

Critical Issues
Imaginative Research in a Changing World

Cultural and Ethical Turns

Interdisciplinary Reflections on Culture,
Politics and Ethics

Edited by

**Ben Garner, Sonia Pavlenko, Salma Shaheen and
Alison Wolanski**

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Cultural and Ethical Turns

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**Cultural and Ethical Turns:
Interdisciplinary Reflections on Culture,
Politics and Ethics**

Edited by

Ben Garner, Sonia Pavlenko, Salma Shaheen and
Alison Wolanski

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Table of Contents

	Introduction <i>Ben Garner, Sonia Pavlenko, Salma Shaheen and Alison Wolanski</i>	vii
Part I:	The Ethical Turn	
	Time, Interdisciplinarity, and Ethics in Autopoietic Cultures <i>Scott H. Boyd</i>	3
	Ontological and Political Significance of the Concept of Need in Political Philosophy <i>Demet Evrenosoglu</i>	13
	Globalisation, Cultural Diversity and the Search for a New Global Ethics <i>Ben Garner</i>	21
	From Decision to Event: Complicating Badiou's Politics of Truth <i>John McSweeney</i>	33
	Ethics in Trouble: A Philosopher's Role in Moral Practice and the Expert Model of National Bioethics Commissions <i>Anne Siegetsleitner</i>	41
Part II:	Ethics, Politics, Policy	
	Italian Mafia in the Spectrum of Culture and Politics <i>Bariş Çaylı</i>	51
	The Justice and Development Party's Discourse on the Kurdish Question <i>Nazlı Sila Cesur</i>	59
	New Politics, Media and Decline in Participation: Will Citizens Love Politics Again? <i>Giuliana Di Biase</i>	67

The Idea of the University: Reshaped by the Bologna Process 75
Sonia Pavlenko and Cristina Bojan

NPT as a Social Contract: Challenges and Options for 2010 RevCon 83
Salma Shaheen

Culture, Politics and Ethics: Media Representation of Immigrants and Policy in Canada 93
Ritendra Tamang

Part III: Ethics and Aesthetics

The Sacrifice Made by Audiences: The Complicit Discomfort of Viewing Performance Art 105
Angela Bartram and Mary O' Neill

Inter-Artistic Identities within the Socio-Political Space 113
Bello Benischauer and Elisabeth M. Eitelberger

Benjaminian Memory in the Contemporary Work of Art 123
Paula Kuffer

Images of the Dead: Ethics and Contemporary Art Practice 129
Mary O'Neill

Towards a Geopolitical Understanding of Architecture 137
Alison Wolanski

Introduction

Ben Garner, Sonia Pavlenko, Salma Shaheen and Alison Wolanski

This volume contains chapters that were presented at the 2nd Global Conference on *Culture, Politics, Ethics* held in Salzburg, Austria, in March 2010. It continues the work that began with the first conference on the same theme in March 2009 and reflects the same international and cross-disciplinary ethos that is characteristic of projects organised by Inter-Disciplinary.Net. In this volume you will find work from a wide range of disciplinary backgrounds - philosophy, sociology, political science, architecture, art theory/practice, media studies, international law, international relations, among others - and an emphasis within many of the contributions on actively seeking to open up and explore issues that cut across the boundaries of academic and intellectual specialism.

The complex and diverse interfaces of culture, politics and ethics in contemporary life present an apt set of themes to be addressed by an international and interdisciplinary project such as this. The claims of those who insist we live in postmodernity and therefore in transformed times for political debate have challenged the way we look at culture, politics and ethics. The 'cultural turn' has alternately impoverished or enriched (or both) debate around and strategies for political and ethical engagement in the public realm, accompanied by a renewed and critical interest in the relationship between cultural and aesthetic life and political thought and action. Ethics has been retrieved from philosophical formalism and academic marginalia and brought to the forefront of political debate along with claims that it is the 'last grand narrative' and the basis for thinking future formulations of political organisation and public life. At the same time, politics itself appears to have shifted from a traditional focus on institutions and processes in organised systems to a concern with more disparate movement alignments in political representation and expression within the public realm and the changed conditions and circumstances under which they have prominence. In this context, whilst questions of power, resistance, oppression and inclusion are still central, it has also become less justifiable to address them separately from questions of aesthetics, performance, the affective and governance.

These are the basic premises under which contributors were invited to participate in the *Culture, Politics, Ethics* conference, with an emphasis on maintaining as open a space as possible in which the various topics and disciplinary questions that came to be raised by respective chapters could be explored and debated. As such, the intention was that chapters be presented as starting points aimed at provoking questions and generating discussion, and each contribution as it is reproduced in this volume offers a 'snapshot' of the proceedings in this respect by remaining as close as possible to how it was originally presented. The only difference here is that, in order to make the chapters 'speak' to each other more effectively for the reader, they have been organised into

three thematic parts: (I) *The Ethical Turn*, (II) *Ethics, Politics and Policy* and (III) *Ethics and Aesthetics*.

Part I is made up of five chapters that offer a series of conceptual and theoretical reflections on the ‘ethical turn’ in contemporary discussions of culture and politics. Scott H. Boyd’s chapter explores the possibility of an interdisciplinary and theoretically eclectic application of the concept of ‘autopoiesis’ developed in the 1970s by Chilean scientists Humberto Maturana and Francisco Varela: by exploring the ways in which this concept can be applied to the analysis of culture, Boyd demonstrates not only the analytical value of Maturana and Varela’s work but also how it can be turned to develop a form of analysis that foregrounds the ethical responsibilities of the descriptive observer.

A similar concern to foreground questions of the normative in the apparently neutral is evident in Demet Evrenosoglu’s chapter on the concept of ‘need’ in contemporary political economy and philosophy. Evrenosoglu draws critical attention to the way that discussions of need in the neoliberal context have tended to be limited by what she sees as the ‘apolitical politics’ of contemporary welfare reform and the hegemony of economic efficiency and competitiveness, and she turns to Marx in order to salvage the concept of ‘radical need’ and to stress the importance for contemporary political discussion of acknowledging the historical and ontological nature of needs.

Ben Garner continues in this vein by tracing the particular ways in which the concept of a ‘new global ethics’ came to be debated and discussed in the international governmental arena in the 1990s and how it was eventually given form over the following decade through the adoption of two instruments on cultural diversity at UNESCO, the specialised agency of the United Nations that is delegated with work in the field of culture. This account is used to map out some of the stakes that have come to be attached to contemporary ‘global’ discussions of culture, politics and ethics and the roles that some of their key concepts - essentialism/anti-essentialism, hybridity, interculturality, tolerance, censorship, protection - have come to play in this context.

The fourth chapter in this section is by John McSweeney, who points the discussion directly at the intersection of subjectivity and culture via a critical reading of Alain Badiou’s *Being and Event*: drawing on the later work of Foucault, McSweeney introduces the notion of ‘subjective ethos’ as a way of addressing some of the untheorised tensions in *Being and Event* concerning Badiou’s conceptualisation of subjectivity and its related distinction between the cultural and the political.

Finally, Anne Siegetsleitner’s chapter opens the discussion up to consider the question of the place of moral philosophy in contemporary society through particular reference to the model of philosophical moral ‘expertise’ that is followed by a growing number of national bioethics commissions around the world. Critical of the ways in which such models tend to hand authority, in an undemocratic way,

to ‘pseudo-experts’, Siegetsleitner concludes by proposing two alternative models: a model of ‘moral representatives’ and a model of ‘open civic participation’.

Part II, *Ethics, Politics and Policy*, contains six chapters that bring a more concrete feel to the discussion by addressing a series of contemporary topics in politics and policy. Barış Çaylı begins by examining the rise of the Mafia in Southern Italy and finds explanations for its success in what he refers to as the ‘double oppression’ of culture and politics: on the one hand, the ways in which the South’s traditions of honour and collectivism have led to a weak culture of individualism, and on the other the lack of transparent, coherent and decisive policies on the part of government.

Nazli Sila Cesur takes a different approach by employing discourse analysis in a study of the recent shift in the discourse on the Kurdish question in Turkey, analysing the way in which the governing *Justice and Development Party* (AKP) have reframed the Kurdish struggle as an issue of the recognition of ethnic identity against the backdrop of Turkey’s accession to the European Union. At the same time Cesur demonstrates how this discursive shift has been related to a challenge to the hegemonic Kemalist narrative of a homogenous, secular Turkey as the AKP have drawn on the language of liberal democracy to articulate a concept of ‘nation’ built on ethnic diversity, thereby associating Kurdish identity politics with their own aim of building an alternative to the Kemalist order.

In the third chapter in this section, Giuliana Di Biase engages with contemporary concerns over the apparent decline in civic participation across liberal democracies. Taking issue with the accounts of social and political scientists such as Anthony Giddens or Ralph Dahrendorf who prescribe the construction of more ‘active’ forms of citizenship, Di Biase makes a case for the crucial role of the media in rekindling people’s ‘love’ for politics.

Continuing with this exploration into the contemporary state of the public sphere, Sonia Pavlenko and Cristina Bojan’s chapter addresses the contemporary place of institutions of higher education in society, placing the university as an institution situated at a crossroads between culture, politics and ethics. Their chapter begins by tracing the different ways in which the ‘idea’ of the university has been conceptualised in history before going on to suggest a number of key ideas and assumptions that may define the university (and the ‘idea of the university’) in the 21st century, particularly in light of the Bologna process which, after its first ten years, has already begun to re-shape higher education institutions throughout Europe and beyond.

Salma Shaheen’s chapter follows by considering another contemporary topic with significant international implications, assessing some of the difficulties that face the Nuclear Non-Proliferation Treaty in what is set to be a defining year for the Treaty. Shaheen departs from conventional analyses of the Treaty by turning to social contract theory in order to approach contemporary challenges to the

agreement from an ethical standpoint and to consider a series of options that could help to 'fix' some of the weaknesses in the Treaty.

Finally, Ritendra Tamang's chapter completes this section by returning to the themes of the role of the media in contemporary politics and the place of minorities in hegemonic discourses of liberal democracy, in this case by considering the ways in which non-white immigrants and immigration policy are addressed in Canadian news media. Once again, some scepticism is raised in this chapter regarding the prominence given to official accounts of 'multiculturalism' in the national debate while mainstream media contribute to the ongoing invisibility of non-white minorities in the Canadian political landscape.

Part III, *Ethics and Aesthetics*, then turns to the fields of visual and performance art, literature, film, museum exhibitions and architecture. Prompted by the spread of social scientific procedures of 'Ethical Approval', Angela Bartram and Mary O'Neill's chapter begins by reflecting on the ethical dimensions of viewing performance art and the implicit 'contract' that is involved between performers and their audience. With reference to Bartram's own performance work, the authors explore the ways in which audiences sacrifice 'comfort' as part of the process of engaging with performance art.

This discussion on the nature of the ethical relationship between artists and their audience is continued in a chapter by Bello Benischauer and Elisabeth M. Eitelberger, who discuss some of the recent work in installation, video, new media, performance and live art carried out around the world as part of their project *Art in Process*. However Benischauer and Eitelberger seek to open the discussion here out towards questions of how contemporary art practitioners should communicate their ethical ideals to the broader community through public participatory projects.

The third chapter in this section is by Paula Kuffer, who takes inspiration from Walter Benjamin's *Theses on the Philosophy of History* in order to explore the crossroads of ethics and aesthetics to be found in the work of the writer W.G. Sebald, the film-maker Jean-Luc Godard and the painter Anselm Kiefer. Through a series of detailed and careful analyses Kuffer finds in their work a discourse of memory that seeks justice in the present for those voices from the past that have been silenced in hegemonic accounts of history understood as (bourgeois) progress.

Mary O'Neill's chapter then returns to questions of the ethics of audience engagement and consent by considering the ethics of the exhibition of death in the public space. She refers to the varied public and professional reception of a series of recent gallery and museum exhibitions of the dead and images of the dead to highlight the ways in which the 'ethical turn' in discussions of contemporary art too often turns into an avoidance of wider cultural sensitivities and difficult public questions rather than an engagement with them.

Finally, Alison Wolanski's chapter attempts to open up a debate on the idea of a 'geopolitics of architecture', based on the argument that architecture can play an

important role in a new ‘politics of place’ that is emerging out of contemporary local-global tensions. Wary of much of architectural theory’s tendency to work with an unproblematised notion of the link between culture and place, Wolanski nevertheless proposes that this link be taken seriously in a reconfigured theory and practice of architecture that acknowledges a persistent dissatisfaction with the loss of forms of symbolic and material identification in the context of globalisation.

Finally, the editors and contributors to this volume would like to thank Inter-Disciplinary.Net for the opportunity to participate in a project such as this. It is rare to find so open a conference format that provides opportunities to those from such a wide range of disciplines and academic backgrounds, and the result has been an extremely stimulating and challenging experience for all those involved. We hope that this spirit will now find its way to the readers of this volume too.

Part I

The Ethical Turn

Time, Interdisciplinarity and Ethics in Autopoietic Cultures

Scott H. Boyd

Abstract

When Humberto Maturana and Francisco Varela introduced autopoiesis in 1971, it was ‘to designate the organisation of a minimal living system.’¹ Since then the term has been used to describe non-living systems including those that are legal, political, academic, and corporate. In short, it has been applied to any system that is seen as ‘one that continuously produces the components that specify it, while at the same time realising it (the system) as a concrete unity in space and time.’² Though unique in its biological origins and initial goals, autopoiesis bears resemblance to other theories, which place human creativity or thought as a means of constructing the world, such as ‘nomos’ described by Peter Berger in the late 1960s. However, the consideration of time and engagement with the world in Maturana and Varela’s autopoiesis is closer to *Dasein* in Heidegger. This chapter argues that cultures are autopoietic and inclusive of these and other theories as organised networks of processes (disciplines) of production (synthesis and destruction) and of components (language, behaviours, objects, beliefs) that continuously regenerate, realising the networks that produce them. Considering cultures as autopoietic allows that they are autonomous and for autonomic systems existing in a continuous presence. Secondly, such consideration reduces the primacy and power of disciplinary definitions and distinctions developed within a paradigm of representational (objective) analysis and instead privileges organisation rather than structure. Thirdly, if cultures are autopoietic, then every act takes place in language and, according to Maturana and Varela, ‘is an act of constitution of the human world.’³ Thus, every act has an ethical meaning because every act ‘brings forth a world created with others in the act of coexistence.’⁴

Key Words: Autopoiesis, culture, ethics, Francisco Varela, Humberto Maturana, interdisciplinarity, Niklas Luhmann, time.

One of the primary objectives of what follows is to contribute to exploring the possibility of dynamic paradigms of inquiry that describe processes and relationships, and integrate the ethical responsibilities of the descriptive observer. For the last two decades, I have embraced the idea that interdisciplinarity might welcome a multiplicity of such paradigms and begin to melt difference and disciplinary boundaries (including its own), encourage academic and intellectual inclusiveness, and disrupt or reverse scholarly balkanisation where it exists. It has been my view that inquiry beginning in and transcending from interdisciplinarity might compel us, according to Humberto R. Maturana,

...to adopt an attitude of permanent vigilance against the temptation of certainty...to recognise that certainty is not a proof of truth...to realise that the world everyone sees is not *the* world but *a* world which we bring forth with others...to see that the world will be different only if we live differently.⁵

There is something missing, broadly speaking, with regards to subjectivist/objectivist or representationalist/anti-representationalist theories of knowledge. These are theories that use descriptions of phenomena, fixed in time and space, framed and photograph-like, based on difference, ensconced in hierarchy, and self effaced with references and apologies for their theoretical limitations. What is missing is what is left out of the frame and it makes the observer's footing unstable. Thus, many models of inquiry, with the exception of the inspirational, cannot account for what the observed and observer does not perceive when they perceive. This is a type of ether, such as the 'episteme' of Michel Foucault, the 'unmediated flux' of Katherine Halys, or the 'medium' of Humberto R. Maturana.⁶

It is here that I introduce an autopoietic model of culture derived from the writings of Humberto R. Maturana, Francisco J. Varela, and to some extent, Niklas Luhmann, that may cause consternation to strict disciplinary adherents, particularly philosophers, sociologists, and biologists. What follows is not an argument of Maturana's and Varela's, who developed autopoiesis as 'an alternative view of the biological roots of understanding,' but an adaptation of their model presented as an alternative epistemological view of our immersion in cultures.⁷ Since Maturana and Varela introduced autopoiesis, it is Niklas Luhmann who has been primarily responsible for adopting the theory or model to cultural or sociological elements, such as law and art.⁸ It has also been used by others to explain political culture and business culture.⁹ But, as is often the case in discipline-based research, some attempts have been overly narrow and lack a cohesive explanation or vision for an autopoietic culture of which these theories are a part.¹⁰

Any culture is an autopoietic, self-creating, unity or system, in that it 'continuously produces the components that specify it, while at the same time realizing it (the system) as a concrete unity in space and time which makes the network of production of components possible.'¹¹ Culture, as an autopoietic system, is organised and defined as a unity by a network of processes that 'continuously regenerate and realize the network that produces them, and constitute the system as a distinguishable unity in the domain in which they exist.'¹² The emphasis is on the organisation network of processes of culture that produce its structure, not on the structure itself. Structure is defined as the components that constitute the unity, but the structure of culture is not synonymous with its organisation. It is the organisation of culture, or the relationship among its components, that constitutes it as a unity.¹³ If the organisation (the system) of

culture changes, then the culture changes, but when the structure of culture changes without change in its organisation, then the culture's identity remains unchanged.¹⁴

Culture then, as an autopoietic unity, is not monolithic but contains other autopoietic unities. According to Maturana, 'in an autopoietic system all its (dynamic) states are states in autopoiesis and lead to autopoiesis.'¹⁵ Thus, other cultures (unities) may be contained within another culture (unity). The process through which this occurs is related to the ontogeny of a given culture, or 'the history of structural change in a unity without the loss of organization in that unity.'¹⁶ In other words, it is the ontogeny of the structural changes in a culture without changes in the organisation that determines its autopoiesis. In this model, change is continuous and is triggered, but not determined, by the medium within which the culture is distinguished, internally within the culture, or through structural coupling with another culture.¹⁷ For every culture has an ontogeny, and structural coupling occurs when there is a recurring interaction between two or more cultures, which contributes to their combined ontogeny and structural congruence.¹⁸ This is reciprocal between the cultures and may cause a natural drift, an evolution in the cultures, which is a result of recurring perturbations.¹⁹ It is important in the model to remember that 'natural drift will follow only the courses that are possible at each instant,' which implies that there are innumerable possible courses that a culture may take without losing its organisation during the course of recurring perturbations.²⁰ This is part of the reason why there are an infinite number of outcomes or variations of cultural behaviour, variations and outcomes that can only partially be described by an observer, because the observer describes a fixed point in the unity's structure and time.

I have intentionally put the observer aside and outlined a basic model of culture in an attempt to present how culture defines itself through its processes of organisation. These are second order observations, observations of an observer observing. Such second order observations are used to freeze the structure of the organisation for explanation. But in this model, cultures are in a continual process of interaction with one another through perturbations that affect their individual and combined ontogenies, leading to the natural drift of culture and cultures that occurs through interactions with other cultures and the mediums in which they exist. This is ongoing and immeasurable in its complexity. The question remains of how we think we know one culture or another, or even differentiate the structure or organisation of one culture from another. The answer is contained within the most important statement attributed to Maturana and Varela, and forms the epistemological basis upon which their explanation for a biological root of knowledge rests. Where I have begun with a definition of the model rather than how the model is observed, they begin with an explanation of explanations, and that begins with an observer.

An observer is 'a human being, a person, someone who can make distinctions and specify that which he distinguishes as an entity.... All the distinctions that we

handle, conceptually or concretely, are made by us as observers: everything said is said by an observer to another observer.²¹ Distinctions are made in the linguistic domain, which is the consensual acquisition of communicative behaviours dependent upon the particular ontogeny of the observer including social interactions.²² According to Maturana such domains are usually described in semantic terms, by which the observer describes the course of actions as if it was the meaning and not the structural coupling that determined the actions and organisation of the autopoietic unity.²³ This leads to what Maturana calls the ‘descriptive fallacy’, which in the model I present here indicates a particular difference with other paradigms: given that culture is autopoietic then it is a fallacy for observers to describe changes of state in culture as if the changes were determined by the medium or environment.

The observer is part of culture and is able to make distinctions, ‘to operate as if external to (distinct from) the circumstances in which he finds himself.’²⁴ A distinction then is ‘an act which distinguishes what has been indicated as separate from its background,’ and a unity, in this case culture, is brought forth by an act of distinction.²⁵ The act of distinction becomes the starting point for Maturana and Varela because it is the basis, in their model, of knowing how we know.

Thus our definition of culture can become more succinctly stated: culture is an autopoietic unity, which is brought forth by an observer in an act of distinction occurring in a consensual linguistic domain. But this may not seem satisfactory. As observers working in disciplines, we generally rely on observations rooted to a particular point on the scale between isolated objectivism and idealism, and evidence fixed in time and place connected to other evidence by some form of cause and effect. We form a question (usually fixed) and provide an answer, occasionally in the form of more questions. As observers, we choose our point in the spectrum of the rational or inspirational and proceed to work with a language in which we generally adhere to the communications metaphor of the conduit (unless we are linguists or errant philosophers), trusting, though not always believing, that something has generated a communication to us, the observer, and as the observer we compile these communications and regenerate them for others. In this way, communicating through the conduit, we can claim that the object, evidence, or word has information and that the communication in the past is valid in the present regardless of the continuous changes that occurred the moment we, as observers, looked away. But given that culture is autopoietic, it requires that we recognise a continuous present, or happening, and that it is as observers that we invent past, present, and future to explain this present.²⁶ Maturana writes,

We live our existing in language as if language were a symbolic system for referring to entities of different kinds that exist independently from what we do, and we treat even ourselves as if

we existed outside language as independent entities that use language.²⁷

Though it is a topic for a much larger discussion, there seems to be a possible overlap here with regard to Martin Heidegger's notion of Dasein in that the ontology of the unity, including its organisation and structure, requires a continuous and simultaneous observation of the self and the world. Heidegger writes,

Self and world belong together in the single entity Dasein. Self and world are not two beings, like subject and object; ...[instead,] self and world are the basic determination of Dasein in the unity of the structure of being-in-the-world.²⁸

Thus in the linguistic domain there is a type of 'worlding of the world' in which the being of the observer and the structure of the autopoietic culture becomes a 'temporal event, a "movement into presence."' ²⁹ Richard Rorty writes, 'it was Dasein using language which let beings be in the first place,' or in this case, 'beings' may be substituted with organisational unities.³⁰ This leads again to circularity in that the organisation of culture is not dependent upon the observer's ability to distinguish it or describe it, yet it cannot be distinguished without an observer. It cannot be described unless an observer makes a description of its description in the linguistic domain to another observer at a given point in time. Thus, according to Maturana,

[O]bserving arises with language as a co-ontogeny in descriptions of descriptions. With language arises also the observer as a languaging entity; by operating in language with other observers, this entity generates the self and its circumstances as linguistic distinctions of its participation in a linguistic domain.³¹

We create the descriptive world with other observers, but the descriptions as well as ourselves simultaneously share and create the cultures within which we are describing. Therefore, we describe and make an act of distinction and we distinguish an autonomous unity, it like us is engaged in continuous autonomic structural coupling and distinctions, most of which are not described. I am able to observe and make a description of the description that the cultures, of which I'm a part, use as a process through which they are organised and their unity distinguished. Descriptions of culture that occur within a linguistic domain, include disciplines which are produced as part of the cultural unity, which are integrated

into the process of the organisation and allows the observer to distinguish the unity (culture).

