accumulated (Cultural Policy … 1998, pp. 177–179), as opposed to support for the development of new artistic endeavors. The total volume of budget appropriations for the culture sector in the first post-Soviet years was steadily declining to amount to only about 60% of the 1991 level in 1998, the year of the government default (Yasin et al. 2013, State Report 2014).

Liberalization affected the condition of not only art professionals but also cultural organizations, giving rise to the private sector and expanding the rights of the administrators and leadership teams of state-run cultural institutions. The reductions in public subsidies were partly compensated for in two ways. Formally, state

organizations gained greater independence in planning their repertoire and additional services, as well as in setting prices and developing other forms of earned income, such as renting out their facilities. Informally, direct government supervision became lax and supervising bodies typically took a passive approach towards the exercise of their remaining powers. This often led to situations as described by the prominent actor Mikhail Kozakov at the 4th Congress of the Union of Theater Workers as follows: 'Theater directors have turned into appanage princes possessing real estate … They manage it at their own discretion.'[6] What is noteworthy is that Kozakov did not criticize insufficient government control over organizational leadership that treated their institutions as de facto proprietary, but the directors' unwillingness to share resources at their disposal with art workers. The former conflict between intellectuals and authorities was copied at a micro-level.

Such informal quasi-privatization seemed an appealing alternative to official privatization, which in practice often implied the loss of government funding (government support was only technically available to private organizations as well). The fundamentals of the Russian Federation Law on Culture of 1992 explicitly prohibited privatization only of cultural heritage sites. Other cultural institutions could be privatized but the new owners still had to comply with a number of obligations, including, for instance, the preservation of discounted services for some categories of consumers. Apart from movie theater networks, privatization in the cultural sector usually happened on a case-by-case basis: factory clubs were privatized together with factories or certain cultural facilities were returned to religious organizations (Rudnik *et al*. 1996). Private cultural organizations emerged for the most part not out of formerly state-owned institutions, but in addition to them and were divided into purely commercial show businesses and a non-commercially-oriented segment. The conditions in the 1990s were not conducive to the latter's survival, and many organizations looked for, and eventually found, opportunities to return to the government sector (Sorochkin and Shah-Azizova 2000).

A stronger development of charitable and philanthropic activities could have helped form a non-governmental segment in the cultural sector. However, the encouragement of private donations and sponsorships was aimed exclusively at supporting state-funded organizations, as were income and profit tax exemptions (Jakobson *et al*. 2000). At the same time, the role of private giving in the 1990s was not significant for the state-funded segment in the cultural sector either, which was unsurprising considering the difficult economic situation as well as the loss of philanthropy traditions during the Soviet period. For example, the share of this revenue source of the total income of theaters and museums amounted to only about 3% by the end of the decade (Gasratian 2003).

Furthermore, affordability emerged as a major issue for arts consumers facing declining real incomes and economic uncertainty, which effectively prevented cultural organizations from dramatically increasing earnings from admissions or ticket sales. For instance, earned income only grew from 19.9% in 1996 to 26.9% in 2000 in state theaters (Gasratian 2003). Even in Moscow, the share of adult theater-goers dropped by one quarter and that of art museums and exhibition visitors by one-third (Fokht-Babushkin 2013). Used to high subsidies and less affluent now, Muscovites mentioned high ticket prices as the main reason for not attending (Artistic Life … 1997). Despite initial hopes to the contrary, demand was not a sufficient substitute for state support. According to Ministry of Culture information,

state and municipal expenditures for public cultural organizations amounted to about 80% of the entire volume of their budgets at the end of the 1990s.[7]

In sum, what happened to the cultural sector in the 1990s can be described as an upheaval of the Soviet era power relations in the cultural field: while the artistic elites successfully challenged the state bureaucracy's dominance, consumer demand by the population became the driving force. This happened in fact unintentionally and without preparations. However, cultural policy did not stabilize, because the mostly liberal view that prevailed in the cultural policy debates was inconsistent with the existing conditions, above all the weakness of both private demand for cultural goods and services in the marketplace as well as the extent of private philanthropy and sponsorships. In other words, the state had retreated drastically and effectively left a vacuum that turned culture into a private responsibility, but markets and private donors were unable to sustain it.

This forced both cultural sector administrators and the intellectuals comprising the artistic elite into a major reconsideration of policy options. The attitudes of the former at the time were perfectly characterized by the Chairman of the Union of Theater Workers Alexander Kalyagin's remark at a Union congress: 'I realized quite quickly that we, our entire theatrical community, can't survive without the state, with which we had to seek agreement.'[8] Intellectuals, at the same time, were intent on supporting a policy that would prevent leaving arts and culture at the mercy of market forces and the low brow tastes of consumers (Rubinshtein 2008). With the state barely intervening, culture experts quite routinely complained that the government apparatus poorly understood their concerns and did not heed their views (Trubochkin 2012). As such, reaffirming the role of the state in culture became an option endorsed by the cultural policy community.

The shift towards a conservative regime

The beginning of the twenty-first century in Russia was a period of quite rapid economic growth, with social expenditures growing even faster than GDP. The cultural sector was not an exception, although public expenditures and private financing grew significantly slower than in the healthcare sector, for instance. Nevertheless, after the laissez-faire of the 1990s and with the backing of key cultural policy constituencies, the government began to reassert its predominance in the field (Rueschemeyer 2005) and the state's role vis-à-vis the private sector – whether consumers, philanthropists or sponsors – began to strengthen continually. Accordingly, funding levels available through the Russian Federation's Ministry of Culture grew by more than 150% in real terms since the early 2000s. At the same time, the share of extra-budgetary resources in the financing of organizations belonging to the Culture Ministry system (that is cultural institutions in federal, regional or local public ownership) decreased from 22 to 16% between 2000 and 2008 and has stayed roughly at this level since. It is noteworthy that extra-budgetary resources almost fully consist of earned income, while charitable donations account for no more than slightly above one percent of the total revenues of public institutions. Moreover, with quite a modest level of charitable donations in general, their principal beneficiaries in the cultural sector are organizations having special *status assigned by the state*, whose boards of trustees include influential public officials in addition to prominent philanthropists. In other words, private sponsors chiefly follow the state's

choice in their activities in the cultural sector, and their role in forming alternative priorities is rather limited.

In a period when the state strengthened overall significantly faster than market institutions and civil society, Russia was thus moving from the laissez-faire liberal regime of the 1990s towards the development of a conservative cultural policy regime, which aimed at the preservation of a modest non-governmental segment in the cultural sector and reduced autonomy of organizations belonging to the public sector. While there is a broad spectrum of interpretations there is widespread agreement in the cultural policy field that this conservative trend is a key characteristic of the past fifteen years (see, f.i. Contemporary … 2011, Shevtsova 2014); and one that is reflected in a number of new regulations and reform initiatives.

The early 2000s, for example, saw debates on a bill opening the path toward transforming state-owned institutions into non-governmental non-commercial organizations. The notion of denationalization and a further state withdrawal, however, had become very unpopular in the professional communities within the cultural sector by that time (Lisin and Rudnik 2012), and the resistance effectively killed the bill. Conversely, limitations of the autonomy of governmental cultural institutions came in waves, and almost all of them resulted from attempts to resolve specific tangible problems in individual cases, such as shady privatization procedures, uncontrolled commercialization, or corruption in procurement. Unfortunately, efforts to regulate problem areas and create disincentives for misuse outpaced by far the creation of positive incentives for new artistic and financial opportunities.

As early as 2000 though, the financial autonomy of public cultural institutions as well as public institutions in other industries was challenged by an effort to consolidate extra-budgetary funds into government budgets, which would have put earned and private income sources under the control of state and municipal bodies. However, concerns that this would discourage cultural institutions from pursuing earned income, private giving and sponsorships led to a compromise, which allowed organizations to keep such income, but barred them from using private bank accounts or taking out loans. All transactions involving either budgetary or extra-budgetary funds needed to be routed through the treasury system, which put these institutions under much tighter control by government bodies than before.

Another round of changes occurred in 2004 and 2005. The first concerned the regulation of income-generating activities. While earlier an institution could determine these activities relatively freely, now they had to be in conformity with the objectives for which the institution was established and be exhaustively described in its charter endorsed by a government body acting as this institution's founder. Business activities unrelated to the mission and undertaken to cross-subsidize artistic activities were not possible anymore. The second amendment is the introduction of procurement regulations, whose original version focused on the prevention of collusion and minimization of costs over the choice of reliable suppliers and high-quality procurements. This had an especially damaging effect on artistic organizations, as for example, theaters were actually deprived of the right to choose a stage designer in keeping with the director's artistic vision, as this could have been against the law if other stage designers submitted lower bids. Such extremes were gradually eliminated through dozens of amendments to the government procurement law, which eventually gave way to an overhauled new public procurement law.

A law on autonomous institutions adopted in 2006, however, potentially reversed some of these restrictions again. If state or municipal departments formally owning cultural institutions consented to a conversion to autonomous status, the institution regained some economic freedoms such as to have commercial bank accounts, to take out loans, and to have relatively more freedom in making procurement decisions. However, autonomous institutions received budget subsidies in the form of a lump sum unlike, budgetary organizations do. In addition, in exchange for these privileges, the state or municipal owners of autonomous institutions, unlike those of budgetary ones, refuse to take liability for these institutions' debts.

Increasing the economic and managerial autonomy of cultural institutions and lessening the degree of state control should have been a measure broadly welcomed by the cultural sector, but it was not. By contrast, the history of the preparation of this law and its implementation in the cultural sector shows how leaders in the cultural policy field, frustrated by the liberalization of the 1990s, rather feared the weakening of ties with the state and its potential repeat-withdrawal from the responsibility of maintaining the cultural infrastructure. Accordingly, the Union of Theater Workers was at the forefront of dismissing the original version of the bill, which would have granted broad oversight powers to a non-governmental supervisory board of an autonomous institution. The Union's counter proposal was not only that these powers should be narrowed but also that there should be the option of not establishing such a supervisory board and delegating its powers instead to a governmental agency. Even though this proposal was adopted, remaining concerns kept cultural organizations from seeking to convert and the number of autonomous institutions in the cultural sector is still quite limited.

Certain characteristics of autonomous institutions (i.e. the allocation of funding without budget itemization in combination with the absence of the state's subsidiary liability) were extended to most budget-funded organizations in 2010. However, new steps toward restricting their autonomy followed as early as 2011. In particular, new regulations invested government bodies with virtually unlimited control over the drafting of business plans of the institutions reporting to them, including autonomous ones (Lisin and Rudnik 2012). Although, in practice, government bodies regulating the cultural sector are usually quite passive in exercising these powers, the ability to do so leaves organizations wary about exercising their economic and financial flexibility too freely. These various trends affecting the economic aspects of the cultural infrastructure were never explicitly stipulated or discussed in official cultural policy statements and strategies or reports. Official proclamations tend to postulate general, but non-committal cultural policy objectives 'in favor of everything that is good' without clearly ranking priorities, which leaves a lot of room for variations in administrative decision-making in their implementation. But it is at the level of such decisions that an inclination toward this or that cultural policy model can be deduced.

To an extent, this same approach of proclaiming general policy objectives without specific implementation strategies is followed in the *Foundations of State Cultural Policy* decree, signed by President Putin at the end of 2014. A leaked unpublished early draft of the Foundations had a distinctly conservative character under the theme 'Russia is not Europe' caused considerable controversy and was subjected to harsh criticism, primarily by the Russian academic and artistic communities.[9] Due to this resistance, the Ministry fundamentally revised the document and the 'Russia is not Europe' slogan did not make it into the final version. The goals,

principles, and objectives of cultural policy as laid out in the *Foundations*, include instead declarations such as 'generating conditions conducive to developing creativity of everyone,' 'freedom of creation and non-interference of the state in creative activity,' or 'delegation of part of the state's responsibilities to civic institutions.' The above goals, principles, and objectives go hand in hand with such as 'the formation of a harmoniously developed personality,' 'intergenerational transfer of values and norms traditional for the Russian civilization.' It would seem that the *Foundations* intended to allow people of widely differing beliefs and opinions to find this document supportive of their views.

Moreover, the *Foundations* are much broader in scope than typical cultural policy statements, exceeding the gambit of the Ministry of Culture as much as the scope of this article. While not tying arts and culture to a specific welfare agenda, they link cultural policy with Russia's national security: 'the state cultural policy is deemed to be an integral part of the Russian Federation national security strategy.' The latter consideration not only singles out Russia in the world arena, it is also a novelty in Russian official documents. As such, culture, very broadly conceived, is supposed to shore up Russian civilization and the building of national identity unifying the various peoples of Russia and its sphere of influence, thus supporting the foundations of the state. Vladimir Tolstoy, cultural advisor to the President was hence quoted as saying 'the most important thing is that culture should be understood in a much broader sense than just the sphere of culture covered by the [Culture] Ministry, which is theatres, archives and libraries. Culture is a basic concept, the basis of a person's identity and the foundation of the national character and even of the state … '[10]

However, Putin's briefing of his ministers on the implementation of the *Foundations* in January 2016 suggested more mundane implementation strategies: he called for increased

> access to books and periodicals, in line with this year's Year of Literature initiative. He noted that the government must work to promote the best works of classical and modern Russian and foreign literature. Other initiatives supported under the new policy include the Russian Virtual Concert Hall project, folk arts and crafts programs, the XV International Tchaikovsky Competition for classical music, and local programs aimed at the preservation of the cultural heritage of Russia's many national groups.[11]

While it still remains to be seen how the unified cultural policy envisioned in the *Foundations* will shape up in practice, an evolution towards more conservative priorities have been in evidence, *inter alia*, in the president's past annual addresses to the Federal Assembly (the Parliament of the Russian Federation). The 2008, 2009 and 2011 addresses highlighted the innovative component of cultural activities compared to the traditional one. For example, the 2009 address said:

> More significance should be attached to supporting innovative and experimental trends in art […] After all, it should be remembered that what is considered classical today was often created against the canons, through rejecting customary forms and breaking with tradition.

The sections of the 2012 and later addresses dealing with cultural policy, however, placed an emphasis primarily on traditions. A similar trend is also visible at the level of administrative decisions. For example, the concept of new cultural centers in small towns across Russia radically changed in 2015. Until recently, they were

positioned as innovative ones, but now they will be reoriented toward religious and patriotic education of these towns' residents based on traditional values of national culture. These centers are expected to be integrated with the activity of the Russian Orthodox Church. [Digest … 2015], which in keeping with corporatist conservative regimes is being granted a greater role and influence in cultural policy matters by the state.[12] Overall, Russia currently features the core hallmarks of conservative regimes, which are a state-bias rather than a market-bias, and negotiations between state and key social forces, such as the cultural intelligentsia or increasingly the Orthodox Church, to preserve the status quo, ideologically (traditional values), economically (state commitment to protecting the cultural infrastructure and thus the interests of the artistic elites), as well as politically (national cohesion and security).

Conclusion

Gauging whether the conservative trend in culture represents a long-term trajectory would require an assessment of the prevailing attitudes within Russia's cultural policy community, about which information is at best quite fragmentary. However, recent research by Rubinshtein and Muzychuk (2014) – presenting initial results of a poll of prominent cultural figures, art experts, administrators and community leaders – suggests that sentiments in the cultural policy community are clearly in favor of a cultural policy that Zimmer and Toepler (1996) would associate with a conservative welfare regime. Indeed, leaders in the sector, for instance, express concern about the young people's disassociation from traditional national culture and the popularity of 'cultural surrogates distorting our compatriots' tastes and likings.' In these experts' view, this should be counterbalanced by state-funded cultural projects such as online cultural offerings or the restoration of culture clubs. Insisting on radically enhancing financial guarantees for cultural entities, the respondents mentioned, along with consumers of cultural benefits, only state and municipal cultural organizations and their employees as the focal point for new cultural policy initiatives. Unlike market-leaning liberal regimes or access-focused social-democratic ones, such state-focused attitudes of cultural elites correspond most clearly with a corporatist conservative regime.

While it is hard to generalize from this poll to the opinions held by broader groups of cultural policy constituents, the consistent undercurrent of the policy debate is the continued desire not to return to the liberalism of the 1990s. Rather there is the desire to reconfigure the 'triangle of relations' between bureaucracy, the intelligentsia and consumers in such a way that popular tastes should not be a determinant of what takes place in the field of culture. Perhaps this could be partially explained by the fact that, for most people, support for culture is still not among the top priorities. For example, a representative poll of Russian respondents conducted in April 2014 under a contract with the HSE showed that a mere 6% of respondents mentioned the development of cultural institutions as among the five political priorities significant to them personally (by comparison, the quality of medical services was mentioned by nearly half of the respondents). Dynamics between the artistic elite and the authorities have also changed, as the former does not so much question the top-level bureaucracy's dominance in determining the cultural policy as it tries to persuade this bureaucracy to attach more significance to its needs. The key essence of the demand for change is fundamentally increasing government support for the field of culture, which may, however, become more of

an uphill battle as economic growth stalls amid larger political and economic issues.

Based on the information currently available, the economic components of Russian cultural policy will likely continue to evolve toward a conservative regime, with the influential representatives in the field championing the strengthening of this regime's traits. Whether this is a viable direction over the long-run remains debatable. At least in the Russian case, certain aspects of conservative regimes, such as a relatively strong position of the state especially in providing basic financing of the cultural infrastructure, could probably be sensibly intermixed with greater incentives for traditional forms of cultural activities to become more innovative or to increase the supply of non-governmental cultural offerings. As for the latter, the recent introduction of various financial incentives and other preferential treatments for so-called socially-oriented nonprofit organizations will benefit private cultural heritage organizations and potentially other types of arts and cultural organizations as well.

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Notes

1. The relationship between welfare and culture is perhaps most commonly recognized in the context of the Nordic countries (e.g. Lindberg 2012).
2. Anatoly Lunacharsky was the first Commissar for Enlightenment who headed the education and culture department in the first Soviet government.
3. Among the most salient examples is the famed 'Bulldozer Exhibition' of 1974, in which a number of informal artists organized an outdoor exhibition of their work in a public park in Moscow that was broken up by police with bulldozers and dump trucks.
4. The prominent poet Konstantin Simonov (2004) provides a detailed account in his memoirs of how the Stalin Prize, which served as a mark of highest distinction for people of artistic professions, was awarded. Final decisions were made by Stalin himself at narrow format meetings, which, along with his entourage, were attended by a few cultural figures. These conferences generated a strange mixture of political and esthetic judgments. Volkov (2008) shows based on dozens of cases that the fates of whole art movements and the standing of artists and other cultural figures were determined by an intricate combination of Stalin's, Khrushchev's, or Brezhnev's pragmatic considerations, aesthetic likings, and respect for acclaimed talents (the latter, however, was far from always being a decisive factor). In particular, Volkov convincingly argues that it is Stalin's personal decisions that helped such authors as Mikhail Bulgakov, Boris Pasternak, or Dmitry Shostakovich, who were never known as ardent supporters of Communist ideology, avoid reprisals. On one hand, however, Stalin authorized and even initiated persecution of cultural figures for so called political errors and on the other hand, he even enabled them to enjoy relative security and prosperity, openly claiming that he valued their talents.
5. Nikolai Gubenko was a prominent actor and film director, who served as the last Soviet Minister of Culture. Appointed during perestroika, he was also the first non-bureaucrat to serve in this post since Lunacharsky.

6.   http://www.litsovet.ru/index.php/material.read?material_id=192498&fullscreen=1   (last accessed: 25 June 2014). The Appanage period in Russian history lasted from the eleventh century to the Principality of Moscow's rise to prominence in the fourteenth century.
7.   Hereinafter the indicators of expenditures of the organizations belonging to the Russian Culture Ministry system are calculated based on information contained in yearly statistical reference books published by the Culture Ministry's Main Information and Computation Center.
8.   http://www.litsovet.ru/index.php/material.read?material_id=192498&fullscreen=1.   Last accessed 25 June 2015.
9.   See, for example, the Address of the Academic Council of the Institute of Philosophy, Russian Academy of Sciences, on the Concept of the Fundamentals of Cultural Policy, available at http://iph.ras.ru/cult_polit.htm; also 'Russian Intelligentsia criticises new draft government policy document, "Foundations of State Cultural Policies"' at http://hro.rightsinrussia.info/hro-org/culturalpolicy
10. See http://harryrizq.com/russia-state-culture-policy/.
11. Putin Briefs Ministers on Implementing Unified Cultural Policy. 25 January 2016. http://sputniknews.com/russia/20150125/1017322187.html.
12. In a recent interview with German newsmagazine Der Spiegel, Vladimir Urin, director of the Bolshoi, denied the existence of political interference in programming decisions, but noted that 'we do feel the polarization of our society and the international tensions. There is also pressure from religious organizations [such as the dismissal of a theater director in Novosibirsk by the Minister of Culture pursued by the Orthodox Church which] … did not exist before.' http://www.spiegel.de/kultur/gesellschaft/wladimir-urin-bolschoi-direktor-im-interview-a-1072833.html.

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Cultural policy as general will and social-order protectionism: Thailand's conservative double movement

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Cultural policy as general will and social-order protectionism: Thailand's conservative double movement

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This article interprets the work of Thailand's Cultural Surveillance Unit through the lens of social-order protectionism. It argues that apparently facile interventions of the CSU into culture debates are underlined by genuine concerns about social disorder and the capacity of citizens to make morally sound choices. Secondly, it interprets cultural policy as implicit social contract making: those who make and activate cultural policy do so invisibly mandated by a higher order of legitimacy than the ballot box – they do so seemingly in the name of the general will. Culture policy as presently constituted provides conservatives with an aesthetic weapon against populism and the assumed deficiencies in the practice of democratic citizenship.

Keywords: Thainess; democrasubjection; democratic subjectification; social-order protectionism

In July 2003 Senator Rabiaprat Phongpanit, President of Thailand's Interior Ministry's Housewives Association, and Deputy Chair of a Senate committee on Women, Youth and the Aged, wrote to the Public Relations Department (PRD) seeking to ban several songs that she claimed inspired adultery. Rabiaprat was a well-known campaigner for marital monogamy and propagator of slogans such as 'Together Until We Die', and 'He's Mine Don't touch'. Initially ignored by the PRD, Rabiaprat – whose name is a felicitous homophone for 'state-regulation' – then sought support from the Ministry of Culture (MOC). By late August, the issue had mushroomed into an investigation of eighteen songs and four videos (see *Siamrat*, August 23, 2003), including old country songs such as: 'I Fear No Sins', 'One Woman, Two Men'. 'My Wife Had An Affair', 'A Mistress' Ultimatum', and 'Is It Sinful For Us To Love' (*The Nation*, August 22, 2003). After a meeting on the matter convened by PRD and MOC a prominent monk, who had also attended, explained to assembled media that 'the meeting has considered the songs that the Ministry of Culture had received complaints about … these songs are against morals … … they promote a lack of self-restraint (Anon 2003a).'

Permanent Secretary of the Ministry of Culture, Chakarot Chitrabongs, versifier of royal glory and Cambridge-educated architect (see Connors 2005, pp. 536, 542–543) was then caught off-guard by media reports that the songs were banned. Seeking to defend the presumed actions of his Minister in charge, he explained:

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> The reason that the Ministry seeks cooperation from the PRD to cease the broadcast of the eighteen songs flows from the fact that the Ministry is establishing a Monitoring Centre to scrutinise different media that presents material contrary to good morals [or] the good culture of Thailand. If we encounter anyone who acts thus we will use the processes of social sanction by issuing a warning letter and cooperate with relevant agencies or those with punitive powers to take action. (Anon 2003b)

Chakarot conceded the 'banned' songs were popular and enduring, but put a modernist twist on the ban: in previous times, he explained, songs were part of the oral culture of small groups and were not widely known. Now that radio had a mass audience people 'were forced to listen [to such songs], which, considered from a different perspective, was a violation of human rights; developed countries do not do this' (ibid.).

Although the episode degenerated into farce, with the PRD (2003) eventually claiming it wasn't authorised to ban, the attempt reflected the regulative impulses of some MOC staff and the propensity for seemingly folk artefacts to become connotative of broader social problems. The banning campaign obliquely touched on the gender politics of Thailand's sex industry and many Thai men's engagement with 'mia noi' (minor wives). Such episodes populate Thai media but are often dismissed as bizarrely amusing set-pieces framed by prudes and mocked by libertarians. However farcical, the song-banning issue spoke to the disarrayed gender landscape and the prospect of the degeneration of a key socialising agent – the family and the moral orders facilitated by its cultural transmissions. It reflected a concern with social-order and the conditions for its reproduction in the face of the persistent logics of capitalisation and commoditisation: a stance this article names as 'social-order protectionism'.

Social-order protectionism and law-giving

This paper makes a case for considering various cultural mobilizations and surveillance by Thai government agencies as acts of 'social-order protectionism'; secondly, it makes the case for thinking about cultural policy as constitutive of the general will.

While 'social protectionism' refers to the typically economic bundle of safeguards that emerged in response to market liberalism (Drahokoupil 2004), the term 'social-order protectionism' here delineates the domain of intervention as extra-economic, related rather to the symbolic politics of identity and social relations of reproduction, or social-order. The agencies reviewed in this article may be viewed as conservative but reforming agents in the process labelled 'double movement' by Karl Polanyi. In his *Great Transformation* on the rise of free market capitalist society in the nineteenth and early twentieth century, Polanyi traced what he termed a double movement: principally this involved the first movement of the market disembedding itself from social institutions and external regulation and, second, the counter movement of class forces seeking to embed and regulate capital and the market in the wider social and political terrain of human society (Polyani 1957). In the second movement, efforts to create economic forms of social protectionism came to shape the emergent welfare state, driven by class based actions. Moreover, if the original Polanyian conception of the double movement pitted economic liberalism against working and landed classes, this account pits normless capitalism against a guardian bureaucracy and supporters bent on social and moral reform.

With this in mind, it is possible to view the politics of surveillance and social-order movements as an attempt to domesticate the perceived normless dynamic of capitalism and its resulting hedonistic materialism by invoking moral-national resistance to the unregulated market *and* pushing for the de-commodification of select domains. This takes place in the promotion of various social and cultural policies articulated to questions of appropriate identity and practices. By back-grounding the Ministry of Culture and its Cultural Surveillance Centre's general hegemonic function of policing identity (see Connors 2005), and foregrounding its politics of social-order protection against predatory capitalism, it is possible to see in pockets of the Thai state a reforming impulse that seeks to tame capitalism by forging a support base for conservative cultural politics outside of the bureaucracy by twinning hegemonic notions of Thainess with decency and ethical life.[1]

The second argument draws on Rousseau. It is notable that influential readings of Rousseau were present in the Thai post-revolutionary period after the fall of the absolute monarchy in 1932 (Supachai 2014), and were reprised in the revivalist-royalist regime that took shape in the late 1950s with the military being seen as the articulator of the general will, and again in the 1980s when a reactionary movement emerged seeking to end 'parliamentary dictatorship' and sought manifestation of the general will in a Revolutionary Council (Connors 2003: Chapter 5). But the second argument is not so much about explicit referencing of Rousseau as about using the idea of the 'general will' as a heuristic device to understand the mentality of conservative reformers in the Thai state. The second argument principally concerns what has become known as the founding paradox of politics (Honig 2008, p. 118): theorists of democracy, drawing on Rousseau's *Social Contract*, explore the aporia that a people who are putatively sovereign through acts of the 'general will' need to be made capable of that sovereignty. As Rousseau (2002, p. 182) puts it,

> In order that a newly formed nation might approve sound maxims of politics and observe fundamental rules of state-policy, it would be necessary that the effect should become the cause; that the social spirit, which should be the product of the institution, should preside over the institution itself, and that men should be, prior to the laws, what they ought to become by means of them.

Stated differently, the founding paradox is that individuals cannot constitute an order until they are formed by that order; they are a 'blind multitude, which often knows not what it wishes because it rarely knows what is good for it' (180). Rousseau resolves this effect-cause conundrum at the founding of the social contract, with the figure of a lawgiver or legislator, who possesses the political ingenuity to identify appropriate rules of association for particular peoples and whose transformative capacities enable a sovereign people to be formed (see Ingston 2010, p. 394; Rousseau 2002, Book 2: Chapter V11). Who and what can turn a 'blind multitude' into a people is what cultural policy tries to answer. It will be argued below that the Ministry of Culture, particularly its CSC, act as a legislator of culture by aggrandising a legitimating principle of Thainess which putatively functions as an enabler of 'the general will'. The CSC acts as an enforcer of a mythic but functioning social contract to be Thai which is to say, from that agencies perspective, to be a culturally capable citizen able to exercise an orientation to the public good (Connors 2005; Streckfuss 2011).[2]

When cultural policy relates to the constitution of a people, we might say it acts as an iterative Rousseauian legislator. An objection arises that in Rousseau's account, a social-order is founded by a great historic figure, the legislator or law-giver, who withdraws in the face of the emergence of a general will and rules of association. The CSC then could only be something much less – a magistrate perhaps. In reality, Rousseau's account is mythic, no order is constituted thus and the formation of a general will is a matter of permanent contest and aggrandisement to speak in its interest, and 'blind multitudes' are always present as a problem to be governed (see Honig 2008). The CSC engages in a permanent contest to shape the general will.

This study has an added relevance because the politics expressed in the CSC's work foreshadowed the conservative identity politics of those supporting the 2006 military coup d'etat against populist prime-minister Thaksin Shinawatra, who was viewed as a threat to the establishment of palace, bureaucracy, military and sections of big business. Focusing on the pre-coup period illustrates the enduring culturally conservative nature of the elements of the Thai bureaucracy and the networks that it forges, and the conservative policy reaction to globalised capitalism and the pluto-populist democracy engendered by Thaksin (see Baker 2005). These politics became more pronounced after the 2006 coup when the electorate defiantly returned pro-Thaksin parties to power in the general elections of 2007 and 2011, resulting in political conflict and the coup of 2014. Since the emergence of populism in Thailand, the issue of citizen capacity (or the problem of the blind multitudes) has been at the heart of both liberal and conservative critiques of the Thai democracy and the electorate (Hewison 2015), and an underlying motivation for the suspension of electoral democracy.

The social-order campaign

The term 'social-order protectionism' is derived from an intervention in public life labelled the social-order campaign in 2001, driven by the Interior Ministry, or at least its Minister, Purachai Piamsombun who defined social-order as 'the development and enforcement of regulations, and the measurement of those regulations related to social-order that lead to a state of being civilised' (Purachai 2002, p. 2). In short, social-order defined the relationship of the public-minded citizen, the civilised person with internal restraint and capacity, and the norms and laws of the land. Accompanying the Campaign was the revival of a perpetual discourse of not having quite developed the right kind of citizenry – reflecting, since the nineteenth century, attempts by modernising elites to build among the population a hybrid Thai spirit/rational universal self to demonstrate capacity for self-rule against imperial encroachment (and later cultural imperialism), a process in part described by Herzfeld (2002) as 'crypto-colonialism' (see also Thongchai 2000; Harrison and Jackson 2010).

During 2001, the campaign was executed with vigour, exceeding the normally selective clean-up of anti-corruption drives. As Minister of the Interior Purachai led police on sauna or pub raids to catch illicit sex transactions or underage drinkers. Faced with nightly news coverage of a man bent on a clean-up blitz, entertainment venues in Bangkok suddenly became self-regulating, often closing earlier than necessary. In gay venues private cubicles normally arranged for sexual encounters were opened up by means of cutting holes in the door and removing locks.

Thousands of female go-go bars reverted to a more modest age, with dancers covering their breasts. Sex shows, a regular feature of Pat Pong area, ceased (see *Phujatkan raiwan*, 30 August 2001; *Siamrat*, 16 September 2001; *Thaipost*, 27 August 2001; *Matichon*, 29 September 2001; observations by the author). Defending his campaign against protests from business owners and those working in the informal economy, Purachai explained that the government was merely attempting to enforce laws regarding venue registration and licensing laws that had passed in 1981, but which were routinely ignored by owners and managers who paid kickbacks to local enforcement authorities (*Phujatkan raiwan*, 30 August 2001). He claimed that while there were approximately more than 3000 legally registered entertainment venues in the country just as many, if not more, operated illegally. Such venues dodged tax and flouted construction and noise bylaws. As the social-order campaign started to bite, those who made a living from night time entertainment began to rally in sizeable protests in red-light entertainment districts such as Pat Pong. Purachai's response characterised his entire approach to social-order: 'I've listened to these problems, but if we don't use the law, what standard do we use?' (ibid.). This is a question that may be splashed across the entire neo-patrimonial canvass that is Thai politics, with public space and office tainted by illegitimate privatisation and the resulting rents and backhanders fed into perpetuating the permanent dislocation of a formal but never-arrived constitutional moment.

Provincial bureaucrats seemingly fell into line, making up their own targets and devising efforts to enforce lawful abidance to state regulations. For example, in Chiang Mai, the northern capital, police proposed to be more proactive on social-order questions including surveillance of dormitories with mixed-sex cohabitants, which according to a standing law from 1960 is strictly illegal (*Siamrat*, 16 September 2001). As with the case of entertainment venues, the number of unregistered dormitories outnumbered the legally registered, and removed from oversight, there was no policing of the ban on co-habitation of unmarried couples in such places. The Chiang Mai police proposed to create networks that would be mobilised to keep an eye on youth, including inappropriate sexual behaviour, unlicensed driving, and drug consumption (*Phujatkan*, 30 August 2001). Provincial officials sent in glowing reports of various venue closures and increased policing, but Purachai distrusted them. He made surprise visits to venues or areas about which officials had reported that everything was in order, only to discover it was business as usual.

