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Ethics in cultural policy

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This report summarises the results of IFACCA's 24th D'Art question on ethics in cultural policy. On 5 July 2005 IFACCA distributed a questionnaire (reproduced in appendix 2) to obtain information for a research project initiated by Finland's Minister of Culture and undertaken by Hannele Koivunen, Special Government Adviser for Finland's Ministry of Education, Science and Culture. Eighteen people responded to the call for information (respondents are listed in appendix 3). The research project resulted in the publication of a major report on ethics in cultural policy. This D'Art report describes the Ministry's research project and provides an extract from the full report. To view other resources on ethics in cultural policy, visit IFACCA's topic page for this D'Art (www.ifacca.org/topic/ethics-in-cultural-policy/). As always, we welcome any comments or additions to this report at info@ifacca.org.

Introduction

Cultural rights are one category of human rights alongside civic, political and economic rights and one category of educational rights. Cultural rights are central to the identity, coherence, autonomy and self-esteem of nations.

Cultural policy choices take on different guises depending on one's ethical point of view, or the ethical 'lens' that one adopts. *Fair Culture?* identifies three main ethical points of view: virtue ethic; responsibility ethic; and corollary ethic.

A virtue – or 'freedom' – ethic focuses on issues of freedom in art and culture; on freedom of self-expression and the autonomy of art. It views creativity and art as intrinsically valuable and therefore legitimate goals in themselves. Policy choices focus on issues such as the development of creative skills and the prerequisites for creativity.

A responsibility – or 'rights' – ethic relates to the cultural identity of a community, the safeguarding of cultural traditions, and the realisation of cultural rights. Policy choices revolve around infrastructure, cultural services, accessibility, availability, participation and inclusion.

A corollary – or 'benefit' – ethic sees creativity as a tool, focussing attention on the application of art and culture and cultural policy as part of social and economic policies, including the protection of intellectual property. Policy choices relate to the role of art and culture in promoting welfare, the commercialisation of art, the economics of the cultural sector, and cultural exports.

When analysing or assessing the ethical aspects of cultural policy, a person's view will be shaped by the ethical lens they adopt, and may determine whether an emphasis is placed on cultural freedoms, cultural rights or cultural benefits. None of these choices is 'more ethical' or 'more valuable' than the others. Indeed, it could be argued that the main aim of ethical assessment in cultural politics is to discover or reveal the selection principles used and the ethical position of decisionmakers, and to analyse the impact of these choices on cultural policy decisions.

In April 2005 Minister of Culture, Tanja Karpela, initiated a project to review the ethics and ethical dimensions of cultural policy, with cultural rights as a starting point, and to outline the ethics of cultural policy and ethical policy evaluation for the new millennium.

Project description

Dr Hannele Koivunen, Special Government Advisor, was appointed to review existing knowledge about cultural policy ethics and the concepts involved, and to put forward proposals for ways to accommodate the ethical dimension in cultural administration. Ms Leena Marsio, Mu.M., was a project secretary. The result of the research was the publication in 2006 of *Fair Culture? Ethical dimension of cultural policy and cultural rights*.[1]

The *Fair Culture?* project analysed cultural policy documents and documents that influence cultural policy, including treaties, declarations, legislation, government programmes, strategies, norms, and administrative practices. The text analysis starts with the international level of human rights and with the declarations, treaties and programmes of UNESCO, other UN organisations, the European Union and the Council of Europe.

At the national level, the objects of analysis were Finnish legislation, government programmes, strategies of the Ministry of Education, and guidelines issued to agencies subordinate to the Ministry. There is a plethora of international and national initiatives relating to cultural policy ethics. In the 1990s a number of international reports and programme declarations touched upon ethical themes. Several initiatives have proposed international indicators of cultural policy ethics, and there are already some studies that could be used as the starting point for developing such assessment tools further. There are several possible approaches to ethical assessment, such as: cultural tradition; lifestyle and identity; the vitality, diversity and assured continuity of culture; cultural infrastructure; the availability of, access to and participation in cultural life; unimpeded accessibility for all; education; the plurality of the media; the diversity of content; social cohesion; interaction between cultures; cultural policy, administration and provision; and art education.