Disciplines become less relevant in this autopoietic model because the description of the description of the system takes place at a given point in time, which represents its structure only at that moment. A point in time is not indicative of the continuing processes of interaction and structural coupling that organise a particular unity (culture). This is what Maturana calls ‘the razor’s edge’, that disciplines, though part of autopoietic cultures, create the illusion of a paradigm reliant upon certainties. They are part of the regularity of the world, a regularity we try to understand but ‘without any point of reference independent of ourselves that would give certainty to our descriptions and cognitive assertions.’³²

This is a world that we bring forth with others as describers and observers. Even if we do not recognise our participation in the process described here, the model specifically asserts that ‘everything is said by an observer to another observer.’³³ And this is the heart of the ethical implications of this model. Maturana and Varela write,

Through our knowledge of our knowledge, implies an ethics that we cannot evade, an ethics that has its reference point in the awareness of the biological and social structure of human beings, an ethics that springs from human reflection and puts human reflection right at the core as a constitutive social phenomenon. If we know that our world is necessarily the world we bring forth with others, every time we are in conflict with another human being *with whom we want to remain in coexistence*, we cannot affirm what for us is certain (an absolute truth) because that would negate the other person. [*Italics theirs.*]³⁴

We are in a continuous process of creating ourselves as autopoietic unities. Our organisation that distinguishes itself by its creation is observable in a linguistic domain in which there is a consensual distinction. Both as unities and observers, we are in constant processes of structural coupling and perturbation through our interaction with the cultural unities within which we find ourselves. We perturb others as others perturb us and any description of this description becomes part of the structure of the culture within which we find ourselves. Structural elements of the unity may contain any or all of the elements other observers, even those not recognising the autopoiesis, ascribe to it. What matters is the interaction in process as the organisation of the culture continually manufactures the processes that create its organisation. Cultures can drift after recurring interactions with other cultures as they acquire and synthesise one another’s ontogenies. What is most significant about this model, is that because the description of the culture arises in a linguistic domain dependent upon other observers, its description and explanation is a result

of a consensual bringing forth which makes the observer and those that observe the observer responsible for the ethical implications of the distinctions the observer is making.

Given that the model focuses on processes that produce the structures that define culture at particular instants in time, it inherently includes a partial acknowledgement of the speciousness of a photograph like depiction of the structure. It also relegates disciplines as third order distinctions, weakening their usefulness within the linguistic domain. Most significantly, the model allows for the possibility of using Katherine Hayles's term - an 'unmediated flux', and its perturbations on the processes of culture and the observer. In short, an autopoietic model of culture inhibits certainty, promotes humility, and celebrates a bit of disciplinary dishevelment.

Notes

¹ F.J. Varela, 'Autopoiesis and a Biology of Intentionality', B. McMullin and N. Murphy (eds), *Autopoiesis and Perception*, Proceedings of a Workshop held at Dublin City University on August 25th & 26th, 1992, p. 5. Accessed at <ftp://ftp.ceng.dcu.ie/pub/autonomy/bmcm9401/varela.ps.Z>.

² Ibid., p. 5.

³ H.R. Maturana & F.J. Varela, *The Tree of Knowledge*, Shambhala Press, Boston, 1998, p. 247.

⁴ Ibid., p. 247.

⁵ Ibid., p. 245.

⁶ All three of these authors have referred in their works to a perceptual or observational influence that cannot be directly accounted for. See M. Foucault, *The Archaeology of Knowledge & The Discourse on Language*, Pantheon Books, New York, 1982, p. 191; K. Hayles, *Niklas Luhmann's Modernity: The Paradoxes of Differentiation*, Stanford University Press, Stanford, 2000, p. 180; and H.R. Maturana, 'Cognition', *Wahrnehmung und Kommunikation*, Peter Lang, Frankfurt am Main, 1978, p. 36.

⁷ Maturana & Varela, *The Tree of Knowledge*, p. 17.

⁸ The writings of Niklas Luhmann are voluminous. Of particular interest to this paper are *The Differentiation of Society*, Columbia University Press, New York, 1982; *Social Systems*, Stanford University Press, Stanford, 1995; and *Art as a Social System*, Stanford University Press, Stanford, 2000.

⁹ See K.S. Kidwell, 'Politics, Performativity, Autopoiesis: Toward a Discourse Systems Theory of Political Culture', *Cultural Studies/Critical Methodologies*, Vol. 9, No. 4, 2009, pp. 533-558; and A. Limone & L.E. Bastias, 'Autopoiesis and Knowledge in the Organization: Conceptual Foundation for Authentic Knowledge Management', *Systems Research & Behavioural Science*, Vol. 23, No. 1, 2006, pp. 39-49.

¹⁰ R. Kay has written an informative history and interpretation of autopoiesis as it relates to social systems. Autopoietics has been associated with an often-paradoxical array of theories including systems theory, constructivism, critical realism, idealism (to the point of solipsism), and cybernetics or second order cybernetics. Kay touches on many of these. R. Kay, 'Are Organizations Autopoietic? A Call for New Debate', *Systems Research & Behavioural Science*, Vol. 18, No. 6, 2001, pp. 461-477.

¹¹ Varela, 'Autopoiesis and a Biology of Intentionality,' p. 5. In 1974, Maturana and Varela established six criteria to determine whether or not a system is autopoietic. My argument presupposes that cultures meet the criteria and that they are autopoietic and the discussion can move towards time, interdisciplinarity, and ethics. See F. Varela, H. Maturana, & R. Uribe, 'Autopoiesis: The Organization of Living Systems, Its Characterization and a Model', *Currents in Modern Biology*, Vol. 5, 1974, pp. 187-196.

¹² *Ibid.*, p. 5.

¹³ H.R. Maturana, 'The Organization of the Living: A Theory of the Living Organization,' *International Journal of Human-Computer Studies*, Vol. 51, No. 2, 1999, p. 152.

¹⁴ *Ibid.*, p. 152.

¹⁵ *Ibid.*, p. 154.

¹⁶ Maturana & Varela, *The Tree of Knowledge*, p. 74.

¹⁷ *Ibid.*, p. 96.

¹⁸ *Ibid.*, p. 75.

¹⁹ This is called a 'consensual domain.' H.R. Maturana, 'Cognition,' *Wahrnehmung und Kommunikation*, Peter Lang, Frankfurt am Main, 1978, p. 43.

²⁰ Maturana & Varela, *The Tree of Knowledge*, p. 109.

²¹ Maturana, 'The Organization of the Living,' p. 151.

²² Maturana & Varela, *The Tree of Knowledge*, p. 207.

²³ *Ibid.*, p. 207.

²⁴ *Ibid.*, p. 151.

²⁵ *Ibid.*, p. 40.

²⁶ H.R. Maturana, 'The Nature of Time,' November, 27 1995, posted by the Instituto de Terapia Cognitiva, Santiago de Chile, <http://www.inteco.cl/biology/nature.htm>. According to Charles Guignon, it is part of Martin Heidegger's interpretation of human existence, for our case the observer, as 'happening' between birth and death. C.B. Guignon (ed), *The Cambridge Companion to Heidegger*, 2nd edition, Cambridge University Press, Cambridge, 2006, p.7.

²⁷ Maturana, 'The Nature of Time.'

²⁸ M. Heidegger, *Basic Problems of Phenomenology*, A. Hofstadter (trans), Indiana University Press, Bloomington, 1982, p. 297.

²⁹ Guignon (ed), *The Cambridge Companion to Heidegger*, p. 13.

³⁰ R. Rorty, 'Heidegger, Contingency, and Pragmatism', *Heidegger: A Critical Reader*, H. Dreyfus & H. Hall (eds), Blackwell Publishers, Cambridge, 1992, p. 222.

³¹ Maturana & Varela, *The Tree of Knowledge*, p. 211.

³² *Ibid.*, p. 241.

³³ Maturana, 'The Organization of the Living: A Theory of the Living Organization,' p. 151.

³⁴ Maturana & Varela, *The Tree of Knowledge*, p. 245.

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Ontological and Political Significance of the Concept of Need in Political Philosophy

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Abstract

The concept of need has a peculiar status. Neglect of discussions over the significance of needs is conspicuous insofar as the number of people who cannot satisfy their basic needs go hand in hand with the enormous pace of modification and diversification of commodities in capitalism. Despite the frequent occurrence of the term in daily politics, the political and the ontological status of needs have not been widely investigated in political philosophy. This paper starts by problematising the conspicuous absence of the concept of need in contemporary political philosophy; it then reflects on the ontological and political implications of needs. Finally, it briefly explores the possibilities that Marx's treatment of the concept of need might provide that would otherwise have been left unexplored. I argue that his treatment of needs might provide us with the conceptual tools to further elaborate on what it means today to raise the question of needs as a political question rather than as an administrative one.

Key Words: Capitalism, human need, radical need.

In the history of political thought, the concept of need has been on the scene especially in times of radical social changes and the discussions were mainly centred on whether and to what extent these transformations could be legitimated by increasing needs or whether the changes themselves were regarded as an impediment for man's authentic needs. For example, Rousseau provided a critique of modern society in terms of man's increasing needs and argued that increase in needs increased man's enslavement and he praised the freedom of the 'man of few needs'. For Hegel, unlike Rousseau, diversification of needs and of the different means of satisfaction might be regarded as an aspect of the process of *Bildung* and marks the overcoming of man's particularity. In the first half of the 20th century, the concept was revived especially through the works of H. Marcuse and was usually invoked to explain the longevity and reproduction of capitalism in terms of manipulation of needs. The discussions involved the distinction between true and false needs and focused especially on consumer economy and the 'second nature of man' bound libidinally to the commodity form.

With the rise of the welfare state, needs have become an important aspect of the political discourse as a principle of social justice. Nancy Fraser points out that it is common in Western political culture to marginalise needs talk and even regard it as anti-political. It was commonplace, especially in the US, among opponents of the

welfare state, to invoke the language of dependency and passivity with reference to welfare policies based on needs and to criticise what they call ‘welfare dependency’. Nancy Fraser cites from a Democratic Senator’s speech:

The issue of welfare is the issue of dependency. It is different from poverty. To be poor is an objective condition; to be dependent, a subjective one as well... Being poor is often associated with considerable personal qualities; being dependent rarely so. [Dependency] is an incomplete state in life: normal in the child, abnormal in the adult. In a world where completed men and women stand on their own feet, persons, who are dependent - as the buried imagery of the word denotes - hang.¹

Associating need claims with dependency and passivity has since been so pervasive that it is not only the orthodox economists that adhere to this imputation, but ironically even a defender of social justice, like Amartya Sen:

Needs is a more passive concept than ‘capability’. The perspective of positive freedom links naturally with capabilities (what a person can do?) rather than with the fulfilment of their needs (what can be done for the person?). The perspective of fulfilling needs has some obvious advantages in dealing with dependents (e.g children), but for responsible adults the format of capabilities may be much more suitable.²

It was the end of the welfare state that completely effaced any consideration concerning needs talk from political culture. What is politically and philosophically interesting is that, especially with the rise of neo-liberalism, the theoretical space left from the concept of need is to a significant extent replaced by the orthodox economics paradigm of preference and demand, based on the principle of interest.

Economists in general have chosen not to dwell on the differences [between needs and wants/preferences]. There are two main reasons why economists have chosen to overlook the differences. The first reason is that doing so has not at all hampered the economics profession in developing a descriptive paradigm of today’s developed capitalist economies. The second reason is that not dwelling on the concepts of needs and wants has enabled economists to keep ‘interpersonal comparisons’ out of utility theory. This has meant also that the moral and social

implications of such comparisons and discussions could be kept out of economic theory and analysis.³

Prior to any theoretical concern and despite the undifferentiated use in daily language, we must admit that rejecting the normative force of a need claim and admitting no categorical difference between a need claim and an assertion of preference is hardly ever intuitive. Although philosophers tend to provide different definitions of needs, they agree on the normative force of need claims such that a need claim is not an empirical statement per se but involves a value judgment. For example G.E.M Anscombe comments that 'To say that [an animate creature] needs [such and such] is not to say for example that you want it to have that environment and but that it won't flourish unless it has it.'⁴ Another way of conceptualising needs is through their relation to harm. It is suggested that to attribute to anyone a need claim is to indicate either the lack of something which it be injurious and detrimental to the subject not to supply or alternatively a lack which frustrates some end envisaged on his account.⁵ It is commonly pointed out that need statements are intelligible only against a background of certain assumed ends, goals and purposes.

Given this framework, one is tempted to say that the contemporary absence of the concept of need and its replacement by preference coincides with the rising hegemony of the logic of the free market, with politics becoming the sphere of technical elimination of dysfunctions and avoidance of risks. Practical issues underpinned by class antagonisms are more and more defined as technical problems. In Habermas' terms, it becomes a technical matter rather than a practical one. Economic efficiency and competitiveness tend to dominate more and more as the sole prevalent norms for all different human activities and get more deeply rooted in the fabric of societies. This involves politics becoming an appendage to economic rationality and opens the way for reducing practical rationality to calculation concerned merely with (quantitative) evaluations. This means that political power organises itself more and more in terms of the logic of a private corporation - today a state can justifiably be called *a state incorporation*. This is, briefly, what I suggest calling *apolitical politics*. Within this framework, the concept of need, which is claimed to make sense against a normative background, is rendered superfluous for political thinking.

Within the paradigm of apolitical politics, needs are regarded as self-evident, naturally givens that can be addressed by experts, which tend to treat need claims as individual cases. Moreover categorising the subjects of need as 'dependents' opens the way for denying them the title of political subjects. Thereby, need claims can be heard only as complaints, sufferings articulated by 'passive receivers of help'. As J. Ranciere insightfully reminds us:

In order to refuse the title of a political subject to a category like workers and women - it has traditionally been sufficient to assert that they belong to a domestic space separated from public life, one from which only groans or cries expressing suffering, hunger, or anger could emerge, but not actual speeches demonstrating a shared *aisthesis*.⁶

This involves predetermining and categorising the manner in which needs can be heard and acknowledged. Similarly, categorising subjects of need as dependents undermines the conflicts and antagonisms involved *both* in the satisfaction of needs and the different means through which they become publicly heard. Moreover it also undermines the world disclosing potential that need claims might have.⁷ On the contrary, need claims acquire political import via the struggles and processes whereby what used to be 'invisible' become 'visible', what used to be conceived as individual cases are accepted to be a structural problem, what used to be voiced as complaints arising out of caprice are heard as shared legitimate claims and it is within these processes that new subjectivities are formed. Like Nancy Fraser suggests struggles for public recognition of unmet needs are political to the extent that they become a 'moment in the self-constitution of new collective agents or social movements.'⁸ Hence, struggles for needs might open the way for transforming the existing terms of public discourses; they oppose partitioning the social order in terms of pre-allocated roles such as 'dependents', and hence compel an unsettling of the presumed logic of social order.

A specific way in which Marx treats the concept of (radical) need occupies just this theoretical terrain. So now, in view of the question of what it might mean to raise the question of needs as a political question today, I will briefly outline the main features of Marx's concept of need, with a special focus on the concept of radical need. For Marx, needs are both ontological and historical. This is important insofar as only a historical account can reveal the contingency of the extant system of needs and hint at the possibility of changing it.

Marx emphasises that needs are internally linked with powers and capacities of man such that for the satisfaction of a need we exercise a power, which in turn provokes the development of a new sense or the modification of an already existing one. Development of human powers opens up a new space of possibility for new cognitions, which in turn creates new needs. The essence of man consists in the refinement and diversification of needs. Hence despite the supposedly inherent connection between needs and dependency as assumed by the opponents of needs, Marx regards needs as expressive of man's powers to transcend and incessantly change his own nature. As such they do not designate 'the power of physical objects and processes over man so much as his own powers over the physical world.'⁹ It is again through the concept of need that he challenges the hitherto accepted definitions of wealth by introducing the conception of 'man rich

in his needs', which comprehends a fundamentally different ontology of wealth in terms of man's expanding needs instead of expansion of commodities - something that neither the political economists nor the utopian socialists have attempted doing. The need for self-realisation is a crucial human need and it leads to a situation where man experiences his greatest wealth - the other person - as need and recognises the other person as the source of his own life. A person becoming a need for another is an ontological change. It confirms man as a social being. Hence it does not express a contingent case of preferring to be in company of others; but that otherwise one cannot be what he is.

Among the different ways in which Marx treats needs, the concept of radical need is noteworthy yet rather neglected in the literature. The term 'radical need' appears for the first time in *A Contribution to the Critique of Hegel's Philosophy of Right*, where one major concern is the relationship between theory and practice and it is the work where Marx explicitly claims that there is no social problem that is not at the same time political. Here Marx claims that a radical revolution can only be the revolution of radical needs. In *Poverty of Philosophy*, Marx specifies the need for free time, which allows people to transform themselves as human beings, and the need for universality, as radical needs. A defining feature of a radical need is that they arise within capitalism yet they cannot be satisfied within a capitalist formation. Although capitalism stimulates their emergence, it is incapable of satisfying them and it is inadequate for their articulation as legitimate claims of political subjects within the existing terms of a discourse. Radical needs then are needs that tempt to go beyond capital yet have their roots firmly in its practical existence. For example the human need for self-realisation takes the form of a radical need when a worker is engaging in self-valorising activity at the exclusion of valorising capital. This means that a need becomes radical through its rupturing potential in, against and potentially beyond capital. We must also add that need claims, taken as such, open the way for transforming the existing terms of public discourses and oppose identification of the social order in terms of pre-allocated roles such as 'needy' or 'dependents'. Hence another important aspect of Marx's concept of radical need might be seen as emphasising the relationship between the experience of unmet needs and the formation of a collective subjectivity in mobilising social transformation.¹⁰ Instead of predetermining the confines of social conflict as suggested by an apolitical understanding, radical needs provide a glimpse of a world-disclosing potential that a need-based politics might have.

Marx had announced the bearer of radical needs as the workers, the class that embodies universality, and he foresaw that capitalism will lead to the split of the society into two classes: property owners and the propertyless workers. Yet, as Slavoj Žižek comments, major antagonisms of today significantly involve

the enclosure of the commons: the ecological crisis with the potential of annihilation of humanity itself, the privatization of

intellectual property, commodification of biogenetic heritage and forms of apartheid that prevent the free use of the commons, imply a process of 'proletarianization' of those who are thereby excluded from their own substance; a process that also points towards exploitation.¹¹

In view of this, I would like to conclude by raising a question, which I believe to be significant for today: given the commodification of commons, privatisation of natural resources, and expanding conditions necessary to reproduce ourselves what might be the contemporary forms of radical needs? Can this notion provide us the conceptual tools to formulate new subjectivities that embody universality?

Notes

¹ N. Fraser and L. Gordon, 'Genealogy of Dependency', *Signs*, Vol. 19, No. 2, 1994, pp. 309-336. Fraser and Gordon trace the historical construction of the concept of dependency and show that over a period of two hundred years the meaning of dependency has moved from an identification of a social condition to the diagnosis of a highly stigmatised personality disorder in post-capitalism[0]. They argue that with industrial capitalism, the ideal of independency was equated with the wage labour, which left behind any aspirations for collective independence from capital. Yet with the paradigm shift in post-industrial society, the pejorative connotation of dependency gets more explicit and it is more intensely associated with individual traits to the extent that it is defined as psychopathology - a personality disorder. This means that via scientific, medical formulation, dependency is naturalised as an incomplete state in life which opens the way for effacing it as a political concern.

² A. Sen, *Resources, Values and Development*, Blackwell, 1984, p. 514.

³ E. Raiklin and B. Uyar, 'On the Relativity of the Concepts of Wants, Needs and Scarcity and Opportunity Cost', *International Journal of Social Economics*, Vol. 23(7), 1996, p. 49.

⁴ D. Wiggins, 'An Idea We cannot Do Without', in S. Reader, *The Philosophy of Need*, University of Cambridge Press, 2006, p. 27.

⁵ R. Fitzgerald, 'Introduction', *Human Needs and Politics*, R. Fitzgerald (ed), Pergamon Press, 1977.

⁶ J. Ranciere, 'Ten Theses in Politics', *Theory and Event*, Vol. 5(3), 2001.

⁷ A. Schaap, 'Politics of Need', *Hannah Arendt and the Dilemmas of Humanism*, D. Celermajer and A. Schaap (eds), Cambridge Scholars Press, 2009.

⁸ N. Fraser, 'Struggle over Needs: Outline of a Socialist-Feminist Critical Theory of Late-Capitalist Political Culture', *Women, the State, and Welfare: Historical and Theoretical Perspectives*, L. Gordon (ed), University of Wisconsin Press, 1990, p. 205.

⁹ P. Springborg, *The Problem of Human Needs and the Critique of Civilization*, George Allen&Urwin, 1981, p. 99.

¹⁰ A. Schaap, op. cit.

¹¹ S. Žižek, 'How to Begin From the Beginning', *New Left Review*, Vol. 57, 2009.

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Globalisation, Cultural Diversity and the Search for a New Global Ethics

Ben Garner

Abstract

The search for a global ethics that can guide regulation in the field of culture has been one of the most divisive issues in the construction of the post-war international order. Over the last decade the main political theatre of these controversies, the United Nations Educational, Scientific and Cultural Organisation (UNESCO), has seen the adoption of two instruments on cultural diversity that have been heralded as a breakthrough in the search for such a global ethics. This chapter gives an introduction to the new UNESCO instruments and seeks to take a step back from the high-stake economic and political rivalries that have tended to frame their analysis. After introducing the background to their adoption, the chapter then examines the attempt that was made to outline a new global ethics at UNESCO over the 1990s, going on to trace how this work in the 1990s came to be taken up and recast as part of the campaigns for cultural diversity that gathered political force over the following years. The chapter ends with some observations about how we might respond to the resulting instruments in internationally focused discussions about culture, politics and ethics.

Key Words: Cultural diversity, culture and development, global ethics, neoliberalism, trade and culture, UNESCO, WTO.

1. Background to the Recent Instruments Adopted at UNESCO

The search for a global ethics that can inform regulatory action in the domain of culture has been one of the most divisive issues in the construction of the post-war international order. The main theatre of these controversies has been UNESCO, the specialised agency of the United Nations delegated with work in the areas of education, science and culture. While political rivalries at UNESCO soon became apparent with the onset of the Cold War,¹ the most dramatic controversies played out against the backdrop of decolonisation as membership of the organisation expanded from the founding 20 nations of 1945 to 160 nations by the 1980s. Such a transformation was accompanied by a challenge to the kind of imperial-universal pretensions that characterised its work in the more immediate post-war period. By the 1970s and 80s, when the Non-Aligned Movement rallied demands at UNESCO for a 'New World Information and Communication Order' (NWICO), the organisation was being called upon by a majority of its members to turn itself from an agency perpetuating forms of one-way 'cultural modernisation' into one that would assist the newly independent nations in projects of 'cultural

decolonisation'.² Such demands drew accusations from the Western bloc (notably from the US, UK, Canada, Japan, Netherlands, Switzerland, West Germany) that the organisation was being 'politicised' into a platform for a Third World agenda to restrict Western information and communications interests. These controversies proved divisive enough to cause the US and UK to withdraw their memberships from UNESCO in 1984 and 1985 respectively, taking one third of the organisation's budget with them and plunging UNESCO into a difficult period of international marginalisation and internal reform.³

The broad international support that led to the adoption of UNESCO's two recent instruments on cultural diversity - 2001's *Universal Declaration on Cultural Diversity* (hereinafter 'Universal Declaration'),⁴ and 2005's *Convention on the Protection and Promotion of the Diversity of Cultural Expressions* (hereinafter 'Convention')⁵ - has therefore been seen as marking a new stage in the international debate. 148 states voted in favour of the Convention's adoption, with only the US (which rejoined UNESCO in 2003) and Israel voting against; the instrument subsequently entered into force in 2007 following a rapid process of ratification around the world. A coalition of developed and developing countries has been matched by international alliances among civil society and the private sector in a way that seemed to indicate that many of the conflicts of the past had been overcome. The EU and the grouping of African Caribbean and Pacific states referred to the adoption of the Convention as heralding 'a consensus that the international community has never before reached on a variety of guiding principles and concepts',⁶ and 'the first international treaty which lays down rights and duties in the field of culture'.⁷ The *Universal Declaration* announced that prior international differences had been bridged to adopt 'one of the founding texts of the new ethics promoted by UNESCO in the early twenty-first century'.⁸ On the face of it, here are the first internationally authoritative reference points linking culture, politics and ethics.