More than anything, it was Purachai's connection of social-order to city-zoning that secured his popularity among people long suffering under from the collusion of bureaucrats, police and entrepreneurs that enabled entertainment development with no regard for the proximity of residential homes, schools and temples. Despite a 1962 law that prohibits the opening of an entertainment venue near a school, a temple, residential zones, or youth association premises (*Wathajak*, 27 August 2001), entertainment venues had mushroomed precisely in such areas. Zoning was an impartial law aiming to protect people from the predations of business, pollution and the like. In enforcing it, Purachai was shining a light on the complicity of illicit business and local authorities and police that profited from ignoring regulations. Suffering residents cheered him on and at times his popularity eclipsed that of prime minister Thaksin. The social-order campaign took on new dimensions, with calls for social-order campaigns to target the police, the bureaucracy and politicians. These intentions led to a mobilisation against Purachai from what the press labelled 'dinosaurs', networks of politicians and bureaucrats threatened by his clean-up

intentions. It was no surprise then that in 2003 Purachai faced a revolt from his own party members in Thai Rak Thai, the governing party, and the bureaucracy; Purachai's moral politics coupled with action threatened various interests across the political-business spectrum (*Matichon*, 28 December 2001). He retired from politics, but his moral politics continued to inform public discourse.

If Purachai's actions can be viewed as consonant with broader attempts to curtail bureau-market corruption of the social-order, the appeal of a double movement perspective in approaching the issue of culture and order can now be seen to have the following advantages: It moves reactions to the social-order campaign from normative political critique (conservative, reactionary, thuggish), and reveals the sensationalist horror stories of social control as partly tendentious, allowing for a more nuanced understanding of conservative social forces in Thailand. Even if the apparent politics of social-order appear conservative – and they do – the above brief account of social-order campaign demonstrates the regulatory impulse behind the campaign, driven by the need to reign in the first movement capitalisation and commodification of space and time. Essentially, it may be said that Purachai's social-order campaign employed a strategy of 'shock and awe' to shake state agencies into action, to extend their capacity to penetrate domains and to enforce law. It aimed at extracting state agents from the vice-like grip of corrupt back-handers in order that they act like a state by providing public goods. And it was expected that having cleared the way, moral campaigns of reform by other state agencies centred on proper ways of being Thai could expect to bear fruit.

The Cultural Surveillance Centre – an iterative Rousseauian legislator

Many conservative actors populate Thai cultural politics, but the CSC is a major focus of this article because during the Thaksin years it emerged as the eyes and ears of official Thainess. As a policy vanguard it cohered the meaning of Thainess against the challenge of commoditised daily life, and legitimated itself as a force for temperance and decency. Designating the CSC as 'conservative' refers to its activist concern with the preservation of a national moral character (Thainess) able to withstand the anomie that emerges in an aggressive market-capitalist regime (either by default or because of ideological campaigning for new forms of being). A disposition to preserve institutions that embed that character in the Thai case expresses itself through discourses of Thainess whereby possession of Thainess authorises holders to speak for a higher general will of the people. Given this role, it is useful, as argued above, to view the CSC and other agency interventions into the realm of culture as an instance of an iterative Rousseauian legislator, that paradigmatic political educator who wishes to transcend the particular will of individuals (the will of all) to enable the conditions for a general will of a people to emerge, by setting in motion a program of reform for the transformation of the raw individual into a social being (see Bernstein 1990, pp. 79–80): this is precisely what cultural surveillance aimed for. As Rousseau (2002, p. 180) puts it,

> The general will must be made to see objects as they are, sometimes as they ought to appear; it must be shown the good path that it is seeking, and guarded from the seduction of private interests; it must be made to observe closely times and places… All alike have need of guides.

The CSC imagines itself as such a guide:

From cultural enforcer to networker

Despite its seemingly Orwellian appellation, the CSC's activities are not unlike those practised by other nationally-based cultural guardians – either state or societal – who doubt the moral and political competencies of their respective cultural charges. Given the work of the CSC to constantly remind people of Thainess through its newsletters, public exhibitions, workshops, media appearances, a case may be made that the CSC is merely an add-on to the cultural infrastructure that functions to banally remind people, as Billig (1995) describes, to be self-conscious of the nation-root of identity, of which subjectivity should be an expression. Such a view places the CSC in a stream of hegemonic politics whereby the coupling of self-nation identification has historically served a broader hegemony of the dominant power bloc of senior bureaucracy, palace and business (Thongchai 2008, Reynolds 2002); this hegemonic bloc emerged through the twentieth Century, although events since the coup of September 2006 have led to a fracturing of that hegemony and splits in its conceptualisation (Glassman 2011).

Viewing the CSC as a persistent 'identity reminder' also entails recognising that its cultural surveillance work seeks to generate real-life manifestations of embedded 'modest' and 'decent' social norms among Thai citizens in market capitalism. It would not be an exaggeration to say that the agency is attempting to nurture and embed national identity as a public good, embodied in officially endorsed notions of culture as a way of life (which agencies seek to shape). As a public good, national identity acts as a normative institution that tempers the possessive individualism of capitalism. This understanding of culture – as a public good/general will – consciously derives, in part, from UNESCO's instrumental elevation of culture as a prime resource that drives sustainable development, an understanding that has demonstrably shaped MOC policies (Connors 2005, pp. 532–533; UNESCO 1998). As Miller and Yudice (2002, pp. 12–15) have pointed out, cultural policy is in part an iterance of the foundational position of all educational projects: that the subject is ethically incomplete and requires reform; and taken in a national context that reform serves simultaneously the nurturing of a civilised individual and nation.

The Cultural Surveillance Centre was formed in 1995 at the prompting, notably, of the liberally oriented National Culture Commission, an organisation that gathered around it progressive and 'localist' intellectuals within academia, the bureaucracy and non-governmental organizations who wanted to dethrone official mono-ethnic national ideology based on official readings of Thainess. During the 1980s Thai cultural policy had become less about promotion of a monolithic almost racially conceived Thainess, and more about recognition of local and regional diversity. The reforming nationalist intellectuals who had driven that shift, however, were also concerned with western cultural flows into Thailand, and the CSC was conceived as an agency that could monitor cultural maldevelopment and design antidotes (Connors 2005). The CSC was principally about screening and excluding 'foreign' mutations of culture – an attempt to mitigate the deviations of Thai culture attributed to global cultural flows and their local adoptions, so as to enable people's performance of Thainess (Ladda 2002, p. 2). The rise of populism, in part a product of left-wing elements in Thaksin Shinawatra's pro-capitalist government, and its threat to discrete cultural hierarchies in the 2000s moved the CSC to a more stridently conservative advocacy of Thainess (Connors 2012).

The organisation was relatively obscure in its first few years of existence, committing itself to systematic data collection and organizational networking. When Thaksin's bureaucratic reform program took effect in October 2002 the CSC was in the advantageous position of becoming the public face of the newly formed Ministry of Culture (Ladda, ibid.). Bureaucratic re-organisation also presented the CSC with an opportunity to sharpen its brief as an activist organisation, reflecting the concerns of the Thaksin administration's (2001–2006) policy of turning bureaucracy into a series of agenda based agencies with targets and key performance indicators (Painter 2006). A summary of the CSC's responsibilities reproduced in its newsletters is quite extensive: study, analyse and research the nature of problems that have an impact on culture, religion and the arts; create policy and strategies to alleviate such problems; propose legal and social-order measures; co-ordinate and establish cultural surveillance networks; take an active stance in scrutinising and surveillance of culture; establish measures and standards for culture; and act as required by the government.

A visitor to the Cultural Surveillance Centre in the mid-2000s will have been struck by just how much its office-layout reflected its name.[3] On a high floor in a modernist skyrise in Eastern Bangkok, the CSC is greatly removed from the heritage listed parts of Bangkok. In one part of its modest office (staffed by approximately twenty personnel) male censors dressed in khaki uniform review CDs for licencing – a job that was once carried out by the police but temporarily allocated to the MOC during bureaucratic reform, and housed in the CSC office (*Matichon*, 30 October 2003; interview with Ladda). Their job is to smudge gum over film to obscure scenes of exposed skin, cigarette smokers, and to change language that might be offensive; this, often with no regard for plot line. In another part of the office a young female official is assigned to go through newspapers and magazines to identify articles that may offend Thainess. She has no special training in Thai culture but is always on the watch for 'problems' – movies, youth, sex, culture, anything that her general Thai sensibility alerted her to (CSC official, interview with author). A pleasant woman, she explained to this author that most of the material she collects is simply filed never to be re-opened. Occasionally when a complaint is made about some offence to Thai culture she is sent to investigate. She gave as an example advertising boards that reveal too much shoulder. She will visit the site and take photographs, which are presented later for the superiors' consideration (CSC official, interview with author). Deeper into the CSC office there is an enclave of dozens of walled TV-screens attached to video-recorders taping multiple TV channels, ensuring the existence of copy should adjudication be necessary. It certainly appears as if the makings of an Orwellian apparatus is in place.

Revitalised by Thaksin's bureaucratic reform, the CSC embraced the idea of reaching out and creating networks with citizens. The director of the CSC, Ladda Tangsupachai (Interview with author, 2005) declared a desire for the cultural surveillance networks to engage over 1 million members.[4] Such networks, mobilised for the protection of Thai culture, involve both private and public sector actors. Informally aligned to the CSC by actions in the cultural sphere, networks are said to include the general public who make complaints to the CSC, groups that positively campaign for Thai culture – such as the Thai Values Association, schools, other ministries, and even gay groups (Ladda, interview with the author, 2005). The latter group is interesting given the assumed conservatism of the Ministry, and the Ministry's own public pronouncements expressing concern about

increased displays of homosexuality and transsexualism in schools and television during 2003–2005. Indeed, a senior ministry official announced a veto on the Ministry employing anyone having outward signs of homosexuality (see Anon 2004; Jackson 2011).

It is useful to explore this apparent contradiction – for it allows a clearer understanding of the function of the ministry and the CSC to emerge. While overtly homophobic and nicely fitting conservative stereotypes, the veto (never formally applied) reflected a prime concern not with sexuality but with the deportment of Thai manners; something outlandish queens and open displays of sexuality are held to violate, as do other ethically incomplete subjects targeted for reform. Indeed, within the Ministry there are bureaucrats for whom transsexuals and gays are just part of life; they only require that different groups play their role as good citizens in promoting Thai culture. Indeed, using North American social science research on social disadvantage of lesbian and gay youth in Schools, the CSC newsletter carried a thoughtful article on whether 'homosexuality' should be taught at school and explored the necessity of having a Policy Statement that recognises the dignity and equality of all individuals (Amonwit 2005). This would appear to be the position of the CSC, however cautiously stated: upholding Thainess as a condition for the right to speak, but adaptive to the rights of circumscribed identity politics.

The CSC also engaged in more public actions in support of equality. For instance when the organizers of a 2005 Queer Conference in Bangkok were attacked for bringing Thailand into disrepute, the CSC, through Ladda, gave positive support to the conference going ahead. In appreciation, two spokespersons from the gay group Rainbow Sky Association of Thailand visited Ladda at the CSC office and presented her with flowers. At that meeting Ladda explained that her support of the conference was part of the openness of Thai society to give a base for different groups of people to live. Responding to criticism of the distribution of condoms at the conference Ladda simply noted (or dead-panned?) that such action was not strange at all given the sponsorship by a condom manufacturer of the conference. Indeed Ladda invited the Association to act as a member of the Thai cultural surveillance network to ensure that its constituency – gay men – acted within the circumscribed forms of Thainess (interview). She explained:

> Today's culture is diverse and such difference depend on locality and context. The CSC does not only have the duty to point out the wrong doings of gays and *katoeys* as some people urge, but in truth we have the duty to protect the fine culture of the nation, to study the behaviour of people in society by using the processes of science as an instrument in solving social problems systematically. Therefore I want to invite the Rainbow Sky Association of Thailand to become a part of the cultural surveillance network so as to protect well the youth of the nation. (Ministry of Culture 2005)

This surely puts the idea of surveillance networks on a different register – a register of opinion formation to manifest a general will. 'Surveillance networks' are invoked by the ministry and operate across Thailand. The composition of each Culture Surveillance group differs from province to province, from district to district and from school to school. Networks should not be thought of as having iron-clad policies, members and constitutions. As an example of a network being formed, consider the case of the deep Northern province of Chaing Rai where the Provincial Governor established by order a CSC Committee with membership comprised of religious leaders, members of different ministries, public education officials,

members of associations and foundations, the media, the military and the police. The issues raised at its first meeting included sexually active youth, drug addition, AIDS, citizenship rights of hill tribe peoples, and co-habitation of unmarried couples (Sukanya 2005). Typically, surveillance committees engage in a simple diagnosis – evident in various provincial journals and in the ruminations of culture officials – that the loss of Thai culture is leading to social malaise.

If the preceding example suggests a reasonable level of organisation, at the looser end are various small groups that are independently formed and which become members of the network. Thus some schools that are members support extra-curricular activities that promote Thai forms of behaviour – such as *wai khru* (learning how to raise the palms in salutation towards teachers) and Thai boxing. As Ladda explains, such local groups, committees and informal associations act locally for the protection of Thai culture – a manifestation of decentralisation- and in response to their own local needs (interview with author). This clearly isn't fashioned after Mao's purported cultural revolution, but it does speak to a willingness to withdraw bureaucratic steering, and enable self-steering of one's own actions (and governmental steering of other's actions).

To give an example of a cultural surveillance network in action consider the 'success' story of one local surveillance network in Kanjanaburi province. Reporting on a local initiative that stamped out 'lewd dancing', the CSC newsletter prefaces discussion of this with a long tirade against cultural imperialism, the dancing being an example of Thais becoming slaves to western culture. The process of the network is described in the following manner: Having received complaints against the skimpy costumes and suggestive moves of chorus dancers during shows in the province, a committee composed of the Provincial Culture Office, the President of the Provincial Culture Council (a volunteer grouping funded by the Ministry) and others met with the dance and band members and discussed making the show more tasteful and less transgressive. The meeting agreed that in the future, transgressing dancers would be given a warning, failing which they would be prosecuted in law, presumably for obscenity. The article closes with high praise for the Cultural Surveillance Network, suggesting that its response might be replicated across the nation (Surapan 2005). The use of the term 'network' here designates the process of complaints and bureaucratic reaction and subsequent meeting and the agreement to be more culturally appropriate by the dance troupe – a will in formation. It is in effect a mechanism for the putative general will to emerge on the question of lewdness.

CSC networks are fluid and issue based, and can also encompasses those targeted for reform. As an example, this author witnessed a meeting between Ministry of Culture officials and karaoke bar owners in the Muslim majority province of Pattani in Southern Thailand (October 2005), where a similar dynamic to that of the Kanjaburi was in play. The officials lectured on the importance of Thai culture and how the karaoke bar owners need be mindful of it by obeying regulations by, for example, not letting underage people into their venues. Asked by bar-owners if children of owners or employees could remain in a premise conducting business, the answer was yes. In this case the official was Muslim and the Karoake bar owners were overwhelming Thai-Buddhist. In the Kanjanaburi case, officials recommended that the dance group set up a guild in order to self-regulate behaviour, as did the Pattani Director, who suggested the setting up of a Karaoke Owner Association to facilitate interaction between the Ministry and the owners. Thus, part of the

bureaucratic creation of networks is to actually cajole the formations of groups with which to network and promote official agendas. In many ways, cultural policy speaks to represent Thais and yet it simultaneously brings them into being by its implorations and constant presence. The networks are an expression of this, they emerge in interaction with the bureaucratic agency that claims to speak in partnership with them. They express a process of instantiating Thainess, of expanding the capacity of the people to express the general will.

From children to Thai citizens

Turning to the final consideration, the CSC seeks by research and policy design to shape the performance of Thainess so that 'graduated' citizens could act as the instrument of the general will (see McCargo 2012 on graduated citizenship). The social-order protectionism that is an underlying argument of this article is most apparent in the CSC's policies directed at children. The key thing to note here is that CSC work in this area, in collaboration with a family research institute, mirrors the kind of concerns seen in western liberal societies about child wellbeing, media control, violence, underage sex. There is nothing particularly unique in this more substantial intervention of the CSC into the policy realm that would mark it out from western agencies involved in the same area of social-order protectionism, and indeed many of its policy stances are sourced from American organisations.

In the eyes of the CSC, if the signs of cultural malaise, discordance and degeneration are felt everywhere, there is almost a singular object of reform – children, and relatedly, the family. This highlights the iterative function of cultural interventions, for in processes of regenerating national culture the founding moment must be re-enacted in socialisation. In association with the Ramjitti Institute (an independent research agency funded by Thai Research Council and the Public Health Foundation) CSC supported research into the cultural status of children with the explicit objective of moving towards policy interventions that could harness children as a national resource for the future.

To begin the project of reform requires at first a diagnosis of the present. In a published book, *Thai Children in Cultural Dimensions*, the Cultural Surveillance Group (2005) present a somewhat disturbing image of the status of children in relation to Thainess, finding that 65% of surveyed youth had not attended a temple in the preceding month, preferring instead to spend time in 'shopping malls, talking on the phone, going to movies and using the internet' (2). The research notes substantial levels of consumerism among youth, including a preference for brand names that puts undue pressure on parents. Surveys reveal that youth (those aged 5–24) expenditure on snacks and desserts was equal to the budget of six ministries of the Royal Thai Government (3). Moreover, alcohol intake among youth had risen over five times since 1991, while the age for first sexual encounter was lowering – and public space was becoming rife with private behaviour and casual erotic intimacy (111–112). Crime among youth is also seen as on the rise (43). The rise of single parent (post-divorce) families, the impact of economic crisis and deprivation, and the rise of mass socialisation through television are noted (22–39). Much of the environment children grow up in is seen as a consequence of economic development of capitalism and consequent materialism. In using scientific rationality to map the state of youth and seeking to promote parental role models the Cultural Surveillance group, intimates a governmentality of reform, declaring '[we]

have to ensure that the family is not overtaken by state policy that favours capitalist consumerism of the state' (39). Thus the CSC claims it is important to develop policies that facilitate family interests in this environment including maternity leave, child care, creation of safe cultural zones, rights for tribal children, and cultural tolerance and understanding, against a state captured by capital (on the nature of the ambivalent state in Thailand, see Connors 2009). These concerns twin cultural conservatism with reassuring social-order agendas.

The status of children and their future potential is explicitly related to national competitiveness and nationalism (70), and thus the MOC is to act as a social campaigner, working with other agencies and individuals and youth to be at the forefront of cultural innovation and restoration, so as to ensure that humans reach their potential and contribute to national development. The circular argument is a familiar one; the malaise of civility, the decline of the family, the rise of violence, drugs and sexual behaviour and the negative consequences for national development. Here the individual's degeneracy becomes national and enhancing an individual's well-being makes sense only as a project of enhancing national wellbeing. To enhance such self-nation wellbeing the CSC forwarded to the government a number of policies and strategies for implementation. These included: cultural zones – a spaces where culture and life forms are protected, television ratings, internet filters and sex education in schools. Some of these policies were subsequently adopted (new TV ratings), demonstrating the capacity of the CSC to impact on mass consumption practices.

Conclusion: dictatorship, social-order and the making of Thais – general will

To what extent is the CSC a cultural dictatorship, a state-mobilisation of the general will of Thainess against transgressors who do not know how to be *Thai* ('Thai' is conventionally held to mean 'free')? Certainly, its Director rejects characterisation of the CSU as dictatorial. Consider that the translation of *faorawang* as 'surveillance' used in the English name of the CSC appears stuck, if not lost, in translation. Ladda (ibid.), recalls that there was a discussion of translating *faorawang* as 'watch dog', but mis-informed by advisors that surveillance was a softer word than 'watch dog', and wanting the CSC to appear more gentle than a biting dog, the adopted English name was born, leading to much mockery (see e.g. Fry 2007). According to Ladda for the most part the CSC acts only when prompted. When the Centre receives complaints it acts only after 20–30 complaints – the trigger point when it considers that an issue has become 'significant'.[5] The CSC has no power as such and attempts to convince 'cultural offenders' to change their ways.

Some of the campaigns have included Penthouse and Playboy sold at 7/11 stores, Jockey underpant billboards, and the use of Buddha imagery on Turkish airline food containers. Where offenders are not inclined to budge, the CSC refers matters to relevant agencies that have power over publications and media. Ladda argues that the CSC is not an enforcement agency, but mobilises public opinion. This may be so formally, but publications that Ladda has spoken out against have found themselves banned, showing a fine line between social sanction and law.

Eschewing the idea that the CSC participates in cultural dictatorship, Ladda refers to the 1997 constitutional provisions that stated citizens have a duty to protect Thai culture. This culture is understood by Ladda and much of the MOC as a distinctly Buddhist framing of moral ways of life that moves people from primi-

tive states (interview) towards wisdom. In that sense the mobilisation of cultural surveillance networks is an effort to mobilise citizens in defence of the constitution! Clearly only those possessing the will to Thainess can so defend. This circular explanation precisely fits the Rousseauian resolution of an absent people, with the CSC enforcing a lawgiver's founding social contract of the cultural norms for co-existence, for Thainess is the founding condition for the 'general will'. What is interesting here then is that even during formally democratic times, when a populist government was engaged in a politics of material redistribution, state agencies through cultural policy are able to ensure that the battle for defining the general will is on-going. And when the general will is not expressed by the majority of individuals, it falls to the CSC as a vanguard to mobilise and ensure the mythic social contract remains in place. This posture in the cultural realm, mocked and laughed at during the early years of the CSC, came to haunt Thailand in the coups d'etat of 2006 and 2014 when hybrid liberal/conservative social forces believed the people incapable of exercising the democratic vote and so deferred to military dictatorship and repression in the hope of forcing reform and discipline on wayward citizens. This has led to a reactionary and militarised politics whereby those against the electoral majority project a politics of virtue - exemplified by the monarchy – which implicitly is a politics of speaking for the general will through hegemonic Thai identity (see McCargo 2015, pp. 336–341, Montesano 2015).

It may be asked on what grounds do state agents of moral reform legitimate their actions, for legitimacy on the basis of formal electoral democracy (the individualistic will of all) makes no sense in a world view which stipulates that citizens should be wholly possessed of Thainess, in order to exercise citizenship. Thainess as an almost-synonym for the general will is made into concrete politics by cultural policy. Conservative state elements harness Thainess as the basis for forming a national people, understood ultimately as a people capable of generating a general will that transcends the will of all. Culture policy illuminates the path towards the constitution of subjects, in circular fashion. This characterisation begins from the premise that a people being represented are always in the process of formation by some project or other. This has been a key point in a study *of democrabjection* (or democratic subjectification), in relation to Thailand which dealt with the meshing of democratic and national identities in the formation of subjects through hegemonic strategies and governmental reform (Connors 2003, pp. 21–27).

The CSC aims to extend the legislative capacity of 'the people' to rule themselves through the principle of the general will – which can only ever be understood as a *decision* about what is the right way to live together. It is evident that to the iterative Legislator (any usurping governmental agency tasked with constituting the people-body), an enabling capacity for making that decision means engagement in the bio-politics of Thainess, or varied governmental intervention. Thainess works to authorise legislation without an electoral democratic mandate, for it is the enabling condition of the assumed social contract between the Thai state and its subjects, at least among conservatives. Here then we find at its rawest the mentality of many in the moral reform agencies of the Thai state. Its logic in the cultural realm is mirrored in the political realm. In the absence of a capacity to form a general will, in the presence of fractious politics of interest and ideology, limited forms of democracy are viewed as necessary so that the people can be led towards the general will. If one were seeking to find the general tenor of politics informing the justification for suspending Thailand's electoral democracy, it may be found in

embryonic form in the CSC and other pedagogical agencies of state and society. Its surveillance activities form one channel through which a general will may appear and citizens 'forced' to be free. That Thailand has, since 1932, never succeeded in embedding any constitutional form (in 2015 and 2016 it deliberated its 20th constitution) means that the figure of the iterative legislator (military coup, government agency, monarchy, etc.) is constant in the modern period.

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Disclosure statement

Notes

1. These politics share similarities with liberal-localist but anti-statist currents of Thai thought and activism that seek to embed moral forms of capitalism (see Connors 2003, Chapter 9.).
2. The Chakri dynasty , founded in 1782, and its varied institutional forms (of which the current king, Bhumipol, is the 9th) is officially conceived as a founding moment , with several of its monarchs effectively stylized as iterative legislators. Royalist historiography certainly grants a succession of monarchs with founding power (of borders, of identity, of norms). The CSC, unlike the National Identity Board, does not play a significant role in propagating the monarchy beyond ritualistic representations: see the chapter 'Citizen King' in Connors, *Democracy and National Identity in Thailand* (2003). For a critique of royalist historiography see Jory (2003).
3. The following observations were recorded when the author visited the CSC in October 2005.
4. By 2011 it was reporting that it worked with over 10,000 organizations whose combined membership exceeded 2.2 million members. See Surapan 2011.
5. When this author asked to view such complaints the request was disallowed because of privacy, 'it would be like revealing who our spies are'. This was not meant literally.

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Is culture-led redevelopment relevant for rural planners? The risk of adopting urban theories in rural settings

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Is culture-led redevelopment relevant for rural planners? The risk of adopting urban theories in rural settings

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In the paper, the author argues that cultural strategies and theories about urban planning may be irrelevant or even counterproductive outside urban and suburban contexts. In many rural settings the problem is not the destruction of the cultural heritage or how to counterbalance the influence from corporate interests, but rather the absence of such interests in the first place. From a study of two rural municipalities in southern Norway, the author demonstrates that culture-led strategies may be more of a distraction than an instrument for creating economic growth. Measured by the common goals for rural development in Norway, the cultural strategy has only been a success in one of the cases, whereas in the other case ideas about culture-led redevelopment have not prevented economic and demographic decline. The author concludes that while culture can be instrumental in creating growth in rural municipalities, it might also hamper their development.

Keywords: cultural planning; rural planning; rural redevelopment; local economy; cultural heritage; Norwegian

Introduction

Critics claim that planning has become a narrow practice that is unable to capture either the forces that energize the making of society or the complexity of deliberative processes. Urban planners are therefore urged to develop more context-sensitive practices that reflect 'multiple stakeholder's interests, needs and wants' (Pløger 2014, p. 107). In this paper I suggest that there is a need for a planning theory that is better aligned with the challenges faced by rural municipalities. For example, whereas urban planners are expected to counterbalance the influence from corporate interests, the challenge in rural settings might be that such forces are absent. Sensitivity in rural planning could stimulate engagement and enable a more strategic and proactive role for planners, but there is also a need to reflect on the risk that such efforts entail in settings where job creation is a question of local economic survival.

The question of sensitivity in planning is a point of departure in contemporary planning theory. Inspired by such theories, rural municipalities are invited to engage in resource-demanding, participatory consensus-seeking processes, through for

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example an increased focus on participation in municipal planning (Fiskaa 2005). This trend is also evident in the cultural planning discourse, in which planners are urged to be more sensitive to culture and conflict in order to make better places (Healey 2010). In Norway, inspired by urban-based theories, even small rural municipalities[1] have taken an interest in culture as a tool for development in local development plans, even when knowledge about the potential and relevance within such places is limited. Based on a study of two municipalities in the valley of Setesdal in the county of Aust-Agder, southern Norway (Figure 1), I present different ways of considering culture as an instrument in the development of place.

As a background for the comparison between the two case municipalities, I first describe why cultural planning has gained influence as a strategy for dealing with rural challenges, both as a trend within planning theory and as a result of the cultural turn in rural studies. Thereafter, I prepare the ground for the main argument – that culture-led redevelopment as a strategy is mainly relevant in urban settings – by pointing out two important differences in the challenges faced by planners in urban and rural contexts. This is followed by an analysis of three differences in the
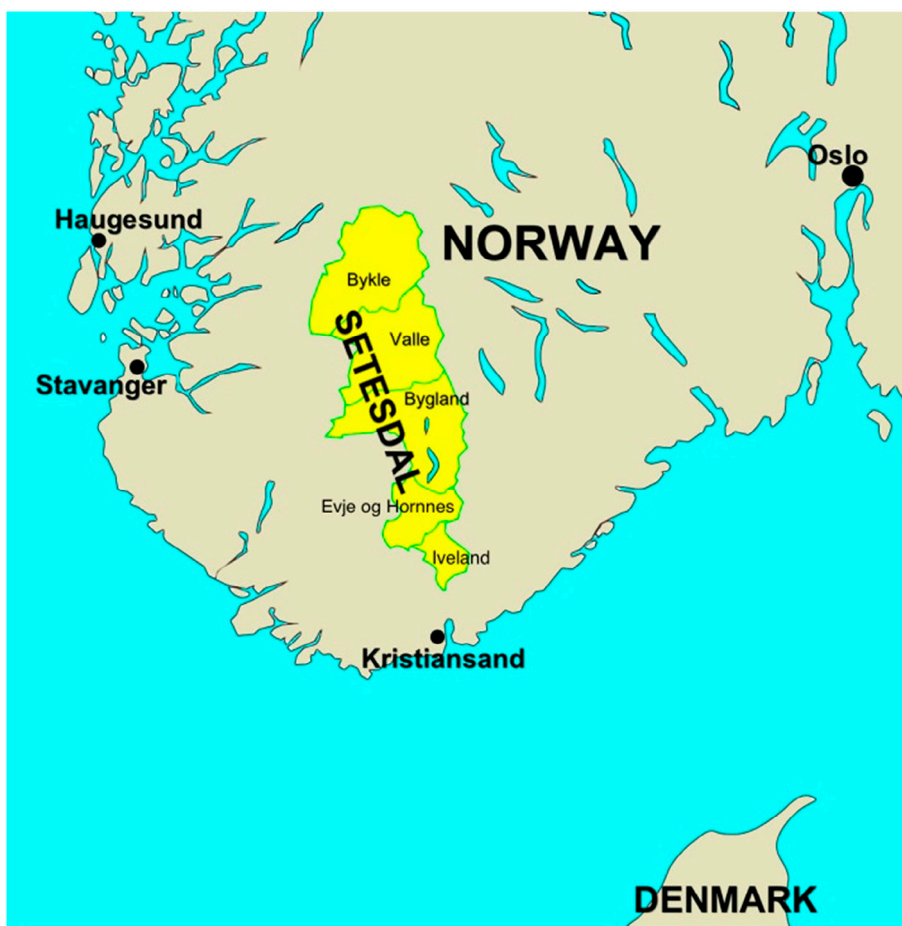

Figure 1.   Setesdal, located in Aust-Agder County, Norway.

cultural strategies in the two municipalities regarding (1) how culture is defined in the municipalities, (2) the way planners intervene in the construction of culture, and (3) the way cultural conflicts are dealt with. From this analysis, five dimensions emerge, along which the two municipalities perform very differently, both demonstrating that cultural policies are not necessarily a positive contribution to rural planning, and leading to suggestions for a successful way of dealing with the cultural conundrum in rural planning.

Why cultural planning?

The turn towards culture in rural planning is partly related to the 'cultural turn' in rural studies (Cloke 1997, Bell and Jayne 2010), which encourages more attention to 'the role of discourse and culture in the construction of rural identities' (Selfa *et al.* 2015, p. 64). However, cultural planning has also emerged as a possible answer to the challenges faced by planners and planning theorists in general. Hence, planning not only refers to what formally appointed planning professionals do, but also to what related professionals, such as real estate developers, architects, and city council members plan. It follows that planning theory involves 'a broad inquiry concerning the roles of the state, the market, and civil society in social and spatial transformation' (Fainstein and Campbell 2012, p. 2). It is therefore not restricted to the Lefebvrian formal representation of space, as opposed to spaces of representation and spatial practices, which is why it is not the 'enemy' – the state's strategic instrument for the manipulation of reality – but rather concerns the production of space in general (Lefebvre [1974] 1991). It is about 'developing the good city and region within the constraints of a capitalist political economy and varying political systems' (Fainstein and Campbell 2012, p. 1).

Spatial planning in Western societies has been criticized for being reactive rather than proactive: 'Planners are responding, in Britain at least, to new socio-spatial realities. But they are not yet helping to shape ways of thinking about them' (Graham and Healey 1999, p. 641). Planners are more often than not located at the periphery of the 'force field' of local development instead of being the force that draws other networks towards it (Healey *et al.* 1999). This general critique of the instrumental engineering model in Western planning is also very much articulated in Norway (Falleth and Saglie 2012, Nordahl 2012, Tennøy 2012, Hanssen and Falleth 2014).

Of the many attempts to replace the instrumental engineering model with a non-Euclidian mode of planning (Friedmann 1993), the Habermasian communicative turn insists that planning is a process of 'making sense together' (Eriksen 1999, Forester 1999, Harvold 2002, Innes and Booher 2010, Sager 2013). In communicative planning, conflicting ideas about place development should be integrated through consensus-seeking processes. In contemporary planning theory the aim is to counter the process by which the 'system world' of the state administrative apparatus (steered by power) and the economy (steered by money) privilege their own imperatives over those of the 'lifeworld' (Nørager 1985, Habermas 1987, Eriksen 1999). In this regard, the 'lifeworld' (Berger and Luckmann 1967, Schutz 1967) is the horizon of meaning in which the actors already move. This is what Habermas called our 'natural view of the world' (Nørager 1985, p. 142), whereby implicit knowledge and patterns for interpretation are delivered through culture.

Within this broad conception of culture, cultural planning can be seen as an elaboration or a subdiscipline of communicative planning theory. The interest in cultural planning and the desire to 'bring social relations, culture and civil society back into focus' (Healey *et al*. 1999, p. 121) is an attempt to reveal new forms of communicative interaction: 'Culture, and specifically the role of culture in spatial planning and place development, has been a hot topic within planning research and practice during the past decade or so' (Metzger 2011, p. 214).