The project analyses the ethics of cultural policy by using the concept of 'fair culture'. Fair culture means the realisation of cultural rights and the inclusion of everyone in cultural signification, irrespective of their age, gender, ability, or ethnic, religious and cultural background. In this view, the ethical dimensions of cultural policy are:
1. physical and cultural accessibility;
2. regional and cultural accessibility and participation;
3. the diversity and matching (HK: harmonization?) of cultural provision; and
4. inclusion in and capability for cultural signification.

With a view to making ethical choices visible in cultural policy, and as a way of creating a basis and tools for impact analysis, the *Fair Culture?* review proposed, among others:

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[1] Koivunen, H., and Marsio, L., 2006, *Fair Culture? Ethical dimension of cultural policy and cultural rights*, Ministry of Education, Finland: Helsinki, http://www.minedu.fi/OPM/Julkaisut/2007/fair_culture.html?lang=en

- Setting up a broad-based committee representing different interests and experts to further analyse the ethical viewpoints in art and culture, to find cultural policy measures for promoting fair culture, and to generate social debate on these matters.
- Putting in place a project with a view to developing indicators for the ethical assessment of cultural policy.
- Setting up a cooperation project in collaboration with the Ministry for Foreign Affairs on multilateral, ethically sustainable cultural production, cultural entrepreneurship and efficient intellectual property systems as a part of Finnish development cooperation.
- Initiating a more in-depth and thorough investigation, reflection and review in each sector of art and culture to find out the specific characteristics in them.

The project on ethics in cultural policy was carried out in the following phases:
1. The Ministry of Education and Culture organised a Fair Culture Seminar, held on 8 February 2006 at the House of the Estates, Helsinki.
2. The publication *Fair Culture? Ethical dimension of cultural policy and cultural rights* was published during the first half of 2006. The publication was translated into English in May 2007 (http://www.minedu.fi/OPM/Julkaisut/2007/fair_culture.html?lang=en).
3. A conference entitled *Fair Culture - Culture for Sustainable Development*, organised by the Ministry of Education and Culture, the Ministry for Foreign Affairs, Hanasaari Swedish-Finnish Cultural Centre and the Nordic Council of Ministers in Espoo and Helsinki on 29-30 May 2007. The conference formed part of the Finnish Presidency of Nordic Council of Ministers. (http://www.minedu.fi/OPM/Tapahtumakalenteri/2007/05/reilu_kulttuuri.html?lang=fi)
4. As follow-up to the Conference the Ministry of Education and Culture, together with the Ministry for Foreign Affairs, set up an informal working group dealing with the issue of culture and development.

The next steps
The Ministry of Education and Culture will set up a broad-based cultural policy ethics committee, as suggested by the *Fair Culture?* review, for the period 2008 to 2010. The task of developing indicators for ethical assessment of cultural policy will be assigned to an expert group, to be set up at a later date.

The Ministry will continue to enforce its *Access to Arts and Culture for All* programme, published in 2006.[2] The programme contains measures that the Ministry will implement by 2010. Its objective is to improve the accessibility of arts and culture overall, with special emphasis on safeguarding the cultural rights of cultural and linguistic minorities as well as people with disabilities. A cross-sectoral advisory body focusing on access to culture will be set up in 2008.

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[2] For more information in English, see http://dfasuomi.stakes.fi/EN/dfanow/comment/tkarpela/tk_eng.htm

Appendix 1: Research conclusion

The following extract is reproduced from *Fair Culture? Ethical dimension of cultural policy and cultural rights*, published by the Ministry of Education, Finland.
English: www.minedu.fi/OPM/Julkaisut/2007/fair_culture.html?lang=en
Finnish: www.minedu.fi/OPM/Julkaisut/2006/Reilu_kulttuuri?lang=fi&extra_locale=fi

Conclusions
Globalisation has necessitated a more intense reflection on ethical procedures and raised the question of a global ethic. Weighing the ethicality of different fields and operations is almost a daily event in the media. What has changed is that this is not limited to philosophical, humanistic or political discussion; ethicality has gained an important place in other sectors, such as the economy.

The success of the producers and suppliers of "fair-trade" and other ethically and ecologically sustainable products shows that ethical and ecological considerations, alongside a rising level of education and awareness generated by the global media, may well be a decisive factor in consumer choices. In a dwindling world, people increasingly feel threats to be their common concern and vote with their choices for the common good and fairness.

