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## **Media:Culture:Policy, or What we talk about when we talk about (cultural) policy**

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### **Cover Page Footnote**

We also appreciate and thank the reviewers for this issue, whose close readings and detailed suggestions made the works presented here even stronger.

## Editorial Introduction

The idea for this issue grew out of a panel at the 2016 Cultural Studies Association Conference. The relationship between culture and policy has long been a major topic for media and cultural studies, but we hoped to broaden the meaning of cultural policy, from policies that are explicitly regulating something we call the “cultural” (including media or traditional rituals or symbols) to include the practice of policy-making and the cultural legitimation of law and policy itself, regardless of the object or dimension of social life it regulates.

The essays in this issue argue for (or at least accept) an understanding of policy as a cultural production representing certain ideological outlooks, and thus implicitly suggest that cultural policy studies should encompass a wide range of policies; at the same time, the essays are interested in the cultural mechanisms and means through which policies are promulgated and enforced - from think tanks to social media flak, from the global circulation of ideologies to the local practices of appropriation/resistance. In a sense, then, the studies in this issue begin from an understanding of policy that highlights its mutual constitution of and through culture and necessarily reject the notion that culture and policy exist or operate independently of each other. In the tradition and spirit of *Policing the Crisis*<sup>1</sup> - one of the seminal projects of the Birmingham Centre for Cultural Studies - this issue is driven by a quest to grasp the dialectical process of cultural legitimation that works to make a set of policies seem reasonable and just, and the way that policies and laws help determine the cultural values and practices of the future. The regulation of media, arts, and communications is therefore all the more important, as these are a central channel for processes of cultural legitimation. Contributions to this collection try to keep all three of these dimensions - media, culture, policy - in mind as they explore a broader array of policy areas and questions.

This approach is especially important in the era of neoliberal capitalism, when its promoters explicitly argue for reducing the role of policy and of the state, even as they implicitly defend its capital-friendly ideal of “negative liberty.” The latter, coined by Isaiah Berlin, is originally conceived as a contrast between something like libertarian capitalist freedoms of a *laissez faire* nature - where there is supposedly a large area where subjects are left to be and do what they like, “without

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<sup>1</sup> Hall, Stuart, Chas Critcher, Tony Jefferson, John Clarke, and Brian Roberts. *Policing the Crisis Mugging, the State and Law and Order*. 2nd edition edition. Basingstoke, Hampshire: Palgrave MacMillan, 2013.

interference by other persons” - and those of a more social democratic (and post-colonial) nature, where, supposedly, the issue is more over who and how one is ruled. Berlin calls the latter the “positive sense” of liberty, but both concepts are extremely vague in his rendering.<sup>2</sup> Paraphrasing the 18th century liberal Benjamin Constant, Berlin says “The main problem for those who desire 'negative', individual freedom is not who wields this authority, but how much authority should be placed in any set of hands.”<sup>3</sup> But as Berlin himself notes, it is a thorny epistemological problem to establish what exactly constitutes those “frontiers of freedom” without falling back on “natural rights, or the word of God, or natural law” - all concepts that are themselves appropriated by absolutist regimes throughout history. In the contemporary era, the notion of negative liberty is associated with a minimal state, like that of Robert Nozick or Friedrich Hayek, but as in Berlin’s rendering, these interpretations rely paradoxically on asserting liberal capitalism as “The End of History,” where questions of privatization, free market policies, and private property protections, “are not political but technical, that is to say, capable of being settled by experts or machines, like arguments between engineers or doctors.”<sup>4</sup>

As Toby Miller puts it, “The grand contradiction of neoliberalism was its passion for intervention in the name of non-intervention.”<sup>5</sup> Culture, therefore, is intrinsic to the promotion of the policies of neoliberalism as “natural” and thus apolitical. As we develop further below, any contemporary analysis of cultural policy - and especially the culture *of* policy - must begin from unpacking the context of the neoliberal capitalism. Though neoliberalism was not explicitly mentioned in our call, almost all of the essays in the collection meditate on the meaning of law and policy in the context of what David Kotz terms “neoliberal restructuring,”<sup>6</sup> which can be understood as “an interlocking political, economic and ideological project to establish a new set of rules for

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<sup>2</sup> Berlin, Isaiah. *Liberty: Incorporating Four Essays on Liberty*. Edited by Henry Hardy. 2nd edition. Oxford: Oxford University Press, 2002. p. 169.

<sup>3</sup> Berlin, Isaiah. *Liberty: Incorporating Four Essays on Liberty*. Edited by Henry Hardy. 2nd edition. Oxford: Oxford University Press, 2002. p. 209.

<sup>4</sup> Berlin, Isaiah. *Liberty: Incorporating Four Essays on Liberty*. Edited by Henry Hardy. 2nd edition. Oxford: Oxford University Press, 2002. p. 167.

Hayek, Friedrich A. von. *The Road to Serfdom*. Chicago: University of Chicago Press, 1994.

Nozick, Robert. *Anarchy, State, and Utopia*. New York: Basic Books, 1974.

<sup>5</sup> Miller, Toby. “Michel Foucault, The Birth of Biopolitics: Lectures at the Collège de France, 1978–79.” *International Journal of Cultural Policy* 16, no. 1 (February 1, 2010): 56–57. doi:10.1080/10286630902971637. p. 56.

<sup>6</sup> Kotz, David. Neoliberalism and the US economic expansion of the 1990s. *Monthly Review* 54(11)(2003): 15–32.

governing the functioning of capitalism,” in Peck’s formulation.<sup>7</sup> The exception - Han’s essay on the implementation of intellectual property rights in China - in some ways proves the rule, as it explores how the state takes on an explicit role of promoting the culture necessary to underpin the juridical force of nascent laws.

Related to this is the problem of defining culture. In cultural policy studies, a delimited range of specific social activities or “levels” that are usually included in the purview of the field in so far as those activities impact something that has been deemed specifically cultural. So, for example, in Toby Miller and Justin Lewis’ collection on *Critical Cultural Policy Studies*, contributors examine radio and telecommunications, film, museums, sports, music, urban planning, and internet regulations.<sup>8</sup> There is attention to copyright and trade policy, but only insofar as they impact those specifically cultural activities above. This is a perfectly sensible approach, but it is one that basically assumes the obviousness of its object: culture happens in these spheres, so the policies affecting these spheres are by default cultural policy.