By 1993, cultural planning was described as 'emerging'(Jones 1993) in that '[t]he 1990s planning scene has been notable for the emergence and increasing popularity of cultural planning' and 'recognizing and enhancing the cultural aspects of daily city life and its places' (Dowling 1997, p. 23). It has been claimed that currently we are in the midst of a long-term 'hype' in which culture is regarded as a key driver of urban development (Kovacs 2011, McDonough and Wekerle 2011, Redaelli 2013, Sacco and Crociata 2013), and in which cultural planning 'provides a new or different lens for looking at the community, its issues and concerns' (2010 Legacies Now 2010, p. 2).

Consequently, cultural planning is not limited to the planning of culture (i.e. it is not only concerned with performing and visual arts), but instead entails a cultural approach to planning (Bianchini and Greed 1999, Evans 2001, Abram 2011). In other words, culture is a potential resource for planners who aim to implement more inclusive and better-aligned governance processes. In the debate on the relationship between cultural planning and planning in general it has been noted that planners could learn from cultural planning because that might 'open up new ways for planners to think' (Abram 2011, p. xii). In addition, culture 'is useful for the purposes of developing a critique of urban planning' (Bianchini and Greed 1999, p. 197). More concretely, Abram and Murdoch (2001, cited in Abram 2011, p. xi) observed in planning processes that 'arguments about land-use planning became locked into a certain governmental logic', and they therefore call for an examination of all of the issues that are excluded when the opposed rationalities of planning clash. The challenge is how to incorporate culture into planning practices in which '[c]ulture is a kind of black-box explanation for everything we cannot properly understand, everything that is not thought to be rational' (Abram 2011, p. xi).

Spokespersons for cultural planning have claimed that culture and cultural planning should be given greater attention in development processes, during which we should be more aware of 'how culture might be integrated in planning by critically rethinking the role of planners and knowledge' (Hammami 2012a). The potential inherent in considering culture and cultural diversity in planning processes is undisputable and has been addressed in numerous studies, and methods for practising cultural planning abound in the form of handbooks and toolkits (Young and Stevenson 2013). Advocates of cultural planning seem to envision few limits as to what can be achieved in the form of environmental, economic, and social benefits, and most cultural plans are overly optimistic. This is the case in the municipalities examined in this paper, which respectively aim to facilitate 'the good life in Valle' (Valle kommune 2011 [my translation]) and to create in Bykle an 'inclusive society marked by tolerance, adaptability and cooperation' (Bykle kommune 2013 [my translation]).

However, it is not easy to find documentation of the outcomes of culture-led strategies. There are published analyses of how authorities undertake cultural planning, but often these are limited to the development and implementation of cultural

plans (Jones 1993, Dreeszen 1994, Mills 2003, Kovacs 2010). The effects of such strategies on more general issues are limited to diffusing claims about 'increased community awareness' or discussing how these issues 'could impact secondary concerns' (Kovacs 2010, 222), partly explained by the fact that 'positive effects, as a rule, [are] difficult to observe directly' (Sacco and Crociata 2013, p. 1692). Nevertheless, in Norway, a number of small, medium-large, and large cities, and even county councils have given priority to culture and creativity in their development agendas (Lysgård 2013).

The difference between urban and rural planners

The adoption of cultural planning is part of a more general pattern of policy transfer (Healey 2012, Sanyal *et al.* 2012), in which also planning practice in Norway follows the shifts in planning theory in Western societies (Harvold and Nordahl 2012). However, planning theory and theories of cultural planning are primarily developed in urban settings, and it is claimed that 'the international planning research, both in Europe and the US, to a large degree overflows into urban research' (Kleven *et al.* 2011, p. 79 [my translation]). As Frank and Reiss (2014, p. 393) indicate, these theories have much less to say about how planning can 'assist rural areas with issues specific to declining or chronologically poor economies and populations'. There is therefore a need for planning research that addresses the particular challenges faced by rural municipalities, as argued by Frank and Reiss (2014, p. 389): 'Rural planning scholars have consistently argued that the unique aspects of rural places and peoples necessitate modified or possible radically different, planning practices than those employed in urban and suburban areas.' In my opinion two rural characteristics stand out in this argument: (1) public planners are more important players in the making of place in rural settings, but also (2) they have a narrower scope of action in relation to investors and entrepreneurs than do their urban colleagues.

With regard to the first rural characteristic, it is important to keep in mind urban–rural differences when it comes to the relative influence of the municipality compared to other local institutions and stakeholders. This is not only because 'in Norway, local government is highly autonomous' (Hanssen and Falleth 2014, p. 404), but also because rural areas are normally associated with 'organizational thinness' (Jakobsen and Lorentzen 2015): the lack of institutions conducting research and providing education, few specialized suppliers of commercial services, and undeveloped financial infrastructures. The dominant role that the municipality plays in the overall development of rural areas (Normann and Vasström 2012) presents a challenge when putting theory into practice: it is not only challenging to transform general theories into local contexts, but the consequences may even be dire.

With regard to the second rural characteristic, in urban agglomerations the main challenge is more about how to manage growth than about how to help create it; it is about 'balancing and integrating diverse values' (Healey 2010, p. 16). However, in rural areas investors and entrepreneurs might not represent the interests that planners should attempt to balance against the values of civil society and place qualities. Instead, they might be the absent or desired crucial drivers of the local economy upon which the survival of the place depends. When the question in urban settings is how to prioritize between different economic enterprises, rural

planners often need to be more pragmatic and willing to compromise on place qualities and distributive justice, for the purpose of stimulating any local economic activity.

The benefits and risks that occur in the transfer from international urban-based planning theories to rural settings in Norway are discussed in the following. Different ways of dealing with culture in planning are used as examples.

Similar contexts – different development paths

In the southernmost part of Norway, several valleys run parallel to each other from the mountains in the north to the coast in the south. One of these valleys is Setesdal, which has an open landscape and is separated from its neighbouring valleys in the east and west by large mountainous plateaus. Traditionally, the inhabitants of Setesdal have worked with livestock farming and forestry and lived in small villages on either side of the Otra, which flows from Bykle in the north, down through the valley, and towards Kristiansand on the south coast. Both Bykle Municipality and Valle Municipality are located in the mountainous part of Setesdal, where they serve as tourism areas and resorts (especially for winter tourism and second homes), and host small and medium-sized economic activities, including farming, forestry and timber-based industry. Both municipalities benefit significantly from tax income from hydroelectric power plants that were built in the 1960s and onwards. The two municipalities are located beyond commuting distances from larger towns, and hence they are very much dependent on the local economy.

The empirical evidence from the study on which this paper is based was primarily derived from four focus group interviews.[2] The first interview in each municipality (i.e. held in October 2012 in Valle and January 2013 in Bykle) addressed in general terms the cultural strategies in which the key stakeholders were the mayor, chief municipal executive, and public and private cultural employees. Signature projects were identified from an analysis of these interviews and public and media documents, leading to two further interviews, which were respectively held with representatives of an upper secondary education programme for silversmiths in Valle and the general manager of 'Destinasjon Hovden [Destination Hovden]', an umbrella organization for tourism in Bykle. Transcripts of the interviews along with information from planning and media documents and from local historical sources formed a *social text*, which is analysed in this paper in the light of theories of cultural planning, with the aim of revealing the cultural strategies in the two municipalities.

Despite the contextual similarities between the two municipalities, Bykle has experienced a remarkably stronger demographic and economic growth than Valle. Population growth in Bykle started around 1970, made possible through a strong local economy, and not commuting, like in many communities on the urban fringe. The municipal economy is dominated by income derived from hydropower plants and from services linked to second-home ownership and cross-country and alpine skiing. The skiing season, which lasts 7–8 months from October to May, is markedly longer in the upper part of Bykle Municipality, than in the lowlands towards the coast of Norway, hence the municipality's attraction as a location for different types of skiing and for second homes. Bykle has the greatest number of second homes per capita in Norway (2.5), most of which are located in Hovden, the northern centre, where one can also find a mountain lift, an 'aquapark', hotels, shops,

cafés, and other facilities that have emerged from the developing tourism industry. The company that coordinates tourism in Bykle has 60 members, including hotels, restaurants, landowners, and tourism businesses. Bykle has become the main attraction for foreign tourists to the southern part of Norway, with 50,000–60,000 overnight stays per year (interview 4 April 2014), mainly by foreigners from Denmark and Germany. The destination company is also a contractual partner of the dominant cruise line between southern Norway and Denmark. An upper secondary school education programme in alpine and cross-country skiing, established in 1990, has further strengthened the image of Bykle as a ski resort.

By contrast, tourism is not particularly important in Valle, which is the core area for the traditional dialect and clothing of Setesdal, and where locals pride themselves on the strong tradition of local silversmithing. Many one-person businesses have emerged from the making of traditional filigree silver brooches and buttons, and have gradually began to market these pieces for local customers by signposting houses as the home of a silversmith (*sylvsmed*). Valle's population is mainly located in the arable areas in the bottom of the valley, where employment is dominated by agriculture, forestry, craftworking, and the furniture and timber industries.

In the 1960s the population in Bykle was only 35% of that in Valle, but it has since increased to 75%, mainly due to in-migration into Bykle and out-migration from Valle (Statistics Norway). While the number of inhabitants in rural municipalities in the southern part of Norway as a whole has either stabilized or has been growing, as in Bykle, the post-war 'escape from the countryside' has continued in Valle, which has seen a population decrease of 13% since 1995 (Statistics Norway). Further, whereas the economy in Bykle Municipality is among the healthiest in Norway, Valle's economy is struggling.

The manner in which Valle Municipality authorities have addressed culture in their planning strategies does not seem to have been capable of reversing this negative trend, and this is demonstrated in the following comparison of the two municipalities with regard to how culture is understood, how planners intervene in culture, and how cultural differences are dealt with. In addition to revealing distinctive aspects of the cultural strategies in the two cases, the latter three topics together highlight the difference in the way that planners in Valle and Bykle have dealt with culture.

Defining culture

There is clearly a difference between the two case municipalities in the way that planners understand culture, since in Bykle culture more or less equates with nature, whereas in Valle it is more limited to cultural heritage. Dowling (1997, p. 25) introduced 'three specific strategies of contemporary cultural planning', one of which concerns cultural industries and the attempt to maximize the economic benefits of culture. This strategy dominates in Bykle, where, more than in Valle, culture has 'been put on the agenda by economic forces' (Dowling 1997, p. 26), thereby privileging the economic nexus between culture and place. The income from hydroelectric power plants and public investments have been filtered into facilitating winter tourism, whereas traditional culture has been neglected in place branding, except for some smaller projects promoting traditional culture for tourists.

Cultural planning in Bykle represents a focused strategy with the acceptance of a large degree of autonomy for a small group of politicians, planners, landowners, and the hotel manager, who are quite syncronized. The mayor and the chief municipal executive, both of whom have held office for 25–26 years are both landowners in the expanding second-home areas and the hotel owner is an active politician and co-founder of the publicly supported destination company. This has paved the way for a powerful force in the production of space (Halfacree 2006, p. 200; Frisvoll 2012, 2013).

For the strategy in Bykle to be classified as cultural planning, there is a need to apply a wide definition in which 'culture is what counts as culture for those who participate in it' (Mercer 1996, p. 61). In the first interview held with a focus group in Bykle, one interviewee stated from the very beginning: 'In order to succeed we have to take as our departure what nature has endowed us with' (interview, 24 January 2013). Another interviewee in the same group, who owned a hotel for winter tourists, claimed that 'culture means nice experiences in nature', an idea that also mirrors the materiality of Bykle as a place. Both the awareness of the advantage of Bykle as a ski resort and the understanding that consumer demand is a key component of change has caused key stakeholders to turn their attention beyond the municipality's boundaries. Such a 'destination strategy' is adapted to the 'pleasure-seeking consumer' (Mitchell 2013, p. 375), and markets nature that is 'in marked contrast to the setting from which urban residents originate' (Mitchell 1998, p. 276). In this respect, planners in Bykle are aligned with the literature that criticizes the view that culture 'has remained marginalised because it has been viewed as something to add to the list of topics that an integrated planning process must address, rather than something which could inform the whole planning process itself' (Mills 2003, p. 7). It is in line with the strategy in Bykle when Landry advises that

> culture should shape the technicalities of urban planning and development rather than being seen as a marginal add-on to be considered once the important planning questions like housing, transport and land-use have been dealt with. So a culturally informed perspective should condition how planning as well as economic development or social affairs should be addressed. (Landry 2005, cited in McDonough and Wekerle 2011, p. 28)

Valle's cultural strategy is much more sectored and limited to cultural heritage than in Bykle. In the overall conviction in the resources inherent in the cultural heritage in Valle, there are traces of the dominating 'why' and 'how' questions in cultural planning theory. This concerns, for example, a proposed Setesdal *sylvsenter* (Setesdal center for silver crafts [my translation]), a local cluster between businesses and the specialization in silversmithing offered in upper secondary school education. The initiative to establish this centre aimed at both 'the commoditization of local/ regional culture … [that] refers to the creation and valorization of resources that have place identity and that can be marketed directly or used in the marketing of the territory' and 'raising the self-confidence of local people and organizations, building confidence in their own capacities to bring about local development, and valorizing local resources' (Kneafsey 2001, p. 764). By contrast, Bykle Municipality has deliberately abandoned much of this thinking, as exemplified by the hotel manager: 'I did use traditional clothing [*bunad*] in exhibitions in the beginning, precisely in order to exploit local culture in tourism, but the guests did not respond to that. They wanted experiences in nature' (interview, 24 January 2013).

In adhering to Dowling's categories of cultural planning, Valle resembles a 'places not spaces' approach (Dowling 1997, p. 26), in which planners attempt to create sites that have a distinctive, locally grounded identity. This is also evident from the framing of the profile of the upper secondary school in Valle, which has gradually changed from offering more general and non-place-specific courses towards offering courses in traditional music (since 1994) and gold and silver-smithing (since 1996).

After specialized education in health and social issues was discontinued, the interviewed former headmaster of the Valle upper secondary school, together with county-level politicians and a representative of the office for secondary education asked 'What can we have instead?' (interview, 13 March 2014), and it became 'natural' to see a link to the area's existing gold and silversmithing businesses. It was stated that this education would be tailor-made for Setesdal, and this argument was well received at county level, where a representative stated: 'This is really something else than a school that only wants to have more student places allocated!' (interview, 13 March 2014). In other words, the specialization involves both having an overall strategy to make the most of cultural history and paying attention to place qualities, as the former headmaster said: 'It marks the municipality as even more of a folk music and silversmith municipality' (interview, 13 March 2014). The education in gold and silversmithing reflects a more general bias towards cultural heritage in Valle.

The definition of culture as cultural heritage has caused cultural planning in Valle to be much more sectored than in Bykle, where culture is not an add-on but where a general understanding of its content and how to exploit it guides the municipality's overall strategy.

Intervening in the construction of culture

In building institutional capacity, Healey (1998) reminds us that planners should reflect upon how they intervene in the construction of place. They must understand and gain knowledge of existing networks and power relationships, and locate the 'force field' in which participants seek to act. From this process, planners should then be able to assume a central position. In Bykle Municipality, planners have managed, if not deliberately following Healey's advice, to intervene successfully in existing networks and have become a 'force drawing other networks towards it' (Healey *et al.* 1999, p. 130). In this manner, they have constructed a local dependence on new networks (the destination strategy), although people's dependence on other networks was stronger at the outset. Mobilization for the 'destination strategy' succeeds because core stakeholders act as 'change agents': 'a critical ingredient in effective mobilization is the "change agent", leader or "broker" who can both "carry" the collective force for change and position it in significant arenas in order to widen the "cracks" of opportunity' (Vigar and Healey 2010 [2002]). This in turn connects to how planners approach the process in which culture is constructed. In Bykle, culture is not considered primarily as something that pre-exists planning, but is more than that produced in the planning process itself. Thus, culture is not primarily mapped but constructed, and it does not only exist but is also 'talked' into existence.

The above point is made clearer when considering how authorities intervene in local networks in Valle. There is an ambition among planners in Valle to strengthen

and mobilize the community through various initiatives to reinforce aspects of traditional culture. What is missing is the critical ingredient of a being a change agent that can bring these elements together. One example is the failure to exploit the local gold and silversmithing education in order to expand the economic activity around the many silversmiths in Valle. With two exceptions, the silversmiths have been uncooperative and difficult to mobilize with respect to providing apprenticeships for students or contributing to the proposed centre for silver crafts in Setesdal. There have also been very few students recruited locally, and one interviewee commented: 'the school is probably not [integrated], a bit too little integrated into the local environment, I would say' (interview, 13 March 2014). There have been no employment spinoffs, except for the teachers at the school. The school is more or less like a cultural island, detached from Valle's social and economic life.

One reason for this problem is that culture is regarded as separate from planning in the sense that it is considered more as a resource or instrument for planners or as something that pre-exists planning. Successful mobilization requires inhabitants to identify with the regeneration project, but in Valle, instead of placing the role of silversmithing within the frame of the 'daily life experiences of ordinary citizens' (Healey 2007, p. 280), cultural planning is about taking the importance of silversmiths for granted and strengthening their traditional culture.

Thus, in much of what has been said and written in Valle, the traditional anthropological notion of culture has emerged in what Abram (2011, p. 8) refers to as 'a kind of school of living particular to certain social groups', in which planners adopt the central assumption in Western thinking of an intrinsic link between geographical location and cultural identity. The conception of culture that emerges here is neither Habermas's continually evolving 'lifeworld' as 'the horizon of meaning wherein the communicatively acting people already manoeuvre' (Nørager 1985, p. 142 [my translation]), nor is it the relational and social constructivist approach. Culture is more than not an object or a historically given 'thing' that is contrasted with modernization.

Part of the process in Valle has been to reveal the identity of the place through 'cultural mapping' (Dowling 1997, Evans and Foord 2008) which 'is about finding the genuine locale, the DNA of the place' (Lundberg and Hjorth 2011, p. 9 [my translation]).[3] There is an attempt to privilege place over space and to 'strengthen the identity and solidarity in the local communities where people have their roots' (Lund 2008, p. 4 [my translation]). The goal is to stimulate attachment to the local environment by emphasizing cultural heritage.

Silversmiths are regarded as a type of 'stock' that can be made the most of, in this case for the purpose of strengthening or even rescuing the upper secondary school in Valle. Current everyday culture is not addressed (i.e. not culture in itself), but rather expressions of culture as only part of the 'surface qualities of place' (Stephenson 2010, p. 13). Tim Ingold states that academics 'first observe, and then go on to describe, a world that has already been made – that has already settled into final forms of which we can give a full and objective account' (Ingold 2011, p. 2). He further comments that the problem, as in the case of Valle, is that they do not 'join *with* things in the very processes of their formation and dissolution' (Ingold 2011, p. 2).

It appears that, partly due to how planners intervene in networks and power relationships (Healey *et al.* 1999), the locals, including youths, musicians, and most of the silversmiths, are not drawn into the attempt in Valle at 'building something

superior that can play an important role' (interview, 13 March 2014). In the case of Valle, treating traditional culture as a resource seems to have hampered development, whereas in the case of Bykle neglecting cultural artefacts seems to have yielded positive results.

Dealing with difference

Cultural planning literature emphasizes the importance of respecting cultural variety in cases where successful planning is dependent upon representing 'diverse communities within the larger community, as defined by ethnicity, sexual orientation and socio-economic status' (2010 Legacies Now 2010, p. 4). The way that diversity and agonisms are dealt with is clearly different in the two case municipalities: the strategy in Bykle somewhat unromantically breaks with traditional culture, whereas in Valle this culture is still represented.

People in Bykle mainly live in two centres, one in the ski resort of Hovden in the north, and one in the south, where clear cultural differences exist. The agonism between these two places has emerged as Hovden and the southern part have gradually oriented themselves in different geographical directions. Historically, in cultural and economic terms the whole municipality was connected to people in the region of what is now known as the county of Telemark, to the north and east of Setesdal. As the main road from the largest city in the south, Kristiansand, was extended, this orientation gradually shifted, albeit to a less extent in Hovden. Whereas people in Hovden continued to nurture economic and social exchanges with Telemark, farmers further down the valley were influenced by the Setesdal culture.

Today, Hovden is therefore different with respect to its folk music (*kveding* in the Telemark dialect), traditional clothing (Telemarksbunad instead of Setesdalsbunad) and its Telemark-inspired building tradition. The dialect in Hovden still more closely resembles the Telemark dialect than the Setesdal dialect in the southern centre. This partly explains why the Setesdal culture is less emphasized in Bykle than in Valle. When asked about the conflict between Hovden and the rest of the Municipality, one of the interviewees asked rhetorically, 'you talk about using culture … but what is the culture that we are supposed to exploit?' (interview, 24 January 2013). Another interviewee stated that 'there is a limit to how many times 300 people are amused by a concert for traditional singing [*stevkonsert*]' (interview, 4 April 2014), and seemed to be implying both that listening to music is what one does with culture, and that culture can be reduced to an amenity.

In the interviews with stakeholders in Bykle, the conflicts over the 'destination strategy' were downplayed: 'I would say that the conflict between Hovden and [the southern centre] is over now' (interview, 24 January 2013). When reflecting on the fate of the administrative centre in the south, the general manager of the destination company claimed that 'one of the things that should have been done is to move … [the southern centre] to Hovden' (interview, 4 April 2014).

The growth in Hovden has in part come at the expense of the southern centre. In 1970, one-quarter of the municipality's inhabitants lived in Hovden, and by the year 2000 that proportion had increased to approximately half (Statistics Norway). Currently, Hovden has almost double the number of inhabitants in the administrative centre in the south. During the field visit on 24 January 2013, there were discussions among our interviewees about the closure of a section in the kindergarten in the south and opening of a new section in Hovden. During a seminar in June

2010, the locals had claimed that the Bykle Municipality had become stuck in a tourism path (Vasström 2010). Several of the seminar participants also indicated that the southern centre, not just Hovden, should be developed, and some even claimed that the municipality authorities paid greater attention to second-home visitors than to the locals, including the youths.

Whereas such conflicts have been largely suppressed in the overall strategies in Bykle Municipality, they have been articulated in Valle. The background for the territorial conflict in Valle is that in 1963 two municipalities, each with their own church and school and recognized as independent local authorities, were merged into Valle Municipality. The administrative centre was placed in the slightly more populous northern part. People in the southern part were resistant towards the merger because the bulk of the income from hydroelectric power plants would come from the southern part, whereas investments in the public sector, they feared, would increasingly be channelled towards the north (Jansen and Rydningen 1994). It was also claimed that cooperation would be difficult because the 'temperament [*folkelynne*] was different in these two places [*herad*]' (Jansen and Rydningen 1994, p. 616 [my translation]). The conflict continues to underlie planning issues and is particularly evident in questions about localization of public services, not least in a 15-year struggle about where to locate a state-funded cultural centre, which instead resulted in the building of a locally-financed sports centre.

Another conflict in Valle has been between traditional and local versus modern and consumption-based cultures. One of the stakeholders stated: 'The problem with our cultural heritage is that it is regarded [locally] as pure and holy. It should be preserved. Others should not be able to share it. It should not be popularized as a business' (interview, 9 October 2012). Hence, although Valle has a strong cultural heritage in the form of traditional music and clothing, dialect, and silversmiths, some key stakeholders in the cultural strategy have articulated their despondency over the lack of ambition to strengthen and exploit this heritage. The interviewees complained that young people were not interested in traditional music, and 'the youths are not proud of the local farming culture' (interview, 9 October 2012).

The people who represent the culture of Valle and for whom this culture is a source of identification were regarded by some of the interviewees as self-absorbed, unwilling to cooperate, passive, and reluctant to change: 'We are not performing well with regard to being proud of our culture. We are probably a bit unassuming and not very talented in making money' (interview, 9 October 2012). The former headmaster, who had attempted to create a silversmith cluster around silversmiths and the secondary school, said: 'So then I think 'Jesus! What am I doing?' If they are not interested in cooperating, not interested in building something superior that can play a part, then it [the silver crafts centre] is completely doomed' (interview, 13 March 2014).[4]

In the cultural strategy in Valle, much more than in Bykle, agonisms and diversity were articulated and maintained, and they influenced decisions or they influenced the lack of decisions in an unproductive way.

The drawback of urban-based ideas

Measured by the common goals for rural development in Norway (i.e. a healthy municipal economy, job creation, and population increase), the strategy in Bykle is a success utilizing nature as a tourism strategy, whereas the case in Valle, exploiting the cultural heritage, is not. However, the reasons for the positive results

in Bykle have not been sensitivity to traditional culture and cultural diversity but the ability of planners in Bykle to act as a change agent in coping with rural challenges. Valle Municipality has rather emphasized cultural heritage and allowed conflict to influence its planning processes, which seems to partly explain the lack of the necessary economic change. These observations lead to the question of the relevance, for rural municipalities, of much of the literature on planning in general and on culture-led redevelopment in particular.

From the cultural planning discourse, it is understood that under certain conditions culture is a key driver of urban development processes. In the literature dealing with cultural policies there is an argument that culture contains an inherent value and that cultural heritage is a resource for development actors. However, in the case of Valle Municipality the study revealed that culture was more of a distraction from overall strategic action. The strong emphasis on culture as a historically given 'thing', at the expense of strategies that adapt more to what tourists demand (as in Bykle), seems to be an important cause of the problems that Valle currently faces. The energy that has gone into cultivation of traditions would probably have been better employed in a strategy with a more open approach to business development based on the competitive advantages of Valle Municipality.

Rural planning cannot afford to put too much emphasis on cultivating cultural artefacts if there is not enough non-local demand for them. Furthermore, in their role as strategic actors, planners must be careful to encourage agonisms too much, even if they serve to protect traditional enterprises, the sense of community among local inhabitants, or the rural idyll (Mitchell 1998). Mitchell (1998) would warn against the strategy in Bykle because it might result in the destruction of the amenity environment upon which the community was originally created, but as I have argued in this paper, commodification should not only be seen as a threat. In many instances, it has enhanced rather than displaced conventional enterprises (Mitchell 2013). Furthermore, as I have shown, cultivating resistance against commodification, as is the case in Valle, might lead to a destructive stalemate.

In Valle there is a conflict between sports and culture, the northern and the southern centre, and local and traditional versus modern, consumer-based culture. According to some of the interviewees, these conflicts are combined with a lack of will to cooperate. Within this context, ideas about culture-led redevelopment seem to have strengthened conflicts and contributed to the stalemate rather than created 'development opportunities for the whole of local communities' (Redaelli 2013, p. 32). The question is whether Valle would have been better off if it had not focused on culture or whether the problem is rather that planners fail to do cultural planning as it should be done. Either way, the literature on cultural planning should be more about investigating the possible drawbacks of implementing their ideas.

Cultural planning the rural way

The adoption of planning theory in rural settings does not merely have negative consequences. Building institutional capacity (Healey 1998) is as important in rural contexts as in urban contexts, and much of the success in Bykle could be explained by the ability to perform according to ideals in planning theory, such as being a change agent, defining culture as what counts as culture for those who participate in it, not treating culture as something that pre-exists planning, and, not least, by letting culture inform the whole planning process.

However, in rural planning there is a need to be alert especially to exactly how and also whether general ideas should be transformed into local strategies. In some important respects, it could be claimed that Bykle does not really practice cultural planning: The commodification strategy was initiated in 1968, long before the discourse on culture in planning was introduced, and what I have analysed is not really the cultural plan in Bykle but more of an overall strategy for industrial and commercial development. The Bykle case is therefore difficult to fit into the frames of cultural planning. The conceptualization of culture as nature is one thing. Another is the manner in which the importance of cultural heritage and traditions is diminished, contrary to much of the cultural planning literature where these are the resources for societal improvement.

In accordance with theories of collaborative planning, much of the strategy in Bykle is inadvisable, as it supports investors and private development initiatives at the expense of paying attention to the 'daily life experiences of ordinary citizens' (Healey 2007, p. 280). Moreover, planners in Bykle should be reminded that culture can be a resource for actors in their endeavours to enact *their* places (Donaldson 2006, Hammami 2012b), and that they have 'unwittingly allow[ed] the conceptions of articulate and powerful groups, which have clear ideas … to dominate' (Graham and Healey 1999, p. 641). Instead of empowering, planning can turn into a tool for the control and disempowerment of social life (Flyvbjerg 1996). Framed in this way, planning in Bykle is undemocratic.

The answer to this critique is that one do not benefit from biting the hand that feeds you. Bykle has a capacity to compromise between traditions and economic interests and to address typical rural challenges. It should also be borne in mind that in the 1970s, Bykle faced classic rural challenges, which are possibly slightly exaggerated in the following diagnosis:

> In aggregate terms, rural areas are found to be lagging behind national average economic growth rates. Weaker economic performance is driven by persistent out-migration of younger and better-educated people, lower educational attainment, lower average labour productivity, and lower levels of public service provision, often working as a vicious circle of rural decline. (Ward and Brown 2009, p. 1238)

Prior to the development of hydroelectric power and tourism projects in the 1960s, Bykle was a poor municipality, not least because it has a hilly and stony landscape that is unfit for large-scale grain production, unlike in Valle (Bø 1991). Therefore, clear ideas came to dominate, but the alternative was not necessarily a sustainable growth path, as is often the case in urban agglomerations, but rather the incapacity to remain sedentary.

The strategies in Bykle and Valle have differed along five dimensions, as summarized in Table 1.

With the exception of the first dimension, Valle is more in line than Bykle with regard to the contemporary discourse on cultural planning, but this has not prevented population decline and lack of local employment opportunities in Valle. Hence, my claim is not that prioritizing 'places not spaces' in consensus-building processes, thereby reinforcing the myth of some shared and single cultural heritage, is an ill-advised strategy, but rather that cultural planning should be done differently in rural and urban settings.

Table 1. Dimensions in cultural planning in Bykle Municipality and Valle Municipality.

	Valle	Bykle
Planner act as change agent	No	Yes
Definition of culture	Cultural heritage	Nature
Culture	Pre-exists planning	Results from planning
Cultural agonisms	Articulated	Suppressed
Cultural assets	Resource	Problem

Conclusions

Frank and Reiss state that 'Looking back over the past 100 years of the planning profession, the urban orientation is clear' (Frank and Reiss 2014, p. 386), and in this paper I have pointed out the risk that is inherent in adopting urban-based theories about culture-led strategies in rural areas. It is well known that culture-led redevelopment is widespread in large cities (Harvey 1989, Bianchini 1993, Hall and Hubbard 1998, Mathews 2014), where culture and creativity have appeared almost as a mantra in urban development worldwide since the mid-1990s (Stevenson 2004, Peck 2005). Cultural planning is a possible response to the claim that planning practices remain unable to respond to the challenges faced by an increasingly complex society. With its cross-sectorial approach and its focus on the human resources of places, cultural planning might be the answer to many of the challenges faced by spatial planners.

How culture is conceptualized and incorporated into strategies for developing place is decisive for the outcome of culture-based development. The two case municipalities have conceptualized and exploited culture in very different ways in their overall strategies and despite the many contextual similarities they have performed very differently when measured by indicators such as job creation, population increase, and municipal economy. Valle Municipality has understood what cultural planning is about and implemented this thinking in its strategies, but so far this has proven ineffective in fulfilling general goals. This ambition and way of thinking about culture is far less in evidence in Bykle Municipality, where a few stakeholders have been 'change agents' and succeeded in creating jobs outside urban agglomerations.

In this paper I have demonstrated that there is a need to discuss the possible drawbacks of implementing in planning practice perspectives and models from the academic planning discourse, a topic that is rare to find in the production of knowledge concerning how to improve collaborative planning processes. The risks are especially evident in rural settings, where the role of municipal planners is much more decisive for development than in urban settings. Opting for culture-led development may be less risky in urban settings, where the forces that shape cities to a larger degree work also without the influence of the municipal planner.

While developing knowledge about how culture could be instrumental in the pursuit of general goals is worthwhile, there is a need for researchers to go beyond the cultural planning discourse, and gain a better understanding of what occurs at the interface with the overall context into which cultural strategies are introduced.

Notes

1. There are three levels of government in Norway: state, county, and municipality. All 428 municipalities are responsible for land-use planning and services to their inhabitants, especially primary schools and health care for the elderly. Municipalities also function as democratic bodies with politicians who are elected at four-year intervals and are staffed by professionals (funded by municipal taxes) who prepare and implement policies. Increasingly municipalities are encouraged to play the role as community development agents (Ringholm *et al*. 2009).
2. Two in Valle (on 9 October 2012 and 13 March 2014) and two in Bykle (on 24 January 2013 and 4 April 2014). While the first interviews included a wide range of stakeholders, only two persons were invited to the second interview in Valle, and only one person to the second interview in Bykle.
3. This viewpoint was especially evident in what the interviewees in Valle called the 'golden age of culture' in the 1990s, an expression that was frequently used with reference to the period during which traditional music and other cultural traits of Valle were popular locally and motivated several projects.
4. The former headmaster's expressed resignation and criticism was also found among key stakeholders in Bykle, who distance themselves from Valle, which they regarded as conservative. The interviewees in Bykle did not want to be bound to the old culture (as in Valle), which they described as 'the culture of the indigenous people' (interview, 24 January 2013). It was even claimed that people are marked by the landscape, to the extent that in Hovden there is more openness and tolerance, and some interviewees questioned: 'What have they [Valle] done with their money [from hydroelectric power])?' (interview, 24 January 2013).

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Participatory action in the age of green urbanism. How Futurefarmers leapfrogged the culture consumer?

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Participatory action in the age of green urbanism. How Futurefarmers leapfrogged the culture consumer?