The idea of reviewing the realisation of ethical principles in the cultural policy sector was first raised in 2003. Minister of Culture Tanja Saarela considered the area of art and cultures so important that she initiated a project on the ethics of cultural policy in April 2005, with the aim of surveying the ethical dimensions of cultural policy and exploring ways to devise tools for ethical evaluation of cultural policy. The resources available for this work have been limited; the work has been fragmentary and discontinued for various reasons. We have tenaciously carried on the work with the hope of opening and constructing a frame of reference for the ethical dimension of cultural policy.

We are asking: What is ethically sustainable art and culture like? and How can they be promoted by cultural policy means? The research for this report revealed that the ethical dimension of cultural policy is wide-ranging. The question of ethics touches upon the rights of all people and population groups and all interfaces in culture. The work also made it clear how important it is to question choices made in day-to-day life. Ethics and culture have traditionally been perceived as a soft approach in politics and belong to the domain of rhetoric. Our aim was to make ethical questioning visible at the level of everyday choices and, seen in this light, they and their consequences turned out to be very hard and concrete political choices.

We perused and analysed an extensive material: conventions and treaties, declarations. legislation, government programmes, strategies, norms and administrative practices. At the core of fair culture are cultural rights, which are human rights in the same way as civic, political and economic rights are. There are a plethora of international and national initiatives concerning cultural policy. Many international reports and programme declarations touched upon ethical themes in the 1990s.

In delineating the scope of examination, we used the remit of the Ministry of Education in culture, which comprises literature; music; theatre and dance; pictorial art; museums and cultural heritage; libraries; design and architecture; film and other audiovisual culture; and cultural production; and sports, and child and youth policies. At the core of the analysis were the art and culture sector, cultural heritage and the role of art in people's social and intellectual well-being.

Approaches to cultural policy ethics include cultural heritage; ways of life and identity; the vitality, diversity and continuity of culture; cultural infrastructure; the availability of, access to and participation in cultural life; accessibility; consumption; pluralistic media; diversity of content; ethnic-cultural and other minority-related diversity; social cohesion; interaction between cultures; cultural policy; administration and implementation; and art education.

The concepts relating to and used in the context of cultural policy ethics and cultural rights are very diverse. We perused a number of definitions and chose those we considered the most useful for our purpose. One challenge in further work will be the inaccurate terms. This will require concept analysis and a discussion about the commensurability of the terms used.

Cultural policy we understood in the way Jarmo Malkavaara defines it as *an entity of measures by which different operators in society consciously seek to influence, and influence, cultural activities in society*. The approach to the content of the concept of ethics and ethicality we borrowed from Ilkka Niiniluoto and perceived morals as a conception of good and bad, right and wrong and ethics as philosophical theories of the nature of morals and an aspiration to express the substance of morals by means of action codes and normative principles. In the making of choices and decisions, the justifications may rest on virtue, responsibility or benefit ethic. Ethical choices are not black-and-white right-or-wrong setups but can, in different situations, be justified by different means and aim at different effect. In cultural policy the important thing is to make choices consciously and transparently after a keen scrutiny of ethical consequences.

In defining cultural rights we found Pentti Arajärvi's research a great help. Consequently we saw cultural rights as one category of human rights, along with civic, political and economic rights, and a sub-category of educational and cultural rights. They are central to a nation's identity, coherence, self-determination and self-esteem.

Ethical questions in cultural policy have always been interlinked with the development of cultural human rights in one way or another. The history of cultural policy shows that the direction and construction of cultural identities have been justified as an ethical cultural aim in general policy.

In order to illustrate the ethical aspect in cultural policy, we created a new concept 'fair culture', which we defined as follows:

> Fair culture means the realisation of people's cultural rights and inclusion in cultural signification, irrespective of age, gender, language, state of health, ethnic, religious or cultural background.

The dimensions of fair culture we divided into the following categories
1. Access to humankind's and one's own cultural tradition
2. Physical, regional and cultural accessibility and availability
3. Diversity of cultural supply and its matching with demand
4. Participation in cultural supply, and
5. Opportunities for, inclusion in and capability for cultural self-expression and signification.