Despite the claims that have been made about the ethical and political significance of the Convention however, analyses have focused on a set of 'technical' questions regarding its status in international trade law.⁹ This analytical emphasis is largely a reflection of the way in which the campaign for the instruments came to be framed by their key supporters (notably France and Canada) and opponents (the US) as an extension of a longer-running debate, intensifying over the 1990s, over the 'exceptional' status of cultural goods and services in the context of international trade negotiations.¹⁰

In what follows we will examine the 'new global ethics' that has been declared at UNESCO and take a step back from the high-stake economic and political rivalries that have tended to frame analyses of the Convention. We will begin by looking at the attempts in the 1990s to outline a new global ethics by the UNESCO commissioned *World Commission on Culture and Development* (WCCD), before going on to examine how this project came to be taken up as part of the more recent campaigns at UNESCO. Doing so helps us to situate the particular

contributions of the new instruments and provides an opportunity to reflect on their significance in contemporary discussions about culture, politics and ethics.

2. Outlining a New Global Ethics: *Our Creative Diversity*

Much of the groundwork for the recent instruments on cultural diversity was prepared at UNESCO during the 1988-1997 *World Decade for Culture and Development*, notably in the WCCD's report *Our Creative Diversity*.¹¹ The central theme of this work was its attempt to elaborate a 'new global ethics' of cultural diversity that could complement the liberal universalism in international relations and development that had been ushered in by the debt crisis and the end of the Cold War. In doing so, this work set the tone for a gathering international debate on cultural diversity and resulted in the convening of the *Intergovernmental Conference on Cultural Policies for Development* in Stockholm, 1998 - a key moment in setting the political ball rolling towards the adoption of the instruments on cultural diversity over the following years. Although, as we will see, the report's impact on the instruments that eventually took shape was far from what the WCCD had intended, it is therefore useful to briefly consider how it conceived the new global ethics.

Against the kind of static models of culture that have tended to guide UNESCO's work in the past, *Our Creative Diversity* begins by asserting that 'no culture is an island': cultures are described as being in a constant state of hybridisation and mutual influence, with the potential to benefit greatly from the new possibilities created by accelerated international exchange and openness.¹² This assertion extends beyond the long-standing mission at UNESCO of promoting international dialogue by explicitly targeting the kinds of 'intolerant, exclusive, exploitative, cruel and repressive' forms of identity politics now being identified as key threats to international peace and security.¹³ In this context international cultural regulation is seen to have a crucial role in setting the 'legal stage for mutual tolerance and accommodation', and in 'denouncing and punishing' the conduct of governments and other groups that fail to meet the contemporary imperative of ethical existence in diversity.¹⁴ There is an attempt here to outline a cause and principle of international regulation that transcends some of the Westphalian limitations of national sovereignty, in keeping with the post-Cold War regime of international intervention and human security that was being elaborated in the 1990s.¹⁵

In its call to place culture at the heart of development, the WCCD also proposed a model of *cultural growth*, based on what it referred to as culture's 'dual role' in development: its 'instrumental' function for economic growth and its 'constructive, constitutive and creative' function as the expression of humanity's diversity, which is asserted to be 'the end and aim of development itself.'¹⁶ In this formula, fostering productivity and development involves an engagement between 'modern' forms of rationality and progress on the one hand, and the identities,

traditions and creativity of ‘others’ on the other: it is in designing the right kinds of regulatory frameworks and institutional balances, reinforced by a commitment to a new global ethics, that the productive and developmental potential of (the right kind of) culture can be allowed to flourish and - to use the biopolitical metaphor of the WCCD - ‘inject a vital substance into the social fabric.’¹⁷ The thrust of the global ethics outlined by the WCCD lies in this anti-essentialist, hybridising interventionism: one aimed at carefully and selectively engaging and managing difference in order to expand the realm of an outward-looking, productive humanity under the emergent order of globalisation.

The case for greater involvement by UNESCO in this order contrasted however with the organisation’s continued subordination in the hierarchies of international administration. It is important to bear in mind that as delegates attended the Stockholm conference in 1998 to follow up on the work of the WCCD it remained to be seen how the work undertaken over the last decade at UNESCO would be taken up, if at all - particularly given the ongoing suspicion towards the organisation from the US superpower and the resilience of orthodox development models.¹⁸ Nevertheless, the fact that such matters were now appearing on the agenda at bastions of development orthodoxy such as the World Bank was an indication of the importance that questions of cultural diversity had come to occupy in the global debate. It was against this backdrop that the cultural diversity campaign saw an opportunity to make an impact at UNESCO over the coming years.

3. Casting the New Global Ethics: The Cultural Diversity Campaign after Stockholm

Following the inauguration of the World Trade Organisation (WTO) in 1995, the principles of cultural diversity and the dual nature of culture that had been elaborated by the WCCD were given a new meaning as they were mobilised in the intensifying debate between the US, Canada and the European Union regarding the trade in cultural products. At Stockholm, governments had committed to ‘Promote the idea that cultural goods and services should be fully recognized and treated as being not like other forms of merchandise’ but this formed only one among 51 unbinding and inchoate commitments related to cultural diversity.¹⁹ Support for this cause however quickly gathered momentum as it was raised on the agenda and given haste by a concerted campaign from Canadian and French diplomats and cultural industries, who were determined to work together against US/Hollywood opposition to wrap up the Convention before further progress was made in WTO negotiations on audiovisual services.²⁰ In this way, the campaign came to focus on the rapid creation of an instrument at UNESCO that would offer a refuge for national cultural sectors and policy measures against the (US-led) pressures being brought to bear on them in international trade negotiations.

The result has been a fusion of the WCCDs global ethics of cultural diversity and the discourses of the ‘new’ global economy. The *Universal Declaration’s*

contribution was to express international recognition for the principle that cultural diversity, 'as a source of exchange, innovation and creativity' in the context of the knowledge-based economy has become simultaneously a crucial economic resource and 'an ethical imperative, inseparable from respect for human dignity.'²¹ This merging of ethics and market regulation has involved a recasting of the *dual role of culture* that had been elaborated by the WCCD (simultaneously *instrumental* and *constructive, constitutive and creative*), as the guarantor of cultural diversity has been asserted to lie in the right of states to implement support measures (quotas, subsidies, and so on) in the face of trade liberalisation. This right has been granted in the Convention on the basis of the recognition - for the first time in international law - that cultural goods and services have a uniquely 'dual nature': vehicles of both commercial value and, somewhat nebulously, 'values, identities and meanings.' On these grounds, the developing countries - who had hitherto had little stake in what has largely been a matter of transatlantic rivalry centred on GATT/WTO - were also able to secure provisions in the Convention for preferential access to the markets of developed country parties and development assistance for their cultural industries.²²

It has generally been assumed that the opposition to the Convention from the US has been driven by a concern to water down the instrument in a way which seeks to 'trump' culture with economics and the logic of free trade.²³ This is misleading, since it has in fact objected to the Convention on the grounds that it is an instrument which, by concerning itself with regulation of the trade in cultural products, exceeds UNESCO's remit as a 'cultural' organisation and impinges too far onto the regulatory terrain of the WTO (and, of course, the commercial interests of US exporters).²⁴ Indeed, it has been the attempt by the Convention's supporters to cement an ethical link between *the commercial* and *the cultural* as a principle of international regulation and development - while the US has maintained that they should be kept apart - that has given the organisation its new significance as an arena of international norm creation.

We might note a number of effects here. First, despite the claims of the Convention's supporters and analysts that it marks a victory for culture 'against' the rule of the market, it has in fact left little room for the articulation of concepts and identities that do not fit into a notion of cultural diversity stemming from a particular set of concerns with market regulation. This has meant that the longer-standing agenda at UNESCO of many minority groups and NGOs for cultural rights (never an unproblematic concept in itself) has, with the passage of the Convention, largely become blurred with the regulatory regime for the cultural marketplace. As Albrow has observed, this in fact marginalises the diversity of voices advancing claims turning on the recognition of cultural differences within or between states, or outside any obvious market calculus altogether.²⁵

Another point is that the Convention has marked an attempt at UNESCO to give currency to a reconceptualisation of what is understood by culture itself, in a

way which has given some form to the new global ethics that we saw elaborated by the WCCD: it seeks to avoid the possibility that it could be used to legitimate a preservationist, static, essentialising model of culture by foregrounding principles such as openness, hybridity and interculturality.²⁶ However, the primary function of the Convention as an adjunct to trade policy and reassertion of cultural sovereignty by governments sits uneasily with its gestures towards open exchange and hybridisation (key supporters such as France, Canada or China, of course, have long asserted cultural diversity as a principle of national sovereignty while maintaining internally restrictive policies). Its emphasis on national cultural sovereignty also limits the scope of the kind of post-Westphalian ethics of global intervention that had been proposed by the WCCD, but of course any role that UNESCO might play in the regime of global security was always going to be limited by the imperial ambitions of the US (which continued to view UNESCO with suspicion after rejoining in 2003).

As a final point for discussion, it is worth noting that it is the ultimate focus on cultural 'protection' in the Convention that has allowed the US, and some of the most powerful interests in the drive for global commodification and liberalisation (notably the *Motion Picture Association of America*),²⁷ to stake out an ideological high ground on the ethics of cultural diversity. As one US official put it in setting out the US's opposition to the Convention, the text fails to establish a properly global ethics in which culture is understood to be in a constant process of reinvention in contact with others: culture in this account is asserted to be 'migratory, it's dynamic, it transcends national boundaries'; furthermore, such a model of culture is asserted to be 'fundamental to America's vision of itself and our vision of how culture operates in a free world'.²⁸ US exceptionalism as the anti-essentialist empire standing for global diversity and exchange is here deployed as a rival claim to the management of a 'truly' universal process of cultural intercourse. Herein lies one of the strategic problems for political theory and action addressed to contemporary questions of culture, politics and ethics: how to outflank such imperial ideologies without falling back into the kind of discursive tactics of national cultural sovereignty that we see regrouping today at UNESCO.

Notes

¹ S.E. Graham, 'The (Real) Politics of Culture: US Cultural Diplomacy in UNESCO, 1946-1954', *Diplomatic History*, 30(2), 2006.

² It is important to note here that while this conflict involved the claims of a variety of progressive popular national liberation struggles, these tended to be expressed through the voices of a new cadre of national representatives that, while seeking to carve out spaces of autonomy for national modernisation from neo-imperial predation, were also in the process of erecting domestic structures of domination that proved to be equally severe. Hardt and Negri captured this well in their

description of the ‘poisoned gift’ of national liberation. See M. Hardt and A. Negri, *Empire*, Harvard University Press, London, 2000, p. 132-134.

³ For a critical and detailed account of the controversies over ‘politicisation’ that surrounded UNESCO during this time, see C. Wells, *The UN, UNESCO and the Politics of Knowledge*, Macmillan, London, 1987.

⁴ UNESCO, *Universal Declaration on Cultural Diversity*, UNESCO, Paris, 2001.

⁵ UNESCO, *Convention on the Protection and Promotion of the Diversity of Cultural Expressions*, UNESCO, Paris, 2005.

⁶ Second Meeting of ACP Culture Ministers, *Background Paper on the Ratification and Implementation of the Convention on the Protection and Promotion of the Diversity of Cultural Expressions*. Santo Domingo, Dominican Republic, 11-13 October 2006.

⁷ European Commission, *Adoption of a UNESCO Convention on Cultural Diversity*, MEMO/05/387, 20 October 2005.

⁸ UNESCO, *Universal Declaration*.

⁹ See for example: C. Beat Graber, M. Girsberger and M. Nenova (eds), *Free Trade Versus Cultural Diversity: WTO Negotiations in the Field of Audiovisual Services*, Schulthess, Zurich, 2004; T. Voon, *Cultural Products and the World Trade Organization*, Cambridge University Press, Cambridge, 2007; M. Burri-Nenova, ‘Trade and Culture: Making the WTO Legal Framework Conducive to Cultural Considerations’, *Manchester Journal of International Economic Law*, 5(3), 2008; J. Wouters and B. de Meester, ‘The UNESCO Convention on Cultural Diversity and WTO Law: A Case Study in Fragmentation of International Law’, *Journal of World Trade*, 42(1), 2008, pp. 205-240.

¹⁰ Cultural goods and services tend to be classified as the production and distribution of printed matter, literature, music, visual arts, cinema, photography, radio, television, games and sporting goods (this definition has been used by UNESCO in studies of cultural trade flows; also see for example A. Disdier et Al., ‘Bilateral Trade of Cultural Goods’, *Review of World Economics*, October 2009). For a background to the ‘trade-culture debate’ in the context of GATT/WTO, see Voon, op.cit.

¹¹ WCCD, *Our Creative Diversity: Report of the World Commission on Culture and Development*, UNESCO, Paris, 1995.

¹² WCCD, op. cit., p. 54. Since the work of the WCCD, the Director-General of UNESCO has become an international ambassador for such a model of culture, asserting time and again that ‘UNESCO believes that cultures are not monolithic but interdependent, resulting from mutual exchanges and borrowings.’ K. Matsuura, ‘Message from the Director-General of UNESCO, on the Occasion of World Day for Cultural Diversity for Dialogue and Development’, 21 May, 2009’, UNESCO: DG/ME/ID/2009/09, 2009.

¹³ WCCD, op. cit., p. 54.

¹⁴ Ibid.

¹⁵ The UN Director-General Boutros Boutros-Ghali articulated the essence of this shift in 1994: 'It is time to balance the old commitment to territorial security with a new commitment to human security.' For more detailed analysis see in particular: S. Elden, 'Contingent Sovereignty, Territorial Integrity and the Sanctity of Borders', *SAIS Review of International Affairs*, 26(1), 2006; M. Duffield, *Development, Security and Unending War*, Polity Press, Cambridge, 2007.

¹⁶ WCCD, op. cit., pp. 21-24.

¹⁷ Ibid., p. 79.

¹⁸ See for example the disappointment expressed by the anthropologist Lourdes Arizpe, who had supervised the work of the secretariat of the WCCD, as part of a panel organised by the World Bank to reflect on culture's place in development policy four years after Stockholm. L. Arizpe, 'The Intellectual History of Culture and Development Institutions', *Culture and Public Action*, V. Rao & M. Walton (eds), Stanford University Press/World Bank, Stanford, 2004. For a critical account of the transformation of the place of culture in international policy in this period, see G. Yúdice, *The Expediency of Culture: Uses of Culture in the Global Era*, Duke University Press, London, 2003.

¹⁹ See UNESCO, *The Stockholm Conference - Action Plan on Cultural Policies for Development*, UNESCO, Paris, 1998, Policy Objective 3.12.

²⁰ See J. Musitelli, 'The Convention on Cultural Diversity: Anatomy of a Diplomatic Success Story', http://www.diplomatie.gouv.fr/en/IMG/pdf/The_Convention_on_Cultural_Diversity.pdf, 2006, Accessed 29/09/2009.

²¹ UNESCO, *Universal Declaration*.

²² French and Canadian negotiators saw this concession as a price worth paying in order to build the new consensus and secure wider international support for the text since, as the key French representative at UNESCO put it, the majority of developing countries were not overly concerned with the disputes with the US over the trade in cultural products: by extending the *cultural exception* argument to one of *cultural diversity*, this enabled them to 'enlarge the issue to a universal dimension, so as to rid it of its stature as nothing more than transatlantic rivalry'. See Musitelli, op. cit., p. 2.

²³ See for example V.M. Moghadam and D. Elveren, 'The Making of an International Convention: Culture and Free Trade in a Global Era', *Review of International Studies*, Vol. 34, 2008, pp. 735-753.

²⁴ Robert Martin, of the US delegation, thus set out the US objections to the draft text by emphasising that 'this convention is not about culture...In fact, the trade agenda was so compelling that we even had to bend UNESCO's long-established rules to accommodate the participation of the European Commission, which has competency for trade, not culture. Because it is about trade, this convention clearly exceeds the mandate of UNESCO.' R.S. Martin, 'Final Statement of the US

Delegation', Paris, June 3rd 2005', http://unesco.usmission.gov/CL_09122006_CL_DiversityConvention.cfm, Accessed 29/09/2009.

²⁵ R. Albro, 'Managing Culture at Diversity's Expense? Thoughts on UNESCO's Newest Cultural Policy Instrument', *The Journal of Arts Management, Law and Society*, Vol. 35(3), 2005.

²⁶ Article 1 of the Convention for example refers to the objective 'to create the conditions for cultures to flourish and to freely interact in a mutually beneficial manner' and 'to foster interculturality in order to develop cultural interaction in the spirit of building bridges among peoples.' There is also an attempt running throughout the Convention to prohibit any invocation of cultural diversity that advances a protective, monolithic or 'pure' version of culture in order to sanction the intolerance or exclusion of others: thus Article 2 sets out the *Principle of respect for human rights and fundamental freedoms*, stating that 'no one may invoke the provisions of this Convention in order to infringe human rights and fundamental freedoms as enshrined in the *Universal Declaration of Human Rights* or guaranteed by international law, or to limit the scope thereof.' (see UNESCO, *Convention*)

²⁷ See for example Martin, op. cit. or MPAA, 'Glickman Expresses Disappointment at Outcome of Cultural Diversity Discussions', *Press Release*, 21 October 2005, http://www.mpa.org/press_releases/2005_10_21.pdf, Accessed 29/09/2009.

²⁸ D. Gioia, *UNESCO, Cultural Diversity Convention: The US View*, Foreign Press Centre Roundtable, Washington DC, September 27, 2005.

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From Decision to Event: Complicating Badiou's Politics of Truth

John McSweeney

Abstract

In *Being and Event*, Alain Badiou elaborates subjectivity as a 'truth procedure' in fidelity to an event, which avoids the mere repetition of difference that he considers to afflict much recent ('postmodern') thought.¹ As Badiou's work continues to grow in influence, questions nonetheless continue to be raised regarding the adequacy of this conception of the subject to the complexity of human subjectivity. While this debate is enjoined largely on the new theoretical terrain of Badiou's recent *Logics of Worlds*, this chapter asks a more Derridean question of Badiou: what is the status of the ontology of *Being and Event*? Examining the interrelation of decision and event in this work, the chapter argues that Badiou's ontology is complicated by a performativity that affects both the relation of decision and event and his conception of subjectivity as comprising moments of 'subjectivisation' and 'subjective process.' Comparing Badiou's work to that of the later Foucault, the chapter argues that the dynamics of *Being and Event* can be fully understood only if one allows for a performative but untheorised 'subjective ethos' at play in his text, which operates upon the subjective response to the event, rather than being consequent upon the event as such. The chapter thus argues that Badiou's effort to distinguish the properly political from the cultural must be reconceived as a political gesture, rooted in the cultural matrix of a subjective ethos.

Key Words: Badiou, decision, ethos, event, Foucault, subjectivity.

1. Introduction

In *Being and Event*, Alain Badiou elaborates subjectivity as a 'truth procedure,' which decisively alters a situation in fidelity to an event. In so doing, he seeks to conceptualise the subjective act as belonging to a 'situation,' but not doomed to reinscribing its hegemonic features.² Not least, he seeks to describe a political act that bears upon culture without conflating the political and the cultural and, thereby, denying thought a critical perspective upon the implication of culture in the power relations that culture would contest. While this project has been seminal for recent continental thought, it has equally generated significant criticism, even among its admirers. Alongside the question of the adequacy of the 'mathematical ontology' upon which Badiou articulates this concept of subjectivity, a key concern has been that conceiving subjectivity as constituted by a decision for the event, and fidelity to it, appears decisionistic and inadequate to the continuity and complexity of subjective experience.³ While Badiou's recent *Logics of Worlds* has offered new

ground upon which to engage such issues,⁴ in this chapter I wish to pose a more Derridean question to his ontology, specifically: what is the status of this ontology within the logic of his own text? In posing this question, I propose that there is a subtle but critical tension between the *concept* of subjectivity elaborated within *Being and Event* and the *performative* subjectivity which produces the text - a tension that hinges upon the relation of decision to event and which suggests that his distinction between the merely cultural and the specifically political proves more complex than Badiou would have us suppose.

2. One Decision or Two?

My question is prompted by Badiou's reflection upon the ontological problem of the one and the multiple, at the beginning of *Being and Event*, specifically, his statement that, having outlined the problem, 'we are at the brink of a *decision*' - a decision that 'the one is not,' and, subsequently, that modern set theory provides a contemporary framework for ontology.⁵ This reference to a decision at the beginning of a work, which will *conclude* that subjectivity is inaugurated by a *decision* to act in fidelity to an event, is significant, especially in the work of a philosopher who is at pains to specify the precise significance of his terms. Most immediately, one must ask what relationship exists between these two 'decisions,' whether they are consistent with one another: in Badiou's Maoist terminology, are we dealing here with one decision or two? In other words, what is at issue is whether these two decisions belong to a single 'economy' or 'order' of decision (and so are 'one'), or whether the 'second' decision splits and complicates the economy or order, which supports the 'first' decision.

Badiou offers direction on this question in Meditation 20 of *Being and Event*.⁶ There he is concerned with conceptualising subjectivity in light of the event as excessive in relation to knowledge. Insofar as the event introduces elements into a situation, which exceed and disrupt existing frameworks of knowledge, what Badiou terms the 'encyclopaedia' of knowledge cannot determine whether the event belongs to the situation, and thus can be the source of new truths about it. For Badiou, only a subjective 'intervention' can name the event and thus decide (without guarantee of being correct) this belonging to the situation.⁷ However, since naming is an operation that takes place within the order of knowledge, it ought to be impossible to name an event that is fundamentally excessive in relation to knowledge. Badiou acknowledges that it would appear that subjective naming of the event could be successful only if the intervention itself is another event. However, such a conclusion would fall foul of 'speculative leftism' - that is, the arbitrary positing of an intervention that claims to be an 'absolute commencement.' Instead, he argues that the intervention of naming the event is possible only as a consequence of another preceding event that recurs or is reactivated.⁸ Badiou does not naively displace the problem onto an infinite regress of events, but suggests that his formal analysis must be situated within a history of events that stand in

relation to one another. We cannot think any event in isolation from a history constituted by series of events, and past events can be reactivated because we never exhaust their potential to generate new disruptive truths within a situation.

Badiou thus implicitly allows that the decision, which inaugurates his mathematical ontology, decides for and names a current event of thought through the recurrence of earlier events. As such, his *theory* of decision can be understood to emerge from a naming (and subsequent 'truth procedure') performed by Badiou, as subject, in fidelity to an event for which he decides at the beginning of *Being and Event*. At first sight, Badiou thus appears to contextualise the two decisions of the work within a single framework and resolve any tension between them. Nevertheless, *Being and Event*, at a performative level, subtly reverses this relation between naming and prior event. Rather than simply re-activate an earlier event to name a later one, the decision that Badiou makes at the beginning of the book, in fact, decides in advance the form of *future* events. Badiou's formal analysis does not directly delimit what specific events may take place. Nonetheless, since it is a fundamental feature of event (in Badiou's own analysis) that it interrupts existing forms, specifying the form of any future event in advance places limits upon the events that might be recognised as such. Thus, rather than an event leading the subject to turn to a specific earlier event in order to name it, a specific prior event becomes the key to identifying future events.

If this reversal is not to undermine Badiou's project, one of two things is required. Either, first, his ontology is a specific *intervention* relative to a recently-occurred event, which does not set out to formally describe future events but aims to disrupt the current order of knowledge in the present and in relation to the recently-occurred event. Future events would call for interventions perhaps significantly or radically different from the ontology elaborated in fidelity to the current event. Hence, while Badiou's ontology provides a framework in which to think events as such, its primary aim is to bring about a thought more adequate to the *present* situation. Or, second, future events are sufficiently similar to the event whose naming leads Badiou to elaborate his theory of event, to justify such a theory. The very nature of events, however, would seem to undermine this latter suggestion. (Strictly speaking, preceding events would appear to allow only awareness that a current event *might be named*. They reveal that knowledge may be disrupted by that which exceeds it. Only if some preceding event or events stand in relation to the currently occurring event could it facilitate naming the event. However, this cannot allow for the truly novel element of events.) Hence, Badiou's ontology has an internal consistency only if it is conceived as a specific intervention in response to a specific event - or alternatively, it could expect to hold for a short series of events that are similar to one another.

3. Subjectivity and Time

I am ultimately suggesting that there is a subjectivity operative in Badiou's first 'decision,' which is reducible neither to what he terms the 'subjectivisation' of naming and decision for the event, nor the 'subjective process' of the 'truth procedure' in fidelity to it.⁹ Moreover, it is not simply that Badiou, by naming his opening authorial-subjective act as a decision, misnames this act. Rather, this naming, presented as the whole of the act, obscures the additional necessary moment of subjectivity, which allows him to determine that his opening gesture is such a subjective decision. The impossible temporality involved in holding both to decision as inaugural to *Being and Event* and as the outcome of that work becomes comprehensible when an additional subjectivity is allowed that functions to *relate* an intervening 'subjectivisation' and a faithful 'subjective process'.