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This article looks at a shift in urban governance and policy-making from a culture-led approach towards a 'green turn' and an environmentally informed approach. The particular focus of this exploration is how public art practices participate in this ongoing reconfiguration. We are especially concerned with the parallel effort by public administration and the art community to activate citizens through nature-oriented, public spaces. Our main target of interest is the city of Oslo where we investigate the art group that goes by the name of Futurefarmers, whose engagement with land development relates to planning, cultural strategies, curatorial approaches and related art projects. Our findings indicate that while this work pursues a mission of its own, it also has the potential to advance its position in public space by representing green values in decision-making processes. We argue that through this ability to operate both within and outside the system, art practice can introduce interdisciplinary collaborations that can drive change in cultural policy.

Keywords: green urbanism; participatory art; cultural planning; active citizens; public art

Introduction

In this article, we investigate how contemporary art plays a role in the ongoing transition from a culture-led approach towards a green approach in the planning of Oslo, Norway's capital city. Our main target of interest is an ongoing art project in Oslo, the Flatbread Society by Futurefarmers, which has laid claim to a piece of land in the Fjord City, Oslo's waterfront scheme. The project has gradually gained influence on site by means of participatory events and durational engagement, and is currently developing into an urban farm. With Flatbread Society, Futurefarmers participates in the culture-led development of the area and the role of public art in urban development is again up for discussion.

Previous research on the Fjord City has been critical about the alliance of art and urban development. In Bjørvika, one of the redevelopment seaside areas, the close affiliation between the public art projects and the development company that funds them has led to a critical reception of the art projects, a response which insists on the impossibility of distinguishing the intentions of the artists from the

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overall aim of the developers. Hence, art has been viewed as a dimension of the image building for the Fjord City. Several critics have argued that this involvement intrinsically manifests commodification of cultural power (Gran and de Paoli 2005, Hansen 2006, Aspen and Pløger 2015, Bergsli 2015). Bjørvika has also been accused of driving the ongoing gentrification of the inner city (Sæter 1999, Sæter and Aure 2013, Bergsli 2015), thus rendering suspect investments in public art in these settings (Bergsli 2015, Lønningdal 2015). Human geographer Heidi Bergsli states that critical art projects operating in the context of the Fjord City are unable to contribute to changes in practice or discourse (Bergsli 2015, p. 282). Urban scholars Jonny Aspen and John Pløger contend that the art strategy of Bjørvika expands the traditional sphere of action, but they stress the overall function of art as image building, marking hence their doubt about the ability of these art projects to confront the ongoing space development scheme (Aspen and Pløger 2015, pp. 186, 189, 190).

While there seems to be agreement about art's 'image' impact, its effect on other aspects of the redevelopment remains unacknowledged. This article discusses a particular dimension made possible by virtue of the imbrication of art with the context, namely the relation between art in public space and urban planning. In the cultural-led development discourses, the concept of culture has been redefined to include social, economic and political objectives (Miles and Paddison 2005, p. 834). However, there is a shortage of investigations of public art and urban development relationships that apply other perspectives than those predetermined by cultural development discourse itself.

The Flatbread Society project calls for a discussion on the relationship between urban planning and art in public spaces, and more specifically on the influence that artists can gain when the participation of the public and green values are combined. Our Oslo material, which comprises Flatbread Society and three other art projects, suggests that Flatbread Society represents a move away from the typical ethos of cultural strategies. By forging a distinctly green profile in an area otherwise governed by visions from the heydays of cultural development, the project aligns itself with current municipal planning programs marked by green values, e.g. the strategic plan (De Vibe and Wasstøl 2016) for Oslo's next big urban development area, Hovin City. The Flatbread Society can be considered a foreshadowing of this trend.

In this article, we wish to draw attention to this common field of interest between art and planning. The field includes the green shift in urban planning and the vision of an active city, as well as urban gardening, ecological art and participatory art strategies. A close investigation of this interaction between art and planning is particularly important because of the fading belief in culture-led planning, which means that art and planning must search for new forms of interaction in the future.

These matters are equally interesting from a cultural-policy perspective. The shift from culture to green is yet to be reflected in the key cultural-policy documents for Oslo (Oslo bystyre 2006, Kulturmeglerne AS 2013), where culture is primarily linked to economic revenue. The explanation is that these documents borrow their rhetoric from scholarly and political discourses of the early 2000s, which propagated the rise of the creative class and fuelled the belief that instalment of new cultural attractions was the optimal way to boost the urban economy (Gibson and Stevenson 2004, pp. 1–2). Valencia started to build the City of Arts and Sciences in 1994, Bilbao got its Guggenheim Museum in 1997, and at the turn of the Millennium Oslo launched the Fjord City, which gave rise to a series of

prestigious cultural buildings along the city's waterfront. Many important cultural institutions were displaced from their previous settings in order to fulfil the culture-led Fjord City vision.

From cultural strategies towards a green city

Today, cultural planning is no longer at the forefront of urban planning in many Western cities. A major reason is that the so-called 'Bilbao effect' has worn off (Michael 2015). 'Perhaps the Bilbao effect should be called the Bilbao anomaly, for the iconic chemistry between the design of building, its image and the public turns out to be rather rare – and somewhat mysterious', writes Witold Rybczynski, who lists a number of failed efforts at kick-starting civic economies through culture (2015). The bottom line is that many glamorous cultural monuments of the 1990s and 2000s have struggled to prove their worth as long-term moneymaking machines.[1] Large and complex buildings can also be very expensive to build. Some of the new cultural landmarks of Oslo, most notably the Munch Museum and the Deichmanske Library, have been ridden with delays and budget overruns during the planning and construction periods. This has caused the Norwegian media to question the vast public expenditure on cultural palaces (Gravklev 2015, Juven and Bråthen 2015, Mæland 2016).

Even Richard Florida, who identified and coined the term *creative class* in 2002 (2002), has admitted that his theories on culture as fuel for economic boosterism do not always hold true in practice:

On close inspection, talent clustering provides little in the way of trickle-down benefits. Its benefits flow disproportionately to more highly-skilled knowledge, professional and creative workers whose higher wages and salaries are more than sufficient to cover more expensive housing in these locations. (Florida 2013)

The lack of trickle-down benefits is also detectable within the cultural field itself. While many cities have gained large cultural attractions, less has been accomplished in terms of amplifying a wider range of cultural productivity. The heavy emphasis on cultural attractions aimed at tourists rather than local art producers has gradually expelled artists and other creative labourers from the rejuvenated inner cities. In effect, cultural planning has set up a barrier between culture as attraction and culture as production, thus amplifying existing class divides within the cultural field. (Haugsevje *et al.* 2014, p. 16)

As Deborah Stevenson has argued, cultural planning was embraced by many policy-makers because of its alleged ability to enhance the everyday surroundings for all citizens. Culture was not only seen as an economic, intellectual and aesthetic stimulus – it was framed as a particular way of life. (Stevenson 2004, pp. 122, 123). Now that the disappointing effects of culture planning have propelled city governments into a search for other routes to success, similar ambitions have emerged on behalf of other values. Cities all over the world hear the signal for bottom-up initiatives with a green profile. Often these initiatives are grounded in participatory-based structures that combine urban agriculture, civic engagement, planning and art.

This move raises a number of questions. Can art maintain its art value while still reaching out in new ways? Some scholars are inclined to say yes (Raunig

2007, Jackson 2011, Kester 2013), others have opted for a more pessimistic view (Berlant 2011, Bishop 2012, Nelson 2011). In connection with this overarching dilemma in art theory, there are several issues at stake regarding the realisation of art projects in the empirical world. Firstly, are certain art projects chosen because they are more agreeable and less critically challenging than others? Secondly, do participatory art practices bring about new ways of being public or are they rather proposing exactly what the new planning paradigm craves? And thirdly, how inclusive is the green discourse when implemented in practice?

We do not pose these questions solely for the sake of staging an academic discussion. They are highly relevant in light of the recent shift in governance in Oslo. The city's new political regime, a coalition between the Labour Party, the Green Party and the Socialist Left Party, have agreed on a collaboration based on socially inclusive green principles (Johansen *et al*. 2015). There is therefore reason to believe that the next version of Oslo's overall cultural policy will try to tackle some of the dilemmas we are dealing with here.

Nature as the new culture

> Of all the underlying forces working toward emancipation of the city dweller, most important is the gradual reawakening of the primitive instincts of the agrarian. (Wright 1958)

The above quotation from Frank Lloyd Wright's *The Living City* serves as a good reminder that the current green wave is not entirely new. The material we are investigating throughout this text is related, rhetorically and visually, to a number of different green discourses from the past. Some of them have been rejected – like Wright's car-dependant *Broadacre City* (1934) – while others have prevailed, most notably the belief in agriculture as a cornerstone for human wellbeing. This is obvious in the city of Seoul, where the move towards a greener city involves a rather radical move: to build an urban farm on the land earlier regulated for an opera house (Levenston 2014). Tempelhof Park in Berlin, where a referendum blocked the development of the former airport, can illustrate the popularity of allotments and the green shift's potential in regards of activating the citizens.

The Flatbread Society fits neatly into this ongoing reawakening of urban-agrarian instincts. The project was formed by the artist collective Futurefarmers in 2012 when artist Amy Franceschini was commissioned by Bjørvika Development AS's permanent public art program 'Slow Space.' One particular site, Loallmenningen, has been the object of Futurefarmers durational involvement with the redevelopment. In 2012, the exhibition 'Views from Ekeberg' displayed large blown up reproductions of photos from 1884 that showed the area as fertile agricultural ground. This sparked a revision of the area, which in later years has been marked by heavy traffic. The first temporary green projects on site were initiated by Bjørvika Development's art program in the summer of 2012. Futurefarmers planted a field of heritage grains and 100 allotment gardens were distributed to citizens of Oslo. The planting of heritage grains has been repeated every summer since, and in 2013 Futurefarmers installed a temporary Bakehouse on Loallmenningen and organized a series of participation-based events.

A more recent Flatbread Society event was the solemn baptizing of the site as *Losæter* in February 2015, marking thus Futurefarmers' ambition to build an urban farm on site. June 13, the same year, they organized a 'Soil Procession,' bringing ecological soil from farms all over Norway to their chosen site in Bjørvika. Futurefarmers are now rehabilitating the polluted soils and still sharing the site with the allotment gardens. The Flatbread Society's next step will be to obtain a building permit for a public Bakehouse – a token of their ability to be concrete in order to realise their work.

Interestingly, Futurefarmers are proposing a different use of the site compared to the current planning program for Loallmenningen. This program was launched in 2008, based on an analysis developed by the Danish architectural office Gehl Architects.

> Loallmenningen is the only public space that offers recreational activities in the form of sports. These activities appeal to all age groups but special effort should be made to invite kids and youth to use them. (Gehl Architects 2008, p. 15)

This proposal has since been sidetracked by the Flatbread Society project. Futurefarmers opted to discard Gehl's design of an active, sports-oriented site, developing it instead as an urban farm, comprising the participation of the public and an ecological and *green* approach to the development of the site.

> The establishment of Losæter at Loallmenningen marks a commitment to support farming as a key component within the cultural landscape of Bjørvika. By situating Losæter within this new waterfront development and alongside major cultural institutions, we embrace the understanding of farming as an art form. (Franceschini *et al.* 2015)

In the quote, Franceschini highlights several dimensions of the project. It emphasizes the positioning of farming as an element of Bjørvika's urban culture and points to an understanding of farming as art. Furthermore, the quote indicates that the project should be viewed artistically by virtue of its location on the new cultural parade of the waterfront redevelopment. Indeed, the context does affect the relation between art, culture and farming, by providing a public position to Losæter. Futurefarmers installed urban gardening on a site formerly subjected to heavy traffic and next to Barcode, a line of high-rises accommodating large business corporations. Due to this location, Losæter can appear absurd compared to how farming would be done elsewhere. One of its functions is symbolic as it represents ecological urban gardening as an alternative approach to Bjørvika. Rather than contributing significantly in terms of food production, the project enacts qualities that are quite in line with Wright's normative discourse on the emancipatory qualities of an awakened agrarian instinct. Secondly, the project installs actual, sensual qualities in public space. Thirdly, the project can be discussed in terms of public pedagogy and critical learning, because it clearly aims at expanding the understanding of farming as both cultural strategy and art. The public pedagogy aspect is an example of non-institutional educational discourses (Springgay and The Torontonians 2014, p. 134); in this context public art that moves from a symbolic to an actual impact in the public sphere. Flatbread Society is based on alternative site knowledge (Myrvold 2016). Hence, the project has a pedagogical function as it circulates alternative forms of knowledge, such as ecological farming practices.

The above listed points are relevant in order to discuss the project's function in public space; however, they do not fully explain why Flatbread Society's grain fields became more attractive than a football field. In order to address that matter, we suggest that it is important to look into the participatory structure of the art project in relation to the urban planning process, in which it has indeed intervened.

Flatbread Society depends on the complicated term *participation*, which is difficult to pin down in a simple phrase. In this text, we approach participation in a broad sense and see it as interlocked with related terms such as collaboration, engagement, involvement and inclusion. Our aim is to look at participatory action through three particular lenses: *Decision-making and planning*, which seldom involve direct and continuous participation from a wider audience (Arnstein 1969, Pollock and Sharp 2011). In Oslo, a planning process normally seeks participation by allowing the public to have a say at certain times. The same goes for policy-documents, which are devised through political decision-making processes with limited citizen interaction. Participatory art projects, in which the public is actively invited to collaborate throughout the process, at least in principle, and can have affinities with public pedagogy and pedagogical art projects (Lacy 1995, Bishop 2012). *Public spaces*, where citizens have the opportunity to participate but are not necessarily specifically encouraged to do so beyond the physical facilities at their disposal (de Certeau 1990).

Distinctive for Flatbread Society is the presence, research, and engagement of artists on site, in close relation to the general development of the area in an early stage of the transformation. The particular context of the development strategy of which the art project is part, has facilitated access to art prior to the actual construction of new public spaces, inverting the traditional relation between art and public space, typically placing art in an already functioning public space as a cherry on top of a cake. Flatbread Society is a permanent public art project that positions itself through temporary artistic strategies. In so doing, Flatbread Society has gained an unusual amount of influence on land use in a specific part of the Fjord City.

Contemporary aesthetics and the cultural-led planning paradigm

Flatbread Society's participatory-based events and framing of social situations as public art assign a role of co-actor to the audience. Much emphasis is put on creation through collaboration, as explained by Franceschini: 'We are interested in forming groups with people from different fields and ideologies who come together to make new work.' (Schultz *et al.* 2012, p. 158). However, the relation between art and audience in durational and participatory art projects can also be viewed as a rejection of the typical ethos of culture-led planning. The waterfront development of Oslo took its cue from a bourgeois aesthetical regime (Benjamin 2008, Rancière 2008) in the sense that it favored art experiences grounded in the Kantian space of disinterest. The architectural icons of the Fjord City require visual appreciation and contemplation, framing thus a kind of aesthetical experience that is distinct from everyday practice and momentary as it unfolds when gazing upon the aesthetic object (Kester 2013). Although acknowledged as a well-functioning short-term strategy for attracting citizens and tourists (MacCannell 2013), the ephemerality of such aesthetical experience might not succeed in fulfilling other desired aspects of city life. The instalment along the harbour promenade of iconic architecture and

major art institutions reflects the primary position assigned to leisure that revolves around the activity of viewing. Herein lies a potential conflict between the vision of the Fjord City and the cultural strategies applied. The Fjord City adopted the guise of an eventful city (Richard and Palmer 2010) to increase tourism and catalyze city regeneration. However, the actual realisation of vibrant city-life has proven to be a challenge, creating 'zombie-urbanism' rather than a lively atmosphere according to Aspen (2013). In short, the developers and the municipality face a challenge that the cultural strategies seem unable to meet. Participatory art events represent investments in the realisation of an eventful city. However, the model of the eventful city has its own pitfalls. Temporary cultural events have shown to have immediate economic impact, nevertheless it is a model that tends to compromise the possibility of long-term social and cultural legacies (Garcìa 2007).

The question of long-term impact is a recurrent topic in discussion of socially engaged art that relies on ephemeral qualities. Durational artistic engagement offers an alternative to event-based artistic formats. By activating the beholder through durational engagements on site, public art practices attempt to break with the disinterested aesthetical experience and enter processes of urban planning aiming at creating social places with long-term impact (Doherty and O'Neill 2011). In the cases we discuss in this article, participation-based events are inscribed into an artistic framework that has vegetational growth as one of its concrete impacts. We suggest that through the constellation of the participation of the public and vegetational growth Futurefarmers forge an alternative approach to public space compared with cultural strategies. Through its alignment with the green shift in planning, it represents an alternative to short-term events and the emphasis on leisurely sight-seeing. Ecologically oriented art might use event-based methods and be participatory, thereby forging an 'eco-awareness' that goes beyond the length and impact of each individual project. Eco-art has been a prominent art genre for decades, as Andrew Brown has shown (2014), and current variations on the theme are now reaping the benefits. Temporary art projects with green, ecological endeavours can enter production of social place in event-based structures, while inscribed in the cityscape as durational engagements with public space.

It would be problematic, though, to make an absolute distinction between gazing at architecture as a passive form, limited in time, vs. production of vegetables as an active form blessed with endless durability. Firstly, because there are long-standing traditions for cultural development that exceed the individual component. Many cities have devised cultural strategies with long-lasting and broad legacies (Lemasson 2015). And secondly, because it has been thoroughly accounted for within various scholarly discourses how a gaze can be active, be it feminist perspectives on the male gaze in cinema (a construction of active male power) or neuro-scientific studies of perception, thought, and action (Lauwereyns 2012). The point is, however, that our main example belongs to a field within contemporary art that is consciously moving away from the realm of the visual as a privileged site for the art experiences to take place (Lacy 1995, Jackson 2011, Thompson 2012, Kester 2013). Opposing previous attitudes that address the audience as passive receptors of an artwork's inherent meaning, the interaction with the audience becomes a goal in itself. The art project's participation-based structure and the hosting of various workshops represent of leap from art as an invitation to stand still and cast a view at something, to art as an invitation to act, to take part, to join in. The spectator thus becomes a co-actor, an accomplice, a piece of the action.

Similar ideas seem to exist within the matrix of agents who govern the city of Oslo. While the current cultural strategy for Oslo is firmly rooted in the ethos of cultural planning (Oslo bystyre 2006), new stratagems reveal a keener interest in the active citizen – the cyclist, the urban farmer, the beer brewer etc. – in contrast to the typical image of the cultural consumer of the 'noughties': a leisurely-minded observer of culture and entertainment. The recently approved master plan for Oslo is a typical example of this trend. The front page of the plan contains a picture of a girl on bike, paired with the vision statement 'Smart, Safe and Green.' Inside, the document is full of green visions and more pictures of cyclists (Oslo bystyre 2015a). These visions have been developing within the system over the past years, gradually changing the course of policy-making towards an emphasis on green programming. The latest outcome of this process is a competition program for Trygve Lies Plass, a public space in the eastern part of Oslo. The word 'culture' is completely absent from the competition program, which focuses instead on the creation of a green mobility hub and similar activity, and on environment-oriented tasks (Agency for Urban Environment 2015).

This turn may also explain why some artists have gone from being producers of art to active agents in the urban development. Or, to phrase it differently, from being producers of artefacts to producers of production. While this seems to suggest that the sphere of the arts now runs parallel with policy-making in Oslo, the situation is actually more complex. As previously mentioned, cultural-policy documents still rely on the rhetoric of cultural planning. The recent shift in governance – from a conservative coalition to a socialist/green coalition – is emblematic of this. The new Oslo government explicitly aims to establish an urban ecology innovation centre, accommodate more urban farming, protect wilderness areas and increase biological diversity (Johansen *et al*. 2015, pp. 26, 27). Their platform for cultural policy-making, however, revolves around concepts such as cultural entrepreneurship, innovation and attraction (Johansen *et al*. 2015, pp. 48, 49). One could thus argue that a segment within the art sphere has begun to explore possibilities that remain unseized by cultural policy-makers.

Art and public governance joining forces to activate the public

The simultaneous rise of a green and participatory approach in some sectors of art and public governance means that these spheres now have a shared challenge: how can the public be activated? As history has shown, art can play a role in articulating that general aim. A noteworthy example is Herbert Bayer's *Mill Creek Canyon Earthworks* (1982), which was carried out in the form of artistic labour and public administration combined – a prerequisite for the collaborative efforts that are emerging today. Ironically, the often less than successful maintenance of artistic interests through cultural planning seems to have encouraged artists to work alongside and in concert with the very same system that exploited art as a puppet for economic revenue. As our empirical findings from Oslo indicate, there is certainly a tendency towards more involvement than a decade ago.

Similarly, we can detect a tendency towards the commissioning of socially engaged art practices that initiate tangible green endeavours such as urban gardening projects, which in turn amplify the green attraction of a new development scheme. Our point in mentioning this is that the urban farmers do certainly not swim against the urban tide – they cruise on the biggest wave currently available.

They may be grassroots in approach and ideology, but they are drawing upon the most coveted field within urban beautification at the moment.

This potentially close affiliation comes with a degree of uneasiness. For one, collaborative art practices enter a zone between autonomy and social intervention. Claire Bishop argues that collaborative art projects should themselves address the contradictory conditions that they are working under and reflect this antinomy in the work (2006, pp. 178, 179). The urgency of the social task at hand and the ethical drive leading to the collaborative initiative has, according to Bishop, led to a shortage of critical responses to projects as art and not social work (2012, p. 13). However, other voices in the field question the relevance of a discourse on the autonomy of art. Paul O'Neill and Claire Doherty opt for considering collaborative practice as: 'co-operative production process that is neither autonomous nor over-regulated' (2011, p. 14).

Upon entering the realm of public governance, artists have to participate in accordance with a fixed agenda, perhaps having to defend values beyond art itself, and they might come under a different kind of scrutiny from the public eye and the media. Perhaps collaborative art practices' critical potential lies in the ability to negotiate different worlds?

A further complication is that culture still plays a certain role. This has to do with the fact that public governance seldom moves quickly from one paradigm to another, as Warren Magnusson has ascertained (2011). Such processes are seldom symmetrical either. Some sectors may change quickly; others may linger in the past. Oslo's cultural-policy is an example of that. The culture-led approach is kept alive through documents such as the 2003 strategic program for culture and an art booklet from 2009 (revised in 2012), both of which contain guidelines for Bjørvika. The latter proposes an integrated strategy for the commissioning of art for the public spaces of the area. This strategy was solidified with the 2011 appointment of curator Claire Doherty and the formulation by her of a vision for the permanent public art program.

Both documents encourage developers to invest in art and culture, but the art booklet is more specific in its aims. Among the key objectives outlined in the booklet is the assumption that art in public spaces will create living and multi-faceted city life, and a cultural profile that will provide co-ownership to diversified groups of people (Eeg-Tverbakk et. al. 2009). These aims are positioned in the interval between the fading culture-led paradigm and the sought-after participation of the public. The double stress on *life* that underscores the ambition of creating *living* city *life*, echoes the overall ambition of the Fjord City development to create *vibrant public spaces*, as well as the more specific ambition of *activating* the area during the construction stage (Plan-og bygningsetaten *et al.* 2003). The move towards more investments into cultural events is a general trend in Norway (Henningsen *et al.* 2015). The Fjord City is an obvious exponent of the eventfulness trend, as Aspen and Pløger show (2015). From our perspective, however, the most important aspect of the developer's attempt to create living public spaces by investing in art, is its correspondence with contemporary art's move away from object-based practices towards an emphasis on experience. The cases we are investigating in this paper reveal a notable shift from artworks as fixed representations to be gazed upon to dynamic artworks in which practice – the art of doing something – lies at the very core. The Bjørvika public art program clearly favours art practices that are eager to expand the roles of public art, curating a shift from 'drop-in sculptures' to the artist-cum-planner.

The greening of Bjørvika through slow art

> To support the creation of remarkable forms of public art in Bjørvika which contribute
> to the life of the area. (Doherty 2011, p. 4)

In the quote above, the permanent public art program 'Slow Space' states the contribution to *life* for the area as one of its principles. The art program also commits to 'suggest […] the use of public space' (Doherty 2011, p. 9). The coupling of art with *life* and *public use* is thus inherent to the commissioning of art in Bjørvika. In the following, we will discuss what kind of *life* is represented or activated in Futurefarmers response to Claire Doherty's curatorial vision of 'Slow Space' and Bjørvika Development's art strategy. As contrasting examples, we will present other public art projects from the same context, in order to shed further light on the affinities between green, participatory projects and governance.

'Slow Space,' alludes to the Italian slow food movement, which advocates a general slower approach to activities such as cooking and travelling, but also a generally slower pace in society.[2] Doherty writes in her curatorial vision: 'What if the proposition of Slowness was not just a utopian gesture but became the principle objective of Bjørvika public art program?' (2011, p. 9). *Slowness* is furthermore suggested as a particular way to use the city: 'Public use of the Opera House roof in Bjørvika is already a strong indicator of the desire for spaces in which slow activities […] can take place […] It is a physical space that produces a social space' (Doherty 2011, p. 9). Doherty continues to elaborate on the objective principle of slowness and outlines aspects of it that can inspire the commissioning of art in Bjørvika. Among them are *dugnad* (collective volunteer work) and *field*. The former is exemplified by Futurefarmers' project *Victory Garden* (2007–2009) in San Francisco and the latter by Agnes Denes' *Wheatfield – A Confrontation* (1982). With her curatorial vision, Claire Doherty assigns public art the role of producer of social spaces, and the aspects of slowness that she outlines prefigure elements of Futurefarmers' green intervention in Bjørvika.

Futurefarmers takes slowness as 'a principle objective' some steps further. In Losæter, the organic, on-site, rehabilitation of the soil follows the seasons' natural cycles and conforms to the temporality of natural processes. Another articulation of organic time is the aforementioned field of heritage grains. The ancient heritage seeds have been 'hibernating' until they recently were recovered. Both articulations of time are in the context of Bjørvika a contrast to the development's techno-bureaucratic implementation of change. The art project exhibits natural processes and oppose standardization by planting ancient grain species that do not conform to the regulation imposed on contemporary agriculture. However, the public attention given to organic processes of growth in Bjørvika appears to be the only critical gesture accepted in the permanent art projects by the developers.

Katie Paterson's *Future Library*, the other featured art project commissioned for Bjørvika by Claire Doherty, also manifests a fascination for growth. In the spring of 2014 Future Library expanded beyond its initial designated waterfront site through the establishment of small forest of 1000 new trees just north of Oslo. Every year, starting from 2014, a writer will be commissioned to write a text that will be stored, unread and unpublished, until all texts are published together in an anthology in 2114. The anthology is to be printed on paper from the trees of Future Library's forest. Although transgressing the life span of the individual attendees,

every year several events are organized in relation to the hand-over of the manu-script by the author. In 2014, the first commissioned author Margaret Atwood drew crowds and contributed to giving the project public attention.

The Slow Space projects actualize a durational approach to public space through the means of organic growth on site, then punctuate the slow process with social events. In both practices, organic growth can be perceived as transformative on two levels. Firstly, it affects the physical site by replacing the existing materialities with organic fabrics that have artistically woven layers of interpretation attached to them. Secondly, the 'celebration' of organic growth has a social effect, by creating new communities in Bjørvika. Future Library is an imaginary community of readers trans-gressing the century, while Futurefarmers' ecological concerns bring together a com-munity of interest. Vegetation is a key in the public art program to produce social spaces and suggest activity. The conscious selection of art that actualizes a constella-tion of vegetation and social events is apparent when compared with two projects that did not succeed in passing into the production phase.

Carstreetroad [Bilveigata] is a project proposition by Toril Johannessen and Marjolijn Dijkman. Slow Space originally commissioned Johannessen and Dijkman but their contribution was eventually cancelled after numerous proposals. *Carstreet-road*, their first proposal, was never approved by the commissioners and curator. Though never developed beyond a sketch-format, it illustrates a different take on the role of art in Bjørvika. The idea was to elevate a road segment that would act as sculptural and functional element for cars. The project alluded to a former high-way that intersected the area in the form of an elevated roundabout, Bispelokket, perceived as cutting edge in its own time, the late 1960s. The elevated road propo-sition could have acted as a reminder of how urban ideals change, thereby staging a critique of urban development per se. The project 'recovered' a demolished piece of infrastructure of the kind that is vulnerable to reaching a state of obsolescence in the age of green urbanism, thereby providing a heritage contrast to Futurefarmers' ancient grains. Johannessen and Dijkman were opposing the 'greenwashing' of Bjørvika and did not contribute to any social animation of the area. Instead of addressing an active citizen, *Carstreetroad* aimed at animating the movement of cars. Hence, the artists purposefully avoided the role of public art as initiator of slow activities.

In 2008, artist Lars Ramberg won a competition for an artwork on the ventilation towers that intersect the same site that Futurefarmers are developing into an urban farm. However, the project got cancelled in 2012 because of a lack of financial sup-port (Hagen and Sivertsen 2012). Ramberg proposed to decorate the towers with LED lights transmitting the genetic code of the black plague bacteria, which caused the death of at least half of Norway's population in the Middle Ages. This motif emphasized the medieval origins of this part of Oslo and, through the direct use of a contemporary road monument, hinted at the lethal effects of modern car culture. In hindsight, the cancelled project stands as illustration of an art scheme that aimed at disrupting the public space without any promises of creating social life.

These four artistic projects – *Flatbread Society, Future Library, Carstreetroad* and Ramberg's towers – are all reflecting the relation between urbanity and rurality, nature and society; dualities as old as city planning itself. They are also indicative of how general urban trends influence the selection of public artworks. In the era of slow spaces, there is less room for cars and roads than there is for pastoral splendor.

The green artist: a conformist planner in disguise?

> I think action is really the key. Just to do it, and see what happens. And make it irresistible. (Interview Franceschini 2015)

Due to Futurefarmers' position within a cultural development, the art project enacts a double modification of the role of public art. It inverses the relation of public art and public design by deviating from the planned design for Loallmenningen, replacing a football field with artistically invested soil. Simultaneously, the art project is so green that its main allies are from the field of agriculture. With the rejected artworks in mind, Futurefarmers' durational engagement with the development and their successful intervention makes it reasonable to ask whether certain art projects are chosen over others because they are more agreeable and less critically challenging?

The shared interest among policy-makers and producers of participatory public art in creating social space and greening the city indicates that there is a degree of consensus at play, which makes it reasonable to speculate if art's critical edge sometimes appears exactly where the developers crave a rift in the otherwise smooth urban design. Futurefarmers participates in an urban development driven by values that they otherwise oppose in their artistic practice. Interestingly, both Anne Beate Hovind, the director of Slow Space, and Amy Franceschini describe the processes leading to the land acquisition as collaborative (Interview with Hovind 2015 and Interview with Franceschini 2015). The greatest resistance to the Flatbread Society and Bjørvika developments art program has come from the Norwegian art scene (Interview Franceschini 2015). The support for the art project, however, comes from an unexpected side. The strongest guarantees of future support the project has been given are in the municipality's agricultural report (Oslo bystyre 2015b, pp. 6–7).

Although to outward appearances Flatbread Society's progress might seem like a smooth process, such an image is deficient. It has taken quite an effort, mostly from Franceschini and Hovind, to procure a temporary permit. The art sector did not take a bow, it created a place for itself – and the participatory public – in the midst of a highly priced commercial property complex. Slow Space may defy the purpose of artistic activism as a protest form, but claiming a valuable piece of land is an achievement that hints of boldness and perseverance.

Partly, Losæter owes its existence to the way Futurefarmers has continued to develop the land as if it were going to be a permanent fixture, as any clever developer would do. Just do it and explore what's possible without always asking for permissions first, seems to be the main strategy of both director and artists (Interview Hovind and Franceschini 2015).

The timing here is of great importance. Futurefarmers has had time to strengthen their position on Loallmenningen in the *interim between* the zoning approval that simply says 'Recreational area (park)', and the completion of a detailed plan and design. Now, Loallmenningen has completely reconstituted soil, a cultivated grain field and allotments, as well as a submitted building permit for the public bakehouse. Hence, the tedious process of awaiting the detailing regulations for the site has been leapfrogged and their ownership strengthened. More than a critical confrontation with the general development, the artists and director seem to adopt what Irit Rogoff has coined an attitude of *criticality* (2006, p. 17).

Futurefarmers' imbrication with the context in which it is operating does not permit a distant 'clean' critique. However, they do learn the system from within and inhabit an embedded position from which they critically engage with a public space that they develop according to their own visions, not just the system's.

The inclusion of an urban farm on the waterfront was made possible by the culture-led development paradigm that opened the door to artists during the slow process of planning and construction. By installing Losæter, Futurefarmers revision the notion of culture as it was originally formulated. Farming is now promoted as leisure, and historical farming practices and ancient grains are put forward as cultural heritage. By expanding the notion of culture, as it appeared in the planning paradigm of the 'noughties', Flatbread Society is here contributing to an update of the area planning rather than acting as an antagonistic art project. The art project brings the sought-after green shift to an area that otherwise was surrendered to the logic of culture-led development. The overall receptivity to the project described by Hovind and Franceschini should be seen in relation to the larger green context that embraces urban gardening. The strengthening of the position of urban gardening in Oslo and the proof that Flatbread Society is in tune with the current planning paradigm is visible in Oslo's next big transformation area, a northeastern territory named Hovin City. An idea competition held in the autumn of 2014 yielded entries from 21 architectural offices. The resulting exhibition was a green urbanism extravaganza, demonstrating quite efficiently that green is the winning card in contemporary urban visions. However, a timely question is if the public art program is actually opening a space for revision and correction of the area planning? Without the artistic involvement, it seems likely that the set schedule for Bjørvika would have followed its linear path, even though the development is, due to its slow pace, destined to be overtaken by new and more contemporary ideals.