Part of this may be due to the largely European - or at least non-U.S. - origin of these concepts. As Siva Vaidhyanathan has pointed out, the U.S. is unique among industrialized nations in that it doesn’t have a ministry set up to specifically address culture.<sup>9</sup> In a context where such a ministry exists - and where, as in the U.K. and elsewhere, there exists a specific, very public set of policies around what is called the culture industries - it is easier to assume that something like cultural policy refers to a strictly delimited set of state-corporate discourses and institutions. But this overlooks most of the cultural assumptions and effects of policies on what we might call people’s everyday lives - such as the recent controversies over gender segregated bathrooms in the U.S. or banning the headscarf or burkini in France - as well as the cultural elements of the policy apparatuses writ large.

Such policies and conflicts are often discussed in the press as salvos in the “culture wars,” but are not usually discussed under the rubric of “cultural policy.” The same goes for policies around transportation, urban design, education, food, trade, or other aspects of daily life that

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<sup>7</sup> Peck, Janice. “(Neo)Liberalism, Popular Media, and the Political Struggle for the Future of US Public Education.” *European Journal of Communication* 30, no. 5 (October 1, 2015): 587–603. P. 590. doi:[10.1177/0267323115597853](https://doi.org/10.1177/0267323115597853).

<sup>8</sup> Lewis, Justin, and Toby Miller, eds. *Critical Cultural Policy Studies: A Reader*. 1 edition. Malden, MA: Wiley-Blackwell, 2002.

<sup>9</sup> Vaidhyanathan, Siva. *The Anarchist in the Library: How the Clash between Freedom and Control Is Hacking the Real World and Crashing the System*. New York: Basic Books, 2004. <http://www.loc.gov/catdir/toc/ecip0412/2003026089.html>. p. 109.

cultural studies scholars would be inclined to locate under Raymond Williams' definition of culture as a "whole way of life" (Williams 1989). Are these policies, then, not "cultural" policies? And is the law not determinative of those cultures, in terms of Williams' meaning of "determination" as "the setting of limits" and "the exertion of pressures"? And, finally, as this issue more specifically sets out to interrogate, what role does the realm typically identified as "cultural" - media, arts, culture industries - play in suturing or undermining the efficacy of these policies?

Jim McGuigan, a pivotal figure between the fields of media and cultural policy studies, cautions against too liberally overlapping the objects of these fields, noting that the field of cultural policy studies has begun to realize, "The banal truism that there is a cultural aspect to everything," especially with the adoption of Jeremy Ahearne's designation of "explicit" and "implicit" cultural policy.<sup>10</sup> Ahearne sees the latter designations - explored further below - as stemming from an attempt by those in the field of cultural policy studies to see it as "The cardinal discipline in the humanities and social sciences," rather than recognizing "a much larger field of study, [. . .] going beyond policy as such, which is concerned with the multiplicity of relations between culture and power in general - that is, a rough definition of interdisciplinary or trans-disciplinary cultural studies."<sup>11</sup>

We agree with the need to consider these larger questions from the perspective of an interdisciplinary media and cultural studies, and thus see the challenges of stretching cultural policy studies "beyond a reasonably precise remit." On the other hand, the problem with conceptualizing the field of what McGuigan calls "the politics of culture" as "going beyond policy," is a general tendency in much cultural studies research of focusing on the mercurial processes and possibilities available to individuals in specific lived moments in a concrete cultural formation, despite the pressures and limits exerted by laws and policies. This orientation renders cultural studies ill-equipped to discern what Raymond Williams called "the real order of determinations" which undoubtedly exists, though it is not always in every historical moment the same order. Williams says "identifying the primary determining forces" while also attending to "a whole lived social order" is the necessary theoretical base for the "general humanist analysis [that] can significantly contribute to

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<sup>10</sup> Ahearne, Jeremy. "Cultural Policy Explicit and Implicit: A Distinction and Some Uses." *International Journal of Cultural Policy* 15, no. 2 (May 1, 2009): 141-53. doi:10.1080/10286630902746245.

McGuigan, Jim. *Rethinking Cultural Policy*. 1st edition. Maidenhead: Open University Press, 2004.

<sup>11</sup> McGuigan, Jim. *Rethinking Cultural Policy*. p. 13.

thinking about the future.”<sup>12</sup> The question of how culture determines policy and vice versa is therefore fundamental to both cultural and cultural policy studies. The same is true for the question of what it might mean to place politics, policies, and practices of everyday life, as well as the “reasonably precise remit” of conventional cultural policy studies, under the signifier “culture.”

## The Problem Of Culture

Williams is helpful in considering both questions because he spent his life’s work seeking to understand first, what constitutes “culture,” and second, the nature of its relationship to other dimensions of human existence that were assumed to reside outside that category. In one of his earliest engagements in *The Long Revolution* he sought to identify and interrogate what he saw as the three dominant conceptions of culture: the “ideal,” or a “state or process of human perfection;” the “documentary,” conceived as a “body of intellectual or imaginative work;” and the “social,” where culture referred to “a particular way of life.”<sup>13</sup> He acknowledged the methodological challenges of studying culture, which had tended to be divided among different disciplines that study culture under the categories of the ideal (such as philosophy and political theory), the documentary (history and media studies), or the social (more akin to anthropology or sociology). In this early work, Williams was already searching for a way beyond conceptual hierarchies by refusing to privilege any of these definitions and suggesting that the preference for any one of these ontological categories also focuses attention on a specific object or domain of inquiry. For Williams, this was problematic in that the most frequently utilized category of culture had been the ideal - which by definition overlooks culture as it is lived by and represented to living humans, i.e., “culture as a particular way of life.” He notes:

It is only in our own time and place that we can expect to know, in any substantial way, the general organization [of relationships between elements in a whole way of life]. . . .

The most difficult thing to get a hold of, in studying any past period, is this felt sense of the quality of life at a particular place and time: a sense of the ways in which the

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<sup>12</sup> Williams, Raymond. *The Year 2000*. New York: Pantheon Books, 1983. p. 15.