Following the work of Michel Foucault, I will term this subjectivity an 'ethical subjectivity,' in the sense of the exercise of an *ethos*, or subjective relationship to one's own subjectivity. Certainly, the extent to which Foucault does not clearly distinguish subjectivity and event is anathema to Badiou.¹⁰ Nonetheless, Foucault in the final phase of his work offers a conception of subjectivity that need not be bound to his concept of event. In particular, Foucault's exploration of ancient practices of 'self writing' offers a succinct model of his conception of this ethical relation to oneself that shares significant resonances with Badiou, their differences notwithstanding.¹¹ Here Foucault demonstrates how reading and writing specific texts from the tradition enabled Greek and Roman citizens to 'recollect' themselves. That is, such texts allowed them, in private moments, to create a distance from the self, shaped by activity in the polis. In Foucault's modern re-envisioning, elements of traditions or discourses (often archives in Foucault's case) can provide a means of creating a distance from the self constituted by power, knowledge and 'dispositifs.' This, in turn, not only generates new conceptions of the subject, but generates in Foucault's earlier terms fictions that disrupt existing forms of knowledge, becoming true via the new relations to truth which it enables people to establish.¹²

It is not difficult to identify the parallels between these two moments and Badiou's notions of 'subjectivisation' and 'subjective process.' However, the key point, for Foucault, is that this does not exhaust the subjectivity at work in this situation. Rather, in an important sense, subjectivity cannot be reduced to either dimension or to their sum. Subjectivity, in a manner redolent of Lacan, is also precisely (the performance of) the gap that separates and unites these two subjective moments. For Foucault, the choice of elements of the tradition that will generate a moment of subjectivising intervention is a wager. In a key 1978 interview, he described his texts as an *expérience* (an experience and an experiment in the two-fold sense of the French term).¹³ He cannot know that he is correct, that his intervention will have significance. The new possibilities generated by his wager, retrospectively condition and legitimise that first subjectivising

moment. His work can only emerge from the interaction of these two moments, and always from a position (temporally) after and in the context of this interaction. More so, it can only gain its coherence from this subsequent point of interaction. His interventions as they emerge in his texts are thus always already enfolded within the expanded, disruptive space generated by his interventions. It is precisely this *ethos*, which avoids the kind of ‘speculative leftism’ that Badiou decries, for it renders the theoretical framework of his thought a specific, performative intervention, one that must be repeated anew in new cycles of ‘subjectivisation’ and ‘subjective process.’

4. Conclusion

A similar subjective ethos must be posited in *Being and Event* to ensure that it remains consistently free of ‘speculative leftism.’ The wager of opting for the notion that ‘the one is not’ and the congruence of this statement today with set theory, only receives its significance from the disruption of knowledge and the truths it generates. As Badiou acknowledges, it is only through the latter that one can determine whether an event has, in fact, occurred. That Badiou deploys the term ‘decision’ at the outset of the work, in turn, suggests that *Being and Event* is not simply a ‘polemic’ in fidelity to an event, as Badiou argues philosophy today must be. Rather, it suggests a thought already enfolded, tested, ‘specified’ and performed within the outcome of the truth process deriving from subjective intervention in fidelity to the event.

At the same time, this subjective ethos - this active relating of subjectivisation and subjective process - cannot be reduced to a function of response to the event. It is that element of subjectivity that relates events and is thus rooted in what Badiou, in *Logics of Worlds*, terms the ‘pre-subjective’ - the realm of one’s cultural embeddedness and activity. Foucault, with further echoes of Lacan, suggests that this subjective ethos finds its locus in passions that find expression in a constellation of notable preoccupations around which one’s thought revolves and one’s attentiveness to events is constituted.¹⁴ Badiou would reject the echoes of drive here, but it seems necessary to account for his passions (for example, for the *sans-papiers* in French society) in terms of an ethos, which if shaped by events is rooted in and also emerges from the intersection of subjectivity and culture. It appears necessary, therefore, to suggest that Badiou’s performance of subjectivity, faithful to an event, requires us to posit a subjectivity that exceeds the event even as it stands in relation to it, complicating his notion of a political act that is distinct from culture as such.

Notes

¹ This chapter has been prepared with the support of funding by the Irish Jesuits through Milltown Institute.

² A. Badiou, *Being and Event*, Continuum, New York, 2006.

³ See, for example, P. Hallward, 'Introduction: Consequences of Abstraction', *Think Again: Alain Badiou and the Future of Philosophy*, P. Hallward (ed), Continuum, London and New York, pp. 13-20.

⁴ A. Badiou, *Logics of Worlds: Being and Event II*, Continuum, London and New York, 2009.

⁵ Badiou, *Being and Event*, p. 23, my emphasis.

⁶ Badiou, *Being and Event*, pp. 201-211.

⁷ *Ibid.*, p. 203.

⁸ *Ibid.*, pp. 209-210.

⁹ A. Badiou, *Theory of the Subject*, Continuum, New York and London, 2009, p. 264.

¹⁰ See, A. Badiou, *Metapolitics*, Verso, London and New York, 2005, pp. 44-55.

¹¹ M. Foucault, 'Self Writing', *Ethics: Essential Works of Foucault 1954-1984*, P. Rabinow (ed), Vol. 1, Penguin, London, 2000, pp. 207-22.

¹² M. Foucault, 'The History of Sexuality', *Power/Knowledge: Selected Interviews and Other Writings 1972-1977*, C. Gordon (ed), Longman, London and New York, 1980, p. 193.

¹³ M. Foucault, 'Interview with Michel Foucault', *Power: Essential Works of Foucault 1954-1984*, J. Faubian (ed), Vol. 3, Penguin, London, 2000, pp. 239-40.

¹⁴ M. Foucault, *The Use of Pleasure: The History of Sexuality*, Vol. 2, Penguin, London, 1992, pp. 8-9.

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Ethics in Trouble: A Philosopher's Role in Moral Practice and the Expert Model of National Bioethics Commissions

Anne Siegetsleitner

Abstract

Philosophers may contribute a lot to moral practice, even when they are not looking for a theory that might be 'applied' to contemporary moral concerns. Showing the background, the underlying and unmentioned premises of arguments brought forward in moral debates, is a recognised philosophical competence. The same holds for concept clarification or hermeneutic skills, the knowledge of historical development and the like. These competences can be used with a critical impetus or with a constructive one, for example, proposing new concepts and viewpoints for new thinking. Therefore, there is ethical expertise in the sense of moral philosophical expertise. However, there is no moral point of view, which has a special philosophical entitlement, and no philosophical criteria for the 'true' or 'better' moral theory. A philosopher holding a moral standpoint does not render the standpoint a philosophical one. Hence, there is no special philosophical moral expertise. In this chapter, I explain this position and consider its consequences for national bioethics commissions, which follow the expert model of ethics commissions. I conclude by proposing two alternative models, which fare better in terms of intellectual, moral and political integrity: the model of moral representatives, and the model of open civic participation. Ethics as a philosophical discipline is in trouble as soon as it forgets its intellectual limitations. Morality is in trouble, when philosophers support politically and morally unsound institutions.

Key Words: Ethics, integrity, morality, national bioethics commissions, philosophy.

1. Introduction

Some philosophers, especially ethicists, are more than willing to play an official part in public moral practice, especially as members of bodies such as national bioethics commissions. Some enjoy being media darlings and feel proud to be regarded as having an influential and prestigious public voice.

In this chapter, I will critically assess a philosopher's role in moral practice with a focus on her or his role in national bioethics commissions. What are philosophers legitimately supposed to do in such boards? Drawing on the crucial difference between ethical and moral expertise, I will show that commissions that follow the expert model are deeply flawed, and conclude by proposing two alternative models, which fare better in terms of intellectual, moral and political

integrity. These are the model of moral representatives, and the model of open civic participation.

2. National Bioethics Commissions

In many countries, national and governmental bioethics commissions are institutionalised forms of guiding moral practice.¹ For more than thirty years in the U.S., various bioethics commissions have given advice to Presidents and Congress on health and life science issues. Europe has seen many such commissions in the last thirty years, too. For example, in 2001 German Chancellor Gerhard Schröder created the *National Ethics Council* (since 2008 the *German Ethics Council*). The idea has spread throughout the world. National bioethics commissions have also been formed in (to name but a few) Gabon, Ghana, Guinea, Jamaica, Togo and the Republic of El Salvador.

Most commissions are comprised of experts in the fields of medicine, biology, law; political and social sciences, as well as theology and philosophy. What are these members considered to be experts in? Certainly, physicians and medical and biological scientists are meant to contribute their medical and scientific expertise in the special fields, in which advice is necessary. Legal experts are needed for proposing legal formulations and for taking into consideration the relevant legal aspects. In a similar manner, political scientists are expected to provide knowledge of the political context. Nevertheless, in order to accomplish the commission's purpose, some moral norms and values have to also be included. This is obviously part of the theologians' mission. They are expected to bring in a moral, normative or evaluative perspective. But which area of expert knowledge can academic philosophers legitimately lay claim to?

3. The Philosopher's Role in National Bioethics Commissions

Some may see the role of a moral philosopher in moral practice in general and in national bioethics commissions in particular, as one that complements that of the theologian in providing moral norms and values. However, in contrast to the theologians, it is not religiously approved views that are asked for, but some secular equivalents, which are philosophically approved. In this view, philosophers are expected to 'apply' a philosophically approved moral theory to practice, one which is 'purer' than that which any ordinary citizen could provide. The philosopher is taken to be an expert in the secular moral point of view. Whatever some philosophers may pretend, neither such a theory, nor such a moral expert exists.² There is no moral point of view that has a special philosophical entitlement, and no philosophical criteria for the 'true' or 'better' moral theory. Of course, moral theories are discussed in moral philosophy, but this does not give them some special philosophical authority in the sense that philosophers are entitled by their profession to bring in, for example, utilitarian or Kantian moral outlooks. A philosopher holding a moral standpoint does not render the standpoint

a philosophical one. This kind of expected service on the part of academic philosophers to bioethics commissions is deeply flawed. There is no special philosophical moral expertise.

Some confusion may stem from ambiguities with regard to the term 'ethics'. If the term refers to moral philosophy and its subject - morality - at the same time, one can mistake an expert in moral philosophy as an expert in morality. This is why I prefer to restrict the term 'ethics' to moral philosophy, and to use the term 'morality' when referring to the social practice people are engaged in as members of a moral community.

Therefore, is there nothing left that can be legitimately offered by academic philosophers? Surely, ethicists may contribute a lot to moral practice, even when they are not looking for a theory that may be 'applied' to contemporary moral concerns. In national bioethics commissions and elsewhere, they may show the background, the underlying and unmentioned premises of arguments brought forward in the respective moral debates and detect inconsistencies in such arguments. The same holds for concept clarification, or hermeneutic skills, knowledge of historical development in moral issues, and the like. For example, ethicists should know about the diverse meanings of 'human dignity' and the historical and philosophical context of this term. These competences can be used with a critical impetus or with a constructive one, for example, proposing new concepts and viewpoints for new thinking. These are all recognised philosophical competences that academic philosophers are trained in, and therefore may be considered, with good reason, to be specialists in. There is no special philosophical moral expertise, only ethical expertise.

But why should ethicists not bring in their personal moral point of view? Why should wise citizens not be asked to propose morally sound regulations? Basically, a democratic society might ask for moral guidance and entrust fellow citizens with this task. However, by doing so, we move away from the expert model of a bioethics commission, with the role of the philosopher changing profoundly. Now the philosophers are being asked to provide much more than professional skills. When they do more than philosophise, they have to clarify with which title they do so. Most importantly of all, academic philosophers are not privileged with this kind of service, and have no special talent for it qua being professional academic philosophers. This is not a question of professional expertise at all. A personal moral outlook, and perhaps one associated with a particular religious or political group would be privileged by the individual being appointed a member of a board and expected to give advice from a moral point of view due to some alleged expertise that she or he does not have.

4. The Flawed Expert Model

The same problem holds for all members of a commission, in which the legitimising basis of membership is a presupposed professional expertise. The

expert model is unable to restrict the tasks of their members to professionally legitimate ones. National bioethics commissions, as a whole, are not philosophical or scientific institutions of professional specialists, but moral and ultimately political ones, at least as long as they are aimed at political counselling.

National bioethics commissions, which choose the members of the board on the basis of professional expertise, disguise the privileged political powers of individuals and special moral communities. In the light of democratic values, it is troubling that the members are given special public powers, which are legitimised, neither by some field of expertise, nor by entitlement on the part of the people. They are awarded a privileged role under the disguise of expertise.

Whatever such an expert commission proposes, the institution itself is flawed. What should be an issue of common public moral debate is handed over, without asking the public, to pseudo-experts. This expert model takes for granted that experts know best, and have to inform the government and the public, with theologians, and philosophers as the perceived secular equivalents as the experts, with regard to the guiding moral norms and values. It is supposed that expert discourse is something that can be done prior to engaging with the public; the civil society. Philosophers who see themselves as democratic citizens have good reason to think more than twice before participating in such an institution. Democratic citizens have good reason to criticise bioethics commissions as long as they follow the expert model, based on democratic commitments, which are ultimately moral commitments.

5. Alternative Models

One solution to the problematic role of the moral philosopher could be to restrict the philosopher's function in such expert commissions to their professional expertise. However, as long as the task is to provide some advice from a moral point of view, this would mean having to leave the normative/evaluative input to the other members. The ethicist would be a non-corrupt member in a corrupt institution. If, instead, all members confined their input to their expertise, no opinions or recommendations could be given at all. Some moral framework is needed for the advisory process.

Another way of dealing with the problem could be that the philosopher states her or his moral position clearly, so that the normative/evaluative basis of the decision making process would at least not be hidden. Nevertheless, this will still not solve the problem of democratic legitimating. The only solution is to look for models of commissions, which can guarantee the political integrity of the whole board, and offer a politically legitimate mandate.³

One type is the *model of moral representatives*. If one takes the aim of a national bioethics commission to be to provide the policy recommendations of a societal consensus of representatives of all relevant moral communities of a society, a philosopher would have a legitimate mandate to be a member of such a

board. In this model, proponents of a religious or political group may bring in certain moral values and may legitimately do so. In addition to that, experts may be entitled to be on such a board as well, but with clearly stated limited tasks. A philosopher may be a member due to her/his professional expertise or due to her/his moral conviction, or maybe even both, but on a transparent basis. Commissions of representatives may also accomplish the aim of articulating common values or fostering consensus in a society about bioethical issues. What is made clear in such a model is that a national bioethics commission, in order to accomplish its goals in a democratic and legitimate way, cannot be the playground of academic experts who displace a necessary political process and/or take it over to an undue extent. However, the model of representation is not a very democratic instrument as long as the people have no vote to choose their representatives. Nevertheless, when it comes to practical limitations of implementation, in many societies this model may turn out to be the best one.

Another alternative model is the *model of open civil participation*. In this model the commission's task is still to give political advice, but only on the basis of a preceding public civil discourse, which the commission has to promote and organise. In this model, all citizens are invited to engage in this common moral position-forming process. Professional expertise can be clearly helpful in this debate. Not least, philosophical competence may be crucial, as it is essential to give assistance in clarifying and understanding one's own position and, by doing so, improve the deliberative process of society in re-examining and reaffirming its value system. Philosophers and other experts will inform and moderate the debate instead of taking it over. The moral debate will stay where it belongs - with the general public - and will not be replaced by a moral philosophical debate. As far as the normative stance is concerned, philosophers will be fellow citizens in this discourse. They do not have to represent a philosophically authorised moral position, let alone make sure that their position will prevail in debate. A common moral answer of a political community to public policy in the regulation of medicine and life sciences can best be settled by a public discourse, and not by a discourse of pseudo-experts. The model of open civil participation is the best one to guarantee this. A philosopher may be a member of such a commission and participate in the elevated public discourse, while keeping his or her intellectual, political and moral integrity. However, in many societies this model will be confronted with severe difficulties of implementation, and there will be some practical limits in any societies.⁴

6. Summary and Closing Remarks

National bioethics commissions are embedded in a special cultural and political context. Every engagement a philosopher is involved in in such institutions, and in moral social practice in general, also takes place in such a context. There are intellectually and morally sound and unsound ways of participating. For a

participating ethicist to ignore the nature of expert commissions and some types of representative commissions would result in problematic personal and political consequences. Personally, it could mean the loss of intellectual and moral integrity and, with regard to democratic principles, the loss of political integrity. A proper public moral discourse would be taken over by pseudo-experts or unduly substituted by hidden power privileges.

These problems would be best avoided by bioethics commissions, which follow the model of open civil participation. Such commissions would allow philosophers to find a valuable place in public moral discourse, without corrupting her/his intellectual, political or moral integrity. In many societies, however, the implementation of the model of moral representatives will be more realistic.

As should have become clear, my point is not that philosophers should avoid public engagement and stay in a theoretical and academic ivory tower. One is not a better philosopher when one confines one's life to one's profession. Integrity does not mean no engagement, but knowing the role of one's professional expertise in one's engagement as a citizen and as a moral agent. Moral philosophy should enrich, not distract us from moral and political discourse. Ethics as a philosophical discipline is in trouble as soon as it forgets its intellectual limitations. Morality is in trouble, when philosophers support politically and morally unsound institutions.

Notes

¹ I will restrict my reflections to commissions with governmental (presidential, congressional, parliamentary etc.) status. In the UK there is no commission of this kind. The influential *Nuffield Council on Bioethics* is a private institution.

² A similar view is held by Martha Nussbaum in M. Nussbaum, 'Moral Expertise? Constitutional Narratives and Philosophical Argument', *Metaphilosophy*, Vol. 33, No. 5, 2002, pp. 502-520. The debate on ethical and/or moral expertise is an ongoing, lively debate. For a recent contribution see, for example, M. Powers, 'Bioethics as Politics: The Limits of Moral Expertise', *Kennedy Institute of Ethics Journal*, Vol. 15, No. 3, 2005, pp. 305-322.

³ On the legitimacy of bioethics commissions see also S. Johnson, 'Making Public Bioethics Sufficiently Public: The Legitimacy and Authority of Bioethics Commissions', *Kennedy Institute of Ethics Journal*, Vol. 17, No. 2, 2007, pp. 143-152.

⁴ Basic limitations will be set by time considerations. Not only will there be a time limit for presenting the opinion or recommendation, but participation is time consuming as well. People with time-intensive work (paid or unpaid) have less time to participate, people with higher verbal skills are able to make themselves heard more easily, and so on.

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Part II

Ethics, Politics and Policy

Italian Mafia in the Spectrum of Culture and Politics

Bariş Çaylı

Abstract

This chapter examines the rise of the Italian Mafia from the perspective of culture and politics. Culture has had a significant effect on the rise of the Mafia in Southern Italy, where traditional and collective values reflective of an agricultural economy tend to valorise cultural attributes such as honour and trust. Apart from culture, politics has also had a major influence in the development of the Italian Mafia. Governments used different preventive measures against the Italian Mafia but they could not manage to eradicate the Mafia from the country completely. Although the Italian Mafia has already been examined through culture and politics by various scholars, this chapter firstly introduces the concept of 'double oppression' as a new paradigm from the angle of the failure of individualism in Southern Italy, as well as the concept of 'ad hoc and indecisive policies' as the outcome of an absence of strong, transparent and uncorrupted governments in the fight against the Italian Mafia. The chapter argues that Italian Mafia has become stronger and undefeatable because of two major facts: a failure of individualism and a lack of state determination and decisiveness.

Key Words: Ad hoc indecisive policy, culture, double oppression, Italian Mafia, politics.

1. Introduction

The Mafia phenomenon in Italy has extended an historical devastation through the country's political and social institutions. It infected the public with the virus of mistrust, corruption and violence. To examine the Mafia phenomenon in the country, firstly we will look at the reasons for its emergence in connection with the history and culture of the region. Secondly, the way it has been empowered and become a threat for the unity and future of the country must be analysed through the Mafia's networks in the political system. Therefore, this chapter will analyse firstly the cultural spectrum of the region where the Mafia emerged and was approved publicly and then will move to the political spectrum to investigate a clear answer in dealing with its power extension.

2. Italian Mafia in the Spectrum of Culture

Mediterranean culture and its strong bond with the traditions, customs and symbolism triggered empowering of the Mafia especially from the 'honour' and 'trust' perspective. Different from economic and political aspects, cultural paradigm caused Mafia members to gain more legitimacy which is more durable and

unchangeable as the outcome of the power of culture. This is not a big surprise when considering the culture as an ongoing process since starting of the humankind history so it has direct effects on the way of thinking of the people. Traditional Mediterranean culture has notably announced a social system with features of subsistence economy and gathered around two scarce values: honour and trust.¹ One the one hand, honour is placed at the meeting point of individual and society; on the other hand, trust is more regarded with the organisation of the society and to its material culture but they have both common points.² The code of honour is purported to defend a general interest and take care of their community.³ This argumentation is essential to emphasise that code of honour ensures their prestige in the society.

Like honour, trust is another significant attribution in the Mediterranean culture. The trust notion has always been perceived to be one of the proofs why the Sicilian society is so susceptible about anything related with the state and turning towards another power.⁴ The reason of mistrust can be traced by different societies' invasions of the island during the history. Sicily has been invaded throughout history by different societies and countries (including the Vandals, Romans, Arabs, Normans, French, Aragon, Spanish, Austrians, Bourbons, British and the USA).⁵ Finally, Sicily has been one of the regions of Italy by declaration of the Italian Republic in 1946. Hence, after being under the power of many different ruling systems, Sicilian people have obstacles to comprehend the state as something related with them because of this reason the state has mainly lack of prestige and positive perception in the region.⁶ Furthermore, aristocrats were also perceived negatively like the state because of their collaboration with the invaders throughout the history.⁷ In addition, Seindal claimed that absence of the state raised a Hobessian type of world in which the highest of all virtues was named as 'personal honour.'⁸ What is more, untrustworthiness perception of the state has unfortunately been effective until and after 1946 and its negative impression increased when the central authority mainly neglected not only Sicily but also whole Southern region, in other words *Mezzogiorno*, in terms of social and economic aspects. Therefore, 'trust' and its meaning have widely been used by the Mafia to make that notion vulnerable. Thus, they would tempt the people to ask private protection from the Mafia because of the historical perception of the 'trust' already existing in the society.⁹

The situation of the Mediterranean culture and Sicily are highly related with the paradigm of cultural values of Schwartz. The Mastery of the Mafia has been perceived as the legitimate source because of its power and order domination in the region. What is more, power and order are the two remarkable sources of the region, which make any instrument legitimate without any concern of its legality. Although the Mafioso, in other words, the power and order provider, is the sole character to dictate over Southern Italy, honour and trust are the basic notions which give soul to the Sicilian society to be respectful to the owners of power and order, the Mafiosi.

The Sicilian society has generally been observed as a place where extensive traditional values and social pressure are appreciated highly so much so that honour and trust has become major tools to have impact on the certain type of behaviours in the society.

Double oppression emerges after the failure of individualism in the existence of two-fold oppression by the Mafia on the local people. The first oppression is settled by the exploitation of the people in terms of racketeering, fraud, kidnapping, cheap labour, smuggling and etc. The second oppression emerges whenever the oppressed people try to resist the mistreatment and brutality through application to the legal institutions to ask for protection. Mafia uses its networks in the bureaucracy, politics, and local contacts to prevent such an application. If it is not possible to close the channels of the legal protection for the oppressed people complains', they start using threats, bloodshed and violence on the oppressed ones to deter them from their decisions about taking any legal initiative against the Mafia. Unfortunately, this is the vicious cycle, which helps maximisation the profits of the Mafia over the oppressed people. That is important to mention that honour and trust as already mentioned above have been the other effective reasons as being pressure instruments because making such cooperation with the legal organisms and police also means that social isolation, infamy and putting their lives in danger for the local people. Unfortunately, besides other factors, the failure of individualism prepared the most appropriate atmosphere for the allocation of the double oppression on the local people over the violence and fear tools of the Mafia. There are economic, political, social and cultural reasons in the expansion of the Mafia and emerging as an evil monster but the roots of this evil monster had become stronger under the suitable cultural background of the region which gave sufficient resources to the roots of the Mafia through honour and trust perceptions.