In art and culture, there is a widely debated fundamental and essentially ethical question: Do art and culture primarily have an intrinsic value or should they be seen through their instrumental value?

The social significance and justification of cultural policy rest on two pillars: democracy and diversity; freedom ethos and responsibility ethos. Democracy in cultural policy means an aspiration for the availability and accessibility of and inclusion in cultural heritage in the local or global community. Diversity means respect for creativity and cultural diversity and the promotion of interaction within a given culture and between different cultures.

The ethical premises of cultural policy are by no means without contradictions. On the contrary, there are strong, genuine tensions between them. Examples of conflicting interests and interpretations abound. In cultural policy the value of art and culture can be derived from the intrinsic value and high quality of art or from the benefits of art and culture for the individual and for the community. Art and culture have been seen either to contribute to social exclusion through the discriminating and classifying viewpoint in art or to prevent social exclusion and promote social cohesion and health as part of an affluent welfare society. Arguments and researched data can be presented for either viewpoint. These viewpoints need not be mutually exclusive, but in practical decision-making they clearly are in conflict. During recent decades, the instrumentality and economic applications of art have been to the fore, whereas the sphere of the autonomy and intrinsic value of art has been correspondingly receding.

Cultural policy choices take different guises depending on whether the ethical justification is derived from virtue ethic, responsibility ethic or corollary ethic. Depending on the point of view, we can speak of the different dimensions of ethical choices in cultural policy, which can be described with emphasis on freedom ethos, rights ethos or benefit ethos. None of these choices is "more ethical" or "more valuable" than the others. Indeed, the aim of ethical assessment in cultural politics could primarily be to find out and make visible the selection principle used and the decider's own position and to analyse the impact of choices.

The concept of creativity is strongly linked with freedom ethos, self-expression and the autonomy of art. In responsibility ethos the emphasis is on cultural heritage, communality

and equal access. Creativity is an evolutionary trait and means an ability to combine things and meanings in new ways, which helps survival. Creativity is thus not only a human quality or an individual's quality. Important requirements for creativity are a sufficiently diverse environment, knowledge and skills and sufficient freedom and security to make experimentation possible. Creativity itself is a precondition for innovation. Innovation can be defined as application of creative ideas for use by the community and society and for inclusion in their practices. Innovation takes place where the practice of a community changes. Depending on the domain involved, we can speak of ethical as well as cultural, social and commercial innovations. Scholarship, art and culture are at the core of creativity. Communities and society invest in resources for and freedom of experimentation in these areas, because they help to maintain the creative capacity and develop the creative capital of a community. Hence, cultural policy can be justified as an autonomous and inherently valuable capital and as a factor for innovation and success both at the basic and applied levels of the innovation system.

In cultural policy we must choose between different ethical premises and emphases. The choices cannot be based on utopian ideas of absolute value-relativism or value absolutism, only on an analysis of the alternative ethical dimensions and impacts and an awareness of different ethical premises.

There is no dearth of ethical declarations and treaties containing ethical aims in the world. Many of them also contain an ethical dimension of cultural policy at some level. The ethical dimension of cultural policy has often taken the shape of binding norms, for instance as regards fundamental and human rights. The problem with them often is whether they are implemented in reality or whether their ultimate function is ritual autocommunication and rhetoric

The critical ethical choices in cultural policy largely take place in partly invisible everyday practices and therefore it is important to open those practical actions and situations in art and cultural administration, in institutions, organisations and communities in which the choices actualise. It is not possible to dig much deeper into these matters without further reviews and studies.

In art and culture, ethical questions have probably been mostly raised in connection with the freedom of speech and expression and censorship or in efforts to find out how the cultural rights of cultural, linguistic and special groups are realised. The ethics of cultural policy does not only concern minority groups but also the realisation of every human being's - everyman's - cultural rights.

As the result of our research, we put forward seven proposals for measures geared to promote the realisation of the ethical dimension of cultural policy and of cultural rights, to make ethical choices visible and to develop the assessment of ethical impact:

1. We hope that the examination of the ethical dimension of cultural policy will continue in the next government term and it will lead to continuing development of the ethical evaluation of cultural policy and a method of work. Art and culture

are sensitive indicators of the state of society also as regards the ethical conscience of society and the realisation of human rights.