<sup>13</sup> Williams, Raymond. *The Long Revolution*. Broadview Press, 2001. p. 57.

particular activities combined into a way of thinking and living.<sup>14</sup>

Williams also proposed a conceptual framework for those seeking to engage in the “analysis of culture,” dividing it into three levels: “lived culture,” “recorded culture,” and “the culture of the selective tradition,” which connects the first two.<sup>15</sup> It is perhaps tempting to map these levels directly onto the categories: lived culture appears to be synonymous with the social; documentary with the recorded; and the ideal a contextual iteration of “the selective tradition.” But the “levels” themselves are an acknowledgement of the analytical dilemma that plagues all the categories above. On the face of it, the “ideal” category of culture seems analogous to the “selective tradition.” As in Matthew Arnold, the “best” culture would by definition be the product of a careful selection. However, as hinted above, the “ideal” category of culture in this period emerges as a timeless answer to the increasingly quotidian tastes of the emergent lower classes. This is especially the case with Arnold, who, as Williams points out elsewhere, developed his vision of ideal culture to oppose the “anarchy” he saw in the streets of London at the time, with working class demonstrators gathering in Hyde Park to demand enfranchisement. As Williams put it, “the culture which is then being defended is not excellence but familiarity, not the knowable but only the known values.”<sup>16</sup>

It is crucial to recognize that even in this 1961 work, Williams was using the term “levels” as a conceptual and analytical tool to study culture, rather than proposing the existence of ontologically or empirically distinct and hierarchically organized areas, domains or objects. Indeed, his project to overcome the limitations of existing conceptions of culture and to develop a relational, rather than substantive, understanding of culture was explicitly stated:

I would then define the theory of culture as the study of relationships between elements in a whole way of life. The analysis of culture is the attempt to discover the nature of the organization which is the complex of these relationships.<sup>17</sup>

This quest for a holistic and dialectical conception of culture would continue throughout Williams’ career. Looking back, in 1973, at *The Long Revolution*, he characterized that work as “the attempt to develop a theory of social totality . . . to find ways of studying structure, in particular works

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<sup>14</sup> Williams, Raymond. *The Long Revolution*. Broadview Press, 2001. p. 63.

<sup>15</sup> Williams, Raymond. *The Long Revolution*. Broadview Press, 2001. p. 66.

<sup>16</sup> Williams, Raymond. *Culture and Materialism: Selected Essays*. London ; New York: Verso, 2005. p. 9.

<sup>17</sup> Williams, Raymond. *The Long Revolution*. Broadview Press, 2001. p. 63.

and periods, which could stay in touch with and illuminate particular art works and forms, but also forms and relations of more general social life.<sup>18</sup> In *Marxism and Literature*, where Williams offered a sympathetic critique, with the goal of contributing to the development of Marxist cultural theory, he made a case for a fully realized “cultural materialism,” arguing that

it is wholly beside the point to isolate ‘production’ and ‘industry’ from the comparably material production of ‘defence,’ ‘law and order,’ ‘welfare,’ ‘entertainment,’ and ‘public opinion.’<sup>19</sup>

Our call for papers and the resulting contributions exhibit this commitment to conceiving the relations of media, culture and policy as complex, mutually constitutive, and inextricably situated within a particular historical and political context.

## The Problem Of Policy

Williams’ purpose in developing these concepts is to reflect on the challenges of employing and applying one of his signature concepts - the structure of feeling - when looking only at the available recorded culture, which was even at the time curated by some selective traditions intersecting in various, often politically motivated ways with a complex of lived realities. As we study the recorded culture of a time and place, it is easy to make assumptions about what cultural participants of the time thought or believed.

The same could be said for the function of the law - or policy - and culture. It is often the case that culture is thought of through these categories, in a sort of leveled hierarchy. The pinnacle of this - the ultimate selective tradition, precipitate and consecration of the “structure of feeling” - is the law. Particularly in nominally democratic societies, the law and policy is supposed to be a reflection of its dominant values and beliefs. Leaving aside the culture/material binary, the liberal ideology of the law insists that it is paradoxically a reflection of both the basic desires of the “everyday” culture and the liberal ideal of economic freedom, aka private property and improvement of profit: despite the democratic affectation of lawmakers, at the topmost level, laws are eventually

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<sup>18</sup> Williams, Raymond. “Literature and Sociology: In Memory of Lucien Goldman.” *New Left Review* 67 (May–June 1971), p. 10.

<sup>19</sup> Williams, Raymond. *Marxism and Literature*. Oxford University Press, 1977. p. 93.

promulgated as a selective tradition, presenting an ideal of action or practice that may or may not ever filter down to the lived, social level of culture.

Insofar as the top level of culture is presumed to be that of law, policy, the state, it is a vision of the society that ultimately happens at the greatest distance from the ground level. In *Seeing Like a State*, James C. Scott discusses these as attempts at making that ground level legible. Statecraft is thus a form of social simplification, like an abridged map, “They did not successfully represent the actual activity of the society they depicted, nor were they intended to. They represented only that slice of it that interested the official observer. They were moreover not just maps. Rather, they were maps that, when allied with state power, would enable much of the reality they depicted to be remade.”<sup>20</sup> Though Scott specializes in the study of the everyday forms of resistance to this imposition, this is less of a question of where law sits in this hierarchy than whether or not the culture that law projects is effective throughout it. If the relationship between the bottom level and the middle level is a question of representation, the relationship between the top and these other layers adds to this are the questions of jurisdiction and efficacy.

### The Problem Of Media/Communication

The middle level - which Williams variously calls the recorded level - is the level of mediation, whether recorded or not, that helps to suture the top to the bottom, if only rhetorically. On the one hand, thinking in terms of mediation does some violence to Williams’ overall theoretical problematic. While he says, “To the extent that it indicates an active and substantial process, ‘mediation’ is always [a less alienated concept than ‘reflection,’]” he sees in both the same theoretical flaw: “If ‘reality’ and ‘speaking about reality’ (the ‘material social process’ and ‘language’) are taken as categorically distinct, concepts such as ‘reflection’ and ‘mediation’ are inevitable.”<sup>21</sup>

On the other hand, from the perspective of social and political theory, the “reflective” nature of both the media and the law are intrinsic to the pluralist defense of liberal capitalist democracy. Outside of the theoretical arguments of Western Cultural Marxism, the question of media

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<sup>20</sup> Scott, James C. *Seeing Like a State: How Certain Schemes to Improve the Human Condition Have Failed*. New Haven, CT: Yale UP, 1998. p. 3.