3. Italian Mafia in the Spectrum of Politics

Block remarked that '... organised crime is increasingly taken to represent a series of relationships among professional criminals, upper world clients and politicians.'¹⁰ Besides, Maffei and Betsos mentioned this relationship as an outcome of dissolving of the several town councils in southern Italian cities in the regions of Calabria and Campania.¹¹ What determines Italian Mafia's different position than the other criminal organisation depends on its relationship with the politics and this relationship could be defined as 'the alliance between politics and crime. This fact implies for the control of the economic sphere, the trade union organizations, influence of judiciary, the police and administrative and political bodies.'¹²

Except during the fascist regime (1922-1943), the elite administrators acknowledged the existence of the 'parallel administration' of the Mafia bosses until the 1960s.¹³ During the 1960s Mafia commenced losing its popular support and radicalised among itself. The distribution of the public contracts to the Mafia's during the 1960s, 70s and 80s were also created not only a strong bond in the

relationships between the Mafiosi and politicians but also figured out new type of Mafia politicians.¹⁴ After the dramatic assassinations of politicians, judges, and journalists during 1960s and 70s, the brutality of the Mafia was reached its peak level by early 1980s. *Maxiprocesso* (Maxi Trial) was the significant response to the Mafia's brutality by the Italian justice system. The first time Italian state decided to take hard preventive measures against the Mafia by this trial and thereafter. Hundredths of Mafiosi were put behind the bars. This trial proved that the state became aware of the fact that it should take the control back from the Mafia in the whole country but Mafia became crueller after *Maxiprocesso* and started its shocking assassinations. In the year of 1992 murdering of two senior prosecutors who became the famous as Mafia fighters; Giovanni Falcone and Paolo Borsellino caused a deep turbulence in the country. Other preventive measurements put on the table like increasing the confidentiality of the judicial investigation into Mafia crimes, permitting more flexibility in the gathering of evidences (i.e. wiretaps).¹⁵ The problem of the Italian state in dealing with the Mafia is a problem creating the perception about existence of this fight. In fact, such a fight has never been taken with full of commitment in contribution of all bureaucrats, politicians and media. Thus, the problem of the Italian elite system in any attempt to fight against the Mafia was deeply rooted on the ground of corruption, lack of transparency and dirty network system between the Mafia and politicians. Therefore, the Mafia was appeared 'a state within the state' in main Southern Italian regions like Sicily and other cities in Calabria and Campania where two regions host famous Mafia organisations named as '*Ndrangheta* and *Camorra* respectively.¹⁶ Another argument was raised again because of the relationship between the powerful Italian figures and Mafia crimes. This argumentation defines Mafia as a 'formidable enemy' because of many powerful Italian elites have somehow interest in the Mafia type crimes. Therefore, until this fascination was terminated, Mafia would go on surviving in the country.¹⁷

In contrary to the success of the Mafia, during the last years Italian public witnessed capturing of the leading Mafia chiefs. Arresting of Salvatore Russo, Gianni Nicchi and Pasquale Russo would be firstly counted as a success for the Berlusconi government and prominent examples to show the government's determinant fight against the Italian Mafia whereas the last attempt to change the law about the confiscated goods of Berlusconi government increases the doubts about their sincerity in this fight. The law obliges that goods which are confiscated from the Mafia must be used for the public good for instance as a library or a nurse school. This could be interpreted that on the one hand the government takes the attention by the arrestment of the Mafia chiefs. On the other hand, the government gives back the financial power to the Mafia by the law, which purposed to change the aim of the confiscated goods. Public auction will be liable after modification of the law so confiscated goods, which were derived from Mafia, will have the chance

to buy their properties back.¹⁸ Mancini expresses this attempt ‘giving back with your left hand what you take away with your right.’¹⁹

The story of the Italian Mafia in the country is the story of the paradoxes and fluctuations. The political organisms, policy makers, justice system and bureaucrats, all these responsible stakeholders in the solution of the problem have never proved their fight against the Mafia with full of commitment in the contribution of all responsible persons in this fight. Unfortunately, the last government draws more pessimistic picture. Even tough capturing of the some Mafia leaders gave strong signals to the public, the last attempt on changing the law in dealing with the confiscated goods and the network of Berlusconi government with certain type of people who belong to other Mafia structures increases this doubts.

4. Concluding Remarks

This chapter has presented different paradigms in the examination of the Mafia reality in Italy. The first major point advanced in this chapter is the notion of double oppression, after elucidating the role of culture in the emergence of the Mafia. Double oppression is essential to understand not only the methods of the Mafia in their success, but also the despair of the local people and Mafia victims under the Mafia’s system of double oppression. The second major point is how corruption, lack of transparency and accountability among the politicians put a country into state of a violent turbulence. Ad hoc and indecisive policies form the other face of the coin in explaining the failure of the fight against the Mafia.

Notes

¹ A. Cottino, ‘Sicilian Culture of Values: The Interconnections Between Organised Crime and Society’, *Crime, Law and Social Change*, Vol. 32, 1999, pp. 105-108.

² *Ibid.*, p. 105.

³ C. Bagnoli, ‘The Mafioso Case: Autonomy and Self-Respect’, *Ethical Theory and Moral Practice*, Vol. 12, No. 5, 2009, p. 481.

⁴ Cottino, *op. cit.*, p. 104.

⁵ T. Lappalainen, *Mafya*, A. Arda (trans), Yerdeniz Yayınları, Istanbul, 1993, p. 168.

⁶ *Ibid.*, pp. 168-169.

⁷ *Ibid.*, p. 163.

⁸ Seindal, *op. cit.*, p. 25.

⁹ D. Gambetta, *La Mafia siciliana, un’industria della protezione privata*, Einaudi, Torino, 1992, pp. 8-11.

¹⁰ R. Catanzaro, *Men of Respect: A Social History of the Sicilian Mafia*, R. Rosenthal (trans), Free Press, New York, 1992, pp. 182-219.

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- ¹³ S. Maffei & B. Marzagora, 'Crime and Criminal Policy in Italy: Tradition and Modernity in a Troubled Country', *European Journal of Criminology*, Vol. 4, 2007, p. 465.
- ¹⁴ S.F. Romano, *Storia Della Mafia*, A. Mondadori (ed.), Salerno, 1966, p. 222.
- ¹⁵ P. Arlacchi, *Mafya Ahlakı ve Kapitalizmin Ruhı*, İletişim, İstanbul, 2000, p. 191.
- ¹⁶ Seindal, op. cit., p. 37.
- ¹⁷ Maffei and Betsos, op. cit., p. 474.
- ¹⁸ Seindal, op. cit., p. 24.
- ¹⁹ Ibid., p. 24.

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The Justice and Development Party's Discourse on the Kurdish Question

Nazli Sila Cesur

Abstract

The Kemalist Turkish state discourse has historically excluded Kurdish identity. This attitude has stemmed from the ambition to forge a coherent Turkish identity to ground the modern nation-state. In Turkish politics this approach has often come into conflict with Kurds wishing for recognition as a distinct cultural identity. The Turkish state has typically reacted by refusing to acknowledge the existence of any Kurdish question, declaring instead that there is only terrorism. However the AKP (*Adalet ve Kalkınma Partisi*, or, *Justice and Development Party*), led by Prime Minister Recep Tayyip Erdogan, has taken a different approach to the Kurdish question. They have reframed the Kurdish struggle as an issue of the recognition of ethnic identity, strongly related to the improvement of democracy in Turkey. This paper offers an analysis of the shift in official discourse surrounding the Kurdish question in Turkey under the AKP.

Key Words: Discourse analysis, Islamism, Justice and Development Party, Kemalism, Kurdish Question, Turkish Politics.

1. Introduction

The Turkish Republic was founded on Kemalist discourse, which claimed Turkey to be a modern and homogenous nation state, and which aimed to ensure that Turkishness was the only framework for social identification. As a founding discourse therefore, Kemalist hegemony became embedded in many of the key institutions in Turkey. This discourse was institutionalised in the Turkish constitution and in the legal system, it defined the military and it shaped the national bureaucracy. Kemalism was an institutionalised horizon that turned into a defining framework of the Turkish political field. Consequently, counter identities were not able to represent themselves in the political field unless they articulated themselves in reference to Kemalism. This gave no chance to Kurdish subjectivity to represent Kurdish linguistic or ethnical differences or to address issues relating to Kurdish cultural or social rights. The Turkish State Discourse (TSD) described the Kurdish Question without mentioning 'Kurdishness'. In the early Republican period, the Kurdish Question was described as an issue of banditry, tribalism and Sheiks. From the beginning of the multi-party era in the 1940s through to the 1980s the Kurdish Question was an issue of regional backwardness.¹ Later, the TSD associated the Kurdish political struggle with terrorism; an extension of the war between the Kurdistan Worker's Party (PKK) and the Turkish Armed Forces.

However in the course of Turkey's accession process to the European Union (EU) the Kurdish question has managed to become reframed and associated with democracy. In this way it has gained the support of the EU as an inevitable component of democratisation in Turkey.

The significance of the AKP's discourse on the Kurdish question for this paper is to show how Islamic subjectivity created equivalence with the Kurdish Struggle against the Kemalist State by using the signifier 'democracy'. The AKP employed a discourse promising liberal democracy, which allows for a concept of 'nation' built on ethnic diversity rather than homogeneity. By making the Kurdish question an issue of satisfying ethnic rights in Turkey, the AKP has been able to associate Kurdish identity politics with their own aim of building a liberal democracy as an alternative to the Kemalist order. This paper suggests that we should consider the AKP's discursive strategy through the antagonistic interaction between Islamism and the Kemalist establishment. The AKP have not only reconceptualised the Kurdish Question as an issue of ethnic identity but also managed to show the limits of Kemalism.

2. Modern Turkish Identity and the Exclusion of Islam

The Ottoman Empire, which the Kemalist State replaced, had been based on a heterogeneous social structure, and was tolerant of a range of religious communities. In the early 1920s, however, the new Kemalist order employed a unitary, secular discourse in order to generate an intense modernisation process, and in this way to transform Turkey into a westernised State with a modern outlook. Kemalism articulated a new order, supplanting the Ottoman system by excluding its religious and heterogeneous symbols and values.²

The modernisation process of the Kemalist regime was based on two main principles: secularisation and nationalisation of the society and state. To this extent, initially, the Kemalist discourse proposed a unified and modern homogeneous nation excluding all symbols and concepts of the heterogeneous and religious Ottoman identity. On one hand nationalisation of the State aimed to dissolve the heterogeneity of the ethnic composition of the Ottoman order. On the other hand, for Kemalists, the secularisation meant the elimination of religious concepts and symbols representing the Ottoman Order were crucial to construct a secular and modern state.

3. The Rise of Islamism in Turkey: Reconsideration of Islam as Distinct from Turkishness

Although Islam was excluded from the TSD, it was always a signifier used to represent the traditional and religious masses living in Anatolia. The rise of Islamism was provoked by the 1980 military coup and the following three-year military regime. The military coup aimed to undermine the multiple forms of antagonism (mainly between Leftist and Rightists) and reconstruct an authoritarian

order based on Kemalism. The regime sought to re-create social and political stability through an imposed 'national unity'. In order to achieve this unity, the military encouraged nationalism and reframed Islam as one of the main elements of Turkish identity.³ This set the stage for the rise of Islam through the 1980s, leading to the establishment of a new political party; *Refah Partisi* (the Welfare Party, WP). The WP developed a discourse of Muslim unity against western imperialism.

However the WP's overtly Islamic discourse raised tensions between the Kemalist establishment and Islamism. The Turkish Constitutional Court closed down the party in 1997 on the grounds that it violated secularism. After the Welfare Party was closed down by court order and its leader Erbakan was banned from politics, two new parties *Saadet Partisi* (the Felicity Party, SP) and the AKP began to represent the Islamic movement. The conservatives that adopted the same principles as the WP chose to join the SP while the reformists chose to side with the AKP.⁴

4. The AKP in Power

Recep Tayip Erdogan established the AKP in 2001 under the pressure of the secularist challenge to pro-Islamist political parties. Although the AKP leaders entered politics through Erbakan's Islamic Movement, in the AKP's official statements senior members of the party emphasised that the AKP was not an Islamist party. Rather, it was presented as a Western orientated liberal party that supported the goal of EU membership for Turkey. Erdogan claimed that they were 'conservative democrats'.

'Reform', 'transition', 'democracy', 'pluralism' and 'conservatism' structured the ideology of the AKP. The party's first electoral victory, in 2002 was widely perceived as a big challenge to secularism, and was interpreted by secularists as a threat to the Kemalist Republic. Kemalist intellectuals, and political parties mostly associated with Kemalism did not hesitate to raise their concerns that the AKP might have a secret Islamic agenda.

The reaction of Kemalism to attempts to assert Kurdish and Islamic counter-identities was to downplay social diversity and reassert Kemalist hegemony by emphasising national unity and secularism. The AKP rearticulated Islamic discourse in terms of pluralism and democracy while trying to balance the tension between Islamism and the Kemalist establishment. The AKP's pluralist democratic discourse in this way made it possible to see the limits of the Kemalist hegemonic state discourse.

5. The AKP and the Kurdish Question: The Kurdish Question as a Matter of Democracy

The Kurdish struggle allowed the AKP to show that the Kemalist establishment was not capable of sustaining democratic pluralism. In other words, the AKP redefined Kurdish identity as an ethnic and democratic identity, and in this way

were able to expose the limits of Kemalist discourse, and in this way, to successfully challenge that discourse. AKP rhetoric represented the Kurdish question as an issue of consolidation of democracy in Turkey. The early reformist policies of the party were designed to satisfy Kurdish demands, respecting democracy and human rights practices as requested by the EU.

In the 1990s, the clash between the Kurdistan Worker's Party (PKK) and the Turkish Armed Forces was predominant in the TSD presentation of the Kurdish question, and thus any attempt to grant more cultural and political rights to Kurds were strongly opposed on the grounds that this threatened the territorial and national integrity of the country. The AKP shifted away from this approach, using an alternative, democratic discursive framework to weaken the Kemalist representation of the Kurdish question.

This then, is the context in which the AKP advanced their aim of pluralisation and democratisation of Turkish society. By implemented EU reforms they were able to reinterpret the Kurdish question as a matter of democracy. The AKP government passed five major political reform packages in 2003 and one in May 2004, introducing changes to different areas of legislation. The fourth and fifth reform packages included reforms granting the right to use Kurdish in broadcasting and during election campaign periods. Then, in 2005, Erdogan made a significant speech regarding the Kurdish question in Diyarbakir, which is the symbolic capital for Kurds:

The state has made mistakes in the past in its relation with the Kurds...[T]he Kurdish problem is everyone's problem and mine in particular... all problems would resolved with more democracy, more civil rights and more prosperity.⁵

Erdogan's speech was historically significant, as it was the first time that a Turkish Prime Minister had ever admitted that the state had made mistakes in the past. The speech offers clear evidence of the AKP's attempt to reframe the Kurdish Question in TSD as a democratic institutionalisation process advancing Kurdish rights.

In 2005, Erdogan made another significant statement. He offered a new definition of Turkish identity that aligned him against the Kemalist establishment. He declared that 'Turkish identity was a supra-identity for both the Kurds and Turks.'⁶

6. The Democratic Opening

The reform process with regard to Kurdish rights slowed down significantly after 2005. However, in the 2007 election, the *Demokratik Toplum Partisi* (Democratic Society Party, DTP), a pro-Kurdish party, won seats in Parliament. After many years of governments closing down pro- Kurdish parties, accusing

them of supporting the PKK and threatening Turkish unity, the DTP succeeded in becoming the first Kurdish party to gain a strong presence in Parliament. The party managed this by running its candidates as independents in order to circumvent the 10-percent voting threshold that a party would need to achieve in order to actually win seats. Pro- Kurdish parties, beginning with the DTP, presented the Kurdish resistance as a democratic struggle against Turkish domination in a State structure that suppresses Kurdish identity.

In July 2009, the AKP declared that they were preparing a comprehensive plan to resolve the Kurdish question called the 'Democratic Opening'. Without actually revealing what would be included in the Democratic Opening, the AKP government asserted that the plan would have 'two special primary goals': ending terrorism in the country while improving Kurdish rights, as well as the expansion of democracy.

Erdogan promoted his discursive strategy on ethnical and cultural differences. He outlined a process to satisfy ethnic and cultural rights and engage in a democratic dialogue between the various sides. In this way the demands of other ethnic groups in Turkey were related to the demands of Kurds, and the AKP symbolically identified them with the interests of Kurdish ethnicity. This allows the party to spread the issue to wider ground to maintain the claim that the Kurdish question is related to democratisation of Turkey in terms of the rising cultural rights of minorities. Therefore, the AKP managed to develop a differentiated discourse to differences, which have historically been excluded from the Kemalist discourse.

As this would be the first comprehensive proposal for resolving the Kurdish Question, the Democratic Opening was highly significant for the DTP. The party expected the process to improve conditions and to move forward their challenges to all forms of domination. The DTP considered the PKK and the leader Ocalan to be very crucial actors in the negotiation process held by the Government. However instead, the PKK was labeled as a terrorist organisation by the Turkish State and any official relation with the group was rejected by the State Authorities. The AKP government also explicitly declared its unwillingness to cooperate with the PKK. The party clearly aimed to separate the Kurdish question from PKK-terrorism issue. However the DTP denied that the PKK was a terrorist organisation and claimed that the PKK was the reality of the Kurdish question as it embodied Kurdish resistance to State oppression.

On December 11, Turkey's Constitutional Court voted unanimously to close down the DTP on the grounds that it had become 'a center of activities incompatible with the indivisible integrity of the state'. The AKP claimed that although they were against closing down political parties in principle, they respected the Court's decision. After the dissolution of the DTP the democratic opening process stalled. In this respect, the inclusion of the PKK in a political

solution emerged as an important stumbling block of the AKP in the course of the democratic opening process.

7. Conclusion

The democratic opening implied constitutional changes to the official language of Turkey, away from Kemalist discourse. The concept of citizenship became the primary challenge for the AKP, and was an issue that ultimately showed the limits of Kemalism. The Kurdish question played and continues to play a crucial role in the AKP political strategy of promoting a radically different concept of nationhood. At this point, It is not right to say that the aim of AKP's democratisation of the society and the state truly reflected the party's strong will for democracy, however, AKP's democratisation discourse must be considered in the context of the AKP existence being a antagonistic pole to Kemalism. The discourse of democratisation led by the AKP, thus, is a discursive strategy to reveal the limits of Kemalist hegemony.

Notes

¹ M. Yeğen, *Devlet Söyleminde Kürt Sorunu [the Kurdish Question in State Discourse]*, İletişim, İstanbul, 1999.

² For further argument on millet system see B. Braude, 'Foundation Myths of the Millet System', *Christians and Jews in the Ottoman Empire: The Functioning of a Plural Society*, B. Braude and B. Lewis (eds), Holmes & Meier Publishers, New York, 1982, p. 70.

³ E.J. Zürcher, *Turkey: A Modern History*, I.B. Tauris, London, 2004, p. 288.

⁴ W. Posch, 'Crisis in Turkey: Just Another Bump on the Road to Europe?', *Occasional Paper of the European Union Institute for The Security Studies*, Vol. 67, 2007, p. 13.

⁵ Radikal, 'Erdoğan'ın Diyarbakır mesajı: Devlet geçmişte hatalar yaptı', August 13 2005, Accessed December 2, 2009, http://www.radikal.com.tr/haber.php?haber_no=161333.

⁶ Sabah, 'Erdoğan konuştu kimlik alt üst oldu', August 22 2005, Accessed December 22, 2009, <http://arsiv.sabah.com.tr/2005/08/22/siy107.html>,

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New Politics, Media and Decline in Participation: Will Citizens Love Politics Again?

Giuliana Di Biase

Abstract

Politics has changed, and so too our way of conceiving public life: on the one hand, a competitive, individualistically oriented politics has become prevailing; on the other, public space is now inconceivable outside media space. Politicians today seem nearer to people and more human than fifty years ago, but politics itself appears not very near to people's real interests: political participation in western democracies is declining, and many people think politics is a bad affair. The concept of 'public' itself has become difficult for citizens to understand, because of the new, home-centred lifestyle which has affirmed itself with the widespread distribution of television: as Philip Howard argued, the way in which citizens today get political information increases their privacy and diminishes their capacity to understand the communitarian aspect of political problems. Citizens tend to behave like consumers, conceiving the political sphere as a market where decisions to engage or not are always egoistically motivated. Political scientists like Dahrendorf, Giddens and Beck argue that the way out of the many political problems, which affect western democracies nowadays, is a more engaged citizenship, animated by an active trustfulness, which doesn't depend on institutional behaviour, but is built on strong ties of solidarity. In this perspective, only the associative ties which bind the members of civil society could give again a concrete meaning to the concept of public; they would also work as an antidote to the uncertainty typical of our age. In this chapter I argue that an engaged civil society is surely fundamental in order to restore meaning to public life, but that we can't expect it to do all the work by itself. The role of the media is, in this sense, still crucial.

Key Words: Civic society, cynicism, democracy, electoral participation, media, negative reporting, personalisation, political parties, power, trust.

1. The Decline in Electoral Participation

Electoral participation is declining in all western democracies, also in those traditionally more engaged in raising the education levels of their citizens and in increasing their respect for civil rights. In the United States of America, for instance, only half of the registered population vote in the presidential elections and more or less half of those having the right to vote do not register in the electoral lists.¹ In my country, Italy, only 25-30% of the electors do not vote; yet,

the Italians' level of civic culture is quite low (especially that of young people) and they generally do not have much trust in institutions.

In the United States, the decline in participation interests chiefly the presidential elections, while the local ones seem still to attract a high percentage of voters (although fragmentary evidence points to a sharp decline here as well); other more demanding forms of electoral participation, such as canvassing or paying careful attention to election news, have declined too. In Europe things are quite different, since it seems that the only way to encourage people to participate in the democratic process is to debate about the conduct of the central government.

The high percentage of voters in the American primaries in 2008 seems to confirm those who think that the decline in political participation is only a transitory phenomenon; yet, its trans-national extension requires a more cautious judgment: citizens of western democracies seem really not to care about politics too much.

2. The Media's Faults

The increasing number of non-voters can be a serious danger to democracy: citizens who are outside the electorate are less attached to the existing system, less attentive to politics and less informed about issues affecting them. Voting strengthens citizenship by deepening community involvement; so the less people vote, the more democratic life weakens.

Many are the reasons that can explain the apathetic behaviour of citizens nowadays. Perhaps many people do not vote simply because they do not believe that this can make a difference: they think that their vote can do nothing against a power which has become more and more ubiquitous, a financial global power which is sensible only to the markets suffrage.² And maybe they are right.

Some political scientists think that the media are also to blame, since they have dismissed their role of watchdog duty bound to keep an eye on power and have become instead the promoters of a commercial way of doing politics: this was precisely Jürgen Habermas' view when, at the beginning of the sixties, he analysed the concept of public sphere and its changes. Habermas thought that both the decline of the public sphere and the disintegration of the electorate were consequences of the consumer culture diffused by the media, which had radically transformed citizens' perception of politics. In a public sphere dominated by the media, said Habermas, political parties have been forced, in order to have a grip on the people, to adopt the language of commercials; party's activists have been dismissed and their places taken by the politically neutral figure of the professional man expert in political marketing.³

Recently, Thomas Patterson⁴ has explained the decreasing attention to political themes in the United States attributing it to an excess of information: presidential campaigns are perceived by most of the American people as too long and boring, so they are widely ignored. 'In the 1960 - says Patterson - nearly 50% claimed to

have watched a 'good many' election programs. That figure has fallen to fewer than 30%. Attention to newspaper coverage of campaigns has decreased even more sharply'.⁵ Besides, Patterson thinks that the harsh critical attitude of some American newspapers towards the government and the habit of denigrating the opposition candidate using negative spots during electoral campaigns have seriously damaged political participation: negative spots work like barriers for electors, while negative journalism results in a deeply sceptical reporting relentlessly criticising political leaders and institutions.⁶

Some years ago, a similar argument was used by Joseph Nye:⁷ he attributed the loss of trust in government of many American people to the media insistence on cases of corruption involving politicians and observed that, although these cases were not more numerous than in the past, their resonance had been strongly empowered by the media.