2. Fair culture is an umbrella term covering a variety of actions and groups of actors relating to the ethics of arts and culture. A review of the ethical dimension in cultural policy and discussion on it requires wide-scale activation in different quarters. With a view to a transversal discussion on the matter, we recommend that the ethical evaluation of cultural policy be developed. To this end, we propose setting up a broad-based committee representing different interests and experts for the period 2007-2010 to further analyse the ethical viewpoints in art and culture, to find cultural policy measures for promoting fair culture and to generate social debate on these matters.

3. In the area of cultural policy it is difficult to assess the realisation of ethical principles without different qualitative and quantitative measures and other tools. Some initiatives have been taken to develop ethical indicators for international cultural policy, and there are studies which would provide a starting point for developing evaluation tools. The motivation for our ambitious goal was the hope to be able to anchor the ethical assessment of cultural policy permanently onto cultural policy development and everyday reality. Clear measures and indicators could be developed as a remedy to the current reality shortfall. On the other hand, the ethics of art and culture is an extremely sensitive and vulnerable area and it is important not to use too rough, one-sided or purpose-oriented tools to measure creativity and cultural diversity.

   The existing national statistics do not give enough tools for this kind of assessment, but it is possible to develop indicators for the purpose of measuring the realisation of ethical principles and aims in art and culture partly through the further development of existing statistics and partly with the help of a project to be launched in 2007 with Statistics Finland for developing the assessment of the economic impact of culture. Commensurate evaluations and time series are needed to establish the development trends in cultural policy and to provide a knowledge base for policy-makers. We propose putting in place a project for the period 2007–2010 with a view to developing indicators for the ethical assessment of cultural policy.

4. We propose that a cooperation project be set up in cooperation with the Ministry for Foreign Affairs on multilateral, ethically sustainable cultural production, cultural entrepreneurship and efficient intellectual property systems as a part of Finnish development cooperation. The development of cultural sectors in different developing countries can constitute a decisive factor strengthening the identity and social cohesion of the community, upholding global diversity and dialogue and enhancing the economy.

5. In the European Union the year 2008 will be celebrated as the Year of Cultural Dialogue. We propose that Finland take initiative in the Union for a Fair Culture

project 2007–2010 to develop ethical indicators. The development will take years, if not decades, both in Finland and internationally, but it has to start somewhere and we see here an opportunity for the EU and for Finland to act as bridge-builders between cultures in the international context.

6. The *Fair culture?* review revealed the different extent and nature of ethical questions in different art and culture sectors. At many points in our report we had to note that more reviews and research are needed. Especially as regard the different arts, we have been able only to scratch the surface and give some indication of the ethical issues in them. We hope that a more in-depth and thorough investigation, reflection and review will be initiated in these fields to find out the specific characteristics in them. We believe that research into cultural rights and ethical principles will work as a prism opening new vistas and questions in societal debate concerning human rights and the image of human being more widely in our global reality.

We hope that ethical evaluation of cultural policy will cover cultural diversity, equality, multiculturalism, minorities, cultural child protection, ethical administrative procedures, the ethical codes of professions, as well as norms, guidelines, recommendations and aims.

In writing the book on fair culture, we have been intrigued by the distance between declarations and reality. The burning questions in the world entail ethical responsiveness in daily practices and daily decision-making. These questions are felt particularly acutely in art and culture. The keen interest sparked by this project on the ethics of cultural policy both internationally and in Finland encourages us to continue discussing this challenging but extremely topical issue.

The philosophical or anthropological question whether or not there is a universal ethical base specific to the human being may not, after all, be as riveting as the question whether or not we humans, faced with common threats and challenges, can agree without fuss on our common good, that is, on a global ethic. In this, art and culture may play a significant role in defending diversity, bridging the credibility gap, making the ethical dimension visible, and raising questions of fairness. Art and culture can be supported in these tasks by the right cultural policy choices. Our review opened dozens of questions about the ethical premises of art and cultures and about the possibilities of cultural policy to promote the realisation of cultural rights as part of human rights and as part of humanity. Addressing these questions requires a wider knowledge base, an extensive and open debate in society and sensitivity and alertness to protect humanity.