<sup>21</sup> Williams, Raymond. *Marxism and Literature*. Oxford University Press, 1977. p. 99.

in relation to the culture at the levels of law and everyday life is often still conceived as as Hall described it several decades ago in his seminal article, “The rediscovery of ‘ideology’: return of the repressed in media studies.” There, in line with the pluralist vision of society, “the media were held to be largely reflective or expressive of an achieved consensus. The finding that, after all, the media were not very influential was predicated on the belief that, in its wider cultural sense, the media largely reinforced those values and norms which had already achieved a wide consensual foundation.”<sup>22</sup> The recognition that this “consensus” was actually an imposition of a certain mode of life, advocated by powerful groups arrayed in blocs of class, race, gender, sexuality, led to the understanding of media wherein they were, “not simply reflective or ‘expressive’ of an already achieved consensus, but instead tended to reproduce those very definitions of the situation which favoured and legitimated the existing structure of things.”<sup>23</sup> In this sense, Williams’ contention that, “Hegemony is then not only the articulate upper level of ‘ideology,’” not only points us to the need to consider its constitution through “the whole of living: our senses and assignments of energy, our shaping perceptions of ourselves and our world.” It also forces us to consider how the different things we call culture work together to constitute “the lived dominance and subordination of particular classes.”<sup>24</sup>

While distinguishing these cultural categories (or even levels) risks some of the epistemological errors Williams warns against in terms of the arbitrary separation of the cultural from the material, highlighting them illustrates the overall deficiency in the way cultural policy studies has traditionally conceived of its object of inquiry. If we consider the “specific remit” of cultural policy studies, it is clear that it is usually geared towards policies meant to consider the mediating level or recorded category of culture, the culture that is supposed to transmit and legitimate the dominant meanings and values of a society. It is focused on the mass mediated set of representations that increasingly does much of the work in generating and reifying the categories and discourses that help us to understand everyday life at the social or lived level.

Although policy (as culture) might sit in the top level of this cultural hierarchy, cultural policy studies focuses mostly on the way that top level affects the functioning of the middle level of culture. And it does

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<sup>22</sup> Hall, Stuart. “The Rediscovery of ‘Ideology’: Return of the Repressed in Media Studies.” In *Culture, Society, and the Media*, 56–90. London: Methuen, 1982. p. 61.

<sup>23</sup> Hall, Stuart. “The Rediscovery of ‘Ideology’: Return of the Repressed in Media Studies.” In *Culture, Society, and the Media*, 56–90. London: Methuen, 1982. p. 63.

<sup>24</sup> Williams, Raymond. *Marxism and Literature*. Oxford University Press, 1977. p. 109.

so in a mostly oblique way. So the question of telecommunications policy is less a question of the way the top level law is legitimated at the middle and bottom levels, but of how the change in telecommunications policies transforms the mediated cultural environment to change the way the democratic process at large functions.

This issue asserts that at least part of the overlap between media, culture, and cultural policy studies should be interested in studying not only policies that affect the middle level of culture, but the process of cultural legitimation itself, which helps cement top level policies through the mediation processes of the middle level, into the bottom level of everyday life. These are highly schematic and oversimplified descriptions and, as Scott rightly identifies, the very notion that the top level state *should* be able to control these other levels, in a very granular way, is itself a western, high modernist ideal. On the other hand, the presumed power of the state to determine the culture of everyday life is what raises the stakes in the hegemonic struggle. The levels, in other words, are merely a starting point for thinking about the processes of determination, for thinking about law itself as a cultural construct and its relationship to the mediating and lived levels of culture.

## The Neoliberal Context

In the contemporary U.S. context, the imperializing gesture of cultural policy studies - the attempt as McGuigan puts it, “to go poaching on other scholarly terrains” - is also a consequence of the way the concept of culture has been taken up by the hegemonic policy apparatus: the top level of culture as policy has claimed the culture as media and culture as practice to be primary domains of concern and levers of development. For instance, as a consequence of neoliberal globalization, cities in the core have been deindustrialized and city planners have recommended a shift to the knowledge or “creative” economy, making culture itself a site of neoliberal economic development. McGuigan sums it up thusly,

In the field of cultural policy, neoliberalism is both economically reductionist, like everywhere else, but also – and paradoxically – reductionist culturally. Culture is supposed to be an independent variable, and, in consequence, public expenditure on cultural projects is justified on economic grounds. Somehow, ‘culture’ has come to be seen as a magical elixir for economic growth,

and, furthermore, it is held to be instrumental in solving all sorts of problems, even to the extent of replacing social policy with cultural policy.<sup>25</sup>

This is especially the case in the urban planning philosophy of Richard Florida, who famously championed the model of “creative cities” instead of traditional public investment in infrastructure, education, and industrialization - a set of policies that were widely adopted, both in the U.S. and Europe. Florida has himself recently criticized the effects of this approach - which has exacerbated the already growing inequality in the U.S. and shifted many of the problems that used to plague city centers to the suburbs.<sup>26</sup>

As Mary Triece elaborates in her contribution to this issue, the discourse of urban planning is shot through with the neoliberal rhetoric of “opportunity” and “choice.” Andrew Calabrese’s article focuses on the prominence of the same rhetorical tropes regarding media and food policy. And both echo the argument made by Janice Peck in her original contribution to our panel in relation to education policy.<sup>27</sup> In addition to the more explicit cultural intent of these policies, they are imbued with the ideological commonplaces of neoliberalism, making it hard to object to their supposed solutions. As McGuigan puts it,

The difficulty with use of the ‘cultural policy’ term is a tendency to neutralise politics, especially in a peculiarly English manner, as though policy formulation and enactment were just administrative processes rather than representing passionate differences of perspective and interest. In this respect, ‘the politics of culture’ acknowledges politics as a power struggle, a reality that is obscured by a neutralising usage of ‘cultural policy.’<sup>28</sup>

The market-oriented policies of neoliberalism are generally promoted as apolitical, technocratic, and utilitarian. As a relatively “Pristine” culture of capitalism, following Ellen Meiksins Woods, it assumes “the separation of

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<sup>25</sup> McGuigan, Jim. *Neoliberal Culture*. 1st ed. 2016 edition. Palgrave Macmillan, 2013. p. 19.