Surely a representation of political life emphasising its negative aspects can generate a 'spiral of cynicism',⁸ that erodes citizens' perception of politics as a public good; but maybe the most serious media responsibilities in disaffecting people from politics are others. Citizens need exhaustive information in order to enhance their political competence, but today political news has to contend for space with soft news, or adapt themselves to the rapidity of a few sound bites.⁹ Many are the reasons for this fact: surely themes and arguments have rapidly become more numerous with the emerging of new social subjects claiming attention, so the media agenda is really overcrowded. Yet, the contraction of the spaces reserved to political news is more the result of another process: the representation of events has been progressively simplified by the media, in order to adapt to the tastes of a no longer elitist public whose attention is easier captured by an image of political life constructed with the help of narrative artifices (the agonistic scheme is the most common) and visual artifices (a great amount of photographic material).

How much confidence can be put in these representations? How much does this simplification help people to understand events and how much, instead, does it contribute to creating the image of a fragmented reality? Simplification can make it more difficult for citizens to understand the real life of institutions; as a consequence, they lose interest in politics.

Of course, if we consider not only the old media but also the new ones, we have a larger amount of political information than in the past. This is a very important fact because, as many political scientists argue, the diffusion of political knowledge promotes the practice of civic virtues and increases citizens' participation in the public debate. But can we take this for granted? Are we really certain that a more refined political knowledge brings about a democratic advancement and an increased awareness of civic duties? Maybe a solitary exposition to the information flux can have the opposite effect: according to Philip Howard,¹⁰ the increasing use of Internet as a source of political information is bringing about a way of

participating individualistically in political life, without grasping the social dimension of political problems. In front of political information the solitary citizen behaves, according to Howard, like a consumer in a supermarket, thinking only about his own interests.

According to Robert Putnam,¹¹ this argument can be applied also to the more numerous public who prefer television as a source of political information: their natural tendency to create associative ties has been declining in recent years also because of the widespread diffusion of television, which has caused a significant reduction in the amount of social interactions. And of course a home-centred, individualistic lifestyle does not encourage confrontation on political opinions.

The increasing fragmentation of the target due to a more and more specialised informative offering and to the great number of available informative sources contributes to isolating citizens one from the other: as a result, they lack homogeneous political culture, so it is very difficult for them to find a common pattern on which to debate.

3. The New Image of Power

Personalisation in political life is increasing: candidates are no longer conceived as representing a party but as direct guarantees of a certain political idea. The causes of this phenomenon can be traced back into the decline of political parties and ideologies, but surely the media have played an important part in it: abstract political plans do not catch public attention easily, while a single person does, arousing emotional reactions in those who see and hear her. So as a matter of fact, giving more space to single candidates helps the media to get what they need, that is people's attention.

This also explains the care, which is taken by candidates and politicians in building their images, especially at the higher levels of the political hierarchy. The new leaders are often charismatic seducers that participate in infotainment shows, smile in a friendly way and do not hesitate to open the door of their house, in order to let people know something about their private life. But a political leadership that becomes a media celebrity represents a risk: popular appeal can be used by leaders in order to enlarge their consensus among the people, bypassing the parliament's mediation. This is exactly what the 'populist leaders' described by Taguieff do; as a result, parliaments are deprived of their representative power, and citizens lose the possibility to exert control on their governors.

Nye¹² argues that the new media are able to exert an efficacious control on political leaders, pressing them to adopt a more consultation-oriented style of leadership. According to him, a way of using the soft power of communication intended to promote mutual listening and dialogue would appear to leaders to be the right choice in the long run, because of the negotiating power acquired by citizens with the diffusion of new media.

Perhaps what Nye says is right: an emerging feature of contemporary leadership is its attention to the ethical dimension of some social and environmental problems; nonetheless, the strength intrinsic to political leadership could still be used by leaders in order to put themselves above the moral principles of common people. Surely the Web has revealed an enormous potential for mobilisation, creating new spaces for the dialogue between citizens and institutions, or between citizens themselves; but the Web has revealed a powerful tool also in the hands of political leaders, who are more and more interested in its communicative and propagandist potential. In a very short time the blogosphere has become a land of conquest for spin doctors in search of fame; the anarchical appearance of this game has the flavour of truth, but a lack of control on the sources of information means there is no guarantee that what they say is the truth.¹³

4. Will Citizens Love Politics Again?

Let us go back now to our starting point. Political participation is declining in western democracies. Maybe the fault lies with the media, maybe with politicians, maybe with both; but maybe it lies also with our individualistic and strongly competitive lifestyles. 'To have one's own life' - says Ulrich Beck - 'represents for the western world inhabitants the highest aspiration':¹⁴ this means that self determination is perceived nowadays by western people as the most important value, while a morals of duty is viewed as less motivating. Now, political participation is a right but also a duty: citizens are required to vote because there's a public good that has to be preserved. If they do not vote, probably they do not perceive this good as something to take care of: maybe they do not have time to do this, just because in an individualistic lifestyle we haven't any time for what is not our own.

Political scientists like Anthony Giddens and Ralph Dahrendorf¹⁵ argue that the way out of this apathy is a citizenship animated by an 'active trustfulness': this means that citizens should not expect everything from institutions but instead they should become more actively involved in social affairs in order to create strong ties of solidarity. According to this view, the associative ties between the members of a civil society give a more concrete meaning to the concept of *public* and work as an antidote to the uncertainty typical of an age of risk.¹⁶ But is this enough?

Maybe we have to be more realistic on this point. We cannot expect that a civil society do all the work by itself: the role of the media is, I think, crucial in this regard. They have had a fundamental part in constructing our knowledge of and understanding of political issues and political process, and they can still have an important role in reminding us of the real meaning of politics. The media can be an important ally for an active citizenship, but they can do this only if they give a positive value to public life in all its aspects. This means giving more space and visibility to the many local activities promoted by citizens, especially where a deep and long lasting climate of distrust of political institutions prevails; this means also

assuming a crucial role in the confrontation among citizens and power. In order to perform actively this role the media have to be independent ‘watchdogs’, that is they have to act as the critical eyes and ears of the civil society, but of course they can do this only if they *can choose* between being or not being tools of the ruling class. Especially in times of economic crisis, this choice can be very difficult: this is why an alliance between the media and the civic society becomes crucial. It can assure to independent, reliable media a survival and these, in turn, can help citizens to understand the real meaning of a public good that has to be preserved. People can trust politics again and the media can be a fundamental ally in this process, but of course much depends on a general change of attitude: individualism is not favourable to an enhanced perception of the importance of participating in political life. The media are only a mirror, which reflects our image: if we do not like it, the only reasonable thing we can do is try to change ourselves.

5. The Importance of Mediation

Many political scientists affirm that contemporary politics in western democracies has been ‘media-ised’, that is it refers increasingly to the way in which professional communicators script the performances and appearance of politicians. According to Eric Louw,¹⁷ a media-ised politics uses public relations to create a public: ‘professional ‘public builders’ now use the mass media to assemble publics out of isolated individuals.’ The result would be a mediated approach to politics, which does not help the people to get actively involved: ‘politics has become a second hand mediated reality for most people because they do not encounter politics in a direct (firsthand) manner’.¹⁸ In this perspective, decline in political participation would be a direct consequence of the fact that passive mass audiences encounter mediated politics via the media.

Is media-isation of politics a bad thing? This is the question with which Eric Louw ends his book and I will close my chapter with a possible answer: no, media-isation is not necessarily a bad thing. The word ‘media’ means ‘something that mediates’, and actually this should be the main purpose of the media as one of the three actors of political communication: the media should provide a space where citizens can meet power and engage in dialogue with it, reminding it of its democratic legitimacy. The importance of this mediation grows in times, like ours, when democracies seem to be at stake: the representative mechanism, which constitutes the heart itself of the democratic system, has lost its strength and its reliability in the minds of citizens. Now, where parliaments seem no longer able to represent citizens’ interests, an alliance with the media becomes crucial, since it is the only way in which citizens can have their interests represented to those in power. But, of course, we cannot expect the media working as trusty mediators if they are oppressed by the problem of surviving in a dying market.

Notes

- ¹ T.E. Patterson, *The Vanishing Voter: Public Involvement in Age of Uncertainty*, Vintage Books, New York, 2002.
- ² L. Canfora, *La natura del potere*, Laterza, Roma-Bari, 2009.
- ³ J. Habermas, *Strukturwandel der Öffentlichkeit. Untersuchungen zu einer Kategorie der bürgerlichen Gesellschaft*, Suhrkamp Verlag, Frankfurt am Main 1962. In the preface to the new edition of this book (1990), Habermas admits that new electronic media can have a democratic potential, nonetheless he thinks that this potential would not make a real difference because of the increasing selective pressures to which it would be subject.
- ⁴ Patterson, *The Vanishing Voter*, op. cit., pp. 99.
- ⁵ *Ibid.*, p. 14.
- ⁶ L.L. Kaid, 'Political Advertising', *Handbook of Political Communication Research*, Lawrence Erlbaum Associates, Mahwah, 2004, pp. 155-202. Kaid demonstrates here that negative spots in the American presidential campaigns of the last fifty years have increased in number.
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- ⁸ J.N. Cappella and K.H. Jamieson, *Spiral of Cynicism: The Press and the Public Good*, Oxford University Press, New York, 1997.
- ⁹ M.X. Delli Carpini & S. Keeter, *What Americans Know about Politics and Why It Matters*, Yale University Press, New Haven, 1996.
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- ¹² J.S. Nye, *The Power to Lead*, Oxford University Press, New York, 2009.
- ¹³ S. Bentivegna, *Rethinking Politics in the World of ICTs*, *European Journal of Communication*, Vol. 21, No. 3, 2006, pp. 331-342.
- ¹⁴ U. Beck, *Eineges Leben, Eineges Leben. Ausflüge in die unbekannte Gesellschaft, in der wir leben*, U. Beck, T. Rautert and U.E. Ziegler, München, 1997.
- ¹⁵ See for example R. Dahrendorf, *Dopo la democrazia*, Laterza, Roma-Bari, 2001.
- ¹⁶ A. Giddens, *The Consequences of Modernity*, Polity Publisher, Cambridge, 1990.
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The Idea of the University: Reshaped by the Bologna Process

Sonia Pavlenko and Cristina Bojan

Abstract

For more than two centuries one can talk about the ‘idea of a university’. This concept has been continuously re-shaped and adapted to fit the needs of various ruling classes or individuals. Starting from traditional ideas of the university, expressed in the 19th and 20th century, the present chapter explores the changes incurred by the idea of the university in the 21st century as a result of the decade-old Bologna process. It argues that the new fundamental concept that characterizes the institutions of higher education is the ‘*university in relationship*’ in its various embodiments. Furthermore, the Bologna process triggered yet another re-assessment of the contemporary ideal of the university at least at European level. Though this new context lacks, at the present time, a well-defined ideal, we argue that one such ideal could be constructed on the basis of the common changes brought about by the Bologna process, regardless of all the criticism it has generated.

Key Words: Bologna Process, idea of university, university in relationship.

The Bologna process has an overarching aim ‘to create a European Higher Education Area based on international cooperation and academic exchange that is attractive to European students and staff as well as to students and staff from other parts of the world’.¹ It aims at achieving this by making academic degree standards and quality assurance standards more transparent and thus more comparable and compatible throughout Europe.

In a similar manner, the purpose of this chapter is to explore the status of the ideal of the university as it has been shaped by this process and to clarify some of the terms associated with it. Using an explorative approach, we aim at identifying the present day embodiment of the traditional ‘idea of the university’.

However, before discussing the actual issue of the idea of the university, we must first try and clarify it by differentiating it from the concepts of ideal and model. To help us achieve this we shall enlist the help of Jaspers and Humboldt, who both agree that the idea is something that can never be reached. Wilhelm von Humboldt² argues that the idea of a university, where the university is understood as an institution of the free search for truth, is something that is not fully found, and never to be fully found, while not forgetting it as such as we search for it. Jaspers³ also agrees that the idea of the university has never and nowhere been fully built in a perfect manner.

The concept of the idea draws as well on Plato's 'Myth of the Cave'.⁴ We aim at identifying the platonic ideal Form (the Idea) (as only knowledge of the Forms is real knowledge) and not just the shapes of the shadows on the wall of the cave. We will use the platonic Idea in order to explore the issue of the idea of the university.

Ideals are just sketches of the idea. Moreover, the ideal tends to be fulfilled through a model, in opposition to the idea that is not to be fulfilled because it only needs to be kept alive as it has a different way of embodiment.

The model derives from a historical route⁵ and it is only the arsenal of forms. During the last 400 years, universities changed their external shape (for example the way in which the nations were organised) and their internal one (for instance the new humanism, the birth of the new natural sciences, changes in philosophy, etc).

Jaspers also considers⁶ that it would be a mistake - a rather destructive one for the idea of the university - if we were to identify it with any of its embodiments from the past, the university, as it adapts to the social requirements of its time, should transform itself, too. However, we must always ask the question whether the university wants to and is capable to adapt to the new conditions so that it would also reshape the ideal that lays at its basis.

The 'idea of the idea of a university' came about at the end of the 18th century and the beginning of the 19th century, according to Sheldon Rothblatt.⁷ This timeframe overlaps with the birth of two new university models 'which opened the way to a fundamental reform of the traditional university'.⁸

Before the French Revolution, European universities were organized in the same way and taught more or less the same branches of knowledge in 4 or 5 classical faculties. At the beginning of the 19th century, two new university models appeared that opened the way to a fundamental reform of the traditional university, namely the French model⁹ and the German model.¹⁰

The two models mentioned above led the way towards a wide diversification of the system both at national and international levels. In the last decades, one can speak about a huge typology of the university that can be classified in a variety of ways according to the criteria being used. This diversification was so great that in the 20th century Jürgen Habermas argued that one could not speak anymore about an idea of the university.¹¹

Habermas did not assert this as a reaction to the huge diversity in higher education institutions, but rather as a reaction to Jaspers' stance in what the university is concerned. Habermas criticizes¹² this stance by arguing that organisations (universities included) no longer incorporate an idea, as this would limit the Lifeworld (*Lebenswelt*) shared in an intersubjective manner by the members of the institution.

We argue that the main changes of the higher education field came about at the turn of the centuries, namely at the beginning of the 19th, 20th and 21st centuries. The 19th century marked the birth of the two of the most influential universities

models in Europe. In a similar manner, the beginning of the 20th century witnessed a revival of the debate around the idea of the university carried forward by a new generation of philosophers namely K. Jaspers, H. Schelsky, O.Y. Gasset, J. Habermas, etc. After the WWII democracy and peace were seen as much more important than ever before. And against this background novel basis for the idea of the university are being built, including the process that would shape the higher education of the 21st century, namely the Bologna process.

Alongside influential thinkers, a number of institutions exerted as well a powerful influence on the higher education field throughout the 20th century. To mention just a few of them: UNESCO (with its UNESCO-CEPES office responsible with higher education), OECD, the Council of Europe (with its *Education for Europe* department).

Regarding the history of the development of the cooperation in the higher education area for the last 40 years, it is important to mention that events like the foundation of the *European Universities Committee* and its activities culminating in conventions on equivalence like the *European Convention on the Equivalence of Diplomas leading to Admission in to Universities* (1953); the *European Convention on the Equivalence of Periods of University Study* (1956) and the *European Convention on the Academic Recognition of University Qualifications* (1959), the foundation of the *Council for Cultural Cooperation* (1962) and its aim to promote student and teacher mobility (1974-1977) (Council of Europe: *Forty Years of European Cultural Cooperation*) give the background of the Bologna Process of today.

The development of the educational policies of the EC since the 1960s had had a programme oriented, distributive character. One can divide it in several periods according to the various processes pertaining to the stages of development.¹³

Taking into account this chronology, we could interpret the Lisbon Strategy as a fifth period of the development of European educational policies and in the same time differentiate it from the Bologna Process.

If the Lisbon strategy is purely EU based and promoted, the Bologna process is much more than that, both from the point of view of its structure and of its fundamental idea. Bologna process reunites more than just the countries that are members of the EU. It addresses higher education issues, such as quality assurance or degree recognition, but it also has a distinct social dimension¹⁴ and a European one.¹⁵ It is not a mere administrative reform process, but it goes beyond that. However, the added value that Bologna brings shall be addressed in the concluding part of this chapter, as it will become obvious after the analysis from the next pages.

Today, the Bologna Process includes 47 countries, both members and non-members of the European Union, all parties to the European Cultural Convention¹⁶ who cooperate in a flexible way, involving also international organisations and European associations representing higher education institutions, students, staff

and employers. Moreover, some other countries outside of the European space have started seriously considering Bologna as a reform alternative.¹⁷

In what follows, we shall try and analyse the ideal of university as it is embodied as a result of the Bologna process by applying a fundamental paradigm, i.e. seeing the *university in relationship*.

This perspective may be illustrated through a variety of examples, out of which we shall only name a few. The university is in relationship to the state. Previous thinkers, such as Jaspers, argued that the university is supposed to do what is asked of it from the part of the state. Nowadays, theorists such as Henry Etzkowitz, present the university as one part of a triple helix,¹⁸ the other two strands being constituted by industry and government. The university is also in relationship to society, playing specific roles such as being a public intellectual, a critic and conscience of society¹⁹ or a multiplier of knowledge. The university is also in an intrinsic relationship with knowledge and science and many other clearly defined components of its surrounding environment.

It is obvious for any onlooker that the university can no longer be just an ivory tower, that even if it is autonomous, the university cannot help but be in relationship to the context it belongs to. The 'ivory tower' has been linked with the concept of isolation in the pursuit of scientific or artistic Truth. However, the way the university is seen nowadays is connected with the concept of 'relationship'. This relationship is defined along a number of increasingly clear coordinates, and not only in general terms. Furthermore, the university does no longer interact with its surrounding environment seen as a whole, but rather with well defined and identified elements belonging to this environment (e.g. knowledge, human capital, economic and social environment, values, etc).

There can be identified two different approaches in what the ideal of the university is concerned. The first, belonging to the Humboldtian tradition, has a top-down approach, starting from the ideal and then moving down to its embodiments, i.e. the model and its specific components. The approach of the Bologna process in what the idea of the university is concerned is a bottom-up one. However, it does not successfully climb all the levels to the level of the ideal, stopping at a lower level, the one dealing with the 'university in relationship'. Though 'the idea of the university cannot be completely dead' (as many still argue nowadays), the Bologna process does not yield a single ideal of the university which may be constructed in a coherent manner.

Usually, one starts from the idea, moving onward to the ideal, which in its turn is embodied in the model. In the case of the Bologna process, both the ideal and the idea are no longer accessible, as they have never been completely and coherently formulated.

In the last decade, the university was faced with a multitude of expectations, coming from all types of stakeholders: students, academics, citizens, society in general, governments, and so on. Each of them understands the university and

thinks of it in their own individual manner, thus constructing a set of expectations towards the university. Nevertheless, the Bologna process, as it develops at the moment, fails to meet this variety of expectations, as the latter have never been fully gathered coherently under a unified vision that might be shared by everyone. Thus, *the Bologna process lacks its ideal*. The aforementioned vision, clearly communicated and widely shared might have the potential to become the ideal of the Bologna process as such.

Other ages have had their clearly defined ideals that generated models and embodiments, even though they have not defined the idea above the ideal (maybe Plato is the only exception to this, as he defined the idea in his theory of forms). The Romantic movement that came up with the ‘idea of the idea of a university’ were actually referring to the ideal, though they used the term ‘idea’ to refer to it.

It is obvious that the Bologna process triggered yet another re-assessment of the contemporary ideal of the university at least at European level. Though this new context lacks at the present time a well-defined ideal, we argue that one such ideal could be constructed on the basis of the common changes brought about by the Bologna process, regardless of all the criticism generated by it.

The Bologna experiment, though it advocates for a shared goal among institutions of higher education is going to be successful only if the step is taken towards re-establishing an ideal of the university, however different or similar it might be from previous ones. It remains to be established the way in which this ideal is to be constructed and then reached.

Notes

¹ See <http://www.ond.vlaanderen.be/hogeronderwijs/bologna/about/>, Accessed on 25th September 2009.

² W. von Humboldt, *Gesamte Schrifte*, hrsg. vom A. Leitzmann, Bd. 10, Berlin, 1978, p. 253.

³ K. Jaspers, *Az egyetem eszméje [The Idea of University]*, D. Csejtei and A. Dékány (eds), *Ész, Élet, Egzisztencia*, Szeged, 1990, pp. 199-202.

⁴ See http://www.wsu.edu:8080/~wldciv/world_civ_reader/world_civ_reader_1/plato.html or <http://www.gutenberg.org/etext/1497>, Accessed on 29th September 2009.

⁵ Jaspers, pp. 188-189.

⁶ *Ibid.*, p. 192.

⁷ S. Rothblatt, *The Modern University and Its Discontents: The Fate of Newman's Legacies in Britain and America*, Cambridge University Press, New York and Cambridge, 1997.

⁸ W. Rüegg (ed), *A History of the University in Europe, Vol. III: Universities in the Nineteenth and Early Twentieth Centuries*, Cambridge University Press, New York, 2004, p. 4.

- ⁹ Rüegg, p. 5 and also C. Charle and J. Verger, *Histoire des universités*, PUF, Paris, 1994.
- ¹⁰ M.G. Ash, 'Bachelor of What, Master of Whom? The Humboldt Myth and Historical Transformations of Higher Education in German-Speaking Europe and the US', *European Journal of Education*, Vol. 41, No. 2, 2006, pp. 245-267.
- ¹¹ J. Habermas, 'Die Idee der Universität - Lernprozesse', *Eine Art Schadensabwicklung*, J. Habermas (ed), Suhrkamp, Frankfurt am Main, 2003.
- ¹² *Ibid.*, pp. 73-75.
- ¹³ For more see A. Zmas, *Europäische Bildungspolitik: Grenzen und Möglichkeiten unter dem Kriterium der regulativen Idee der Bildung*, Eitorf, Bonn, 2002, pp. 81-90.
- ¹⁴ For more about the social dimension, see http://www.ond.vlaanderen.be/hoger_onderwijs/bologna/actionlines/socialdimension.htm, Accessed 13 October 2008.
- ¹⁵ For more see C. Bojan, 'The European Dimension of Higher Education between the Lisbon Strategy and Bologna Process', *European Higher Education in a Changing World. A View from the Danube Region*, I. Tarróssy and S. Milford, (eds), Pécs, pp. 39-50.
- ¹⁶ For further details please refer to *50th Anniversary of the European Cultural Convention*, Accessed 29th September 2007. http://www.coe.int/t/dg4/culturalconvention/Origines_en.asp.
- ¹⁷ D. Ward, *The Bologna Process: An American Perspective*, EFES, Cluj-Napoca, 2007.
- ¹⁸ H. Etzkowitz, *The Triple Helix: University-Industry-Government Innovation in Action*, New York, Routledge, 2008.
- ¹⁹ G. Fallis, 'The Mission of the University', *Higher Expectations for Higher Education*, Government of Ontario, 2004.

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NPT as a Social Contract: Challenges and Options for 2010 RevCon

Salma Shaheen

Abstract

The Nuclear Non-Proliferation Treaty (NPT) is facing serious challenges from within and the NPT Review Conference (RevCon) 2010 is going to be an important moment in the history of the Treaty, especially after 2005 RevCon's failure. The disappointment at RevCon 2005 occasionally pointed towards the unravelling of the Treaty, which is not a cause for optimism. However, the success rate of NPT has been estimated by different scholars in diverse ways. In this respect, the success in terms of wider membership is diminutive against the Treaty's failure to address the issues of non-compliance (Iran), withdrawal (DPRK), and three nuclear weapon states (Defacto-3) i.e., India, Pakistan, Israel, that are not party to the Treaty. These problems are discussed from different approaches but this chapter aims to explore and assess NPT's value from a social contract framework - a contract between nuclear haves (five nuclear weapon states (NWS) i.e., US, UK, Russia, France, and China) and have-nots (non nuclear weapon states, NNWS). Social contract theory is selected in order to understand contemporary challenges to NPT from an ethical viewpoint. The inalienable right to peaceful nuclear energy and obligation of NWS of nuclear disarmament under NPT need to be revisited under this discourse. The essence of social contract theory is the ruler-subject relationship in which weak and powerful entities come closer to undertake rights and obligations, and form contracts, which serve their respective interests. Entities have a common interest of security or maintaining status quo in undergoing a contract. However, it is argued that enforcement mechanism and respect for contracting parties' sovereignty are important aspects to be maintained within the contract.