Back to the citizen? The pendulum between civic activation and artistic integrity

Our investigation indicates that Futurefarmers has succeeded in revising the use of Loallmenningen. However, a last point to discuss is the public's participation in Flatbread Society. By the means of participation, Futurefarmers has exemplified new ways of using Loallmenningen. In this study, we approached participation in a broad sense and looked at participation through three particular lenses: Participation in planning, participation in an art project and participation in public space. Our study has shown that the production process of the project Flatbread Society enters the planning process of Loallmenningen. In Flatbread Society we see the artists cum planners, and a profession that is usually kept in an autonomous zone, both protected and excluded from other decision-making processes is here participating in planning. However, Futurefarmers' participation in planning can be said to arise from the art practice itself, and not from the regular structure of the decision-making process. The temporary Bakehouse in 2013, the annual fields of heritage grains, the Soil Procession in 2015 and the rehabilitation of the soil of Loallmenningen are autonomous, artistic incisions which have entered the decision-making process through performances in public of the sustainability of Flatbread Society and its ability to deliver on the task at hand: activate the area. The commitment of the developers to the building a 'vibrant' city, can hence offer a loophole for participatory art to gain influence on planning. Therefore, the participation of the audience

in the art project seems fundamental if it is, indeed, the project's ability to bring *life* to the site that has acted as point of leverage for the influence that it has gradually gained on the site.

However, a relevant question is what the actual role of the participants within art projects is and whether they have the possibility to influence the project. Claire Bishop is calling attention to the consensus-driven dynamic that participation-based, socially engaged projects' well-meaning endeavours often produce. She therefore questions the participant's actual possibility to have a saying and argues that in some cases the participant is rather subjugated to the will of the artist rather than acting as co-producer (Bishop 2012, p. 277). This has both positive and negative consequences for the public, who can be included or excluded from the participation discourse, depending on the given power-relations. Similar concerns are presented by Maggie Nelson, who claims that 'Some of the most good-intentioned activist, "compassionate" art out there can end up being patronizing, ineffective, or exploitative' (2011, p. 9).

But one might also argue that, on the contrary, audience participation makes visible what the grass-root wants by actually forming *that* space. However, two aspects seem to contradict such a linear bottom-up reading of Flatbread Society activities. First, the context in which the artists operate and the site that they are developing does not 'come with' a community. Loallmenningen was a remote site with no local residents when the artists started working on site. There is no coherent community that has ownership or a strong degree of positive place feelings that lays the ground for local citizens' participation in planning (Lachapelle 2009, Kil *et al.* 2013). Second, the long intervals between the different events also affect the gathering of people, and hence apart from the artists few participants have a durational engagement with the project.

However, while Flatbread Society has, on the one hand, only been able (so far) to assemble a small crowd of regular participants, they have on the other hand managed to involve a range of special interest organizations and professionals. The Flatbread Society cannot be said to be a platform that represents local citizens. Rather, we suggest that the artistic strategy of public participation, using people as a medium, so to speak, makes Futurefarmers an attractive partner in urban development contexts that are in short supply in city life. Our study suggests that the attendees with no professional agenda of their own, participated in the art project without necessarily participating in planning. As argued by Jancovich, participation in art is in itself not enough to change the unequal nature of power within decision-making (2015). The outcomes and the reception of public participation in an art project will also, as argued by Pollock and Sharp, depend on aspects of a development process that are not managed by the artist (2011). Having this in mind, Flatbread Society will as an art project have engendered a range of individual meanings by interacting with the attendees and carries an intrinsic value as art.

By contrast, to the modest crowd of regular participants in Flatbread Society, 3790 people applied when the allotment gardens were up for grabs on site in May 2012 (Bjørvika Utvikling 2012). In short: many Oslo citizens wanted to have their own individual green spaces. The collective pull of Futurefarmers remains limited by comparison. The allotment gardens represent the third form of participation; general use of public spaces. Here the temporary involvement will have given a credibility to the claim that people in cities want to farm and shows that the public's approaches to practice spaces can reconfigure the concepts and the

disconnected visions that emerge from planning offices. However, there is a difference in ideology in the response to the allotment gardens and Futurefarmers' approach to Loallmenningen. While the distribution of the allotment gardens envisioned the allocation of a private patch of soil, Futurefarmers is interested in creating new commons and participation is seen as a means to enact an idea of collectivity. In this sense, one could claim that yes, Flatbread Society offers new ways to be public, but these ways are aesthetically and politically manufactured in the artistic practice, not a result of grass-root participation in a strict meaning of the term. However, by supporting the urban agrarian, Futurefarmers engages with the contemporary idea that a greener city is of common interest. After the privatization of the majority of the waterfront, the developers are held to a commitment to the City of Oslo to build public, open spaces. This coincides with Futurefarmers commitment to develop Loallmenningen as a *common* asset. Although not a result of a grass-roots claim to land, their artistic proposal of an urban farm expresses values in line with what is perceived as common good in the current planning paradigm.

And perhaps, as we suggested above, the critical potential of collaborative art practices lies in the ability to negotiate different worlds. Futurefarmers has been the orchestrator of a trans-disciplinary negotiation that transcends several boundaries, within and outside the system of governance. They have carried out an art project that may contribute to the forging of a cultural strategy that has yet to appear in Oslo's cultural policy documents, where art's societal function is still framed in closer relation to economy than nature and active citizens. Their ability to work and communicate across the three areas we have been discussing – decision-making/planning, participatory art and public space – have enabled them to stay in dialogue with strategic continuities as well as the outspoken governance aim of activating the public. In morphing elements from art, planning, agriculture and recreation, they tap into a range of different participatory constellations and revisions the role of culture in Bjørvika.

Disclosure statement

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Notes

1. The City of Valencia has recently launched a court case against home-grown architect Santiago Calatrava, the chief designer of The City of Arts and Sciences, because several buildings, including the opera house Palau de les Arts Reina Sofía (2005), have fallen rapidly into disrepair and are generating more maintenance costs than revenue.
2. The Nordic branch of Citta Slow was officially launched on 2 January 2009.

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Regulating for creativity and cultural diversity: the case of collective management organisations and the music industry

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Regulating for creativity and cultural diversity: the case of collective management organisations and the music industry

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This paper explores the role of intermediary institutions in promoting creativity and cultural diversity in the music industry, and the impact of cultural policy on the performance of those intermediaries. It reviews some of the existing literature on the relationship between economic conditions and innovation in music, and argues that too little attention has been paid to intermediaries. Focusing on collective management organisations (CMOs) as one example of overlooked intermediaries, we illustrate, by way of comparison, the different priorities and incentives that drive CMO practice. These variations, we suggest, are important to appreciating how CMOs operate as intermediaries in different territories. We then turn our attention to recent attempts by the EU to reform CMO practice as part of its Digital Single Market project. The fact that the CMO has been an object of reform is indicative of its importance. However, there is more at stake here: the reforms themselves, in seeking to change the role and behaviour of CMOs will, we suggest, have profound consequences for the market in music in Europe, and for creativity and cultural diversity within that market.

Keywords: Digital Single Market; collective management organisations; music industry; creativity; cultural diversity; EU

Introduction

In 1979, The Undertones released the song 'Teenage Kicks'; the band's singer was Feargal Sharkey. Thirty years later, Sharkey was Chief Executive of UK Music, an umbrella group representing the United Kingdom's music industry. And it was in this capacity that he wrote the Foreward to UK Music's (2010) *Liberating Creativity* policy statement:

> Somewhere right now, in this country, a young person is scribbling on a scrap of paper or tapping on a keyboard, composing a song that will resonate far beyond the page. The industry may change, but that simple act of creativity remains, and will always remain, immortal and timeless.

Liberating Creativity captures a familiar dilemma, which Sharkey himself embodies. On the one hand, there is Sharkey-the-romantic who holds dear to the belief that there is something magical or mystical about the act of creativity, a moment in

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which an individual, or small group of individuals, are inspired to create. On the other hand, there is Sharkey-the-lobbyist who argues for government intervention and investment in the name of 'creativity'. Sharkey is by no means alone in wanting to combine these two thoughts. But how they are combined, and to what effect, remains a nagging question for analysts of cultural policy.

We discuss some of the answers these analysts give below, but our main concern is with how we might assess the contribution to creativity of a particular institution – the collective management organisation (CMO) – and with the public policy designed to regulate its performance. We also concentrate on a single sector of the creative industries: the music industry. We compare CMOs in various national settings in order to reveal the differences in their function and operation. We then consider the European Union's recent attempt – as part of the EU's Digital Single Market (DSM) strategy – to reform the regulation and role of CMOs. Our argument is, first, that CMOs are important, but neglected, intermediaries in the music industry, and that an insight into their importance can be garnered through comparative analysis. We then go on to show how the EU's reform strategy, itself premised on the importance of CMOs to the future of the digital creative economy, may affect Europe's music culture. Our intention is to indicate (a) how cultural policy interventions may affect creativity and cultural diversity (two very different policy goals), and (b) to engage with some of the theoretical and methodological issues raised by such an endeavour.

In what follows we begin by justifying our emphasis upon the CMO, a justification that is couched both in terms of the neglect to which CMOs have been subject and the importance that they are assuming in a digital economy (Towse 2013). This importance is recognized by the EU in its recent Directive on CMO reform (2014/26/EU), and by the recommendations of inquiries – like that by Hargreaves (2011) – for greater transparency, among other changes, in CMO practice.

Our concern is with an aspect of what might be deemed 'the institutional conditions of creativity'. This is not to deny the role of individual artists in the story, but rather to understand the institutional context in which they work, and to explain variations within and across countries in the forms and character of the art that emerges. To this extent, our concern is with the institutional politics of creativity, and specifically those of copyright and rights management.

For the purposes of this paper, CMOs, which are also referred to as Collecting Societies, Authors Societies and Performing Rights Organisations, are typically to be understood as organisations that act on behalf of two sets of interests. The first are the composers of music and/or their publishers; the second are the broadcasters, public venues and other sites in which copyrighted works are played. CMOs serve the first by collecting and distributing the royalties earned by the right holders, and the second by enabling those works to be licensed for playing on the radio and in public spaces. CMOs have operated almost universally as national monopolies, providing a single port of call for licensees and an efficient system of data collection for right holders. While these two sets of interests predominate, a third set is in play: that of the public, which is seen to be the beneficiary of the resulting music culture.

Background

The general context for this article is that of the digitization of the creative economy and the new problems, opportunities and players that it is heralding (see Hardy

[2012] for an excellent survey). For the CMOs, the new economy is signalled by the emergence of streaming services and the issue of cross-border rights management. For the European Commission, the new era is embodied in its DSM strategy. The two are linked in the EU Directive (2014/26/EU) 'on collective management of copyright and related rights and multi-territorial licensing of rights in musical works for online use in the internal market'. This Directive is designed to align the collective management of rights with the new digital order. It rests on the assumption that CMOs are key to the future of a digital creative economy. It also assumes, as we show, that competition between CMOs is vital to delivering an effective digital market.

The assumptions that underlie EU policy are themselves premised upon ideas about the relationship between creativity, cultural diversity and copyright. There is a growing literature on this relationship. It speaks of the ways in which copyright law serves to enhance or thwart creativity, and it debates whether copyright privileges certain types or forms of creative authorship over others (Gaines 1991, Frith and Marshall 2004, Burkart 2010, McLeod and DiCola 2011, Fredriksson 2014). Whatever the claim, the point is the same: copyright is understood to be linked – positively or negatively – to creativity.[1]

This literature – like the law itself – does not, for the most part, grapple with the question of what is meant by 'creativity', and how it might be evaluated. Rather, the authors are concerned to identify the ways in which artists come to benefit from, or clash with, the requirements of the copyright regime. For example, McLeod and DiCola (2011, p. 6) talk of 'how the law encourages some form of creativity and discourages others.' The question of what, independently of the interpretation of the courts, makes an act 'creative' or what defines 'creativity' is not their concern.

In one of the few sustained attempts to define and explain creativity, Negus and Pickering (2004) also discuss copyright's role in detail. They note that copyright was introduced to 'incentivise' creativity, by discouraging copying and rewarding the originating author. It was designed to provide a source of benefits to the creator and to the wider society that would prosper from the artist's creativity. But, as Negus and Pickering also note, to observe the *intentions* of copyright is not to describe its *effects*. Does copyright, they ask, actually reward those it was intended to benefit, whether the artist or the wider society? Have changes in the technologies of creativity (the capacity to fix and reproduce a work of art) and in the corporate interests allied with it (the culture/creative industries) radically altered copyright's role and its relationship to creativity?

In assessing changes to copyright and its effects on creativity, Negus and Pickering (2004, p. 63) set themselves against what they see as the 'unhelpful dichotomous terms' in which the debate is often framed: artists versus corporations; rich countries versus poor ones. Rather, they suggest that close attention needs to be given to the specifics of copyright and the ways in which it constitutes the possibilities (and the restrictions on them) faced by an artist, as well as the relationships that exist between artists and the many intermediaries who populate the 'copyright regime'.

The question this raises is how we might analyse and evaluate these multiple factors in the creative process. For this, we need to turn to a different literature, one not concerned with copyright, but rather with industrial organization theory and the market in music.

Explaining and evaluating innovation in music

There are, of course, many different approaches to explaining cultural innovation. One of the most familiar is what Lieberson (2000) has called 'reflection theory'. This is the idea that creativity and innovation are generated by the wider social and political context in which the artists reside. Such an account can, in the case of The Beatles, be found in Lewisohn's (2013) compendious biographical history of the band, in which the context provided by the city of Liverpool and the conditions of the post-war economy loom large. It is also apparent in many accounts of the rise of punk in the 1970s as a response to the economic downturn (see Hebdige 1979, Savage 1991). For Lieberson (2000, p. 273), however, there are limits to reflection theory, revealed in its tendency to ignore 'the role of internal mechanisms and therefore the fact that changes occur even where external conditions remain constant.'

An example of the 'internal mechanism' approach is provided by other attempts to 'explain' The Beatles. Clydesdale (2006, p. 138), for example, has argued that The Beatles' success was a direct product of their competitive environment: 'In the case of The Beatles, competition-based incentives, such as outperforming the competition, enhanced innovation.' By contrast, Frith (1988) has contended that The Beatles' creativity was enabled by the very *absence* of competition. The fact that the BBC was free of pressure from advertisers enabled it to provide a protected space in which The Beatles could experiment and innovate in public. What Frith and Clydesdale have in common is an assumption that creativity is a product of an infrastructure rather than a cultural, social or economic climate.

Such thoughts have been the focus of a particularly resilient strand of music scholarship. From the 1970s, music scholars have asked: under what market or institutional conditions do we get innovation in popular music? To answer such a question, they had (a) to establish a measure of 'innovation'; and (b) to isolate and identify the mechanism responsible for it.

The first systematic answer was provided by the sociologists Peterson and Berger (1975). By examining the turnover in singles appearing in the US top 10, and mapping this onto the structure of the music market, they concluded that market competition was indeed the driver of musical change and innovation. Their initial foray led to a spate of responses from other researchers, and by follow-up studies from Peterson and his colleagues. These are schematically documented in Table 1, in which we trace both the measure of musical innovation used and the factors associated with it (see also, survey by Ross 2005). As can be seen, for much of the history of this literature the basic framework remained unaltered. Market structure was mapped onto innovation. Researchers varied only to the extent that their focus was on albums, rather than singles, or to the extent that 'innovation' was understood in terms of stylistic devices, rather than in terms of the turnover of artists in the charts. A more significant variation from the original Peterson and Berger approach was represented by a shift away from competition between independent companies towards the internal structure of music industry corporations and the degree of latitude allowed to corporate executives (Negus 1999).

With this latter move, questions began to be raised about the appropriate methodology by which to connect innovation to industrial change (Christianen 1995), and about what constituted relevant innovation – was it just 'novelty' or was it changes in the representation of women or African Americans that mattered

Table 1. Approaches to the relationship between market structure (and other factors) and musical innovation.

Author(s)	Peterson and Berger (1975)	Lopes (1992)	Peterson and Berger (1996)	Christianen (1995)	Alexander (1996)	Dowd (2004)	Dowd and Blyler (2004)	Fox (2005)	Lena (2006)	Waldfogel (2012)	Stein- and Sachs (2012)	Ferreira and Waldfogel (2013)
Measures	New artists in Top 10 US singles chart	New artists and genres in Top 10 US albums chart	New artists in Top 10 US singles chart	Flow of music to market	Sheet music	Ethnicity of artists	Debut by Top 10 artist	Retail choice	Musical innovation in Top 100 R&B charts	Critics lists; airplay; sales	Radio plays	Domestic music in charts
Key factors	No. of companies in the market	Organisation and structure of market (i.e. not just concentration)	No. of creatively independent divisions	Demand (not supply)	Moderate concentration = max diversity	Interplay of market concentration and de-centralized management structures	Interplay of market concentration and de-centralized management structures	Market dominance (i.e. Wal-Mart)	Artist perception of market	No 'Napster effect'	Quota system of large country	Absence of large country dominance

(Dowd 2004, Lena 2006)? In the same spirit, questions were asked about which other market actors – retailers and broadcasters – were to be included (Fox 2005), or of what role was played by the internet (Waldfogel 2012). And even as these revisions were made, the focus remained heavily dependent on the charts as a measure of creative innovation and the US as the case study. Non-US studies were the exception (Christianen 1995); and comparative studies almost non-existent.

Despite these later developments in approach and measurement, the conclusion of almost all these studies has been that innovation and diversity depend on competition. The more intense and open the competition the greater the innovation and diversity to be found in the resulting music. This conclusion does not seem to have changed with digitization, although the sophistication of the research certainly has (Ferreira and Waldfogel 2013).

However, irrespective of this consensus, there are at least three limits to this research tradition. These go beyond the focus on a particular genre or form of music. They relate to the relatively (again, it varies) simplified model of the market being applied. Typically, the market is understood to involve firms, artists and audiences/fans. While there is much to be learnt from the terms under which the firms compete, the 'industry' is narrowly conceived as comprising recording companies or record labels only, and makes little or no acknowledgement of the other 'industries' involved – i.e. broadcasting, publishing and live performance (Cloonan and Williamson 2007). One way of refining an understanding of the conditions of creativity, therefore, is to examine the role of these intermediaries in the market. This is acknowledged by one of the founders of the tradition we have been discussing, Peterson (1990), who in his article 'Why 1955?' locates the origins of rock'n'roll in the concatenation of legal, economic and institutional processes of the time.

Another refinement is to introduce a comparative element. This is to counter a second limitation. Most of the research listed in Table 1, as we have noted, employs a single, national case study. A comparative analysis of the performance of different national industries would allow us to hypothesise about the factors affecting the performance of those industries, and to identify the contribution made by particular intermediaries.

The final limitation stems from the terms applied to the analysis. Typically, the music market is assessed in terms of 'innovation', rather than 'creativity', and the two terms may not be synonymous. Indeed, there is a third term which emerges – implicitly or explicitly – in the later studies, and this is the notion of 'cultural diversity'. Although it shares a family resemblance to both creativity and innovation, cultural diversity may have other, quite different connotations and policy implications (see, Street 2011, Schlesinger 2013, or Hesmondhalgh *et al.* 2015, for an overview).

In an attempt to counter these limitations, and to get an indication of how intermediaries may contribute to creativity, we conducted a comparative analysis of the role played by CMOs in a number of territories, and in doing so we tried to identify the contribution made to (or intended for) such policy goals as cultural diversity or creativity. CMOs, we suggest, are key intermediaries, particularly in a digital era. We present findings from the comparative study, together with illustrative cases, to show how CMOs differ in the contribution that they aim to make to their respective national music cultures. We then consider the impact of the EU's initiative to consolidate and harmonize the regulation of CMOs. We argue that just as CMOs may have a significant role in the creation of national music cultures, so the EU's reforms may (adversely) affect creativity and cultural diversity across Europe.

The role and reform of CMOs

In the literature on innovation and the music industry very little attention is given to the role of the CMOs. Indeed, they are neglected too in the general literature on the music industry, even where the focus is on the specific effects of digitalization (see, for example, Hardy 2012, Jones 2012, and Wikstrom 2009, exceptions include Haunss 2013, Laing 2004, Wallis 2004, Wallis *et al*. 1999).

While the CMO may be overlooked in music studies, it has attracted the attention of legal and economics scholars (e.g. Towse 2000a, 2000b, 2002, 2006a, 2006b, Kretschmer 2007, Kreschmer *et al*. 1999, Towse and Handke 2007, Hilty and Nerisson 2013). It has also caught the notice of policy makers, in particular those who regulate competition. The CMO – as a national monopoly – has posed problems as to how it should be managed accountably so as to benefit rights holders and those who use their works (Towse 2012). The CMO has also featured in the deliberations of national governments and transnational authorities which wish to advance the cause of the creative industries. There is a long history of European Commission, European Court of Justice and European Union scrutiny of CMOs and a slightly shorter one in the UK, evidenced most recently in the Hargreaves (2011) report and the subsequent work of the Intellectual Property Office (Laing 2004, Ward 2013). The main focus of the legal and economic literature and of the policy initiatives has been on rights and economic efficiency. Less attention has been devoted to other dimensions – most notably, the cultural value of what emerges from the copyright regime. This is our particular concern here.

Many – if not all – CMOs are committed to promoting social and cultural value. They are charged with contributing to the quality of the music culture of their territory. This is what Kretschmer (2007, p. 8) has called their 'solidarity rationale' – by which he means supporting domestic creators, the cross-subsidizing of small rights holders by larger ones, and 'discrimination between genres'. It can also take the form of a commitment to 'cultural diversity'. This ambition is shared by the EU. A version of the solidarity rationale features in the new EU Directive on the collective management of copyright. In the preamble to the Directive, the EU notes that previous Directives on copyright and related rights were designed to 'contribute to the development and maintenance of creativity' (recital 1), and goes onto argue that CMOs 'play, and should continue to play, an important role as promoters of the diversity of cultural expression' (recital 3).

So, to summarise, we have a general concern with the conditions under which creativity might be enabled to flourish, a literature that has, for the most part, neglected the particular contribution of the CMO to these conditions, and a policy agenda that imagines and expects such a contribution to be made. How might we analyse and evaluate the extent to which an intermediary – in this case, the CMO – contributes to creativity?

Evaluating the contribution of CMOs: from creativity to cultural diversity

In analyzing the role of the CMO in fostering creativity, the first issue that arises is how 'creativity' features in the agenda and intentions of these organisations. This raises a very complex, controversial and long-running debate, and we can do no more than sketch its outlines (see Hesmondhalgh *et al*. 2015, pp. 55–59, 97–100). The language chosen tends to be determined by the interests of those using it. Where the concern is market performance, the tendency is to use the language of

'innovation' and 'market choice'; where the focus is cultural policy, the key criteria are 'excellence' (Jowell 2004) or 'cultural diversity' (UNESCO 2005). The EU Directive itself, as we quote it above, moves from 'creativity' in recital one, to 'cultural diversity' in recital 3. These terms have, in fact, radically different implications for policy, and are associated with different institutions and interests.

Within key international bodies, notably the EU, the Council of Europe and UNESCO, the emphasis is increasingly upon 'cultural diversity' as a core value to which cultural policy is directed. The concern with cultural diversity might be viewed as a response to processes such as globalization, 'glocalisation' and 'McDonaldisation', each seen as containing a threat to national or ethnic identities and cultures (Nash 2010). In its recent Consultation Document on European copyright policy, the EU makes explicit the connection between its various economic and cultural agendas. It says that for the EU copyright regulatory framework to be 'fit for purpose in the digital environment', it must 'support creation and innovation, tap the full potential of the Single Market, foster growth and investment in our economy and promote cultural diversity' (2013, p. 2).

While the language of 'creativity' and 'innovation' remains, it is increasingly evident that, in respect of the cultural values to be promoted in cultural policy, the core term is 'cultural diversity'. The first of the main principles subscribed to by the Council of Europe in matters of culture is respect of identity and promotion of cultural diversity and intercultural dialogue. This is linked by the Council to the protection of human rights and the promotion of (cultural) democracy.[2]

One of the key statements on cultural diversity is UNESCO's (2005). This refers to 'cultural activities, goods and services as vehicles of identity, values and meaning' and makes cultural diversity a necessary condition of other principles, most notably freedom of expression and communication. This is understood to require 'the ability of individuals to choose cultural expressions'. The principle of state sovereignty allows for states to protect the diversity of cultures within the nation. And the principle of equality is held to require 'equal dignity of and respect for all cultures, including the cultures of persons belonging to minorities and indigenous peoples.'

A commitment to cultural diversity is different from a commitment to cultural excellence. As Barry (2001) has argued, there is no necessary connection between the two. Indeed, Barry suggests that they are incompatible, and that the one cannot be delivered by the other. Cultural diversity will not guarantee excellence, and vice versa. The issue is, then, which agenda is to be preferred. This is a matter of political argument and judgement (see Parekh 2000). The EU, and those who place cultural diversity as a primary goal of cultural policy, are making a political choice. This judgement may not only entail a rejection of 'excellence' as a priority, but also of 'innovation'. 'Innovation' may neither entail excellence nor diversity; it may merely signify a new market option. The politics of this are too complex and fraught to be considered further here. We simply note that the selection of criteria by which to evaluate the ends of cultural policy is political in the same sense that different institutional forms will result in different cultural values and policies. By way of illustration of this, and of the role of CMOs in it, we compare the operation and regulation of collective rights management in several jurisdictions. Our question is simple: how do they differ in the contribution they seek to make to the conditions of creativity and cultural diversity?

Comparing CMOs and their role in the music industry

European CMOs differ in their contribution to the music culture in their respective territories. Our focus here is on the 'solidarity' element of their role, and particularly the desire to improve the *quality* of culture, rather than simply to reward creative effort. GESAC, the European association of CMOs, states that most CMOs pursue an intensive cultural agenda and support many activities and events neglected by the market, i.e. demanding or risky repertoires (contemporary music, improvisation, poetry, etc.) and works created by young professionals.[3] This begs the question as to how the CMOs do this, and what can be learnt through comparison between CMOs. We begin by comparing three specific individual CMOs: SACEM in France, PRS for Music in the UK and GEMA in Germany.

Comparing CMOs (1): social and cultural contributions

SACEM plays an active part in music making in France. It describes its own approach as 'three pronged' (SACEM website: http://www.sacem.fr/cms/site/en/ home/creators-publishers/cultural/cultural-initiatives_1). Firstly, it aims to support 'original creative work' across all music genres, then to give grants to assist live performances at concerts and festivals in France, and finally to provide assistance for training programmes to develop the professional skills of young artists. SACEM is actively committed to an agenda that promotes 'creativity' and cultural diversity, broadly understood. It embodies the 'solidarity' approach, and is proactively engaged with music-making in France.

SACEM's approach is, it should be noted, in accord with French state cultural policy more generally. Successive French governments have been at the forefront of support for what came to be called the 'cultural exception' in international trade relations, following the GATT treaty of the late 1940s (Looseley 1995). Most recently, the exception argument has prevailed in the negotiations for a Transatlantic Trade and Investment Partnership between the EU and USA, when in June 2013 EU trade ministers agreed to exclude 'Audio-Visual services' from the talks (European Parliamentary Research Service 2014).[4] This international stance is paralleled by a range of domestic measures to support French cultural expression, including an airplay quota, limiting the radio exposure for non-Francophone music, and laws to ensure that a proportion of the private copying levy or tax is spent on developing and promoting Francophone music artists, venues and recordings (Looseley 2003). But while SACEM's activist role may accord with national policy, this does not detract from the fact of its activism. SACEM is regarded as an integral part of the delivery of that policy.

In contrast to France, the UK does not have an explicit cultural strategy or programme to enhance cultural diversity. The nearest equivalent is a paper from the Arts Council for England (nd), 'What is the Case for Diversity?', in which it is stated: 'since the 1970s, the Arts Council and those it funds have pursued various ways of increasing equality in the arts, mainly by implementing measures under the umbrella term 'cultural diversity''. The expectation is that individual organizations will establish their own agenda.

PRS for Music, SACEM's UK equivalent, also presents itself as contributing to the nation's music culture, but what differentiates the two is the language (and its implicit assumptions) in which it explains it role. Here is PRS on the creation of its own Foundation:

> Supporting new music has always been important to our members. In 1999, we launched an independent charitable foundation that has become the UK's leading funder of new music across all genres. The *PRS for Music* Foundation aims to stimulate and support the creation and performance of new music in the UK and motivate public debate about creative music-making through ground-breaking projects such as the New Music Award. (PRS website: http://www.prsformusic.com/aboutus/ourorgani sation/community/Pages/default.aspx)

Although many of the specific interventions made by PRS are similar to those of SACEM, PRS couch their agenda in terms of 'new music', and the 'diversity' being sought is that between music genres or styles, rather than the national cultural identity that underpins the SACEM approach.[5] PRS's emphasis on 'new' music opens up a different set of issues, if only because the adjective can be used to designate music that is either recent or innovative or both. The barriers that PRS identifies are less about cultural recognition and identity, and more about barriers to entry into a market. Its Momentum Music Fund, jointly financed project with Arts Council England (http://www.prsformusicfoundation.com/Funding/Momentum-Music-Fund), is designed to help financially 'artists and bands who are at a crucial point in their development, with the potential to significantly further their career within the next two years.' This suggests a very different form of intervention to that of its French counterpart.

In contrast to SACEM, PRS for Music does not seek to promote 'cultural diversity', as it was understood by SACEM or by the EU. This difference was further revealed in a dispute with an organization representing PRS members who create music in the Welsh language, the Welsh Music Publishers and Composers Alliance (WMPCA). The latter claimed that Welsh right holders were being inadequately rewarded for radio and television usage of their works. PRS for Music's response was that it operates a system of standard payments for music, 'irrespective of genre, language or other distinctions.'[6] PRS's position suggested a strong notion of equality that trumped claims based on 'cultural diversity'.

GEMA, the German CMO, is closer in disposition to SACEM than to PRS. It provides support for young musicians and runs a hardship fund (as well as health care and pensions) for all members. It is required to do so by German law. More importantly, for our concerns here, its legal obligations make explicit its commitment to cultural diversity. GEMA cross- subsidises between genres and provides tariff reductions for certain types of concerts (based on the type of music, not its language). It is required to promote culturally valuable works and activities. GEMA's commitment to these goals, unlike with SACEM or PRS, is a consequence of the legal obligations placed upon it.

The three examples provided by SACEM, PRS and GEMA are illustrative of how CMOs conceive their role in relation to their respective national music cultures. The difference can be represented in purely economic terms. See Figure 1, where we plot spending of each CMO on their social and cultural agendas. However, as we have indicated, this provides only a limited account. The variations in the purpose attributed to these contributions are as significant, if not more so. The differences between the positions adopted by SACEM, PRS, and GEMA help to contribute to our understanding of how institutions and intermediaries may shape (or intend to shape) music culture.

Comparing CMOs (2): interests and motivations

In the previous comparisons we examined the declared policy aims of the CMOs. This, though, is only part of the story. We need also to consider the interests and incentives to which they are responding. In comparing these, we follow the example set by a number of other scholars (for example, Burke 1996, Kretschmer 2002, Rochlandet 2003, Guibault and Van Gompel 2012). But where these others have tended to focus on the legal and regulatory framework, we have chosen to look at the sources and sizes of their income. Our assumption is that, in understanding the finances of CMOs, we will appreciate how a core aspect of their interests are formed and hence how their priorities are ordered. We have used the CMOs' websites and other published information to collect our data.

We begin with their income. Figure 2 plots the income (standardized to euro equivalents) received by the CMOs of France, the UK, Germany, Sweden (STIM), Spain (SGAE) and, by way of further comparison, the US (ASCAP).[7] What is evident is that all but one (STIM) of our CMOs enjoy roughly equivalent income levels.

Differences emerge, however, when we consider the sources of this income (i.e. how much derives from broadcasting as against streaming, and so on). Figures 3 and 4 show that there is considerable variation between those CMOs that rely on income from traditional forms of broadcasting and those that depend on online income. Variations are also evident in the income that derives from foreign sources (i.e. from a repertoire that is used outside their home country) and from live performance (see Figures 5 and 6). Finally, Table 2 documents the differences in administrative costs. These are important to members to the extent that income spent on administration is income not returned to right holders. Each of these variations affect the incentives and interests of the CMOs and of their membership. Those CMOs that rely on online income might be expected to act differently to those who remain wedded to traditional broadcasting. High administrative costs may be a sign of inefficiency, but they may also be indicative of a commitment to other, non-economic goals. This, in turn, may mean that the CMO works to the benefit of the less successful composer (who needs support) or works against the more successful one (who is deprived of royalty income).
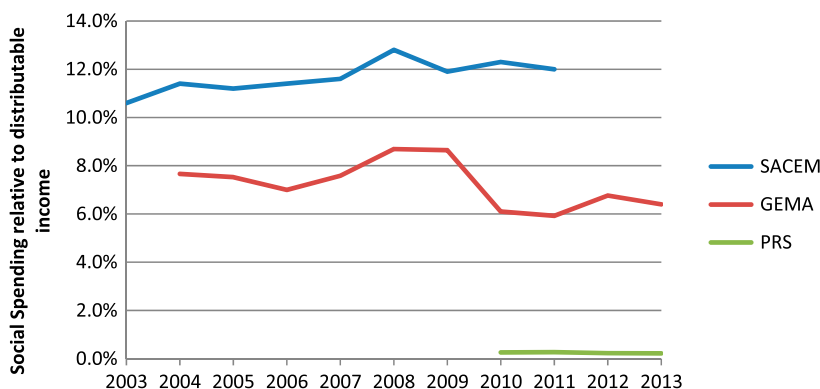

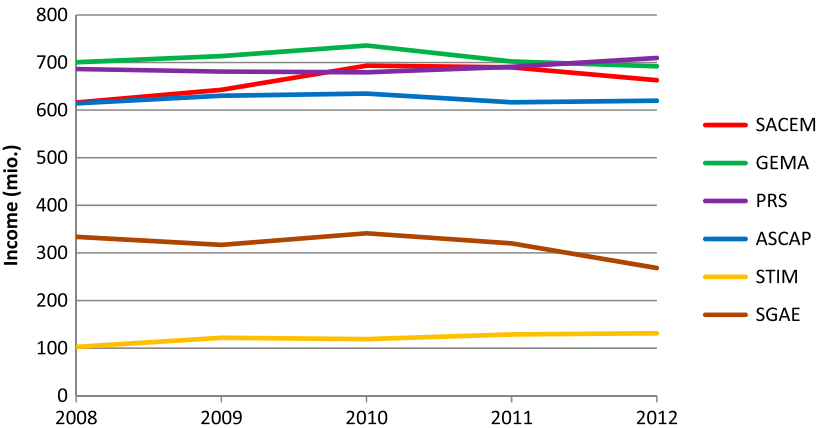Figure 1.   CMO social and cultural spending (2003–2013).