<sup>26</sup> Florida, Richard. *The New Urban Crisis: How Our Cities Are Increasing Inequality, Deepening Segregation, and Failing the Middle Class—and What We Can Do About It*. Reprint edition. S.I.: Basic Books, 2018.

Wetherell, Sam. “Richard Florida Is Sorry.” *Jacobin.com*, 8/19/2017.

<http://jacobinmag.com/2017/08/new-urban-crisis-review-richard-florida>.

<sup>27</sup> Peck, Janice. “(Neo)Liberalism, Popular Media, and the Political Struggle for the Future of US Public Education.” *European Journal of Communication* 30, no. 5 (October 1, 2015): 587–603. doi:[10.1177/0267323115597853](https://doi.org/10.1177/0267323115597853).

<sup>28</sup> McGuigan, Jim. *Neoliberal Culture*. 1st ed. 2016 edition. Palgrave Macmillan, 2013. p. 1.

the economic from the political.”<sup>29</sup> Therefore policies with a specific cultural content are presented as if they are simply coordinating a given economic reality, one which cannot be altered by any political intervention.

Vaidhyathan mentions the exnomination of U.S. cultural policy as either cultural or policy in relation to copyright, a field that loomed large in our original panel and is well represented in the present articles. Kembrew McLeod and Peter DiCola elaborate on this, saying that copyright law often acts, “As a de facto cultural policy,” with the law encouraging some forms of creativity and discouraging others. Copyright itself has an explicit utilitarian cultural role - “to promote the useful arts” as the U.S. Constitution has it - but they note that the current circumstances is such that, “we let private institutions impose constraints on the production of art, with little or no input from actual creators.”<sup>30</sup> This leads us to an important recent distinction that is helpful in framing the way culture and policy intersect under contemporary neoliberalism.

### **Implicit Vs. Explicit Cultural Policy**

A key distinction relates to the attempt by cultural policy studies scholars to expand the scope of objects their field should cover. In Ahearne's original articulation, explicit cultural policy is that which is directed at affecting some aspect of culture, qua the “reasonably precise remit” of the mainstream of cultural policy studies. “Implicit” or “effective” cultural policy is policy that, intentionally or not, reshapes culture in some way. Ahearne's depiction of this distinction is especially relevant to contexts where there is an explicit cultural policy agency, explicitly making cultural policy. In this sense, most relevant to these categories is Dong Han's essay on the very overt attempts by the Chinese state to use what Ahearne would call both explicit and implicit policies to reshape the culture, in and through the top, middle, and bottom levels of culture.

But the distinction between implicit and explicit cultural policy is useful for talking about the U.S. context in several ways. On the one hand, Tanner Mirlees demonstrates that there is a quite robust set of cultural

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<sup>29</sup> Wood, Ellen Meiksins. *The Pristine Culture of Capitalism: A Historical Essay on Old Regimes and Modern States*. London: Verso, 1991.

———. “The Separation of the Economic and the Political in Capitalism.” *New Left Review* 127, no. May/June (1981): 66–95. <http://www.newleftreview.net/Issue1123.asp?Article=04>.

<sup>30</sup> McLeod, Kembrew, and Peter DiCola. *Creative License: The Law and Culture of Digital Sampling*. Durham NC: Duke University Press Books, 2011. p. 5.

policies and cultural policy agents within the Department of Defense, which, “Directly and indirectly acts within and upon the cultural industries, cultural texts and ways of life, to change them.” In other words, even in the heart of the neoliberal empire, there are similar agencies and agents at work. On the other hand, it is also true that, to invoke David Graeber’s observations on the paradox of U.S. bureaucracy,

The reason it is so easy to overlook is because most American bureaucratic habits and sensibilities—from the clothing to the language to the design of forms and offices—emerged from the private sector. [. . .] The vast majority of [policy] exists in just this sort of in-between zone—ostensibly private, but in fact entirely shaped by a government that provides the legal framework, underpins the rules with its courts and all of the elaborate mechanisms of enforcement that come with them, but—crucially—works closely with the private concerns to ensure that the results will guarantee a certain rate of private profit.<sup>31</sup>

So one way of appropriating these distinctions in the U.S. context is to say that much of the cultural policy-making is generated implicitly, with broad public effects, but little to no public input.

Copyright and other intellectual property rights are a key example, in part because they are generated through increasingly insular lobbying networks, and the cultural effects - though widespread - are subordinated to the supposedly apolitical economic imperatives to protect private property at all costs. As McLeod and DiCola have it, “The existence of a cultural policy is not a bad thing, as long as the members of a society have a chance to shape it.”<sup>32</sup> The notion that there should be some democratic input into the policies that shape our culture is central to enlightenment understandings of the state. But in many areas - such as in the regulations and funding for the food system, trade policies, and housing and urban development, all discussed in the present issue - the direct democratic input is muted or nonexistent. In some cases, as Calabrese and Triage note in their contributions, this is because the public promotion of the policy is encoded in the hegemonic rhetoric, mutually constituting the neoliberal ideology they draw upon to legitimize the policies they promote. Of course, when boosters use the language of “choice” and “opportunity” it doesn’t necessarily mean they are obfuscating the true goals of, for

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<sup>31</sup> Graeber, David. *The Utopia of Rules: On Technology, Stupidity, and the Secret Joys of Bureaucracy*. Melville House, 2015. loc. 189-214.