Key Words: Nuclear Non-Proliferation Treaty (NPT), social contract.

1. Introduction

In its 40th year, all three pillars of the Nuclear Non-Proliferation Treaty (NPT) are facing serious challenges:

1. Nuclear non-proliferation - the presence of D-3 (India, Pakistan and Israel) and DPRK
2. Peaceful uses of nuclear energy - Issue of multilateral nuclear fuel cycle, case of Iran and its rights under Article IV

3. Nuclear disarmament - NWS obligations under Article VI versus the renewed debate of ‘nuclear zero’

In this context, NPT RevCon 2010 is going to be an important moment in the history of the Treaty, especially after 2005 RevCon’s failure. This chapter aims to explore and evaluate the NPT’s value from a social contract framework - a Contract between five NWS and NNWS to identify the challenges and ways to mitigate these challenges. It is argued that NPT - the Contract - was negotiated by 18 member states of ENDC that today binds 189 states, providing legitimacy to the underlining discrimination. The primary question addressed in this research is, *is it (the NPT) a perfect Contract?*

2. Limitations of Research

This discussion on social contract incorporates thoughts of Thomas Hobbes, John Locke, Jean-Jacques Rousseau and John Rawls. The state of nature incorporates the period of 1945-1965, analogous to the hypothetical state of nature as envisaged through social contract theories. Then is the negotiating phase of the NPT i.e., from 1965 till 1968. The state of order, i.e. after conclusion of NPT, is defined as the state in which there are five recognised NWS and others are NNWS as legitimised by the NPT.

3. The Social Contract

The following are important features:

1. Social contract - a hypothetical situation that provides people a civil/just society
2. Rational individuals agree to surrender some of their rights and liberties in order to obligate the authority to provide protection
3. After establishing a social contract and relevant laws-the enforcement mechanism, the observance of these laws by positively attending respective obligations becomes an ethical responsibility of parties; however, contract should be supported by strong enforcement mechanisms because there is a possibility of survival of law-breaking citizens within the society at the expense of law-abiding ones.

4. Setting of Stage - NPT as a Social Contract

The social contract discourse suggests certain features that are considered for application in this study taking NPT as a social contract - a real event that occurred in history. These are: (assumptions)

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- states are rational actors desiring to enhance security and avoid insecurity
 - for their security, states also have tendency to cooperate; however, some do possess passions to dominate others
 - to avoid insecurity and fears emanating from intense competition over limited supply of resources, states agree to negotiate certain arrangements that benefit them
 - the provision of absolute sovereignty might not be plausible to be considered in this study because states as sovereign actors maintain the right to withdraw
 - enforcement mechanism is necessary to maintain stability within the contract

The following are the aspects that describe the state of nature:

1. There were five NWS and several potential states that could develop nuclear weapons¹
2. The dual-use of nuclear technology had instilled dual competition i.e., arms and technology competition among states during the Cold War. And safeguards system was not stringent enough to control nuclear proliferation and dissemination.
3. States were roughly equal in their capabilities and strengths, i.e., few states were technologically superior - the NWS, few states being technologically inferior made alliances with powerful states, and few states were developing technologically; thus suggesting rough equality among states.

In such a situation, two types of *fears* motivated states to negotiate to preserve their self-interests:

1. Fear that nuclear proliferation would bring more states to acquire nuclear weapons, which would then raise the threat of use of these weapons
2. The fear that NWS had that nuclear weapons acquisition by different states would challenge their superiority; UK² was also worried about increasing military expenditure that was further increasing their insecurities

To overcome these fears, NWS and NNWS reasoned to undergo a contract fulfilling their desire of self-preservation. Hence, the negotiations started in ENDC after 1961 UNGA Resolution 1665 (XVI)³ but significant progress was not made till Chinese detonated in 1964.

5. The Negotiations Phase (1965 - 1968) - Striking a Balance between Rights & Obligations

Subsequently UNGA Resolution 2028 of 1965 recommended few principles:⁴

- a) The treaty should be *void of any loop-holes* which might permit nuclear or non-nuclear Powers to proliferate, directly or indirectly, nuclear weapons in any form - this implies that there should be an enforcement mechanism within the treaty to maintain checks and balances on the parties.
- b) The treaty should embody *an acceptable balance of mutual responsibilities and obligations* of the nuclear and non-nuclear Powers; - indicates that ENDC was given a discriminatory mandate to conclude a treaty.

NWS asserted to maintain existing military balance, their superiority and to halt further proliferation at the cost of NNWS' renunciation of their right to develop nuclear weapons.⁵ In return, NNWS managed to retain their right to nuclear energy for peaceful purposes.⁶ Non-proliferation was accepted as an objective even if disarmament did not achieve.

6. NPT Periodic Reviews - An Evaluation of the Contract

A retrospective analysis of Contract entails presents a gloomy picture. It is a significant point to note that membership of the Contract has been increasing since 1970 that now stands at 189; however, the success in terms of wider membership is diminutive against the Contract's failure to address the issues like of Iran, withdrawal (DPRK), the D3 that are not party to NPT, and nuclear disarmament. With this background, 2010 RevCon is an exigent time not to become a failure in a row. Challenges before 2010 RevCon are discussed below along with the recommendations to address these challenges to bring stability within the NPT.

7. Challenges - Perfection & Imperfection in the Contract

In NPT, as contrast to social contract perspective, the balance between rights and obligations of two parties now appears to be imbalanced, which is not ensuring security for all states.⁷

A. Rights under Article IV

Article IV have become a controversial issue. In practice the restrictions posed by technology control regimes such as NSG to mitigate proliferation risks, are seen as incompatible with Article IV (2) of treaty by several states. Conversely, supply side does not consider restrictions as violating Article IV because these restrictions such as Additional Protocol are in proportion to the basic rationale of the treaty i.e.,

non-proliferation.⁸ Either it is an issue of right or wrong interpretation of the Article IV, the jury still needs to address this issue through proper mechanism.

B. Obligations under article VI:

An analysis of national defence white papers of NWS⁹ depicts an enhanced role of nuclear weapons in their national security policy keeping in view the changing dynamics of the world such as globalisation, IT revolution and threat of nuclear terrorism.

The Contract legalises five states' *de jure* status as nuclear weapon states; thus providing base to these states to retain their nuclear weapons. This aspect highlights an ambiguity in the Contract because obligating NWS even in good faith to negotiate for nuclear disarmament contradicts the legality of the status- 'nuclear' -that is given to these five states. Yet concerns about NWS' effective observance of their obligations are there because their nuclear weapons are still the source of insecurity hindering the way to provide equal security for all states, which might invite further withdrawals from treaty.

C. Nuclear Proliferation - A Challenge

DPRK reasoned for its withdrawal to preserve its sovereignty and self-defence.¹⁰ This implies that the issues of the preservation of sovereignty and security-the self, if not ensured within the Contract, might destabilise the Contract. But member states should also understand that withdrawing from the Contract might not ensure security to them because it would only lead them back to the state of nature, which had earlier been avoided in favour of the Contract.

The presence of D3 outside the Contract is a challenge that intensifies, as the treatment of international community towards each of these states tends to de-hyphenate them through a discriminatory, case-to-case treatment. The special US support to Israel, Indo-US strategic partnership and the NSG waiver to India are cases in point. This attitude is disconcerting and risky now as it might disturb the existing status quo outside the Contract that would lead to regional instability and arms racing.

D. No Enforcement Mechanism

The enforcement mechanism should be part of the social contract, which NPT lacks from *within*. There is an argument and effort to strengthen NPT by providing it enforcement through UNSC platform,¹¹ which should not be the case.

8. Fixing the Contract - Options

The following options might be considered to fix the Contract:

1. An enforcement mechanism is required consisting of Conference of States Parties i.e., an executive authority including all

members of NPT with one vote. IAEA should be its Secretariat with enforcement mechanism and powers to deal with issues of safeguards, non-compliance, diversion etc. Enforcement mechanism should be established with an aim to strictly avoid emergence of any discrimination or power centres within the Contract. After this, it would be manageable to deal with issues like DPRK's withdrawal.

2. In context of Article VI, NWS should approach nuclear disarmament not only by reduction in numbers but also by bringing radical shift in national security debate with zero reliance on nuclear weapons. ICNND's report has recommended phased approach to reduce nuclear arsenals,¹² which should be pursued.
3. Regarding ICNND's recommendations for effective management of nuclear energy based on three Ss - safeguards, security, and safety,¹³ it is argued that sovereignty should also be included. It is necessary to address a balance among the four Ss building confidence between the demand and supply side with due respect to all four aspects. In the same spirit of 'fullest possible exchange' under Article IV, proliferation-resistant technological benefits might be shared mutually (either bilaterally or multilaterally) among states.
4. It is important to note that in Middle East, Israel's possession of nuclear weapons might provoke party to the Contract to develop nuclear weapons in future, which would then trigger a chain reaction in the region because of the existing regional threat matrix. In this case, the proposal of implementing NWFZ in Middle East should be taken seriously. In addition to this, unconditional, effective and legally binding negative security assurances should be extended to the NNWS as enshrined in a new Protocol to the Contract.

The threat perception and mutual mistrust between India and Pakistan are being advocated as to justify the presence of nuclear weapons in the region. Similarly, the discriminatory treatment towards Pakistan is limiting Islamabad's choices where the NPT option is concerned. The problem is that outside the NPT, there are only have -India and Pakistan, and no have-nots with which another Contract can be negotiated. Therefore, following might be viable options:

- Nuclear weapons are seen as source of stability in South Asia provided that the region should not be treated on discriminatory basis. Thus India and Pakistan should remain outside the

Contract as NWS and regional arrangement such as enforcing risk reduction and restraint measures should be devised to maintain strategic stability in the region.

- Or the two states should be made party to the Contract as NWS along with the Article VI obligations. There is a view that this will open a Pandora's Box for others as well; however, bringing India and Pakistan into the ambit of the Contract, as NWS would bind these states legally to pursue the goal of disarmament along with the P5.
- Another option is to provide these two states a 'Special Status' under NPT. In this manner, India and Pakistan would be given the rights that are enshrined in the text, in exchange of their undertaking to freeze the existing nuclear status quo. And then take the obligations under article VI along with the other NWS.

9. Conclusion

NPT being the cornerstone of the nuclear non-proliferation regime needs to be revisited in the present context of challenges that are primarily emanating from within. The application of social contract theory on NPT reveals some inherent sources of these challenges that are required to be managed with some adjustments within the Contract. There is a need to maintain a balance between the rights and obligations under the Treaty in practice. Moreover, such a practical balance should aim to ensure equal security of all states party to the Contract.

Notes

¹ NIE Number 4-63, Likelihood and Consequences of a Proliferation of Nuclear Weapons Systems, June 28, 1963; NIE 4-66, 'The Likelihood of Further Nuclear Proliferation', January 20, 1966; and NIE 4-67, 'Proliferation of Missile Delivery Systems for Nuclear Weapons', 26 January 1967. <http://www.gwu.edu/~nsarchiv/NSAEBB/NSAEBB155/index.htm>.

² ENDC Documents, ENDC/PV 219, 29th July 1965, Available at <http://quod.lib.umich.edu/e/encd/>.

³ UNGA Res. 1665 (XVI), December 04, 1961, <http://daccess-ods.un.org/TMP/1204200.html>.

⁴ UNGA Res. 2028 (XX), November 19, 1965, <http://daccess-ods.un.org/TMP/9613246.html>.

⁵ See Statement of Lord Chalfont, United Kingdom at ENDC, ENDC/PV 219, 29th July 1965, ENDC/PV 225, 19th August 1965, p. 5, Available at <http://quod.lib.umich.edu/e/encd/>.

⁶ ENDC Documents, ENDC/PV 224, p. 17, Available at <http://quod.lib.umich.edu/e/encd/>.

⁷ See C.A. Ford, 'Nuclear Technology Rights and Wrongs: The NPT, Article IV, and Nonproliferation', *NPECC Research Paper*, (June 2009), <http://www.npec-web.org/.../20090601-Ford-NuclearRightsAndWrongs.pdf>.

⁸ Ibid.

⁹ China's National Defence in 2008, Information Office of the State Council of the PRC, January 2009. http://english.gov.cn/official/2009-01/20/content_1210227.htm; The French White Paper on Defence and National Security, 2008, http://www.ambafrance-ca.org/.../Livre_blanco_Press_kit_english_version.pdf, The Future of the United Kingdom's Nuclear Deterrent, December 2006, <http://www.mod.uk/defenceinternet/aboutdefence/corporatepublications/policystrategyandplanning/theyfutureoftheunitedkingdomsnucleardeterrentdefencewhitepaper2006cm6994.htm>, US Nuclear Posture Review 2002, <http://www.globalsecurity.org/wmd/library/policy/dod/npr.htm>.

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¹¹ *UNSC Resolution 1887*, September 24, 2009. <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/N09/523/74/PDF/N0952374.pdf>. Also see 'G8 Statement on Non-Proliferation', July 09, 2009, Available at <http://www.acronym.org.uk/docs/0907/doc01.htm>.

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Culture, Politics and Ethics: Media Representation of Immigrants and Policy in Canada

Ritendra Tamang

Abstract

Developments in media technologies and the recent trend toward centralising both public and private information have transformed the political landscape in Canada. By centralising information technologies such as the news media, the Canadian government is able to construct and maintain hegemonic representations of a shared national identity and culture. Within this framework, this chapter analyses the politics involved in the representation of immigrants and immigration policy in news media, particularly the Canadian Broadcasting Corporation ('CBC'). This chapter argues that mainstream news media represents non-white immigrants in mainstream news media as 'problems,' and that this representation obscures the tensions that exist between ethnic groups, thereby contributing to the ongoing invisibility of minorities in the Canadian political landscape.

Key Words: Canada, CBC, ethnicity, identity, immigrants, immigration policy, multiculturalism, news media, representation.

1. Introduction

The Canadian government has long used the media as tools to attract potential immigrants and to promote certain ideas and values about nationalism and national culture to the mass audience.¹ As a cultural text, national news plays a significant role in constructing symbols and meanings of the nation and the shared national culture.² However, interpretation of these symbols is often mediated by individuals' experiences. Differences in ethnicity and in cultural and class backgrounds influence the ways in which immigrants interact with and interpret nationalistic ideas constructed by national news media. Control over news media allows the government to construct and maintain hegemonic representations of a shared national identity and culture. As a result, the voices of subaltern groups such as immigrants, minority groups, and women are excluded from mainstream media.

Rhetorical theory focuses on the roles of metaphors as a way to understand news media stories and official documents within the frameworks of cultural assumptions and experiences. Metaphors engaged in the production of cultural texts (i.e., news media and government publications) have aided in framing the contexts in which we understand others and the world around us.³ In this sense, metaphors play significant roles in shaping our knowledge of and attitudes toward immigrants. Much of our knowledge about immigration and immigrants is

represented in the news media, which rely heavily on cultural assumptions and symbols.⁴ In approaching the issue of immigrants and immigration and national culture, television news and government documents prove to be valuable texts for comparative analysis.

2. News Media in Canada and Media Construction of Immigrants

Television news journalists often refer to their news stories as ‘objective’ because they present two oppositional viewpoints on an issue. However, it is not quite that simple. Television news media’s construction of news reflects the organisational practices and ideological values of dominant groups.⁵ The biases and goals of these groups are contained in a cultural framework that serves as a starting point for communicating to the audience certain points of view that are considered acceptable and normal in society.⁶ Views that challenge dominant ideologies are often silenced or dismissed by mainstream news media as irrelevant or even dangerous.

The history of national television news broadcasts in Canada is also complicated. Any discussion of mainstream television news in Canada must address the Canadian Broadcasting Corporation, or the CBC. When it was established in the early 1920s, the CBC received a mandate from the federal government to design radio programmes that would reflect regional and linguistic diversity in Canada.⁷ In 1952, the CBC established two television stations, CBFT in Montreal and CBLT in Toronto. Even though its main focus was on public service broadcasting, the federal government issued licences to private broadcasters as well. The first two private television broadcasters in Canada to receive licences from the federal government were the English-language CTV network and the French-language Tele-Metropole network.⁸

The CBC’s reliance on federal funding creates pressure on the CBC to broadcast programmes that align with government interests. Since the early 1990s, the CBC has had to make a number of changes in order to adjust to federal budget cuts and to fulfil the Corporation’s mandate of equal regional and linguistic representation. These changes have posed significant threats to local news programming and led to rivalries with other networks as the CBC is forced to find alternative sources of funding.⁹ In addition, the CBC has experienced a decline in viewers. This decline can be attributed to a number of factors, including the rise of American television news networks (such as CNN) and also ethnic television news networks, as well as the advancement of technological communication media such as the internet.¹⁰ The CBC now faces challenges not only in attracting and maintaining viewers but also in providing alternative options for viewers wishing to access news instantly using various communication technologies.

Because the government’s emphasis is on equal representation along regional and linguistic lines, groups such as immigrants, women, and other minority groups that are not organised according to region or language experience challenges in

making themselves visible in the media. These challenges have important implications on the ways these groups are represented in television news media.

3. Ethnic Tension and Immigration in Canada and the Rhetoric of Multiculturalism

Immigration has contributed and continues to contribute significantly to Canadian economic, political, and social development. However, a close examination of Canadian immigration policies reveals that not all groups of immigrants are welcomed and treated equally. The Immigration Act of 1910 encouraged immigration from the United States, Britain, and north-western Europe and discouraged immigration from non-preferred countries. From the late 1800s to the early 1900s, approximately 45,000 Chinese immigrants were required under the Chinese Immigration Act to pay a head tax in order to enter and work in Canada.¹¹ The Act was revised in 1948 to permit early Chinese immigrants to sponsor their spouses and children as immigrants to Canada. Despite such changes in immigration policies, people from many countries continued to be discouraged from immigrating. The situation did not change until the introduction of the multiculturalism policy in the late 1960s.

As an ideology and government policy, multiculturalism fashioned Canada's image as a cultural mosaic.¹² The struggle of French speakers in Quebec for recognition and political power contributed to the establishment of the multiculturalism policy. Under then Prime Minister Pierre Trudeau, multiculturalism became an official policy in 1971. The policy encouraged groups of various ethnic, cultural, and religious backgrounds to participate fully and equally in all aspects of Canadian society.¹³ The federal government also made a series of important changes to its immigration law, which encouraged immigration from previously non-preferred countries. These changes included the introduction of the point system in 1967 to encourage independent immigrants. In addition the Immigration Act of 1978 aimed to promote family reunification, to fulfil the country's humanitarian obligations by accepting refugees, and to encourage economic development. Under the new Immigration Act, immigrants were divided into four separate categories: independent, family, assisted relatives, and humanitarian. In 1982, the government introduced the Charter of Rights and Freedoms, which enshrined multiculturalism as the new definition of national identity and national culture.¹⁴

In 1988, the federal government passed the Multiculturalism Act, which focused on 'integrating minority women and men into the institutional framework of society, without losing sight of national interests pertaining to unity, identity, and social order.'¹⁵ The emphasis on integration promoted full and equal participation of minority groups and the elimination of all forms of discrimination, be they structural or cultural.¹⁶ The idea was to create spaces for recognition based on differences among groups. The Act reflected a shift in the attitude of the

Canadian government, which regarded immigration as a solution to demographic shortages and labour shortages. Canada soon witnessed a dramatic increase in the number of immigrants, most of them coming from Asia, Africa, Latin America, and the Caribbean.¹⁷ Unlike previous groups of immigrants, who were mainly from Europe and the United States and poor and disperse in their settlement, the new waves of immigrants brought capital to invest in the new host country and settled in large cities such as Toronto, Quebec, and Vancouver.¹⁸ In these cities, immigrants established businesses and took up paid employment to fill in the labour gap. These changes aided the expansion of Canada's economy and its integration into the global market.

Although the Multiculturalism Act is ostensibly committed to eliminating discrimination and promoting diversity and tolerance, scholars have noted that its real aim is to absorb all ethnic groups into mainstream society.¹⁹ In other words, official multiculturalism functions not so much to protect the cultural rights of minority groups but rather to integrate them into the existing culture.²⁰ The hegemonic discourses surrounding multiculturalism put forth the idea that the diverse needs of immigrant groups are to be subordinate to social harmony and national interests. Cultural differences among immigrant groups are thus perceived as threats to social harmony and as such are discouraged by uniting differences under the umbrella of 'multiculturalism'.

A survey of news stories released by the CBC in 2001 revealed that even prior to the attack on the United States in September of that year, the network was preoccupied with issues about national security and Canada's immigration policy. In a news story dated March 14, 2001, entitled 'Accused in Bomb Plot Easily Got Fake Passport - Prosecutors,' the CBC reported on the trial of a former Montreal resident, Ahmed Ressam, who had been arrested in 1999 in Port Angeles, Washington. Ressam was accused of being a terrorist and of having connections with Osama bin Ladin, who at that time had already been accused of masterminding the bombing of US embassies in Kenya and Tanzania in 1998. According to the CBC, Ressam entered Canada in 1994 illegally, using a false French passport. Soon after his arrival in Canada, Ressam allegedly joined an Islamic extremist group in Montreal. According to the case prosecutors, the case also put 'Canada's borders and immigration system on trial... [as] Ressam traveled in and out of Canada several times since 1994.'²¹ The CBC included a statement from Ressam's team of lawyers, but Ressam's voice was absent from the story. That absence served not only to exclude his side of the story but also to evoke the image of immigrants as dangerous and outsiders, thereby contradicting the premises of multiculturalism, which sought to highlight the contributions made by immigrants.

A few months after this news story appeared, the events of September 11, in conjunction with the war in Afghanistan and then Iraq, led to changes in Canada's immigration policies and increased media scrutiny of those policies. Erin Kruger

and her colleagues argued that these events had ‘indirectly resurrected past mentalities seeking to classify refugees and immigrants.’²² In revising its immigration policy since these events, the Canadian government has placed a heavy emphasis on issues of terrorism and national security. In turn, the significant attention of television news broadcasters to these events has increased public awareness of immigration issues.

Although the emphasis on security is explicit in the Act, the language used to define terrorists made no distinction between Canadian and foreign terrorists. The immigration status of persons accused of being terrorists thus became problematic, especially in the case of those who were born and raised in Canada. A year after passing the Anti-Terrorism Act, the government revised the Immigration and Refugee Act, in which it defended its decision to be ‘tough on those who pose a threat to Canadian security, but maintain Canada’s humanitarian tradition.’²³ The emphasis on national security provided the government with the impetus not only to hasten the process of removing individuals who posed a security threat, but also to enforce tougher sentences for human traffickers and to restrict individuals’ access to Canada’s refugee determination process.²⁴ Together, these two new legislations set a precedent for other activities that are frequently cited as protecting national security.

For example, the government intensified the screening process for refugee claimants. Under the new changes, all refugee claimants’ backgrounds are to be checked against information from the Criminal Security Intelligence Service, the Royal Canadian Mounted Police (RCMP), and other security agencies. In addition, an alliance was formed between law enforcement agencies and various governmental departments and agencies (such as Citizenship and Immigration Canada, Canada Revenue Agency, and the Canadian Border Security Agency), resulting in the creation of the Canadian Passenger Analysis Unit (CPAU). The CPAU’s mission was to create an advanced database system to predetermine which air passengers posed a threat to security.²⁵ The Canadian government also implemented a series of legislations to enhance cooperation with its international allies, including the United States. Even after these changes, the CBC and other news media reported stories that continued to raise questions about Canada’s security.