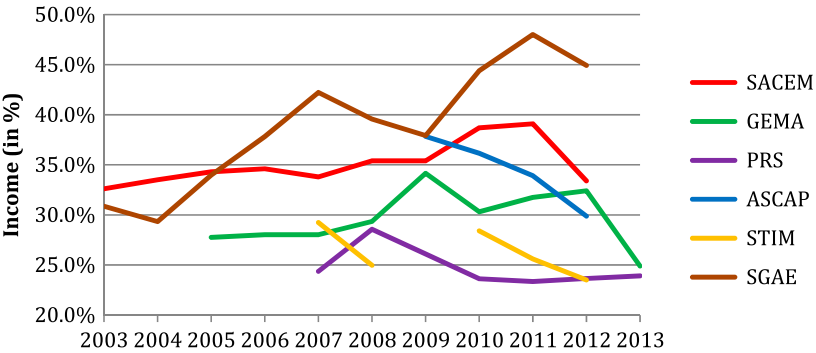Figure 2.   CMO income in euros (2008–2012).

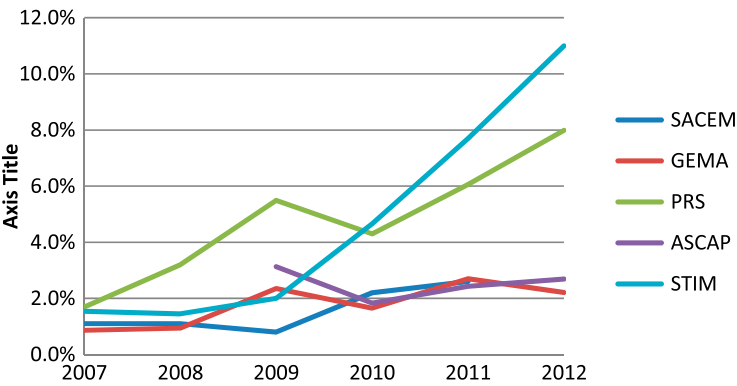Figure 3.   CMO income from broadcasting (2003–2013).

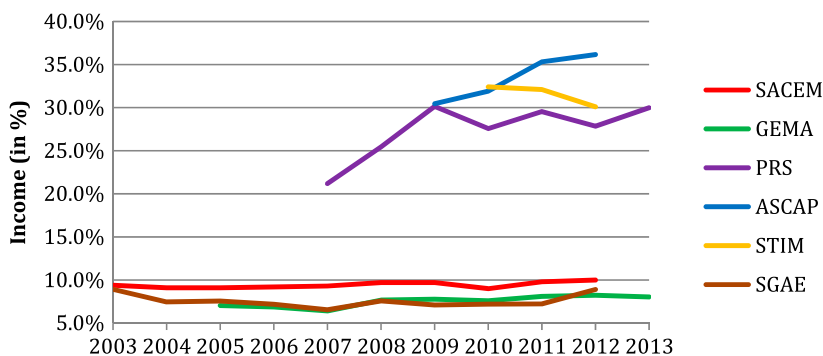Figure 4.   CMO income from online licensing (2007–2012).

Figure 5.   CMO income from Broadcasting in foreign territories (2003–2103).

These variations, and of course there are others to which we could refer, are illustrative of our general point. CMOs differ in ways that affect their interests. These interests are key to how they act; they shape their incentive structure. This in turn will determine how they distribute their efforts in operation of the music market, in particular their relationship with the members and with the wider music culture. Our contention is that such comparisons are a crucial tool in any attempt to explore the role played by specific intermediaries in the creative life of a country (or region). Such comparisons are not easy to conduct, and are subject to debate and dispute, but they indicate how intermediaries are implicated in the fortunes and features of their respective markets.

CMOs and the DSM: the case of the EU Directive

In this final section, we turn our attention to the European Commission's decision to reform the regulation of CMOs in order to achieve the goals of the DSM. This intervention, as we noted earlier, is premised on the assumption that CMOs matter to functioning of the European music market and to the goals that the market serves. Directive (2014/26/14) is a major initiative designed to enable the management of rights to operate more effectively in the digital economy in which national borders no longer assume the role they did in the analogue era. It requires the creation of a system in which right holders may authorize any CMO to act on their behalf. CMOs are required to meet standards of governance and transparency that assuage misgivings about their monopoly status. They are, for example, required to provide information on deductions made for 'social, cultural and educational services' (Article 13(4)).

Beyond ensuring that CMOs observe particular governance criteria and meet standards that serve the economic interests of their members and users, the Directive also addresses the role of CMOs in promoting cultural diversity. It specifies this role in two ways: (a) 'enabling the smallest and less popular repertoires to access the market'; and (b) 'providing social, cultural and educational services for the benefit of their right holders and the public' (Article 13(4)).

In themselves, these aims appear to recognize a broader agenda than simply economic efficiency, and to be designed to enhance Europe's music culture through the good offices of the CMOs. However, Graber (2012) has argued that the Directive is not even-handed in its treatment of the goals it sets itself. According to
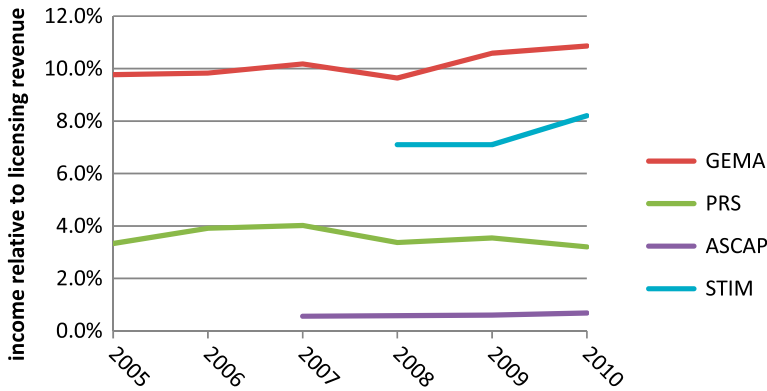
Figure 6. CMO income from live music (2005–2010).

Table 2. Administrative rates.

	2007 (%)	2008 (%)	2009 (%)	2010 (%)	2011 (%)	2012 (%)
SACEM (official)	15.2	18.5	15.7	15.4	15.8	15.4
SACEM (calculated)	15.2	18.5	15.7	15.4	15.8	17.4
GEMA (official)	14.2	14.9	15.2	14.7	14.9	15.6
GEMA (calculated)	14.2	14.9	15.1	14.7	14.9	15.6
ASCAP (official)		11.5	13.2	14.3	12.1	11.6
ASCAP (calculated)		13.5	15.2	9.2	16.4	12.2
PRS (official)	11.4	12.5	13.3	11.0	12.3	11.5
PRS (calculated)	11.7	10.6	12.6	11.0	12.3	11.5
STIM (official)		10.2	11.0	11.3	10.8	10.8
STIM (calculated)		11.9	12.2	13.3	9.6	9.9

Note: Reported and actual administrative costs, calculated as a percentage of the overall income of the CMO.

Graber, the cultural agenda is marginalized, and indeed compromised, by the economic efficiency agenda. He contends that the Directive is

(a) framed to favour right holders over users;
(b) designed to promote competition between CMOs that will lead to a focus on the 'most lucrative' of music rights; and
(c) likely to lead to the under-representation of 'less popular music and music in languages that are less widely-used.' (Graber 2012, p. 8)

If Graber is right, the Directive and the new CMO order will adversely affect music culture in Europe by reducing its diversity.

This effect may be compounded by other developments in collective management. The status quo ante involved the granting of 'blanket' licenses on a national basis to broadcasters and other licensees for the whole of the global music repertoire, providing an opportunity for licensees to use items from even the most obscure music genres or national repertoires. In contrast, there is now a system of piecemeal cross-border licensing that enables licensees to get access to limited parts of the global repertoire by making agreements with new CMOs set up for this

purpose (Towse 2013). Thus, CELAS – a joint venture between EMI Music Pub-lishing, PRS and GEMA – can license all the Anglophone pop songs published exclusively by EMI for online and mobile purposes. The temptation for licensees such as broadcasters and streaming companies is to license only this repertoire (and similarly lucrative ones) and to ignore the repertoire of other national languages. It is notable that in the US the courts have ruled against such selective practices (*Complete Music Update*, 21 July 2015).

Dietz (2014), another critic of the Directive, offers further grounds for suspi-cion. He argues that the Commission is insufficiently concerned for the cultural (as opposed to the commercial) role of the CMOs. He argues (2014, p. 11) that the European Parliament has shown much more interest in the cultural impact of copy-right than has the Commission. The latter is more interested, he suggests, in matters of competition and anti-trust, and that these do not necessarily serve the EU's commitment to creativity and cultural diversity. Dietz (2014, p. 14) contends that anti-trust rules operate negatively; they 'push the [collecting] societies to compete, which is not appropriate to the sector'. He worries (2014, pp. 15–16) that one con-sequence of this will be the diminution of the social and cultural contribution made by CMOs.

Although Dietz (2014, p. 23) acknowledges that the Commission's line on the CMOs' social and cultural role softened during the passage of the Directive, he remains convinced that the European Parliament better expresses or represents the cultural interests of the European community. The Commission, he insists, is still 'aimed primarily towards the internal market and the European economy as a whole' (Dietz 2014, p. 17). Such priorities, Dietz suggests, serve the interests of the larger CMOs and the repertoires for which they are responsible (see also Towse 2012). While the Directive is formally seeking to counter this trend by making pro-vision for the compulsory licensing of the 'less popular' music under certain cir-cumstances, whether or not this will preserve the existing degree of cultural diversity in European music will not be known until several years hence.

The tensions and questions raised by the Directive's critics stem from their understanding of the role of CMOs and of the goals to which they are required to work. The critics have doubts about the EU's own assumptions: that competition is key to creativity; and that competition between CMOs depends on the 'high stan-dard of governance, financial management, transparency and reporting' (recital 9) that organize their practices. They also question whether the key stakeholder in this competition is the right holder, who needs to be able to be 'freely able to choose a CMO' (recital 9) and 'to exercise control over the activities of CMOs' (recital 55). 'CMOs should act', the Directive asserts, 'in the best collective interests of the rights holders they represent' (recital 22). It is not obvious that this is the case. It is certainly true that writers such as Schumpeter (1976/1942) have argued that the best interests of all can be realized through elite competition between their repre-sentative organisations, but others have argued to the contrary (Plamenatz 1977).

Conclusion

This article has been concerned with the general question of how a system of regu-lation, in this case of the copyright regime, might affect creativity and cultural diversity. It has been set against the background of the EU's DSM, and the promi-nence this has given to copyright and to the agencies that administer it. But the

background also includes the wider question of how markets and government policy affect the possibilities for creativity and cultural diversity, and indeed how the tension between these two goals are part of the larger political process. In attempting to address these complex issues, we focused our attention upon a particular sector of the creative industries (music) and upon a specific intermediary within it (the CMO).

By way of comparison of the operation of CMOs within Europe, we have shown how these organisations differ in their practices and in the incentives that drive these practices. These differences are revealed, we suggest, in the priority they accord social and cultural activities, as compared to their other responsibilities. It is also revealed in the extent to which cultural diversity features in their agendas.

We then went on to suggest that the EU's current reform of the CMOs is likely to change further the priorities and incentives that operate in the European music market, and that the CMO Directive will have consequences for creativity and cultural diversity.

We cannot claim to have established direct causal links between CMOs and cultural diversity and creativity, or to have definitive evidence of how things may change as a result of EU policy. However, what we have done, we suggest, is to offer a way of analyzing the role of key intermediaries and the impact of regulatory regimes upon them. And insofar as these intermediaries are core components of the creative industries, we have shown how policy directed at them can be seen to re-shape the wider landscape of European music culture.

Notes

1. Or more accurately, 'originality', since the law is silent on creativity. With thanks to Ruth Towse for this point.
2. Council of Europe statement on Values, available at: http://www.coe.int/en/web/about-us/values.
3. See http://www.authorsocieties.eu/uploads/Modules/Library/rapport-benabou_gestion-collective-(2)-2.pdf.
4. These could be reinstated, but only if all member states agree.

5. See, by way of contrast, the Irish Music Rights Organisation (IMRO) which states that it is 'prominently involved in the sponsorship and promotion of music in Ireland' (IMRO website: http://www.imro.ie/about-imro/).
6. WMPCA then established its own CMO, Eos, to negotiate directly with the BBC, the main broadcaster of Welsh language music and other programming. The resulting impasse led to a hearing before the Copyright Tribunal.
7. It is important to note that STIM and ASCAP deal in performing rights only; GEMA, SACEM and PRS deal in licensing, performing and mechanical rights; SGAE and SACE manage music and audioviual rights. Our thanks to Frances Lowe of PRS for Music for drawing our attention to these differences.

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The autonomous world reversed: comparing liberal policy and autonomy in the performing arts

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The autonomous world reversed: comparing liberal policy and autonomy in the performing arts

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Comparative studies of cultural policy commonly emphasize the way in which states treat the autonomy of the arts. Such studies often claim that liberal states promote autonomy, while social democratic states promote more external, instrumental values, such as solidarity, universalism and equality. This article challenges this conception by claiming that in actual cultural policy-making it is in fact the other way around. Based on a comparative study of theater policy in England, Norway and the Netherlands, I find that the focus on artistic autonomy is surprisingly absent in the liberal state of England, compared to what it is in the social democratic state of Norway. Conversely, English theaters are more obliged to work for, and with, the citizens and the community than theaters in Norway are. In the Netherlands, where recent development in general policy has headed in a liberal direction, artistic autonomy actually appears to be increasingly challenged.

Keywords: cultural policy; liberal democracy; autonomy; theaters; performing arts

Introduction

When studying governance in the field of cultural policy, the typology of Hilman-Chartrand and McCaughey (1989) is commonly referred to. They present four models representing various roles that governments can play in supporting the arts, i.e. the Facilitator, the Patron, the Architect and the Engineer. The way in which cultural policy relates to artistic autonomy is central to these models. Several scholars have criticized this model for being insufficient as an analytical approach (e.g. Mangset 1995). However, few have questioned their overall assumptions concerning autonomy.

English cultural policy, characterized by its arm's length principle, has been described as the liberal British approach to cultural policy where artistic autonomy is emphasized (Hilman-Chartrand and McCaughey 1989, Mangset 2009). On the other hand, when describing Nordic cultural policy, several scholars have emphasized the close relationship between policymakers and cultural institutions promoting universalism, cultural democracy and equality (Mulcahy 2001, Duelund 2008, Mangset *et al.* 2008). As social democratic countries, their policy has therefore

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often been described by promoting societal values and solidarity rather than artistic autonomy.

Based on a comparative study of performing arts in Norway, England and the Netherlands, I will examine in what way differences in governance, as described in schematic studies of both cultural policy (Cummings and Katz 1987, Hilman-Chartrand and McCaughey 1989) and general welfare policy (Esping-Andersen [1990] 2012) affect the actual cultural policy being made. Moreover, based on a case study in theaters in these three countries, I will examine how cultural producers relate and respond to this policy.

My assertion in this article is that there exists a great and interesting gap between autonomy as a political principle and the way in which autonomy is reflected in practical policy-making in the fields of the performing arts in these three countries. Furthermore, the artist's experience of their autonomy also differs quite a bit from the assumptions of how political systems facilitate autonomy. Paradoxically, in the social democratic country of Norway, autonomy and individualism seem to be much more emphasized by policymakers than social responsibility and cultural democracy. In the liberal country of England, the birthplace of the arm's length principle, cultural policy focuses on social responsibility and local community at the expense of artistic autonomy. In the Netherlands, the general welfare policy has headed in a liberal direction, while the theater's autonomy has decreased in favor of increased political influence.

Autonomy – the nomos of the artistic field

The concept of 'the autonomy of the arts' lies at the heart of the process of assigning artistic value in modern society. The tautological sentence 'art for art's sake' puts the self-referential logic of artistic valuation into relief. This sentence is the essential statement of the implicit 'nomos' of the artistic field according to, for example Bourdieu (1993). From an esthetic perspective, the 'pure' work of art is considered to have an ahistorical quality that is above both time and space.

This nomos is of course not completely ahistorical. From a philosophical perspective, the concept is most often traced back to the Kantian work, The Critique of Judgement, in which Kant states that the fine arts are 'purposiveness without purpose' (Kant 1914, p. 77). In public debates, ideas of the autonomy of the artistic sphere developed in the 18th and 19th centuries in England and France. Even though there has been a consensus in valuating autonomy in the arts ever since, there has been different ways of defining the opposite of autonomy. 'The question of autonomy is always a question of someone's autonomy in relation to that of someone else. It is a question of power, influence, dependence and its opposite', Vestheim states (2009, p. 35).

Historically, ethics, or moral considerations, have been some sort of counterpart to esthetic judgment. In the Middle Ages, religion, and thus morality, was the framework of most esthetic expression. In the work of Kant, esthetic judgments were recognized as their own faculty independent of moral considerations.[1]

In the nineteenth century, the dichotomy of arts and morality became further emphasized. Art and morality came to be viewed as not only separate, but also incompatible. Oscar Wilde's famous citation, 'No artist has ethical sympathies', shows his clear stance in favor of artistic autonomy towards the moral imperative (Bell-Villada 1996).

In the twentieth century, the idea of artistic autonomy as consisting of 'uselessness' was evident. In 1951, the English novelist E.M. Foster wrote that a work of art is a unique product:

> … not because it is clever or noble or beautiful or enlightened or original or sincere or idealistic or useful or educational. […] The work of art stands up for itself and nothing else does. (Forster [1951] 1965, p. 99)

According to Belfiore and Bennett (2008, p. 186), Forster is representative of the twentieth century's version of being for art's sake, in which the autonomy of the art should be protected from any encroachment, whether or not they are for moral, epistemological or political reasons. This leads us further to the present discussion on *instrumentality*. Since the late 1980s, this has been a predominant trend in cultural policy, and may be the most prominent antithesis to autonomy (Vestheim 1994, Belfiore 2002, Røyseng 2008). The core of instrumental cultural policy 'lies in emphasising culture and cultural venture as a means, not as an end in itself (Vestheim 1994, p. 65)'. This statement from Vestheim clearly marks how instrumentalism may be understood as the opposite of artistic autonomy. From his Scandinavian perspective, Vestheim highlights economic profit and regional development, strengthening the creative ability of society and attracting skilled labor as examples of such instrumentality. When addressing instrumental cultural policy from a British perspective some 10 years later, Belfiore highlights social inclusion and neighborhood renewal through health, crime, employment and education (Belfiore 2002). When we add these up, we find a rhetoric that believes culture to be the solution to most societal problems.

In a Bourdieuian sense, one might speak of heteronomy as the opposite of autonomy. According to him, there will always be a struggle between these two principles of hierarchization: The autonomous principle in which those within the artistic field define value, and the heteronomous principle favouring those who dominate the field economically and politically (Bourdieu 1993, p. 40). In this article, I will primarily discuss the autonomy in relation to the political field.

Autonomy and policy

A Bourdieuian approach to autonomy may also be applied to other fields in society, including fields of politics, economics, religion or higher education. All such fields protect their own values from external or heteronomous pressures. Institutions within these fields, such as churches or universities exert a similar struggle, protecting the 'right of institutions to function according to their own normative and organisational principles and behavioral logics (Olsen 2009, p. 441).[2] In cultural policy, the principles of autonomy most commonly refer to the institutional setting (Vestheim 2009, Blomgren 2012) meaning that 'institutions or organisations implementing cultural policy should have the power to autonomously decide the content of what is to be produced' (Blomgren 2012, p. 522). However, as Blomgren state, within cultural policy there is a great difference between institutional autonomy (including the artists) and individual autonomy (including the citizens), a difference that is seldom emphasized in cultural policy research. As I will return to, the lack of such distinction may also be an explanation for the gap between former studies and my empirical findings.

In the political field, autonomy is also a key concept closely linked to different versions of liberal policy. Liberalism as a political concept is grounded in personal autonomy (Christman and Anderson 2005, p. 16). The main principle of liberalism is that any restriction to personal autonomy requires justification.

Ever since the birth of political philosophy and the work of John Locke in the 1600s, there has been a tension between personal autonomy and state power. This becomes evident in the book, *Habits of the Heart* (Bellah 1985), in which the consensus is that throughout the rise of the modern state, individual freedom may only be bred in civil society separately from the state. In liberalism, the influence of the state must be limited to what citizens can acknowledge, while still considering themselves as autonomous and equal.

The rationale behind institutional autonomy may be understood slightly different. Liberalistic countries has promoted institutional autonomy through private ownership, relatively low amount of state subsidy and thus a low degree of state dependency (Gellert 1985, Pritchard 1998). Nevertheless, does state dependency necessarily imply state intervention? I will return to this question later.

Although most western countries are described as liberal democracies the level of state interference varies quite a bit between different welfare states (Esping-Andersen [1990] 2012). In his commonly cited survey, Esping-Andersen differentiate between *liberal welfare states, corporatist welfare states and social democratic welfare states.* England is characterized as a typical liberal country, while Norway is characterized as an archetypical social democratic regime. Esping Andersen also characterizes the Netherlands as being social democratic. However, in an audit of several welfare model studies, Ferragina and Seeleib-Kaiser characterize the Netherlands as a hybrid state with liberal, conservative and social democratic characteristics (2011). The Dutch sociologist Win van Oorschot claims that the Netherlands has shifted towards a more liberal welfare policy within recent years (2006).

Based on a general assumption on autonomy and liberalism, as well as several comparative studies in cultural policy, it is reasonable to expect that state interference in the cultural policy objectives is more widespread in social democratic countries, whereas institutional autonomy is more widespread in liberal countries.

Comparing autonomy within cultural policy

Kawashima (1995) suggests a methodology for comparing cultural policy through a division of cultural policy on four levels: (1) identification of issues and choice of scope, (2) policy objectives, (3) policy measures and (4) policy results. This framework seems fruitful for this study. When comparing autonomy in these three countries, I will emphasize the policy-making, the actual results and experience of the executives in the theaters. Following the model of Kawashima, I will first compare the political system with its issues and choices (1). I will also look at the guidelines following the public support for the theaters, and analyze to what degree these limit the artistic autonomy, and further, to what degree they include 'instrumental' objectives. I will then look into the objectives of the cultural policy (2), and analyze how cultural policymakers create their priorities. I will then discuss to what extent the government conducts some sort of control, or implements some type of sanctions if the theaters do not achieve their ambitions (3). Lastly, I will analyze the policy results (4) through statements and opinions made by the executives and the

artists working at the theater. How do they experience their artistic freedom, and hence their autonomy to make decisions based on their own considerations?

The methodology of Kawashima requires a plural set of empirical sources. I have chosen to study the choices of scopes, the policy objectives and the policy measures through an analysis of political documents. In the analysis of the policy results, I use data from a case study in three theaters in the different countries.

The analysis of document studies includes a critical review of white papers, annual reports, funding agreements, evaluations and diachronical data on the level of allocation for the largest subsidized theaters in the three countries.

The case study included fieldwork in one large theater in each of the three countries, including both participation observation and qualitative interviews. The British case study was conducted in a typical regional theater in one of the large cities outside of London; the Dutch fieldwork was conducted at one of the top theater groups in the country, while the Norwegian case study was conducted at one of the largest theaters outside the capital.[3] The fieldwork in both England and the Netherlands was conducted in 2014/2015, whereas the Norwegian fieldwork was conducted in 2008.[4] Taken together, the fieldwork included 40 interviews of both artistic and administrative workers in the theaters, including executive and artistic directors.

Methodologically speaking, it is a big step from analyzing one theater to making general assumptions on theaters in this given country (Yin 1994). It is also a big step to make generalizations about cultural policy in general. The assertions I make in this article must, thus, be investigated through further empirical studies. Nevertheless, an analyze of policy implementation and the way in which cultural workers experience such implementation allows for a deeper investigation of political principles in cultural policy than an analysis based solely on rhetoric.

The social democratic state of Norway

Like other Nordic countries, the cultural policy of Norway combines elements from the French model of direct governmental support for large institutions and an arm's length principle funding artists and artistic projects. The main theaters in Norway receive public support directly from the Ministry of Culture, with additional funding from the regional level.[5] Every year, the current political priorities are outlined in the state budget, including which theater shall receive such support, as well as the amount of support for each theater. This budgetary practice of annual allocations for theaters leaves the government with considerable potential power and influence, thereby allowing them to raise or cut the funding from one year to the next. From a structural point of view, this political system poses a constant threat towards the autonomy of the single theater.

Inspired by the new public management regime, the funding agreement made by the government contains the aims and goals for the theater in the year to come. In this document, the Ministry highlights the social, artistic and economic assignment for the theater. Even so, in taking a closer look at these agreements, we find that the goals and instructions for the theater are not particularly specific. They highlight the importance of diversity, social inclusion and accessibility; they also expect financial accountability and decent resource management from the theaters. Still, the vague formulation of goals leaves the Ministry with few possibilities to make accurate measurements of the theaters' accomplishments at the end of a given financial period.

In the state budget, in which the Ministry announces its annual support, there are few or no comments on the level of satisfaction with the work of each theater. The budget contains some statistical data and some comments on theaters experiencing a shift in their funding. This comment primarily concerns new tasks for the theater such as youth campaigns or building maintenance. Consequently, there are hardly any comments concerning recent year achievements, nor are there any comments on their fulfillment of the topics addressed in the supplementary letters.

It is obvious that the Norwegian government does not exploit its influential potential. One piece of evidence of such is looking at the amount of support given to theaters over several years. Figure 1 displays the total public support for the six largest theaters in Norway from 2003 to 2013. As this figure shows, all theaters have experienced a steady growth in public support during this period. Looking at all 17 theaters receiving state funding, this picture is more or less the same, as this tendency also seems more or less unaffected by political leadership. In 2013, the Norwegian government changed from a left/centre coalition to a conservative/progressive coalition. So far, the support for the large theaters has not changed in any considerable way:

When studying the policy implementation on a historical basis, the autonomy of Norwegian theaters appears quite different from what one might assume based on the political and structural system. As a social democratic country, where a wide range of welfare areas is subject to political interference, politicians still keep the theaters at an outstretched arm's length distance.

Public support for large theaters is generous in Norway compared to most other European countries. The three largest theaters receive approximately €17 million each. In addition to the local support, this public support accounts for approximately 80% of the theater's annual income. Nevertheless, they still need to earn more than €4 million in box office income. This implies that Norwegian theaters need to stage plays with considerable audience potential, first and foremost popular
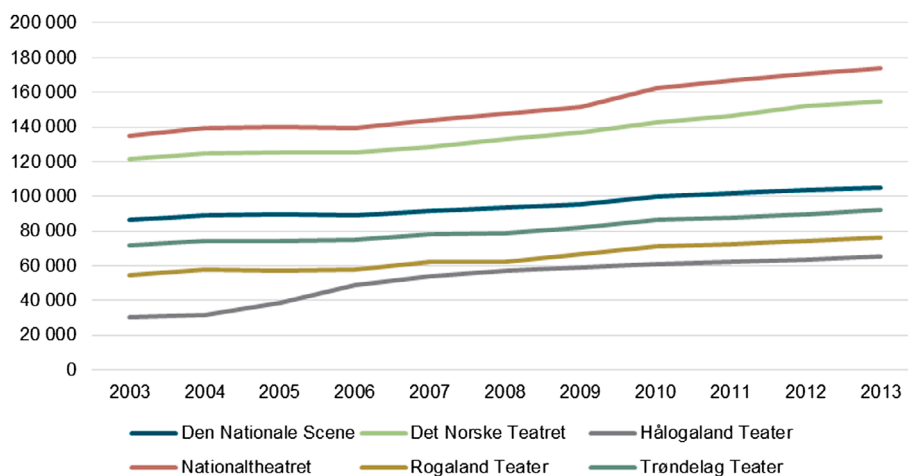

Figure 1.   State support to the six largest theaters in Norway 2003–2013; figures in 2013 1000 NOK.
Source: Norwegian Ministry of Culture.

children's plays. Even in Norway, the market influences the artistic decisions, and thus the autonomy of the theater.

How do the theaters experience their autonomy? Do the executives and employees at the theater experience a threat towards their artistic freedom in any other way? Our Norwegian informants, including both actors and managers, did not feel that the cultural policy limited their work. The artistic director stated:

> I experience (…) that we're allowed to do what we want really, within reason. That is, we're allowed to keep control with what we do except for the economic aspects. I experience that we really have a huge freedom of action.[6]

The artistic director obviously did not feel that the public funders threatened his artistic autonomy. The economic concerns seemed to be the only limitation and only object of governmental control in the relationship between the government and the theaters. An actor who has worked in the Norwegian Theater for many years, and who was previously a board member in the theater, confirms this view:

> There is indeed no other public regulation than the economic [regulation, i.e. support]. The theatre is absolutely free to do whatever it wishes. It's like this: 'Here you have 85 million if you please. You have to tell us what you do with it [the money], and you must provide a report.' But there are no other restrictions than this. There are no artistic restrictions whatsoever. There is nothing except for the economic aspect of it.

The actor is even more convincing in his claim. The government is absent in their governance towards the theater, as the theater receives their support and may do whatever they want (within reason) with the money.

How about the management objectives outlined in the funding agreement? How do they relate to goals and instructions outlined in those documents? 'We try to "dress up nicely" for the government', the artistic director replies. Large numbers of audience members, nice reviews, exciting initiatives and co-productions all look nice in the reports, he claims, but it does not seem as if this is decisive.

The responsibility towards the government seems surprisingly relaxed. However, the responsibility towards civil society is still present in Norwegian theaters. Sigrid Røyseng emphasizes this when she claims that most theaters in Norway, and particularly the large institutions, have been awarded an assignment to work for 'the betterment of society' (Røyseng 2009). Besides the artistic mission, civil society expects the theaters to maintain their historic buildings. Moreover, there is an expectation from civil society that these theaters shall serve both regional and language policy goals. There are also expectations that theaters shall enlighten, educate and enrich people. Røyseng describes general, discursive expectations made by civil society towards the theaters. This seems to have a disciplinary effect that regulates the autonomy of theaters.

The liberal kingdom of England

In the categorization by Hilman-Chartrand and McCaughey (1989), English cultural policy is referred to as the typical example of The Patron State, in which the arts are funded through the arm's length principle. In England, the arts councils make their grant decisions through a system of peer evaluation. According to Chartrand and McGaughey, this implies that 'the Patron State tends to be evolutionary,

responding to changing forms and styles of art as expressed by the artistic community' (Hilman-Chartrand and McCaughey 1989, p. 50). According to the authors, the negative effect of this policy is that the 'Support of artistic excellence may thus result in art that is not accessible to, or appreciated by, the general public, or by its democratically elected representatives' (Hilman-Chartrand and McCaughey 1989, p. 50). In other words, the Patron State model facilitates a cultural policy promoting autonomy, probably at the expense of the wishes and needs of society.

In opposition to the Norwegian and Dutch systems, in which support for the large theaters is provided through direct governmental support, all funding in England is provided by the Arts Council of England (ACE). This leaves the politician with no *direct* responsibility for the funding decisions. As a system of cultural policy, the Patron State model is designed to promote autonomy for the arts through a liberal political philosophy. However, the key question is whether this is reflected in political practice? Does this system indeed promote autonomy?

As several scholars have claimed, the Arts Council is not totally independent from the government (Ridley 1987, Quinn 1997, Bertelli *et al.* 2013). According to Quinn, the distance between the government and the ACE has been gradually reduced from its beginning in 1946[7] towards the end of last century. Several scholars have also claimed that there has been a close connection between the bourgeois elite, the government and the Arts Council (Ridley 1987, Williams 1989, Beck 1992). Today, this lack of distance may be most evident in the funding agreement between the Department of Media, Culture and Sport (DCMS) and the ACE. In a personal letter sent from the Secretary of State to the Chair of the ACE, he or she outlines this agreement. In the current agreement made in 2012, the ACE makes some clear-cut priorities: a 50% cuts in administration costs and a contribution to the national growth agenda, music and cultural education, thereby supporting an international cultural exchange and more. The ACE forwards these prioritizations to those organizations receiving support, with the organizations required to report on those issues.[8]

The instrumental rhetoric is prominent in the English public support system. Hence, support is not the term frequently used in most documents published by the DCMS and the ACE, as one speaks of *investment* in the culture-sector instead of support (ACE 2010, p. 6). When applying such rhetoric, the ACE signals expectations of a return on investments.