<sup>32</sup> McLeod, Kembrew, and Peter DiCola. *Creative License: The Law and Culture of Digital Sampling*. Durham NC: Duke University Press, 2011. p. 5.

instance, the city plans Triage analyzes: they may use this language because this is how they imagine the public will buy into their schemes. On the other hand, Karyn Hollis' essay comparing the public facing comments on the effects and principles of the Trans-Pacific Partnership (TPP) to the language and priorities of the actual bill reveals a stark contrast - a problem made all the more insidious by the fact that most drafts of the bill were debated, composed, and approved in complete secrecy.

David Throsby, in response to Ahearne, offers another way of considering the categories of implicit and explicit cultural policy, which is even more pertinent to the neoliberal context. Namely that many implicit cultural policies can be considered so because, "Their implicit cultural content is present only insofar as they reflect, and perhaps reinforce, a particular government view of the cultural status quo." This is especially the case in the realm of macroeconomic policy. Throsby goes so far as to say, "Thus, it could be suggested that economic policy broadly defined is implicitly cultural because it reflects and reinforces accepted cultural norms (or what the government takes those norms to be). Alternatively, and more strongly, it could be implicitly cultural because it seeks (covertly) to impose acceptance of the neo-liberal ideology and all its cultural baggage on members of the community, whether they like it or not." Expanding our understanding of cultural policy to include monetary policy may indeed stretch the field beyond its reasonable remit, but as Throsby goes on to point out, since much of what now passes for cultural policy in both the developed and developing world is shot through with economic demands: "it can be argued that the real intention of creative industries policy is economic. From beneath the cultural rhetoric, these industries emerge as a favoured source of growth in output, incomes, exports and employment in the future."<sup>33</sup>

Conceptualizing a continuity between implicit and explicit, cultural and economic policy intersects neatly with the categories and levels of culture from Williams: if economic policy is cultural policy, then even when the "culture" of the top level is not explicitly cultural, it is a cultural production as much as any piece of literature, art, or popular media. On the other hand, in so far as this hegemonic culture of policy is imposed on the members of the community, it relies on those more specifically cultural processes and products at the secondary level to implant and reinforce those cultural norms in the "social" level of everyday life. Each

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<sup>33</sup> Throsby, David. "Explicit and Implicit Cultural Policy: Some Economic Aspects." *International Journal of Cultural Policy* 15, no. 2 (May 1, 2009): 179–85. doi:[10.1080/10286630902760840](https://doi.org/10.1080/10286630902760840). p. 180-182.

of the pieces in this issue attempts to wrestle with something like this continuity, these categories and levels, to understand the relationship between what are normally called media and policy - concepts that are, as this introduction has argued, mutually constituted with and through culture. This is especially the case in “culture industry” policy-making, but it is equally true in other areas not usually considered by (or as) cultural policy studies.

### **Framing The Essays In This Issue**

Running through the articles in this issue is the fundamental tension between the ideologies of neoliberal capitalism and democratic policymaking and the mediation of this tension by the very “culture” that is the object of cultural policy studies. Calabrese begins by highlighting one iteration of this tension as articulated by Karl Polanyi, who was a harsh critic of what he called “The Liberal Creed,” particularly, as Calabrese notes, in light of its false distinction between “planned” economies and the “unplanned” free market.<sup>34</sup> In fact, it was always the other way around, as Marx argued nearly a century before. The planning - or state intervention in the economy and/or society - was always, in Polanyi’s telling, unplanned: a democratic uprising or “double movement” demanding protection from the imposition of the capitalist order. Insofar as there is a deregulated (or as Polanyi would say “disembedded”) market, it has always been the product of a series of overt interventions on the part of its proponents, lobbyists, and, in Marx’s terms, repressive primitive accumulation written in “the letters of fire and blood.” Recent works by Philip Mirowski, Mark Blyth, Nancy MacLean, Naomi Klein, and Jason Stahl outline the interlocking networks of think tanks, media outlets, lobby groups, and academics which Mirowski terms the “Neoliberal Thought Collective.”<sup>35</sup> Essays in the collection *Cultural Studies and the Juridical*

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<sup>34</sup> Polanyi, Karl. *The Great Transformation: The Political and Economic Origins of Our Time*. Boston, MA: Beacon Press, 2001.

<sup>35</sup> Blyth, Mark. *Great Transformations: Economic Ideas and Institutional Change in the Twentieth Century*. Cambridge, UK: Cambridge UP, 2002.

Klein, Naomi. *The Shock Doctrine: The Rise of Disaster Capitalism*. 1st edition. New York: Picador, 2008.

MacLean, Nancy. *Democracy in Chains: The Deep History of the Radical Right’s Stealth Plan for America*. Viking, 2017.

Mirowski, Philip. *Never Let a Serious Crisis Go to Waste: How Neoliberalism Survived the Financial Meltdown*. New York: Verso, 2013.

*Turn* look at some of the policy areas recently inflected by this cultural imperative, from welfare reform, gay marriage, and immigrant rights to the adoption of victims' rights rhetoric in sentencing and the palliative recommendation of individual financial citizenship and education as a response to the 2008 crisis caused primarily by multinational banks.<sup>36</sup>

Policy research in the broader field of media studies has often found itself pulled into the orbit of the political economy vs. cultural studies debate and thereby firmly associated with the former, in light of the obvious connection of policy, law and regulation to the political and economic priorities and activities of the State. At first glance, the contributions to this issue might be similarly categorized, in that all deal with questions and objects of inquiry traditionally associated with policy studies. Calabrese discusses U.S. agricultural laws and policy surrounding the production and sale of food; Mirlees looks at the activity of an agency overseeing a key policy doctrine of the U.S. Department of Defense; Han treats the efforts of the Chinese State to promote support for intellectual property rights law; Hollis analyzes a section of the international Trans-Pacific Partnership agreement devoted to intellectual property; Trice focuses on planning documents produced by the city governments of Detroit and Cleveland; and Gibson examines the fate of a transportation plan proposed by the city of Arlington, Virginia. These would easily be considered as the objects of policy research more generally.

At the same time, these works push beyond those traditional boundaries in responding to the call to mine and further develop links among policy, media and culture. While each of the authors begins from the position that culture is context and a general way of life, they also make explicit arguments about how their inquiry into policy is at the same time an inquiry into culture, which necessarily means pushing at the boundaries of what falls under the category of culture.