Appendix 2: D'Art Question

5 July 2005

CONTACT: Leena Marsio, Ministry of Education, Finland
EMAIL: leena.marsio@minedu.fi; hannele.koivunen@minedu.fi
URL: http://www.minedu.fi/minedu/, http://www.taiteenkeskustoimikunta.fi/

IFACCA has received a query from Leena Marsio, Department for Cultural, Sport and Youth Policy, Ministry of Education, Finland. The Ministry and the Arts Council of Finland are looking for research and other resources that relate to ethics and cultural policy. The ultimate aim of the research is to develop a new cultural policy ethics.

BACKGROUND
The researchers are investigating ethical issues in cultural policy, with a particular emphasis on cultural rights. The aim is to analyse the ethical aspects of cultural policy discourse and draw attention to the ethical choices made in cultural policy. Based on the findings, the Ministry intends to propose a cultural policy ethics for the new millennium. Concentrating on practical aspects of ethics and human rights in cultural policy, the research will explore human and fundamental rights in the core fields of creativity and communications, and in the related fields of the creative economy, creative industries, art and wellbeing. An additional element of the research will be how to evaluate rights maintenance, through measures such as indicators of cultural diversity.

As a first step in the project, the researchers are documenting and analysing ethics resources connected with cultural policy: treaties and conventions, declarations, legislation, and government programmes and strategies. At the international level, the analysis will concentrate on the human rights declarations, conventions and programmes of UNESCO and other specialised UN organisations, the EU, and the Council of Europe. At the domestic level, the analysis will focus on legislation, government policies, programmes and strategies, and the ethical guidelines with a particular focus on each country's cultural sector (ie. the ministry of culture, or equivalent, and the administrative sector it oversees).

This is a potentially broad and abstract topic. To keep the project focussed, the researchers aim to concentrate on the following ethical aspects of cultural policy:

Right to culture
- Human rights, fundamental rights, civic rights
- Right to develop and protect cultures
- Right to choose one's own culture
- Right to participate in cultural life
- Respect for culture and its autonomy
- Equitable access
- Right to participate in the planning and implementation of cultural policy
- Right to protect cultural products, expressions, cultural heritage, producers, cultural identity and culture overall

Rights relating to creativity
- Right to creative work
- Copyright
- Artistic freedom
- Intellectual freedom
- Right to language
- Freedom of religion
- Freedom of expression

QUESTIONS
1. Do you have or know of existing reports, analysis, research or ongoing projects that relate to ethical issues in cultural policy or to cultural rights? If so, please provide links or references.
2. Does your network of contacts include experts in these fields? If so, all contact information, sources and links are welcome, and please feel free to copy this question to them.
3. Do you have any opinions about how best to measure any of these rights issues (eg: through indicators of cultural diversity)? Can you recommend any recent research or analyses on measuring human and cultural rights?

We would welcome any assistance you could provide with this important research.

Appendix 3: Respondents

The issue of programs and policies for senior artists was posted as a D'Art Topic on the IFACCA website. The following provided information in response to this query:

- Fatima Anllo, Professor of Cultural Policy, ICCMU, Universidad Complutense de Madrid, Spain
- Luis Armando Soto Boutin, Ministry of Culture, Colombia
- Professor Jim McGuigan, Cultural Analysis and Sociology Programme, Loughborough University , UK
- Saskia Leefsma, Boekmanstichting, the Netherlands
- Christine Hamilton, Centre for Cultural Policy Research, University of Glasgow, Scotland
- Simon Mundy, Centre for the Cultural Environment, International Policy Institute, King's College, UK
- Doug Blandy, School of Architecture and Allied Arts, University of Oregon, USA
- Caroline Docherty, Scottish Arts Council
- Tanya Hutchinson, Scottish Arts Council
- Max Granström, Swedish Arts Council
- Alberto Sanabria, independent researcher, Colombia
- Nick Herd, University of Technology Sydney, Australia
- Ralph Regenvanu, Vanuatu National Cultural Council
- Fabienne Metayer, Directorate-General for Education and Culture, European Commission, Belgium
- Mark Stapleton, Australia Council for the Arts
- Carlos Paz, Universidad Nacional Tres de Febrero, Argentina
- Gesa Büttner, Council of Europe, France
- Laura Verdelli, Universidade de Coimbra, Italy

Thanks to everyone who contributed!