Large theaters in England get their support for a four-year-period based on applications from the theaters. The main document in these applications is a strategic plan outlining the goals that each organization sets for themselves. Goals outlined in these documents are of a general character, but they also tend to be more specific. For example, the goals target the size of the audience, the number of plays, the number of participants in youth activities, etc. In the funding agreement, the ACE states that '[t]he Organization acknowledges that the grant is paid on trust to the Organization for the sole purpose of delivering the Agreed Programme'. At the end of a four-year-period, the ACE evaluates the institutions based on their accomplishments toward these goals, and therefore their return on investments. The system appears as a typical New Public Management regime (Hood 1991).

The ACE primarily supports theaters through the system of National Portfolio Organizations (NPO). The allocation designated for the NPOs is provided by the Department for Culture, Media and Sport (DCMS). This leaves the size of the total support for theaters as a matter of political decisions. The total support for theaters

funded by the ACE was 140 million euros in 2010/2011. In addition to this, several regional theaters also receive support from their respective city council. Both the level and total amount of theater subsidies is lower in England than in both Norway and the Netherlands, while the box office income is also remarkably higher.[9] Private funding and philanthropy is also more common in the UK, and looking at the developments in the funding since the millennium, there has been an increase in support up until 2007/2008. After that, the sector experienced a decrease in funding, particularly from 2011 to 2012. Looking at public support for single theaters (Figure 2), we find that to a large extent the financial situations of the theaters follow the same trend as the overall ACE budgets. That is, when the ACE has experienced budget cuts, so do the single theaters.

Two large theaters, the *Royal Shakespeare Company* and the *Royal National Theatre*, both receive approximately £15 million each, whereas the rest of the theaters receive less than £2.5 million. Looking at the development of ACE support for the largest English theaters (Figure 2), we find that some theaters have had stable support, following the trends of the financial framework of the ACE while other theaters have experienced a year-to-year shift in support:

In addition to the ACE support, many English theaters also receive local or regional support. Such governments also set targets for their 'investments', and in general, the ACE addresses clear and measurable goals for the theaters. The ACE also monitors these goals, and the amount of allocations reflects the accomplishments of the theaters.

Looking at the big picture, the most obvious characteristic of England is the relatively low level of public support for theaters compared to Norway, the Netherlands and most other countries in Western Europe. This leaves the theater much more dependent on the market. Because they are dependent on all three sources of income, the market, the ACE and the local government, all these bodies
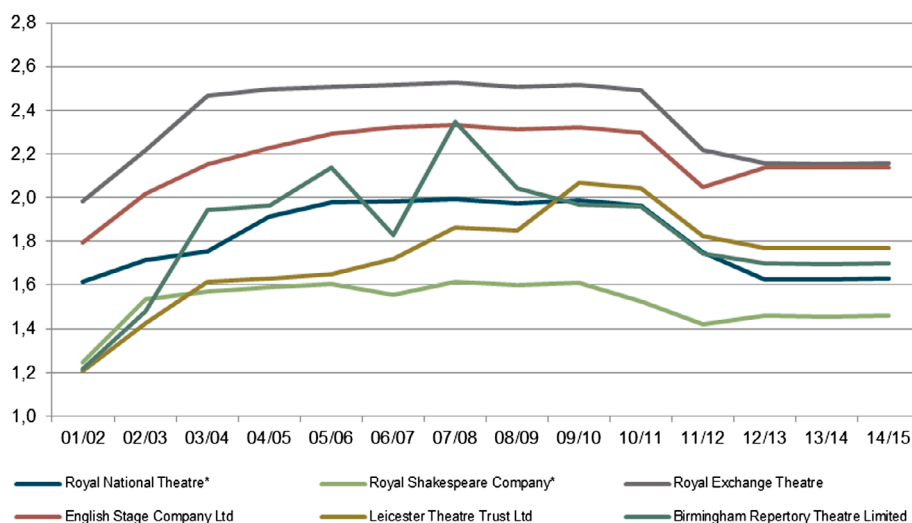

Figure 2. Selected theaters – RFO/NPO investments; in million 2010-£; (*In 10 million 2010-£).
Source: ACE.

put pressure on artistic autonomy. How do managers of the theaters experience this situation? Do they feel a constant pressure from everywhere?

The artistic director of the English theater was familiar with this situation. Yet, she does not interpret it as a pressure towards artistic autonomy, as her experience with the British system is surprisingly positive:

> One of the successes of British theatres is the relationship between the commercial and the subsidised. My experience would say that theatres in the Netherlands are very, very heavily subsidised, and therefore it doesn't need to attract an audience. And often theatre in the Netherlands is attracting [only] people who work in theatre in the Netherlands. And then, if you go to America where there are no subsidies, all theatre has to … it's basically a business, and it has to attract a certain type of audience that will pay a lot of money to go, and so it can only do a certain type of thing.

The low level of support entails a focus towards society and the audience that the artistic director claimed to be a positive thing. She expressed concerns about how independence and autonomy might result in an introverted attitude among theaters, which has limited the audience to those of a like-minded number of people. On the other hand, she also feared a total adaption to the market, like the American model, in which the audience was limited to those few who could afford it. Even if she has been satisfied with the amount of support up until now, she experiences that the later budget cuts have implied that her ability to take artistic risk has become somewhat limited.

What about the autonomy towards the arts council? To what extent do the theater managers fear punishment if they do not follow up on the targets presented in the supplementary letter? The Executive Director explains how this system works:

> Their first decision is, 'Do we like the look of their three-year-plan and their targets?' And if they like it, they will get the money. Then they are just monitoring that you are not varying enormously from what you said you'd do. And yes, I mean every three years there are some people who lose their funding for various reasons.

Based on the informant's experience, there are certainly some risks related to the fulfillment of the targets from the ACE. Both the artistic director and the executive director relate to the targets they have set for themselves in the application to the ACE. However, they do not fear that the ACE will remove all funding for their own organization:

> Most of the ones who lose their funding tend not to be linked to a building, because it is obviously easier. They tend not to be building-based like we are. Because it is easier to cut a company that doesn't have a building. It would be much harder for the Arts Council to say to [us], we don't think you are doing your job, we will take away your funding, because this massive building will be left empty in the city.

As a building-based company, funding cuts would create remarkable consequences. If the ACE was not pleased with the English Theater's effort, the executive director suggests that they would rather be lobbying along with the board to dismiss the chief executive: 'There are examples of building-based theatres I can think of where the management has not been funded. And the funding has been returned when there is new management'.

The tight financial situation in the theater also calls for more co-productions. Most English theaters co-produce with other theaters or with the commercial producers who want the show transferred to the private theaters in the West End. Co-producing might involve exciting partnerships, but it also implies a delegation of power and artistic decisions. Co-producing with commercial producers often means limitations in the casting because the co-producers wish to involve star actors. It also means taking a step back as an artistic director, leaving much responsibility in the hands of others.

The autonomy of an artistic director in English theater is limited in several ways. The Arts Council considers your results, and might decrease their funding if they are not satisfied. The funding agreement with the Arts Council also involves minimum numbers of attendance. If the audience is not satisfied and does not show up, the Arts Council will not be satisfied. Being relevant for the audience is hence crucial to all funding, both directly and indirectly.

One might assume that this would terminate any artistic ambitions of the theater or the artistic director, though apparently this does not seem to be the situation. The artistic director in the English theater is widely concerned with artistic excellence, although she does not necessarily connect this to artistic autonomy. Her ambition is primarily not towards art itself, but art in relation to the community. 'My vision for the programme for this theater is that it should reflect the city', the artistic director stated. 'I would like everybody to have one or two things a year that they would like to come to', she says. To what degree such a statement represents a general attitude in England could be a question for further empirical investigation.

The world of independence in the Netherlands

Dutch theaters are also highly dependent on public support. Nonetheless, they do earn a larger share of their income from box office sales than Norwegian theaters. In 2012, the largest theater groups in the Netherlands received an average of 73% of their income from public support (OCW 2012). The central government provides approximately two-thirds of the public support, while the local and regional government provide approximately one-third. In addition to this, the regional and local governments also provide support for the theater venues (receiving houses).

Looking at the development in the overall state support for the performing arts (including music, opera, dance and ballet), we find that there has been a real increase of 1% annually during the period from 2002 until 2011 (adjusted for CPI). However, the state support has varied quite a bit from one year to another. From 2013, the funding situation has been quite different. In the recent Art Plan for 2013–2016, the government has cut approximately 25% of both the total art budget and the performing arts.

The income distribution for the large theaters in the Netherlands is not very different from the situation in Norway. Large theaters receive support directly from the Ministry, while smaller theaters receive support from an arm's length body (Performing Arts Fund NL). The Ministry of Education, Culture and Science allocates their funding through the *Basic Infrastructure for Culture* (BIS – culturele basisinfrastructuur). This is a grant given for a four-year-period based on the current Dutch culture plan (Cuulturnota). In this plan, the Ministry of Culture defines clear terms for institutions that may be included in the Basic Infrastructure, such as the maximum numbers of groups included, a minimum of earned income, a

minimum of productions and the geographic location of the theaters. However, unlike the Norwegian system, it is not specified as to which institutions shall be included in the Basic Infrastructure. Every four years, the State Secretary of Culture Affairs determines which theater group will be offered such a position based on recommendations given by the Council for Culture (Raad vor Cultuur).

For the period from 2013 to 2016, these recommendations were presented in a detailed report compiled by the Council for Culture, evaluating every organization receiving Basic Infrastructure support (Raad Voor Cultuur 2013). In the assignment given to the council, they were asked to evaluate every organization and recommend whether they were to receive a large- (€2.5 million) or small amount of support (€1.5 million). The basis for these recommendations were evaluations of the theaters, in which artistic quality, audience development, cultural entrepreneurship, education, national and international relevance and talent development were all taken into consideration. Unlike the Norwegian allocations presented in the state budget, the Dutch report *Slagen in Cultuur* (Raad Voor Cultuur 2013) underpins the funding by describing in detail the last four years of accomplishments. They give their judgment of their work, and the Ministry of Culture allocates funds based on this judgment. Opposite to the Norwegian government, the Dutch government does exploit their influential potential when setting goals for the theaters. Furthermore, they also introduce a technocratic scheme of standardization.

Throughout the years, Dutch theater groups have experienced changing budgets because of changing governments, but the amount of money allocated has also changed between each theater group (Figure 3). In opposition to what we saw in the Norwegian case, support for Dutch theaters has shifted quite dramatically from one funding period to the next. If the government claims that the theater has not accomplished their ambitions, they are likely to be 'punished' through funding cuts:
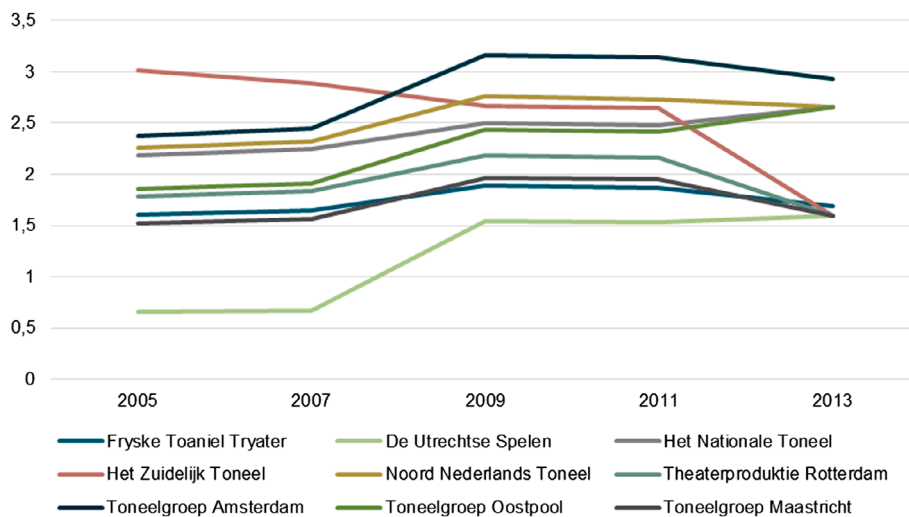

Figure 3. State support for theaters receiving direct support from the Ministry of Education, Culture and Science 2005–2013; in million 2010 Euro.
Source: Ministerie va Onderwijs, Cultuur en Wetenchap.

The Dutch theater system has sometimes been referred to as, *A world of independence* (Van Maanen 2002). This may be understood through the history of Dutch theaters, since up until 1969, the theater landscape of the Netherlands consisted of several municipal repertory companies. This system collapsed during the so-called Action Tomato[10] in 1969, transforming the landscape from large repertory-based theaters into several small independent theater groups.

This collapse represented a shift in Dutch cultural policy, thereby creating room for a completely new way of organizing theaters, for which the Netherlands and Flemish parts of Belgium are renowned. While independent, fringe groups have developed in the shadows of repertoire companies in most other European countries, such independent groups have defined the Dutch system. Dutch theaters were supposed to produce theater for art's sake, and not for the betterment of society.

Despite this, in the mid-90s theater audiences decreased. In debates, this was interpreted as a difference in proficiency in the language of art between the professions and the audience (Van Maanen 2002). The independence from society made theaters irrelevant for a large part of the Dutch people (Van Maanen 2002). The recent shift in Dutch theater policy and the establishment of the Basic Infrastructure may be understood as an answer to this challenge and as a step towards (local) society. In the selection of theaters to be included in the Basic Infrastructure, the Ministry prioritized theaters located in different parts of the country. They also emphasized partnerships with city venues. What about the independence from the funding government? The nature of theater groups working separately from theater buildings makes it much easier for the government to reprioritize their resources. If one theater group in a certain city has to shut down due to a lack of funding, the programing city theater might find other theater groups to step in. For example, in 2001 the Ministry of Culture chose not to continue the support of the famous theater group, Maatschappij Discordia.

The history of Dutch theater is a history of a decreasing autonomy and an increasing emphasis on societal relevance, audience development governed through technocracy and new public management. Today, Dutch theater groups need to be of local, national and international relevance. If not, other theater groups are knocking on the funding doors.

The inversed autonomy

This study draws a quite different picture of autonomy then the picture presented in theoretical descriptions of this concept, both in cultural policy and in general welfare policy. The liberalistic country of England has always promoted the arm's length principle. The policy researcher Anthony Beck noted that the British government, as a liberal and democratic government, will never have a cultural policy. 'There is a fundamental conviction that art and politics must never mix', he stated (Beck 1992, p. 139). On both a rhetorical and political level, English cultural policy highlights artistic autonomy as a fundamental principle. Nevertheless, looking at the results of their policy, the artistic autonomy is surprisingly absent. Instead, the theater focuses on the community and its obligation towards the citizens. Paradoxically, liberty is more or less replaced by social responsibility.

Deeply rooted in a social democratic policy, the Norwegian cultural policy consists of a system in which theaters receive their support directly from the Ministry, and where each theater is assigned a single line in the state budget. Economically,

theaters are solely dependent on the state and the local governments. Even so, despite this close relationship with the government, Norwegian theaters emphasize artistic autonomy as a core value. In their work, the executives in the theaters also experience their autonomy to be widespread, and not at all threatened by a close relationship to the state. Working for the betterment of society, which one might claim to be crucial in a social democratic country, is considered a threat to artistic autonomy. Making theater for society implies a lack of integrity. This autonomy, and thus liberty, seems far more important than social responsibility in Norwegian theaters.

In the Netherlands, liberty and artistic autonomy has been the trademark in their cultural policy since the 1970s. By favouring small independent fringe groups, Dutch theater was supposed to develop on its own terms. In the last 10 years, this prioritization has changed in favor of larger theater groups, with a special focus on a city or geographical area. There has been a shift from artistic autonomy and independence towards social responsibility and local affiliation. Looking at the general policy in the Netherlands, a shift has taken place simultaneously from a social democratic policy towards a more liberal welfare policy: 'a shift from inclusive solidarity towards exclusive selectivity, from collective responsibility towards individual responsibility' (Oorschot 2006, p. 72).

Social scientists who have studied welfare state policy from a comparative angle have often distinguished the 'social democratic' welfare regime from the 'liberal' welfare regime (Esping-Andersen [1990] 2012). They describe the social democratic, Nordic model with words such as solidarity, universalism and equality. Liberty and individualism are key words when describing a 'liberal' welfare regime. In descriptions of Nordic cultural policy, universalism and equality are concepts that continue to recur (Mulcahy 2001, Duelund 2008, Mangset et al. 2008). In the special issue on Nordic cultural policy published in this journal in 2008, the editors emphasize social welfare goals, egalitarianism, homogeneity and socio-culture decentralization, though not artistic autonomy, when describing the Nordic cultural policy (Mangset et al. 2008).

However, when discussing the Nordic model in terms of general welfare policy, several scholars have emphasized the liberal and individualistic characteristics. The historian Lars Trägårdh introduces the term *Statist individualism* (Trägårdh 1997). Paradoxically, such individualism is made possible through a strong state intervention in civil society:

In the Nordic countries, the extremely active state is the main instrument to strengthen individual freedom. The population does not seem to experience that the freedom they achieve through public services undermines their autonomy, and thus needs to be limited. An exceptionally large part of the population is 'redeemed' from market dependence through social security and other social benefits. (Vike 2012, p. 130)

It may be reasonable to interpret the cultural policy in such terms as well. Even though the cultural policy emphasizes societal needs, all Norwegian cultural policy documents highlight the autonomy of the arts and intrinsic values, and discusses how the state may most effectively promote such values (Bakke 2003, Hylland 2009). In Tobias Hardings interpretations of the development of social democratic cultural policy in Sweden, he also emphasizes how the concept of *Bildning* included the development of institutions promoting professionality and artistic quality (Harding 2015).

Nordic artist policy, including direct support for artists, may also be interpreted as a form of *Statist individualism*. To a large extent, direct support for artists has been looked upon as a part of the Nordic welfare policy, hence securing predictable income conditions for artists (Moulin 1992, Mangset 1995). In England, there exists no direct support schemes for artists, whereas in the Netherlands such schemes have been phased out in recent years (Hamersveld 2009). Nonetheless, one may also consider direct support for artists as the ultimate form of autonomy within cultural policy. A committee consisting of a majority of representatives from artist organizations appropriates and distributes such grants. They make their judgment based on the applicant's artistic achievements, with the allocation implying few or no guidelines for the artists. When comparing Finnish and Norwegian artist policy, Merja Heikkinen also emphasizes the focus on artistic autonomy. Toward the end of the last century, she finds an increased focus on the intrinsic value of the arts, rather than arguments based on welfare and income policy, when studying Norwegian governmental reports on artist policy (Heikkinen 2003, p. 302).

Looking at the liberal state of England, one might assume that individualism and autonomy were highly valued. In political rhetoric, the 'neo-liberal globalization' has been described with buzzwords such as freedom, individualism and authenticity (Bourdieu and Wacquant 2001, McGuigan 2005). Still, when describing neo-liberal cultural policy, McGuigan describes this as a shift away from culture as a core rationale towards economic and social goals: 'The predominant rationale for cultural policy today is economic, in terms of competitiveness and regeneration, and, to a lesser extent, social, as an implausible palliative to exclusion and poverty' (McGuigan 2005, p. 238). Unsurprisingly, the economic rationales are present in the liberal cultural policy. However, social goals also constitute an important rationale in neo-liberal policy. When discussing the New Labor Policy that has influenced British cultural policy at the beginning of this century, Hesmondhalgh *et al*. (2014) claim that cultural policymakers not only pushed in the direction of economic benefits, they also emphasized social benefits through cultural policy. In Belfiore and Bennett's book, The Social impacts of the arts (2008), they discuss this policy more closely. With special reference to the former Minister of Culture Chris Smith and his New Labor government, they show how their policy documents emphasized the arts' potential contribution to neighborhood renewal and improving communities in the areas of health, crime, employment and education. My empirical findings reflecting present British cultural policy may thus not be surprising. Since Chartrand and McCaughey made their typology back in the 80s, one might assume that British cultural policy have gone through an instrumental turn.

Lee (2008), however, claims that the history of British theater policy is more or less a history of civilizing claims. In the liberalistic British policy, public support for the arts needed to be justified by some sort of instrumental or external claims. However, she does not interpret this as an instrumentalization of the arts, but rather the opposite: '[it] was a part of making of "culture" in its modern sense and developing the idea of autonomous arts' (Lee 2008, p. 297).

One could also question whether the liberal British policy emphasizes personal autonomy rather than institutional autonomy. As Blomgren claims, promoting personal autonomy in cultural policy may imply that the state should 'stand neutral to the individual's choice of the good life' (2012, p. 523).

Taking a glance towards the Netherland, their cultural policy has shifted quite dramatically. In the 1970s, when social democratic elements characterized the

policy model of the Netherlands, the autonomy of the theater groups was substantial. In recent decades, when the introduction of liberal elements in their welfare system has been substantial (according to Oorschot 2006), the autonomy of theater groups has decreased. The Netherlands is no longer a world of independence in terms of their theater policy. Political goals and societal needs permeate their decision-making and allocations.

Conclusion

In the field of cultural policy research, studies of autonomy often emphasize how different policy systems relate to artistic autonomy. Such studies have focused on the political system, with its issues and choices. In this article, I have included an empirical case study that underscores how art institutions experience the policy. Through such a perspective, I have revealed an interesting insight that could help to shed new light on the notion of how a different approach to cultural policy entails differences in the autonomy of the arts.

The empirical basis of this work is not sufficiently comprehensive for making general conclusions. Yet, one might derive some interesting hypotheses based on these findings. The cultural policy of social democratic countries, often described with keywords such as solidarity, universalism and equality, puts much effort in giving artists artistic freedom. Based on the concept of Lars Trägårdh, one may claim that the social democratic state warrants artistic autonomy by protecting the arts from the market. However, by defining the citizens as the market, they simultaneously undermine the desires and influence of those citizens, and hence a cultural democracy.[11] Opposite to this, in the liberal cultural policy of England both politicians and artists put a higher emphasis on the citizens, not only as consumers, but also as members of society. Their wishes and needs are highly valued, and they appreciate their opinion as something more than merely market influence.

Even though the typology of Hilman-Chartrand and McCaughey (1989) was developed thirty years ago, and has been subject to much criticism, their general assumption concerning the autonomy of the art has to a lesser extent been challenged. It is further a common understanding that the promotion of personal autonomy entails the promotion of artistic autonomy. Through my comparative study, I have instead discovered the opposite. Liberal policy does not necessarily entail liberty and autonomy within arts policy. Moreover, a social democratic policy does not necessarily entail social responsibility and a democratic approach to culture policy. Bourdieu describes the field of cultural production as the Economic World Reversed. My claim in this article is that cultural policy may be described as the autonomous world reversed.

Disclosure statement

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Notes

1. Several scholars have claimed that for Kant, esthetic experience and practical reasons are two aspects of the moral (Scruton 1982, p. 91).
2. Mangset (2009) also discuss this in his article on the arm's length principle.

3. In this article, the theaters are referred to as The Norwegian Theater, The English Theater and The Dutch Theater.
4. The Norwegian case study was done some years ago as part of another research project (Kleppe *et al.* 2010) and (Mangset *et al.* 2012).
5. Smaller fringe theaters receive support from Arts Council Norway. Additionally, there are also some private theaters in Norway that do not receive public support.
6. All Norwegian citations are translated by the author.
7. In 1994, The Arts Council of Great Britain was divided to form the Arts Council of England (now Arts Council England), the Scottish Arts Council and the Arts Council of Wales.
8. http://www.artscouncil.org.uk/media/uploads/pdf/DCMS_funding_agreement.pdf (7 January 2014).
9. According to the annual survey of National Portfolio Organisations 2012/2013, 32% of the theaters' total income were subsidies, 58% was earned income, while 10% was contributed income.
10. 'In October 1969, students at the Amsterdam Drama School interrupted a performance by the prestigious Nederlandse Comedie by hurling seven tomatoes. The rising generation of theatre makers was airing the view that Dutch repertory theatre was "rotten" and needed to become more socially committed and artistically innovative. The protesters, calling themselves the "Tomato Action Group", believed that theatre, which attracted hardly any audience from the lower classes, had become a bourgeois institution' (Hamersveld 2009, p. 183).
11. In line with Blomgrens assertions (2012), one might also question whether the autonomy of the citizens is weakened by the autonomy of the artists in the Nordic countries.

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Building synergies between WTO and UNESCO: the case for data-driven policy coordination

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Building synergies between WTO and UNESCO: the case for data-driven policy coordination

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The different legal worldviews of WTO and UNESCO on trade and culture vividly illustrate the formidable challenges we face nowadays to deliver legal and policy coherence in global governance. Bridging the trade and culture policy divide in this area requires stronger inter-agency dialog and cooperation, starting with joint initiatives for improved policy-oriented statistics.

Keywords: World trade; trade in cultural goods and services; cultural expression; cultural diversity; WTO; UNESCO

1. Competing worldviews on culture

The GATT/WTO regime was created with the task of promoting the public good nature of open markets. Its basic economic underpinnings consist of transforming the marketplace into a central social institution on a world-scale as well as making for-profit organizations into its primary actors (Picciotto 2011). Within this paradigm, things (goods) and activities (services) are approached by trade policy-makers through the prism of these policies. Today, international trade law regulates the objects and activities that encapsulate cultural expressions as goods and services, respectively.[1] This is the predominant perception of culture among most trade representatives as well as the public and private technocracies currently managing the large cultural industries of developed countries. In this context, progressive liberalization of trade in goods and services within the world trade regime is being promoted, irrespective of whether or not the objects and activities subject to trade are of a cultural nature (Bernier 2005). As a result, international cultural transfers are legally approached from a purely commercial perspective by the trade policy mind.

However, for the critics, defining culture as mere goods and services conflicts with the alternative perception of culture as a structural social value to be locally preserved and promoted[2]: That is, as a set of collective experiences that are a reflection of each society and which are continually elaborated on over time.[3] Therefore, the question that often puzzles critics is framed in the following way: Is it reasonable to apply the same international rules to cinema, theater, or television,

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for example, as those applied to combs, or auto-parts and components (GATT law), or, to auditing and consulting services (GATS law)?[4] Many think that it is not, and thus, in contrast, argue in favor of special and differential policies securing cultural diversity in world exchange.

In this sense, the alternative worldviews of culture – including those put forward by UNESCO – are dissimilar. Sustaining that the way our values and tastes develop is largely determined by social environment, and thus always includes exogenous components, critics denounce the overexposure to the audiovisual products and services of world cultural industries, which tend not to vary significantly from the angle of cultural diversity, and which are sometimes considered to be predatorily distributed. The critics also suggest that domestic policies focused on promoting the growth of 'national' cultural industries so that they can compete in the global marketplace would increase such bias on a world scale, as cultural industries are considered to discriminate in favor of some type of social values against others (i.e. anti-consumerism, collectivism, etc.).

For the critical observer, basic components of our collective imaginary are placed under corporate control by regulating the world as a mere marketplace, and thus by perceiving culture as products or services within world trade law (Grant and Wood 2004). By extension, as overexposure to industrial cultural products and services has a bearing not only on citizens' decision-making but on identity formation across the lifespan, political ecosystems are also perceived to be affected in the long-term policy cycle. This last critical stance from a cultural policy perspective was framed by Gramsci, who half a century ago explained how so-called cultural hegemony produces a manufacture of consent and, in consequence, a form of social control; a policy stance that can apply to both state and corporate control.[5]

In this context, the protection and promotion of cultural diversity is generally perceived by culture constituencies to be a systemic issue for society nowadays and, in this light, the trade-related question remains of whether it is sufficient for a nation to specialize in producing guns and butter, and leave culture to others, for example. A significant number of culture ministers representing their respective countries at UNESCO, perceive culture as a 'set of distinctive spiritual, material, intellectual and emotional features of society or a social group, and that it encompasses, in addition to art and literature, lifestyles, ways of living together, value systems, traditions and beliefs'.[6] In short, they consider culture to be more than just goods and services, and therefore somewhat more than the object or activity in which a cultural expression is encapsulated. In line with this policy stance, the UNESCO (2005a) Convention on Cultural Diversity was set up on 18 March 2007, strategically designed to act as a counterweight to the strictly commercial worldview of culture.

The preamble to the UNESCO (2005a) Convention offers a distinct reading of the meaning of culture in society: 'Cultural activities, goods and services have both an economic and a cultural nature, because they convey identities, values and meanings, and must therefore not be treated as solely having commercial value'. The convention considers 'cultural activities, goods and services relevant when they embody or convey cultural expressions, irrespective of the commercial value they may have' (article 4.4). In this regard, cultural expressions are defined as follows: 'Those expressions that result from the creativity of individuals, groups and societies, and that have cultural content' (article 4.3). In accordance with this approach, culture acts as the cement that somehow helps bring people together. Therefore,

world trade liberalization in cultural products and services is considered to be socially inefficient from the cultural policy perspective, as it structurally facilitates increased access to domestic markets (and thus also the global expansion) of dominant industries which, not incidentally, often control production and distribution through global vertical business models based on intensive uses of intellectual property (IP) and contract.

From the cultural policy perspective, on one hand, trade liberalization intensifies the long ongoing asymmetries in the *balance of cultural transfers* between societies, and has an adverse effect on sustainable local cultures. On the other hand, imbalances in cultural transfers are not uniquely relevant for policies on cultural diversity as those have a direct and measurable bearing on bilateral trade balances. In this regard, culture policy experts tend to underline that countries improve their bilateral trade balances by means of favorable balances in cultural transfers with other countries, and they may be right: After all, mass consumption of US products and services was fueled by the internationalization of cinema, television and pop music which began in the first half of the twentieth century; Will Hays, the head of the Motion Pictures Association of America (MPAA) at that time, coined the popular expression 'trade follows the film' for this very reason (Bakker 2012, pp. 139–155). In this respect, it is no coincidence that US leadership in the post-war order was partly consolidated through the globalization of US-originated mass culture (Vasey 1997, p. 42). Not surprisingly, any advanced foreign policy grants a pivotal role to so-called cultural diplomacy today (Saunders 2000, Arndt 2005, State Department 2005): The influence on the formation of social, political and economic preferences of others through culture is always more efficient than coercion; ultimately, power is exercised in more effective and lasting ways through persuasion (Nye 2004). As part of this general policy approach, countries with large export-oriented cultural industries within their territories tend to strongly promote trade liberalization on audiovisual products and services, for example.

Building cohesive architectures within global governance, and, thus, also balancing open markets with a stronger global polity, is a prerequisite for enhancing sustainable human welfare. In using this policy perspective, this article frames the interaction of the powerful regulatory dynamics of the world trade regime with those of UNESCO as it stands today, with light and shade. In this sense, and notwithstanding the wide interpretations of culture mentioned above, the following pages specifically focus on the type of cultural transactions regulated by the WTO under the form of trade in (cultural) goods and services, and their complex relationship with the alternative legal approach taken towards international cultural transactions by the UNESCO Convention on Cultural Diversity. The first three sections of the article analyze the position of culture within the WTO regime and the critical policy stance taken within UNESCO by creating the Convention. The following two sections suggest investing in joint data gathering and policy-oriented statistics as a feasible and cost-effective first avenue for advancing policy dialog and cooperation between both regimes.

2.   The advent of treaty-based resistances

Ministers of culture tend to consider that the legal approach towards culture embedded in domestic policies by WTO law heedlessly expands the global commoditization of cultural artifacts and expressions as well as increasing seriously unbalanced

cultural transfers among nations. In this context, for these public representatives, world trade law does not take into proper account their legitimate policy objectives in the cultural area. Therefore, without directly questioning trade in cultural goods and services, or current policies of world market formation, they decided to strategically develop a new set of rules in UNESCO in order to rebalance these processes by devising the legal and policy idea of cultural diversity. This powerful idea seeks to promote, among other measures, some degree of reciprocity in the bilateral balances of cultural transfers.[7] In this respect, the Universal Declaration on Cultural Diversity, approved post September 11 by UNESCO (2001), the Convention for the Safeguarding of the Intangible Cultural Heritage (UNESCO 2003) and the Convention on Cultural Diversity (UNESCO 2005a) are law and policy exponents of a perception of culture that is not strictly commercial. The Declaration raises cultural diversity to the category of common heritage of humanity and also strategically connects with the dignity of the individual. Similarly, it supports intercultural dialog and assumes that one should recognize others (otherness) as well as the inevitable condition of one's own 'plural' identity.[8] This set of soft-law principles and rules paved the way for the Convention on Cultural Diversity to go on to legalize its alternative conception and approach to culture.

The Convention clearly expresses the alternative worldview in its preamble: 'Cultural diversity is strengthened by the free flow of ideas, and that it is nurtured by constant exchanges and interaction between cultures'. For this reason, one of the goals is 'to encourage dialogue among cultures with a view to ensuring wider and more balanced cultural exchanges in the world' (article 1.c). The idea of intercultural dialog aims to achieve *cross-fertilization* between societies communicating their own and other values. In summary, it aims to enable non-hegemonic societies to relate on an equal footing – intercultural communication and dialog – with current hegemonic cultures (i.e. western culture). Furthermore, the Convention also confirms the *principle of equitable access:* '[the] equitable access to a rich and diversified range of cultural expressions from all over the world and access of cultures to the means of expressions and dissemination constitute important elements for enhancing cultural diversity and encouraging mutual understanding' (article 2.7). Similarly, it defines interculturality as 'the existence and equitable interaction of diverse cultures and the possibility of generating shared cultural expressions through dialogue and mutual respect' (article 4.8).