- For Calabrese, there is no way to talk about food that is outside culture: anthropology has definitively established the centrality of food to cultural practice and expression; food under any mode of production is a “cultural good,” and under capitalism is a commodified cultural good, such that the “food industry is a cultural industry.”
- Mirlees not only examines the relationship between the U.S. Department of Defense (DoD) and the “cultural industries,” but

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Stahl, Jason. *Right Moves: The Conservative Think Tank in American Political Culture since 1945*. The University of North Carolina Press, 2016.

<sup>36</sup> Aksikas, Jaafar, and Sean Johnson Andrews, eds. *Cultural Studies and the “Juridical Turn”*: *Culture, Law, and Legitimacy in the Era of Neoliberal Capitalism*. London: Routledge, 2016.

also treats the DoD itself as a “cultural policy agency” that, following the explicit vs. implicit policy distinction developed by Ahearne, works implicitly to “prescribe or shape cultural industries, texts and cultures.”

- Han argues that the Chinese State’s campaign to promote intellectual property rights simultaneously “seeks to intervene in culture as a dynamic process of meaning making” while also striving to turn culture into “material in the cycles of capitalist production.”
- Hollis approaches her analysis of the intellectual property provisions of the TPP as an attempt to commodify, capitalize on and limit access to forms of cultural expression. Her methodological approach uses critical discourse analysis to demonstrate that the TPP itself should be considered cultural, particularly since the gap between the public- and private-facing articulations of that policy illustrates the cultural front of the underlying hegemonic project at hand.
- The aim of Triage’s essay is to “shed light on cultural meaning making” and thereby to demonstrate how planning policy documents are “sites of cultural contestation and political struggles” deeply informed by racialized history. Here again, her rhetorical analysis treats these policy documents as cultural texts, imbricated as they are with the neoliberal rhetoric of “opportunity.”
- Gibson’s work considers how public debates over transportation planning in a suburb of Washington, DC might be conceived as a cultural site of contention defined by class politics.

Taken together, these essays firmly establish the necessity of broadening our conception of cultural policy: in terms of the objects and policy areas the field considers, the methodological approaches they apply, and the common understanding of the larger political-economic-ideological structures the policies in question mutually reinforce.

Regarding media, the final term of the triad on which this issue is based, the essays grapple with a range of forms of communication: large-scale capitalist cultural industry productions, including news media, films, video games (Calabrese, Mirlees), state-controlled news media (Han), local online news blogs (Gibson), and online state-produced policy documents (Hollis, Triage). What is notable across these seemingly divergent modes of communication, according to the authors, is a common aim to produce a shared response, and thus action, among the recipients,

using media to manufacture consent to the neoliberal common sense. And it is here the authors come together in their critique.

Calabrese, Triage and Gibson focus on rhetoric or rhetorical strategies by means of which citizens are summoned to exercise their choice, pursue their opportunities, or publicize their opinions. The aims of such appeals, the authors contend, is to encourage the “reader” to occupy the subject position of “individual as consumer” (Calabrese), to forget the “relevance of race in urban arrangements” (Triage), and/or miss an opportunity to confront directly issues of class inequality and social justice (Gibson). Mirlees, Han and Hollis employ a different (and often beleaguered) concept, propaganda, to make similar claims about the goals inscribed in the practices and materials they examine. Mirlees explores the “symbiotic” relationship between the U.S. Department of Defense and the major U.S. culture industries in “the production and circulation of war propaganda.” Han focuses on efforts undertaken by the Chinese State and state media to inculcate acceptance for Western law and intellectual property rights as part of a general pro-market propaganda campaign. And Hollis uses the method of critical discourse analysis to expose how the Trans-Pacific Partnership trade agreement “constructs a neoliberal worldview” and the type of citizens amenable to it.

### **Toward A Contextualized Media:Culture:Policy**

It is at this intersection between Media:Culture:Policy that the fragile facade of neoliberalism crumbles under the weight of its own first principles. The state, that infamously is supposed to be shrunk to the size it could be “drowned in a bathtub,”<sup>37</sup> remains essential for the active production of the policy environment of neoliberalism. It is not a *laissez faire* project of preserving negative liberty. It is a masterwork of newly enshrined experts in the “positive” project of forcing every citizen to be our best neoliberal selves. The freedom promised by proponents of the disembedded, liberal market society is only true for the incredibly wealthy, which is, perhaps, why our culture now lionizes members of this caste as countercultural icons: Bill Gates, Steve Jobs, Mark Zuckerberg, Peter Thiel, and even Donald Trump are hailed in ways that cowboys, soldiers, artists and inventors were in years past. But these figures also

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<sup>37</sup> This phrase was coined by anti-tax activist Grover Norquist in a segment titled “Conservative Advocate” on NPR’s *Morning Edition* program that originally aired May 25, 2001. <http://www.npr.org/templates/story/story.php?storyId=1123439>.

put the lie to the mystified narrative of overwhelming success being the product of competitive meritocracy. As ever, it is the predictable outcome of oligopoly, regulatory capture, endless lobbying, and the use of economic and political power, which, after *Citizens United*, have effectively become the same thing. In other words, neoliberalism - as culture, as policy - is as utopian and totalitarian as the state socialist projects Isaiah Berlin chastised. It “does not increase liberty, but merely shifts the burden of slavery.”<sup>38</sup>

And yet, the major media coverage of this environment takes the neoliberal market economy to be the horizon of possibility. In Hollis’ words, they continue to “Contribute to a discursive environment that constructs a neoliberal worldview and economy, turning citizens into unwitting participants in the corporate-driven market that takes advantage of them, rendering them alienated from their own subjectivity and agency.” This is increasingly well understood by the average citizen, which is at least part of the reason that the TPP Hollis refers to is no longer a policy of the U.S. government: resisting it, as well as other neoliberal trade agreements like NAFTA, became a key pillar of Donald Trump’s populist-inflected platform. And, all the contradictory, overtly racist, sexist, xenophobic, transphobic and homophobic rhetoric and policies aside, scuttling the U.S. participation in the TPP was one of the first actions of his presidency. That and criticizing the newly vigilant media in unprecedented ways.