Underlying the Convention is a public policy position that considers that promoting dialog between societies is more efficient in aggregated terms than merely promoting market access for globalized cultural industries. This treaty framework was alternatively devised for preserving independent creators as well as small and medium enterprises producing and distributing culture across nations. In this respect, the Convention provides new tools. Articles 2.2 and 5 regulate the sovereign right of states to apply policy measures to protect cultural diversity: 'States have, in accordance with the Charter of the United Nations and the principles of international law, *the sovereign right* to adopt measures and policies to protect and promote the diversity of cultural expressions within their territory'. In turn, the Intergovernmental Committee of the Convention has the power to prepare and submit *operational guidelines to the Conference of Parties* in this regard (article 23.6.b).

Both in theory and practice, the UNESCO Convention was strategically designed to provide a legal counterweight to trade liberalization, by counteracting

the treatment of culture within WTO and Preferential Trade Agreements (PTAs) as a mere product or service (Graber 2006, p. 553). Paradoxically, the UNESCO Convention is an instrument of international law created by the ministers of culture in an attempt to rebalance the leverage of other instruments of international law created by trade ministers – namely WTO law and PTAs. In this regard, it could be argued that, within the current fragmentation of global governance, treaty-based regimes are sometimes transformed into a higher level-playing field for world policy battles, including inter-ministerial battles (i.e. cultural vs. trade agencies).

In fact, regulating the legal position of the UNESCO Convention with regard to WTO law itself was one of the main issues during the negotiations on the Convention and, obviously, posed a direct challenge by ministers of culture to those running the trade portfolio.[9] Finally, Article 20 regulating this issue – entitled 'relationship to other treaties' – was worded with calculated ambiguity as a result of policy pressures; the reason for this is the disagreements between the majority group led by European ministers of culture on one hand – who advocated a special treatment for cultural goods and services – and, on the other, the United States (US), Australia and Japan, who publicly framed the whole initiative of the Convention as an undercover protectionist initiative. The suggestive subtitle of the provision is 'Mutual supportiveness, complementarily and non-subordination', and Section 1 reads as in the following: 'Parties recognize that they shall perform in good faith their obligations under this Convention and all other treaties to which they are parties'. Accordingly, 'without subordinating this Convention to any other treaty', the Parties (a) 'shall foster *mutual supportiveness* between this Convention and the other treaties to which they are parties' and (b) 'shall take into account' the relevant provisions of the Convention 'when interpreting and applying the other treaties to which they are parties or when entering into other international obligations'.

However, blowing hot and cold as it were, Section 2 also contains the following provision: 'Nothing in this Convention shall be interpreted as modifying rights and obligations of the Parties under any other treaties to which they are parties'. Therefore, the clause leaves the question of the legal relations between the UNESCO Convention and WTO law at a complete stalemate. Nevertheless, in practical terms, this result was a triumph for the commercial worldview of culture, as the Convention lacks effective enforcement procedures to ensure compliance with its rules and only relies on a mechanism of good offices, mediation or conciliation for settling disputes, in Article 25. In short, the rules which carry weight in practice within domestic inter-ministerial politics when it comes to solving the tensions of the 'culture and trade' divide are those of the world trade regime, as this regime relies on a binding jurisdiction, compulsory for all WTO members, which also ensures legal compliance with its rulebook by authorizing suspension of trade concessions and obligations (Jackson 2000, pp. 179–219, Mavroidis and Sykes 2005).

3.   Bridging the trade & culture divide

Notwithstanding this situation, the Convention could help to obtain some measure of deference to cultural diversity within both WTO adjudication and Multilateral Trade Negotiations (MTNs): On one hand, interpreting treaties in compliance with general international law technically requires 'taking into account' *any international law applicable in the relations between the parties* (Article 31.3.c of the Vienna

Convention on the Law of the Treaties). On the other hand, the existence of the UNESCO Convention substantially improves the negotiating position of its parties as WTO Members within WTO negotiating rounds. The Convention helps to resist the pressures for progressive liberalization within WTO (Acheson and Maule 2004, p. 251). To quote Voon (2007, p. 253) 'The UNESCO Convention may well cause those WTO Members who seek greater leeway for their cultural policy measures to dig in their heels and refuse to increase their commitments in relation to cultural products under GATS'.

That is the real power of the Convention and the main reason why the US delegation qualified it as 'deeply flawed', warning that it could potentially 'impair rights and obligations under other international agreements and adversely impact prospects for successful completion of the Doha Development Round negotiations' (Martin 2005). In summary, the UNESCO Convention gives its parties a degree of negotiating leverage within the WTO regime. Aside from reducing the level of pressure for progressive liberalization, however, no major global transformations are expected as a result of the Convention (Pauwelyn 2005). At the same time, it should be stressed that the Convention has obviously not been ratified by the US for strong reasons (Balassa 2012). In this regard, the US Trade Representative and the US industry associations generally perceive the Convention to be a strategic policy instrument promoted by Canada, France and other European Union (EU) Members to reduce US pressure for further trade concessions in cultural goods and services as well as potentially legitimizing restrictions on US exports of TV shows, movies, music and internet services.

Given this state of affairs, the Conference of the Parties (COP) and the Intergovernmental Committee of the Convention have two basic alternatives to address the policy approach to culture embedded in WTO law and institutions: *Integration* (cooperation) or *confrontation* (conflict). If the parties to the Convention were to accept greater cooperation, perhaps some concessions to cultural diversity could be obtained within WTO decision-making or rulemaking procedures in the midterm. Arguably, this would also imply a measure of adherence to the legal worldview of culture promoted in WTO.

Be that as it may, if cooperation is sought, this would require greater inter-institutional communication, and, therefore, efficient and robust data-driven joint decision-making in matters of shared competence. Within the UNESCO Convention, the task could be granted to the intergovernmental committee, which is probably the body best qualified to make proposals on this point. Until now however, UNESCO and the WTO have developed their own activities in clinical isolation from each other. In fact, the ministers of culture negotiating the Convention did not agree to cooperate with other treaty-based regimes but to ensure that those regimes operate in compliance with the objectives and principles of the Convention! Thus, article 21 under the heading 'International Consultations and Coordination' reads as follows:

> The Parties undertake to promote the objectives and principles of this Convention in other international forums. For this purpose, Parties shall consult each other, as appropriate, bearing in mind these objectives and principles.

Similarly, Article 23.6 authorizes the intergovernmental committee 'to establish procedures and other mechanisms for consultation aimed at promoting the objectives

and principles of this convention in *other international forums*'. In short, the UNESCO Convention does not so much seek to extend a bridge to the world trade regime as to demand from WTO rules and acts that will ensure non-hindrance of the policies and domestic measures promoted by its treaty provisions. Currently, 133 signatory states have adhered to or ratified this international legal instrument. Evidently, bridging these world visions, legalized through separate and distinct but equally valid treaties, is not an easy task.

Freedom of choice is not automatically synonymous with the market, just as democracy is not equivalent to the marketplace. Similarly, access to culture and consumption of culture are not the same, as consumption may be a form of access, but access in itself is more than the activity of consumption. For the culture constituencies, cultural diversity policies were devised to enable us, as community or individuals, to better situate ourselves in the world, by having access – and thus being exposed – to the kaleidoscopic tapestry of cultural backgrounds, worldviews and expressions, built by others, here and there. From that policy stance, the cultural content produced and distributed for mass consumption does not easily extend our comprehension of others, as those who produce and distribute that content are simply not those others (Smiers 2003). In addition, as non-integrated or alternative visions often do not pass through,[10] the so-called transformative power of art – stories, dreams, images, ideas – is also considered to be diluted (see UNESCO 1980).

Implementing the legal idea of cultural diversity in any given society reasonably requires securing access to both local and foreign underrepresented cultural expressions as one of its structural policy elements. In this regard, protecting cultural diversity under the terms of the Convention does not necessarily require the exclusion of cultural artifacts and expressions from overrepresented societies and cultural industries (negative discrimination) but, instead, the effective inclusion of underrepresented foreign and local cultural artifacts and expressions through positive discrimination policies. For this reason, individual access to culture in the policies implementing the Convention can so easily be framed in terms of cultural rights law: Individuals being able to access and thus choose from a diversity of (both local and foreign) cultural content. As a result, it could be argued that protecting cultural diversity under these inclusive terms positively impacts not only on individual autonomy but on the realization of the human right to culture as well.

Ministers of culture, together with the advocacy groups of the cultural sector, may perhaps be able to rebalance the position of cultural diversity within world trade networks in the long term, by using the UNESCO Convention on cultural diversity to obtain policy leverage. For a reason, the Convention defines cultural content in Article 4.2 as 'the symbolic meaning, artistic dimension and cultural values that originate from or express cultural identities.' The Convention itself owes its existence to the International Network on Cultural Policy (INCP), originally devised by ministers of culture to counteract services liberalization in the cultural sector within the first round of post-WTO negotiations; and this global inter-ministerial network was, in turn, supported and advised by the International Network for Cultural Diversity (INCD)[11]: A strong civil society coalition, which is sufficiently well organized to end up presenting its own 'Proposed convention on cultural diversity' to UNESCO (see INCD 2002).

In the EU, the pressures exerted by the leaders and representatives of the cultural sector during the GATS 2000 negotiations led the EU DG Trade to turn down service liberalization requests in this sector, and failed to make any liberalization

offer within those negotiations.[12] In fact, the so-called European cultural exception consisted precisely of this, some years before, during the Uruguay Round – i.e. failing to make liberalization offers in the audiovisual services sector[13] – whereas the US did not recognize the special cultural nature of audiovisual services (Croome 1998, p. 328, WTO 1998). To paraphrase Voon (2007, pp. 5, 249), the GATT Contracting Parties agreed to disagree on this issue. In fact, from then on, the EU has failed to listen to the requests and demands of the US to improve access of their industries to the European audiovisual market within WTO (see WTO 2001).[14] However, less powerful WTO Members cannot easily play this defensive strategy inside this progressive liberalization forum.

4. Mapping the standard figures

There is a strong case for establishing effective bridges in the architecture of global governance in the current context of legal and policy fragmentation among its diverse regimes (Koskenniemi 2006). The trade and culture divide is closely related to the restrictive rationality of functional regimes in global governance (Mitrany 1933, p. 128, Ryan *et al*. 2000). In this regard, two policy approaches govern trade and culture nowadays: The WTO approach (favoring world trade liberalization) and the UNESCO approach (favoring the protection of cultural diversity); it stands to reason that societies will be better off if states manage to secure legal and policy coherence between these treaty-based regimes. As regimes such as WTO sail the concurring waters of other regimes such as UNESCO, and vice versa, coherence requires increased cooperation between these regimes. In essence, world policy coherence cannot be obtained by the incumbent regimes in the absence of deeper inter-institutional cooperation and stronger joint initiatives on *data gathering, along with more robust policy-oriented statistics.* Only by having the data right, will it be feasible to reach some common ground across both WTO and UNESCO in the sensitive policy area of trade and culture.

But what do we currently know of international cultural transfers from the statistics produced by global agencies such as WTO, UNCTAD or UNESCO? Current data shows that the global annual GDP share of cultural goods is conservatively estimated as accounting for 5–7% (see Towse 2003, p. 173, UNESCO 2005b, p. 9, Howkins 2007, Disdier *et al*. 2010, p. 576, Lelio Iapadre 2014, p. 381). This relative share, of course, differs between countries, and, between developed and developing economies. In addition, global merchandise cross-border trade increased nine fold at a steady rate from 1980 to 2011. This development is often associated with the accomplished efforts of trade liberalization as promoted by the WTO, improved market access by open and opening economies or new markets (i.e. China, Germany) and technological change (i.e. telecommunication, internet). Table 1 provides an overview about the increasing global trade flow of goods:

Table 1.   World total merchandise trade (1980–2011).

Year [bn USD]	1980	1990	1998	2003	2010	2011
Imports	2077	3600	5680	7869	15,511	18,508
Exports	2036	3490	5503	7590	15,301	18,333

Source: Based on WTO (2015b), in billion US dollar at current prices.

Table 2.   World trade flows of cultural goods (1980–2011).

Year [bn USD]	1980	1990	1998	2003	2010	2011
Imports	47.8	142.2	213.7	242.4	410.1	453.4
Exports	47.5	123.4	173.3	223.8	416.3	489.9

Source: Based on Disdier *et al.* (2010), UNESCO (2000), and UNCTAD (2015), in billion US dollar at current prices.

The world's total merchandise[15] trade of imports, as well as the total exports of goods increased from around USD2000bn in 1980 to USD18,000bn in 2011. The import driven economies demand and consume what the export driven economies produce and offer on the world market. The development of the global market for cultural goods is not only similar, but maintains its share constant at round 0.6% of world's total merchandise trade during the observed period. Table 2 summarizes the imports and exports of cultural goods between 1980 and 2011.

The aggregated global trade of cultural goods increased by around 10 times from 1980 to 2011 according to the available data. The exports increased from USD47.8bn (1980) to USD253.4bn (2011), and the imports increased from USD47.5bn (1980) to USD489.9bn (2011). The indicated long-term trend of increasing values is not only due to increasing trade, but also to the improved reported data of the different countries (compare UNESCO [2009, 2012] and UNCTAD [2010]). Thus, direct comparability is not easy due to the developments of recent decades, for example, taking into account new evolved industries (internet) and different problems (public vs. private good, royalties and licenses) that emerged when considering the economics of culture (see Towse 2003).

In recent years, the macroeconomic world's aggregated trade of cultural and creative goods, services and related industries reached a comparatively high level. Figure 1 illustrates the development of the global exports/imports of 'creative goods', 'creative services' and 'related industries' according to available and published data for the period between the years 2003 and 2011. These three categories together contributed with 2.2% to total GDP in 2011,[16] or the two creative goods categories (without 'creative services') account for round 7.0% to the global total merchandise trade in 2011 (compare Table 1).

The cross-border trade of creative goods, services and related industries is developing in the same pattern as global merchandise trade, continuously increasing in a constant proportion. The exports and imports doubled within the last decade and valued about USD800bn in 2003 and peaked to nearly USD1600bn in the year 2011.

On the other hand, data on 'creative services' was for a long time not publicly available. Table 3 indicates that world trade flows of creative services increased by 2.5 times in the observed period.

Table 3.   World trade flows of creative services (2003–2011).

Year [bn USD]	2003	2004	2005	2006	2007	2008	2009	2010	2011
Imports	87.2	99.3	123.0	136.5	179.2	215.7	205.1	217.6	238.4
Exports	99.4	127.9	148.3	164.2	194.5	230.2	217.4	222.9	253.3

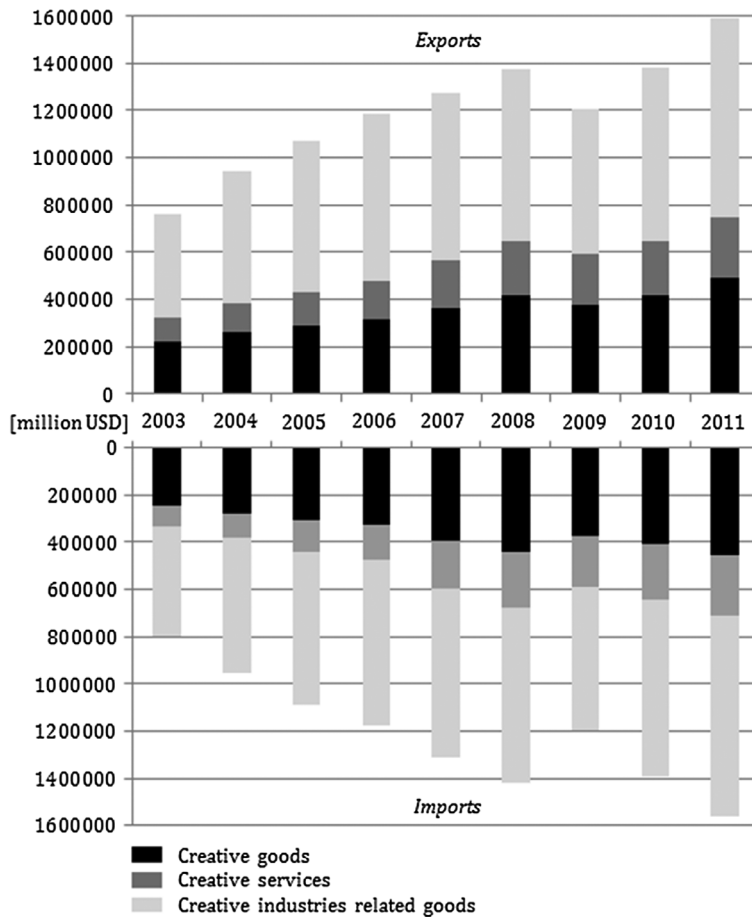Source: Based on UNCTAD (2015), in billion US dollar at current prices.

Figure 1.   Aggregated global imports and exports of creative goods, creative services and creative industries related goods (2003–2011). Source: Based on UNCTAD (2015), in million US dollar at current prices.

Notes: The aggregate data defines (compare UNCTAD 2015, Appendices 1 and 3): (I) *Creative goods*: (1) Art crafts (carpets, celebration, other, paperware, wickerware, yam), (2) audio visuals (film, CD, DVD, tapes), (3) design (architecture, fashion, glassware, interior, jewelry, toys), (4) new media (recorded media, video games), (5) performing arts (musical instruments, printed music), (6) publishing (books, newspaper, other printed matter), (7) visual arts (antiques, paintings, photography, sculpture); (II) *Creative services*: (1) Architectural, engineering and other technical services, (2) research and development, (3) personal, cultural and recreational services (a) audiovisual and related services, (b) other personal, cultural and recreational services; (III) *Creative industries related goods*: (1) Audio visuals (e. broadcasting, film, sound production), (2) design (architecture, fashion, interior, jewelry), (3) new media (computer equipment), (4) performing arts (celebration, musical instruments), (5) publishing (books, other printed matter), (6) visual arts (paintings, photography).

The UNESCO (2005b) report established a statistical procedure with available data to approximate the trade of creative services. The UNCTAD (2010, p. 283) advises with constraint that '[…] the available data disaggregated by category of services do not provide the detail necessary for drawing conclusions about the

impact of creative-services activities on economies.' due to the existing method-
ological limitations of the available statistics compiling this information in more
detail with reference to the Extended Balance of Payments Services Classification
(EBOPS) as presented in the Manual on Statistics of International Trade in Services
(MSITS approved by UNSC in 2002),[17] and the data collection procedure of what
countries report.

'Related industries' include goods produced by industries related to creative
activities which are supporting industries or equipment needed to produce or con-
sume creative content. The trade flows of creative related industries nearly doubled
as displayed in Table 4. Statistically, 'Royalties and license fees' and 'computer
and information services' are introduced in the group of 'related industries and
services', but, are not included in the 'total for creative services'. The statistic
distinguishes these 'related industries and services' providing a more recent and dif-
ferent viewpoint on the recently emerged new services of 'Computer and Informa-
tion'.[18] Table 5 illustrates the world trade flows of computer and information
services between 2003 and 2011.

The issue of computer and information services had already been addressed in
the UNESCO (2000) report, but it took time to define and develop a method and
procedure to account for the fast-changing industry and converting it into a corre-
sponding statistic.

Finally, the statistics also take intangible goods like 'Royalties and license
fees'[19] as a subordinate group of 'related industries and services' into account.
Within the period from 2003 to 2011, the world trade flows in royalties and license
fees doubled (see Table 6).

The comparative data above represents the aggregated data of the world trade
flows and enables an assessment of the economic value of cultural goods and
services in the world economy. In this regard, the preliminary available data

Table 4. World trade flows of creative related industries (2003–2011).

Year [bn USD]	2003	2004	2005	2006	2007	2008	2009	2010	2011
Imports	464.3	575.1	650.6	701.6	719.7	746.5	602.8	748.3	851.5
Exports	442.6	558.2	637.6	710.6	711.8	728.1	611.9	738.6	842.2

Source: Based on UNCTAD (2015), in billion US dollar at current prices.

Table 5. World trade flows of computer and information services (2003–2011).

Year [bn USD]	2003	2004	2005	2006	2007	2008	2009	2010	2011
Imports	41.1	49.0	58.7	69.4	84.9	100.6	99.9	106.3	118.5
Exports	73.1	93.9	104.8	126.5	156.8	195.1	189.2	211.2	239.8

Source: Based on UNCTAD (2015), in billion US dollar at current prices.

Table 6. World trade flows of cultural royalties and license fees (2003–2011).

Year [bn USD]	2003	2004	2005	2006	2007	2008	2009	2010	2011
Imports	117.4	142.8	157.6	164.8	189.0	235.8	246.5	266.3	292.6
Exports	144.4	141.2	159.2	173.3	204.4	230.1	235.9	254.1	288.9

Source: Based on UNCTAD (2015), in billion US dollar at current prices.

demonstrates that the global trade of cultural goods and services, and related industries increasingly accounts for a larger proportion of world trade and significantly contributes to the world GDP. However, most data on cultural trade statistics are not available at a country level. The statistics confirm that global transfers in this area are increasingly significant, but paradoxically, there is a lack of any analysis on the state of affairs in terms of bilateral trade balances.

5. Better (data-driven) policy-making

Robust and internationally standardized data gathering is a prerequisite for designing effective policies between the incumbent trade and culture regimes. Data-driven policy-making is pervasive in advanced societies for a reason, and should also inform global policy-making. In order to take the balance of cultural transfers seriously, new and better international statistics are needed to reach common ground between the trade and culture constituencies. In order to bridge the trade and culture divide, and thus promote convergence between the treaty-based regimes of trade and culture, it is necessary to invest in improving international statistics. Due to the initiative and effort of UNCTAD and UNESCO, since the 1980s, a quantum leap has been achieved in the methodological development on how to classify and structure trade specific statistics related to culture, and how to provide data on the trade flows of cultural goods and services (compare UNESCO 1980, 2005b, 2009, UNCTAD 2010). Although not yet perfect, both the developed methodology and the taxonomy on the preliminary evaluation of the statistical data of cultural goods and services are essential tools for decision-makers in approaching the serious policy issues involved. In this sense, UNESCO developed and provides a framework (see Appendix 1) for data classification (see Appendices 2 and 3) which enables a relatively good and detailed insight into the proportions of world trade on the basis of the available data provided by the WTO. However, unfortunately, the publicly available data only allow a macroeconomic analysis based on aggregated data which, at least, enables an initial perspective on the world trade of cultural goods and services.

Notwithstanding recent advances in methodological issues for establishing international statistical measures, the current available data is incomplete due to lack of country-by-country reporting. These international statistics need to be improved and should also be available at a country level perspective in order to allow proper policy analyzes, set priorities and facilitate global decision-making. At the moment, world policy-making lacks sufficiently confident, valid and robust empirical data to grasp the extent of the current external imbalances on a country-by-country basis. The production of new data could enable public representatives to better understand the actual significance of these balances, thus avoiding misinterpretations and hopefully adopting efficient global policy decisions.

A stronger global understanding of the cultural transfer balances in general is critical to positively informing world policy design.

Reasonably, bilateral indicators could better inform policy-makers by providing new insights across nations. For this reason, there is a need to launch stronger co-operative efforts to gather information and bridge the statistical gap. When it comes to culture and trade, we need to get specific, and look at the bilateral trade balances, in order to get the measures right, and adopt informed global policy decisions. On this particular issue, more detailed bilateral trade in intermediate goods and services is a priority (see Koopman *et al*. 2008, 2011).

As the former WTO DG Lamy (2011) noted, statistical biases pervert the true dimension of trade imbalances, leading to misguided perceptions and counter-productive policy decisions. Along these policy lines, a joint initiative by the WTO and the OECD together with national statistics offices recently released a first public database of world trade measured in value added, aiming at the development of truly global input-output tables (see OECD-WTO 2013, OECD-WTO-UNCTAD 2013): The so-called 'Made in the World' initiative, partnered with Japan's Institute of Developing Economies-Japan External Trade Organization (IDE-JETRO), aimed to explore the critical policy implications of world trade in value added and thus better inform trade policy.

Undoubtedly, these efforts to disclose the domestic content of exports are an excellent step in the right direction. However, they are still insufficient in statistical terms when it comes to policy formation regarding trade and culture. To begin with, the critical issue is not only about where the revenue ends up but the state of the imbalances of cultural transfers across nations as well, as local production and distribution of culture is considered by culture policy-makers to have a structural function in society, as explained in previous pages. In addition, the current fragmentation of production processes often involves fragmentation across increasingly complex business networks; in consequence, measuring the flows of value added only reflects part of the picture of the impact of world trade in creating, distributing and redistributing wealth through cultural goods and services: To give just one paradigmatic example, a significant part of the value added in some cultural goods and services is often repatriated through transfer from the affiliate to the parent company (recorded as profit repatriation), or may reflect inter-corporate or intra-corporate payments for using IP assets, all of which is not currently recognized as 'domestically produced assets' in conventional national accounts.

Trade and culture policy-makers need to have the measurement and figures right. Even the brand new estimates of value added promoted by the current WTO and OECD initiative to build better statistics cannot satisfactorily contribute to adopting informed policy decision when it comes to trade and culture. Following the model of this inter-agency initiative, however, it would be reasonable to clarify the state of bilateral trade imbalances with regard to cultural goods and services across nations. In summary, only by jointly developing common statistics on international cultural transfers, the concurring regimes of trade and culture could build a common ground and understanding to help create policy synergies in the long term. In this regard, robust policy-oriented statistics on international cultural transfers could facilitate designing proper policies and programs to positively target bilateral cultural imbalances of serious concern; and thus, ultimately, improve access to a rich and diverse range of cultural expressions and artifacts within and across nations. A combined effort by WTO, OECD, UNCTAD and UNESCO aiming at better policy-oriented data gathering would be an effective step in the right policy direction.

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Notes

1. Compare *Article 4.4 of the Convention on the Protection and Promotion of the Diversity of Cultural Expressions* (UNESCO 2005a).
2. Regarding the term 'culture', a wide range of definitions have been compiled by Kroeber and Kluckhohn (1952) in the 1950s.
3. On the way in which images of popular culture circulate, and, the ways in which they are internalized, and how they adapt life styles (see Appadurai 1996).
4. Compare WTO (2015a) on audiovisuals.
5. For the initial reflections on the idea of 'cultural industry' see Horkheimer and Adorno (2002), Mattelart and Piemme (1982, pp. 51–61).
6. Definition of the Convention on Cultural Diversity and the UNESCO Universal Declaration on Cultural Diversity from 'the conclusions of the World Conference on Cultural Policies (Mondiacult, Mexico City, 1982), the World Commission on Culture and Development (*Our Creative Diversity*, 1995), and the Intergovernmental Conference on Cultural Policies for Development (Stockholm 1998)' according to UNESCO (2007, p. 707).
7. See UNDP (2004) for the challenges faced by cultural diversity due to these asymmetric cultural flows.
8. See Bernier (2000) for a selection of the relevant provisions of multiple international instruments.
9. The European Commission claimed (in a communication to the European and Council and Parliament) that the new instrument has no effect on the rules of the multilateral trade system: 'such instrument would not affect and be without prejudice to' (see COM 2003).
10. On the idea of how cultural industries eliminate autonomy of art see Horkheimer and Adorno (2002). For a brief historical analysis also see Buchloh (2000).
11. The Canadian cultural community was a central influence in the process. For the initial proposals see SAGIT (1999). See also Bernier and Ruiz Fabri (2002).
12. For the revised text of the European offer see WTO (2005).
13. On the concept of cultural exception and its implication in domestic and global public policies see Farchy (1999) and Gournay (2002).
14. For an explanation of the point of departure and context of negotiations see Messerlin *et al*. (2004), and Graber (2004, pp. 15–65).
15. See United Nations *International Trade Statistics, Concepts and Definitions*, Series M, N° 52, Revision 2 as summarized at WTO (2015c).
16. According to UN (2015) World's GDP in 2011 amounted USD71, 956,931,320,123 at current prices.
17. For historical background about inter-agency joint task force initiative, refer to UN (2012, p. V).
18. Compare UNCTAD (2010, p. 285) and IMF (2009, pp. 176, 177) for the definition of 'Computer and information services'.
19. Compare UNCTAD (2010, p. 285) and IMF (2009) for the definition of 'Royalties and license fees (Royalties)'.

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Appendix 1. UNESCO framework for cultural statistics domains (2009)

Group	Domain		Description	Productive activities (example)	Goods and services (example)
Core cultural domains	(a)	Cultural heritage and natural heritage	• Museums (also visual) • Archeological and historical places • Cultural landscapes • Natural heritage	• Creative, arts and entertainment activities • Museums activities • Botanical and zoological gardens • Retail sale of second-hand goods	• Postage or revenue stamps, collections and collector's pieces, antiques, etc. • Museum services • Botanical and zoological garden services • Non-specialized store retail trade service
	(b)	Performance and celebration	• Performing arts • Music • Festivals, fairs and feasts	• Creative, arts and entertainment activities • Manufacture of musical instruments • Sound recording and music publishing	• Performing arts event promotion, etc. • Services of performing arts • Pianos and other keyboards • Music, printed or in manuscript
	(c)	Visual arts	• Fine Arts • Photography • Crafts	• Photographic activities • Other publishing activities • Manufacture of jewelry • Research and experimental development on social sciences and humanities	• Paintings, drawings and pastels • Portrait photography services • Printed pictures, designs and photographs • Research and experimental development services in other humanities

(Continued)

Appendix 1. (*Continued*).

Group	Domain	Description	Productive activities (example)	Goods and services (example)
(d)	Books and press	• Books • Newspaper and magazine • Other printed matter • Library (also virtual)	• Library and archives activities • Book publishing • Newspapers, journals and periodicals • …	• Library and archives services • Educational textbooks (in print) • On-line books • News agency services to newspapers
(e)	Audiovisual and interactive media	• Film and video • TV and Radio (also internet live streaming) • Internet podcasting • Video games (also online)	• Software publishing • Motion picture, video and television program production activities • Sound recordings • Radio broadcasting • Web portals	• Computer game software, packaged • On-line games • Films and other video downloads • Motion picture, videotape, television and radio program originals • News agency services to audiovisual media
(f)	Design and creative services	• Fashion design • Graphic design • Interior design • Landscape design • Architectural services • Advertising services	• Specialized design activities • Architectural and engineering activities and related technical consultancy • Advertising	• Interior design services • Licensing services for the right to use other intellectual property products • Architectural services • Full service advertising • Other advertising services

(*Continued*)

Appendix 1. (*Continued*).

Group	Domain	Description	Productive activities (example)	Goods and services (example)
Related cultural domains	(g) Tourism	• Charter travel and tourist services • Hospitality and accommodation	• Technical and vocational secondary education • Cultural education • Passenger air transport • Travel agency activities	• Cultural education services • Sightseeing services by rail, land, water, air • Reservation services for visitors
	(h) Sports and recreation	• Sports • Physical fitness and well being • Amusement and theme parks	• Activities of sports clubs • Gambling and betting activities • Sports and recreation education	• Services of sports clubs • Physical well-being services • On-line gambling services

Source: Based on UNESCO (2009). List is not exhaustive.

Appendix 2. UNESCO classification for goods (2005)

Goods	Group classification	Includes
Core cultural goods	Cultural heritage	• Collections and collectors piece • Antiques of an age exceeding 100 years
	Books	• Books, brochures, leaflets, etc. • Children's pictures, drawing/coloring books
	Newspaper and periodicals Other printed matter	• Printed music • Maps • Postcards • Pictures, designs and photographs
	Recorded media	• Gramophone records • Disks for laser-reading systems for reproducing sound only • Magnetic tape (recorded) • Other recorded media for sound
	Visual arts	• Paintings • Other visual arts (statuettes, sculptures, lithographs, etc.)
	Audiovisual media	• Video games used with a television receiver • Photographic and cinematograph films, exposed and developed
Related cultural goods	Equipment/support material	• Musical instruments • Sound player recorder and recorded sound media • Cinematog. and photographic supplies • Television and radio receivers
	Architecture plans and drawing trade and trade advertisement material	

Source: Based on Disdier *et al.* (2010) and UNESCO (2005b).

Appendix 3. UNESCO framework for international trade of cultural goods and services (2009)

Group	Domain		Cultural good	Description
Core cultural goods	(a)	Cultural and natural heritage	• Antiques	• Collections and collectors' pieces • Antiques of an age exceeding 100 years
	(b)	Performance and celebration	• Musical instruments • Recorded media	• Bells, gongs and the like • Pianos, keyboard instruments, Musical boxes • Cards incorporating a magnetic stripe • Gramophone records and other media • Music, printed or in manuscript
	(c)	Visual arts	• Paintings • Other visual arts • Craft • Jewelry • Photography	• Paintings, drawings and pastels • Pictures, designs and photographs • Sculptures, statuettes • Articles of jewelry, articles of goldsmiths • Photographic plates and film
	(d)	Books and press	• Books • Newspaper and magazine • Other printed matter	• Printed reading books, brochures, leaflets • Dictionaries and encyclopedias • Newspapers, journals and periodicals • Maps, postcards, calendars
	(e)	Audiovisual and interactive media	• Film and video	• Cinematograph film • Video games used with a television receiver

(Continued)

Appendix 3. (*Continued*).

Group	Domain		Cultural good		Description
	(f)	Design and creative services	•	Architecture and design	• Plans and drawings for architectural, engineering, industrial, commercial, topographical or similar purposes
Related cultural goods	(g)	Tourism[a]	—	—	—
	(h)	Sports and Recreation[b]	—	—	—

Source: Based on UNESCO (2009, compare Deroin [2011]). List is not exhaustive.
[a]Cultural goods bought by tourists are already included in their respective domains from A to F (see UNESCO 2009, p. 69).
[b]The domain does not cover sports and recreation goods. All Sports and recreation goods are considered as equipment materials (see UNESCO 2009, p. 69).