Trump’s popularity - like the popularity of Bernie Sanders - was at least partially due to the crisis of legitimacy within the neoliberal cultural order and its economic effects. And this crisis of cultural legitimacy creates an opportunity to craft a new foundation for the policies of the future. Though healthcare is not one of the topics covered in this issue, it is instructive as an example potentially changing the culture of policy. The privately managed health care system in the U.S. is a perfect example of neoliberal cultural principles enshrined in policy. Our health care, tied to our employment, tied to our education, tied to where we live, all somewhat determined by our access to clean air and water, healthy food, and reliable, democratic media, all tied to the where our parents live, and their health care, employment, education: all of the above increasingly, if not totally, commodified, our life and death decided by our acquiescence to our role as servile laborers and active consumers making the coercive force of the market - and therefore capital - an unprecedented disciplinary apparatus, at least for those who lack the power and capital to exercise any

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<sup>38</sup> Berlin, Isaiah. *Liberty: Incorporating Four Essays on Liberty*. Edited by Henry Hardy. 2nd edition. Oxford: Oxford University Press, 2002.

true agency. The disproportionate cruelty of the U.S. health care system in terms of class, race and gender merely illustrates it is as much a product of our political as our economic ideologies: but the cultural imperative to retain its market-orientation, despite the superior efficiency of having a single-payer system and the relatively meagre profit margins of healthcare corporations, is a bipartisan effort, as evidenced by the Heritage Foundation origins of the Affordable Care Act (ACA) popularly known as Obamacare. Its peculiar cultural provenance is shown by the often stated fact that the U.S. is alone, among all OECD countries, in not guaranteeing universal healthcare coverage to its citizens.

While it is hard to separate the countless attempts at repealing even the marginal improvements of the ACA from the cynical, dog-whistle politics of race, it is clear that even those who might resent the bill for these reasons are now in favor of its first principles: that no one should be denied health care. This principle was baked into the flawed instantiation of the ACA, but as the Bernie Sanders campaign showed, if a political movement can articulate a strong argument that healthcare is a right, rather than a privilege (or, as Polanyi might have it, a “false commodity”), it may be possible to change the discursive regime of truth around it, transforming the culture of policy. And even as Republican U.S. Senators were making their last ditch effort to repeal the ACA through the budget reconciliation measures (which would require no Democratic - or democratic - compromise), Sanders introduced a bill expanding Medicare coverage, which quickly gained 15 Democratic co-sponsors, and support from all of the rumored candidates for the 2020 Presidential.<sup>39</sup> And since the first attempts at “repeal and replace” under the Trump administration, outlets like the *National Review* and *Reason Magazine* have conceded that there is a serious “threat” of the popular and political adoption of single-payer health care; as longtime conservative Charles Krauthammer conceded,

A broad national consensus is developing that health care is indeed a right. This is historically new. And it carries immense implications for the future. It suggests that we may be heading inexorably to a government-run, single-payer system. It’s what

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<sup>39</sup> Blake, Aaron. “The Dam Is Breaking on Democrats and Single-Payer.” *Washington Post*, September 12, 2017. <https://www.washingtonpost.com/news/the-fix/wp/2017/09/11/the-dam-is-now-breaking-on-democrats-embrace-of-single-payer/>.

Park, Haeyoun. “One-Third of Democratic Senators Support Bernie Sanders’s Single-Payer Plan.” *The New York Times*, September 13, 2017, sec. U.S. <https://www.nytimes.com/interactive/2017/09/13/us/sanders-medicare-for-all-plan-support.html>

Barack Obama once admitted he would have preferred but didn't think the country was ready for. It may be ready now.<sup>40</sup>

And, in May of 2017, the CEO of Aetna, one of the largest private health insurers in the country, said he was open to having a single payer debate.<sup>41</sup> In short, we are seeing the opening stages of a shift in the culture, which could signal a shift in policy, and then vice versa. Recent experiments with free public college education in New York, Vermont, and even Tennessee are evidence that new shoots are sprouting from the rot of the neoliberal era. They could easily be nourished with the proper care and watering.

Universal healthcare; free, quality public education, from Pre-K through college; a creative commons without copyright protection for centuries hence; a scholarly publishing system based principles of openness and the freedom of information; banking and (social) media as public utilities; safe, healthy food available to everyone rather than those who can afford to pay; cities, public transit systems, and police forces that are built with an eye towards removing and rectifying centuries of segregation and slavery, rather than reinforcing them for the centuries to come; and, of course, local, national and global plans for mitigating or reversing the coming climate catastrophe: these policies may sound like utopian pipe dreams, but that is due to the cultural context that makes them appear as such. As the articles of this issue show, there is nothing natural about this culture: it is the product of a very particular set of ideologies, promoted by powerful interests in alliance with the media and the state. Altering that culture will require work at every level, from local canvassing to lobbying congress, microblogging to intervening directly in the major media, from criticizing the neoliberal myopia of scholars in academia and think tanks to developing opposing theories, arguments, and policy organizations that can work out both the technocratic details and rhetorical ideals of an alternative culture of policy. As scholars working at the intersection of critical cultural studies, political economy, and policy studies, we hope this issue of *communication+1* will help contribute to these efforts in some small way. We appreciate the authors of these pieces for their part and look forward to the conversations to come. We also

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<sup>40</sup> Krauthammer, Charles. "The Road to Single-Payer Health Care." *National Review*, March 30, 2017. <http://www.nationalreview.com/article/446296/republican-health-care-failure-could-lead-single-payer>.

Suderman, Peter. "The Single Payer Threat Is Real." *Reason.org*, August 23, 2017. <http://reason.com/blog/2017/08/23/single-payer-threat-sanders-serious>.

<sup>41</sup> Kliff, Sarah. "Aetna CEO in Private Meeting: 'Single-Payer, I Think We Should Have That Debate,'" May 12–12, 2017. <https://www.vox.com/policy-and-politics/2017/5/12/15629716/aetna-ceo-bertolini-single-payer>.

appreciate and thank the reviewers for this issue, whose close readings and detailed suggestions made the works presented here even stronger.

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