A news story of CBC reported that Zakaria Amara, a 20-year-old Toronto resident, was arrested in Canada on June 2, 2006, and prosecuted on terrorism charges. The title of the news story, ‘The Case against Canada’s Plotters,’ suggests that Canada’s security is under threat from those within its borders, further reinforcing the idea that the Canadian government needs to impose harsher penalties for those accused of being terrorists. In contrast to its coverage of the Hussein case, the CBC did not reveal Amara’s national background. Amara admitted to the court that he was guilty of forming a terrorist group and recruiting people to kill ‘his fellow Canadians’.²⁶ Amara’s trial is ongoing.

The CBC also reported the case of Omar Khadr, a 22-year-old Canadian-born man accused of killing a US soldier by throwing a grenade at him. Khadr was held by the United States at its Guantanamo Bay military base in Cuba. Since Khadr's arrest in 2002 at the age of 15, the Canadian government has refused to intervene for Khadr's release. Recently, questions have been raised about the reliability of the evidence produced by the Pentagon. Currently, Khadr is waiting to hear from the Supreme Court of Canada as to whether his rights are being violated under the Charter of Rights and Freedoms.²⁷ Khadr's case raises important questions about the Canadian government's commitment to its citizens and how issues concerning security affect ethnic minority groups' sense of belonging to Canada.

4. Conclusion

Representations of immigrants and immigration in Canada, which are implicitly connected to images of danger and outsiders, have shaped our public consciousness and national history. The news stories constructed by news media not only position immigrants and ethnic minorities in a certain context, they also position the viewer in relation to these immigrants and minorities, and viewers interpret the messages accordingly. Deconstructing the language used in the dominant television news stories and their ideological assumptions is a necessary step in challenging hegemonic ideologies.

The need to construct a common space continues to be a challenge for visible minority groups, especially non-white immigrant groups in Canada. The experience of discrimination, restrictions and exclusion has been a shared feature among immigrants and other marginalised groups in Canadian society. Although the Canadian government has attempted to encourage greater participation of all groups residing in the country, recent changes to its immigration policies pose important questions about Canadian identity, national culture and immigrants' sense of belonging. The Canadian government encounters challenges in fulfilling its commitments to eliminate inequalities by encouraging full participation of all Canadians and creating spaces for all groups to express their cultural differences. The process of change can begin with the removal of restrictive immigration policies and increases in government funding to ethnic news media programmes.

Notes

¹ K. Conway, 'Public Service Broadcasting and the Failure of Political Representation', *The Velvet Light Trap*, Vol. 64, 2009, pp. 64-75; K.H. Karim, 'Pluralism: Multiculturalism Debates in Canadian English-Language Newspapers', *Canadian Ethnic Studies*, Vol. 40, Nos. 1-2, 2008, pp. 57-78; H. Winkler, 'Discourses, Schemata, Technology, Monuments: Outline for a Theory of a Cultural Continuity', *Configuration*, Vol. 10, 2002, pp. 91-109.

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³ Cisneros, op. cit.

⁴ Mahtani, op. cit.

⁵ A. Fleras and J.L. Kunz, *Media and Minorities: Representing Diversity in a Multicultural Canada*, Thompson Educational, Toronto, 2001.

⁶ Conway, op. cit.

⁷ Conway, op. cit.

⁸ S.E. Nancoo and R.S. Nancoo, 'The Mass Media in a Diverse Society', *The Mass Media and Canadian Diversity*, S.E. Nancoo and R.S. Nancoo (eds), Canadian Educators' Press, Mississauga, 1996, pp. 30-59.

⁹ Conway, op. cit.

¹⁰ Fleras & Kunz, op. cit.

¹¹ Kruger et al, op. cit.

¹² Dib et al., op. cit.; Gilbert & Viswanathan, op. cit.

¹³ Gilbert & Viswanathan, op. cit.

¹⁴ Kruger et al., op. cit.

¹⁵ Fleras & Kunz, op. cit., p. 5.

¹⁶ Dib et al., op. cit.

¹⁷ Bourne & Rose, op. cit.

¹⁸ Abu-Laban & Garber, op. cit.; Bourne & Rose, op. cit.

¹⁹ Dib et al., op. cit.; Karim, op. cit.

²⁰ Fleras & Kunz, op. cit.

²¹ CBC News, 'Accused in Bomb Plot Easily Got Fake Passport - Prosecutors', *CBC News*, 14 March 2001, retrieved 30 November 2009, http://www.cbc.ca/world/story/2001/03/13/ressam_trial010313.html.

²² Kruger et al., op. cit., p. 77.

²³ Ibid.

²⁴ Ibid.

²⁵ Ibid.

²⁶ CBC News, 'The Case against Canada's Plotters', *CBC News*, 14 October 2009, Retrieved 30 November 2009, <http://www.cbc.ca/canada/story/2009/10/14/f-vp-gillespie.html>.

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Part III

Ethics and Aesthetics

The Sacrifice Made by Audiences: The Complicit Discomfort of Viewing Performance Art

Angela Bartram and Mary O' Neill

Abstract

A standard 'Ethical Approval' form issued by British Universities asks researchers to consider 'a risk assessment of the project based on the vulnerability of participants, the extent to which it is likely to be harmful and whether there will be significant discomfort'.¹ This chapter will examine the consequence of imposing a social science model of ethical approval on a practice that is in some cases defined by the vulnerability of participants, be that either the artist or the audience, and the possibility of harm to them if there is an opportunity for 'significant discomfort'. This jointly authored chapter will explore the discomfort created by performance practice in terms of an ethical sacrifice; in sacrifice something is given up for a greater gain. The chapter will discuss if comfort is sacrificed for the greater gain of the sensuous knowledge offered by performance works that may make the audience feel uncomfortable. In *Life in Fragments: Essays in Postmodern Morality*, Zygmunt Bauman described humans as fundamentally moral beings, which he distances from the notion of goodness. Rather than being connected to the debate about the 'essential goodness' of humans he suggests that to be moral is 'to exercise one's freedom of authorship and/or actorship as a choice between good and evil.' Discomfort can be brought into the reception of performance practice that makes bodily fluids visual and tangible. Art practice that includes the release and transfer of bodily fluids produces anxieties, and raises questions of health and welfare, safety and conduct. This sees the individual experiences what Bataille called 'impotent horror' as they negotiate the implied danger of the experience. This summary chapter (a complete version is to be published elsewhere) will make specific reference to Bartram's performance work, which uses saliva, its relationship to the audience and the impact of its displacement at its core.

Key Words: Abramovic, Acconci, art education, ethics, Horsley, live art, Performance art, Sierra.

1. Introduction

According to John Dewey philosophy does not provide answers to old questions, rather those questions become less important and one forms new ones, one encounters new problems, which require new methodologies and new ways of thinking. However, we do not give up the old questions easily because they are more than the simple foci of enquiry, they are ways of being, they are habits so ingrained through tradition that they appear to be the only questions worth thinking

about. In art schools, universities, and academia generally, the significance of the 'ethical turn' is one of the areas we are disinclined to interrogate. In addition to this, there is reluctance in the art world to discuss applied ethics due to the risk of being seen as censoring freedom of expression. Our intention here is to examine the ethical discussion that has taken place around art.

The history of art could also be the history of power. It has bolstered kings and states, religions and wars. The 'cultural capital' of museums and universities, as described by Pierre Bourdieu, makes them sites of authority, knowledge, and care - for the object, for culture, for visitors, for education. Artists were historically a conduit through which ideologies were communicated and reinforced. Art has done this with subtlety, which is the source of its power. But in the 20th century art ceased to be a representation of the world we live in, and began to scrutinise and critique that world. There may be several reasons for the reluctance to accept this new role, for example the loss of a long-standing relationship with forms of authority and the resulting 'soft power'. According to Joseph Nye, power is 'the ability to alter the behaviour of others to get what you want. There are basically three ways to do that: coercion (sticks), payments (carrots), and attraction (soft power)'. The theory of 'soft power' describes the ability to influence the attitudes and behaviours of others without the use of coercion or incentives. Culture, in the form of artistic products, is one of the significant tools in the soft power armoury.

The artist and political activist Gustav Metzger, who witnessed the Nazi rise to power in the 1930s, described an example of the subtle coercive power of art. He described the increasing sophistication of the design of Nazi uniforms as attractive to him, despite being the child of Polish Jewish immigrants. Metzger identified parallels between the growing splendour of the soldiers' uniforms, and the Nazi intention to create a sense of *entitlement* to power. The subtle role of art (as the creation of an image or other mode of expression), and the ability of regimes to exploit the relationship between cultural productions and entitlement to power cannot be underestimated. The power of attraction can be more effective in some circumstances, because attraction works by seeming right and good. Equally, as Nye points out, this does not mean that it is more ethical - it is simply a more subtle form of physical violence.

2. Examples of Artworks

Sebastian Horsley wanted to paint a series of works on crucifixion. Believing in self-experience and ritual to inform his paintings, he arranged to go to the Philippines in August 2000 to be crucified. Horsely, a self-proclaimed sensationalist, travelled to a village called San Pedro Kutud, near San Fernando, a place that holds ritual enactments of crucifixion and flagellation every year during holy week. He took Dennis Morris and Sarah Lucas with him to document the experience. As a parody of religious iconography (did Horsley believe he was Christ? How dare he!), the event was sensationalised from the outset. The spectacle

was enhanced not only by the ritual being recorded for artistic use, but by his choice of those doing the recording - Morris is famous for his photographs of the Sex Pistols, and Lucas is a well-known British artist. Locals were also invited to witness this event. Before the crucifixion Horsley refused painkillers; after he was nailed to the cross he passed out from the pain; his foothold broke and he fell off; Lucas fainted; the locals ran away screaming. Horsley said afterwards 'I have made a complete fool of myself'. The paintings made as a result were exhibited in London in the summer of 2002.

Santiago Sierra also has a reputation for creating controversy. His work, which challenges ideas of capitalism, labour and exploitation, involves the use of paid participants who are directed by Sierra, the 'absent' performer. The manner and currency in which they are paid and perform often reflects their status, culture, heritage and life choices. In 2004 Sierra presented a silent black and white film at the Lisson Gallery, London. In *Polyurethane Sprayed on the Backs of 10 Workers* shown at the Lisson Gallery, London, UK, ten Iraqi immigrant workers wearing protective clothing faced a wall and were sprayed with polyurethane foam.² They looked as if tortured, as if buried alive. They were paid a small sum of money, which was, as Sierra was supposed to have said, 'as little as possible'.

3. The Growing Significance of Performance

The culture in which performance exists impacts on perceptions of its content, situation and legacy. The artist predominantly brings their own culture, and its understanding and use within art, to the work for context to be determined. This is a given as the reliance on self-understanding and position is key for the artist, and occurs irrespective of subject matter. In essence, they must know how to live with, and around the issues to which they relate in order to establish value and worth. For if one does not 'know' how can one truly 'tell'? Sierra, for example, draws on the political and cultural climate of oppression, sacrifice and squalid desperation, which he witnessed firsthand in Spain and Latin America. As it employs tactics typical of the regimes he references, his work treads a contentious and provocative path when culturally displaced. When shown in the UK for example, his method of 'payment' to refugee and unemployed bodies saturates his work with political and ethical overtures that set a discourse in motion to do with right, and appropriate artistic use, surrogacy and conveyance of humans. It becomes potentially abhorrent, unjust and highly problematic. Despite Sierra's intentions and the subjects willing engagement with the process (some earn more for a line tattooed on their back than they do in a year of paid labour), the actual 'action', seen as a degrading and violating abuse of the willing body, becomes the primary focus in spite of the active intent to highlight corrupt capitalist regimes. Out of context, the action undergoes a misreading, whereby the cause produces the wrong effect, and appears muddled and confused through the cultural and situational displacement enforced upon it.

Such misreading is typical of performance-based practice that traumatises the body. Whether this is done through actual or imagined physical or psychological assault on the performing bodies, their duress evokes an often charged and self-indulgent response in which the viewer ‘acts out’ outrage. But acceptance into orthodoxy and the mainstream plethora of galleries and festivals can change this response significantly. Sold out attendances at Tate Modern’s 2003 ‘Live Culture’ festival, an expansive overview of contemporary live practice spanning the political to the visceral, gives testament to the impact convention has. There is a problem, however, to do with the ‘blind spots’ established venues create, for in exhibiting art they give it unquestionable cultural worth by telling us it is good. The capacity for specific and evocative questioning to be established is removed by the venues status. Irrespective of media and method, the subject is made slightly less questionable, slightly less problematic, slightly less provocative. This process of approval and sanction creates these blind spots, where it becomes almost impossible for the average gallery goer to see all the layers embedded in the work. Additionally, the gallery panels and information sheets give them, perhaps, all they need to know, and the nature of the space as ‘approving’ provides the rest. Any violence is sublimated by orthodoxy and mistrust of intent is eradicated. The audience generally believe it is okay and good to see an artist like Franko B cut his body in *Tate Modern*, because the grandeur of the venue tells us so. We may still wince and feel the incision as if the blade were cutting into our own flesh, but we are conscious to not let others know.

4. ‘Spit and Lick’ and the Contract of Performance - A Case Study

In 2003, Angela Bartram performed a live work, *Spit and Lick*, at East End Collaborations, Queen Mary University, London, and in 2004 at *Sensitive Skin*, Future Factory, Nottingham. *Spit and Lick* considered the effects of action, site, and audience upon each other. Spitting, and licking back that spit, were actions delivered in close proximity to the audience in this work: at EEC this was performed in a corridor; a cell in the Galleries of Justice was used for *Sensitive Skin*. These small and confined sites ensured the close proximity of the audience to the performance.

Bartram and a female participant were initially placed as part of the audience in *Spit and Lick*, emerging from it shortly after entering the performance space. They then took the position of performer, by moving forward from the audience to spit in the other woman’s face. This activated the reciprocal process of face spitting between them continued for around three-minutes. Once the spitting was over they licked their own spit off each other’s faces. Bartram lead the way out of the space followed by the other performer when this act was concluded, and they left the audience behind to contemplate and evaluate their relationship to the experience.

The confinements of the site in both cases necessitated that the audience were close to the performance from the outset; in fact they were within spitting distance.

This presented them with a threat of bodily exchange and of being stained, or marked by another's unwanted expulsion. The horrors of the phlegmatic, that respiratory waste and carrier of disease infused and indulged the experience with worry of what the unknown body might bring and leave within personal range of the self. This tension played with the performance 'contract' between observing self and observed other to make each participant active.

The 'contract' that exists between art and its viewer dwells in the space where mediation occurs and knowledge acquired and understood. A relationship is established because of the contract, and this makes its role important for negotiations and understanding of performance. This contract is openly and willingly entered into by the audience by way of attendance, and is one that allows passive watching of, and engagement with performance. Essentially here, the viewer can contemplate the nature of the event without fear of being so close as to become part of it when given sufficient distance to observe. Even if only for a moment however, if either party steps into the space of the contract it effects a change in how observer and observed relate to one another. A process that shifts sensibilities from artist to audience, from object to process, from production to reception is set in motion. The spectator, placed at the core of the experience by being made visible, is engulfed and physically affected by it. The instability of this situation produces what Foucault referred to as the 'arrested gesture' of the gaze. They come to realise that they are not only a partaker of the experience, but that they are integral to it. The rules that normally constitute the viewing contract are rendered destabilised and uncertain as a consequence.

The audience, who willingly opt into a viewing contract, whether aware of this or not, implicitly accepts ethical approval. Devised to test this tacit agreement, 'Spit and Lick' explored the parameters of acceptable audience/art relations and probed the question of ethical sanction as contrived by the contract. But if the contract has been altered, can it be expected to function and behave in the same way, for the duped audience may be fearful of the unknown, so how can this be ethically managed? This work proclaimed via posters that normal viewing conventions would not be followed, that spitting would take place in close proximity to the audience, and the title served as a clear indicator of the works content. Effectively, this strategy was used to inject the performance contract with knowledge and awareness of key circumstances that could affect and potentially violate the agreement, in a way that is not normal or traditional. It is often rare that audiences are given prior knowledge of the impending experience in this way, but it allows them to make a fully informed choice about whether, or whether not to get involved. Awareness and consideration gives the audience power and this keeps ethical regard embedded in the contract. Effectively, the audience can choose to view or not based on prior knowledge and informed position.

5. Conclusion

Art is considered as a 'safe' surrogate opportunity to experience context explored by the artist within the comfortable and prescribed confines of orthodoxy. The audience want to watch the other, but don't necessarily want to wear its effect on their skin or within their sense of being. But the contract tells us that there is no accidental audience in art or performance. They 'buy' into the experience through attendance and this can leave a mark. Replicating experience as witness testimony is an inevitable consequence of performance, as our likeness to the performer triggers sympathy and empathy. We know what it is to live with, and inside human flesh. We can feel another's pain, joy, and trauma. Mirror neurons are engaged both when an animal acts and when it observes actions, to initiate a complex and automatic visceral response and this behaviour is typical of performance audiences. But how is this ethical? The audience opt to play in the game presented and this in itself embeds ethics. This means that the audience trust the situation, or why else would they bother? With 'warnings' and information in place to counter misunderstanding, the agreement stands firm. The artist in this sense gives responsible and ethical regard to the viewer beyond the remit necessary for the contract to exist. They give the viewer power and regard and reiterate that they have the right to walk away.

Notes

¹ University of Lincoln Ethical approval documentation 2008/

² Accessed 14/04/2010,

<http://www.lissongallery.com/#/artists/santiago-sierra/works/>.

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Inter-Artistic Identities within the Socio-Political Space

Bello Benischauer and Elisabeth M. Eitelberger

Abstract

ART IN PROCESS is a partnership based in Fremantle, Australia. In our work, we explore relationships between humanity, technology and the natural environment in a socio-political context. We work together across installation, video, new media, performance and live art. This work addresses the notions about how we fit into certain places, what impact we have on our surroundings and what impact the surroundings have on us. The artistic outcome is based on certain explorations through onsite projects (residencies, travel) as well as on a reflection of our own living environment and circumstances. Projects constitute a critical engagement with a number of issues specific to Western, consumer culture and behaviour: our intent is to instigate a change of thinking, a shifting of accommodated world conception within the viewer/participant, in continuously looking for an open dialogue with the public (i.e. through art-interventions, performance art and exhibitions with audio-visual and mixed media installations). The chapter focuses on presenting running projects as well as a compilation of past work based on specific aesthetics concerning socio-political issues, especially the 2009 international project series called Intervention, developed in Salzburg/Austria, Evora/Portugal and Kumasi/Ghana about tapping local resources. The chapter tries to reveal how the frame of Art applies in the social context of the audience and life itself, and how artistic practice should engage with the general public. Questions to be answered: What does it mean to make artistic comments on our world? What triggers them? Why has it become a crucial responsibility for an artist once again to serve as the public voice to the extent to educate and inform the public about issues/ethics that otherwise would go unnoticed or even ignored? This should initiate a thriving discussion about how artists should communicate their ethical ideals in engaging with the broader community through public and participatory projects.

Key Words: Art, installation, intervention, media art, new technologies, participation, performance art, socio-politics, video art.

1. Introduction: The Process - not the Outcome

The work by ART IN PROCESS is project-based, which means the artistic outcome does not solely result in an exhibition. Our interest lays upon the process itself and its development. This often leads to the production of a DVD, Blu-ray Disc or book as a post-productive documentation material.

The following chapter reflects on recent and past projects, created in the realm of a cultural and socio-political context.

We create work away from elitism and promote art that extends into the social space; believing in art that puts use over meaning.

ART IN PROCESS has pursued a speculative practice, which has extended into a range of endeavours unique to the visual arts community in Western Australia. Over the past few years their visibility within the local cultural landscape has exemplified a model of independent and experimental visual art that is positioned at the forefront of creative thinking and somewhat apart from the market forces of the commercial market.¹

As part of the process of globalisation, the western image of art and the exhibition space per se have died. Art lives now in cyberspace, it happens within the social space; it spreads out into our daily surroundings. Artists/people are suddenly able to participate in the creation of a new artistic era that connects them with different places and different cultures, away from exclusion and oneness.²

The following pages give an overview of the ART IN PROCESS, starting with the 2009 project series that questioned the term of artistic intervention and its possible meaning in the public space.

2. INTERVENTION an International Project Series in 2009

The project series explored the term of intervention in its artistic meaning and beyond. It has resulted in a book of photographs, text and a Blu-ray Disc with video and sound installations. Single elements were based on text (aphorism) written by the artists - interpreted and translated into performances through collaboration with others. The original English text has been translated to serve as a fundamental part of the sound composition: Part 1 in German, Part 2 in Portuguese and Part 3 in Fante.³

Part 1 Salzburg/Austria questioned: What does artistic intervention in public and private mean? What is the attempt for such an intervention? How do we fit - as an individual - into a space?⁴

Part 2 Évora/Portugal looked further, examining interventions that happen between people/bodies; how we interact, intervene, interfere and how we individually grow into what we finally are: individual beings, formed by culture, society, language.⁵

Part 3 Kumasi/Ghana explored human beings and their immediate surroundings to discover what actions can destroy others, or interfere with their environment.⁶

What does the person behind an intervention feel? How is this person influenced by the individual action? Art-interventions often just state a silent or

abstract expression within a social and/or political context, happening in a public, open space or in private. Such interventions *just are*, creating, not a strong or irritating impact, but simply leading the individual view into a certain direction, manipulating our perceptions and observations, causing reactions.

A participating artist in Kumasi/Ghana wrote the following:

One performance that really drove home the meaning of ‘intervention’ to me was a scene at Lake *Bosumtwi* (a natural lake in Kumasi/Ghana). In this performance, I wrapped myself up with a white cloth and sat at the bank of the lake... The awakening of the emotions of the natives of *Bosumtwi* (Kumasi/Ghana) people to react vehemently to this ‘simple activity’ drum’s home the clarification that an ‘intervention’ means different things to different individuals or group; one cannot be certain about its outcome; its outcome might not be only physical but also emotional and sometimes even spiritual.⁷

The work created in this particular context turned the word intervention into a poetic experience and took the notion from a place of fear and resistance to one where it was able to evoke a sense of enrichment, enhancement and belonging.

3. Recent Participatory Efforts: Onsite Projects, Performances, Video and Sound Installations

In recent years, collaborations with other artists and people in general - especially concerning the production of new work - have become increasingly relevant. Visiting a foreign country, taking photographs, and developing our own ‘white, western’ image into an artistic work - that should reflect on a different culture, lifestyle and social injustices - just seemed wrong and far away from appropriate: i.e. *Inside* (1993-1999).⁸

In recent projects, we discovered how public interventions and performances could build a bridge to the general public. This isn’t always comfortable for the performer and often leads to huge self-confrontation within certain situations: i.e. *INTERVENTION Part 1* or *Victim* (2009).⁹

Contemporary art - at least for us - has lost its value to be just a matter of contemplation. Previous decades have exemplified how important the artist’s voice can be and how it can serve as a healthy and balancing antithesis to other common, mainstream thinking.

The Curio Kiosks Project was part of The Kumasi Symposium: Tapping Local Resources for Sustainable Education through Art from 31st July to 14th August 2009 at the College of Art, Kwame Nkrumah University of Science and Technology (KNUST) Kumasi, Ghana. This arts-based social experiment was designed to provide a context that should stimulate the artist, scholar and activist

participants to place themselves and their practice into question through collaboration and cultural/artistic interchange.¹⁰

Can you see the sound? A sound installation and performance at the Kumasi Museum of Art, August 2009 happened in collaboration with some of Ghana's local artists as part of the end-presentation and final event of the Kumasi Symposium. The performance reflected on the continuing dilemma of cultural differences; how simple actions can lead to misinterpretations. What do we expect from others? What difficulties do we experience ourselves in trying to avoid prejudices? The audience was invited to question own ways of thinking in where, when, why and how we value and classify people differently.¹¹

What is out there, an audio-visual installation was the result of a cross-media workshop with year 9 students at Mount Lawley Senior High School Perth/Australia, Nov 2009 (in collaboration with Australian musician Tristen Parr - sound). The students were invited to react to: How do we try to accommodate to certain frames? How could we try to overcome them? Can you grow into confident individuals, able to make positive changes happening within your immediate and extended surroundings?¹²

Blue Child, an audio-visual installation with year 10-12 students, was the outcome of a residency at Mount Lawley Senior High School, Perth/Australia, 2008. Students were asked how they felt about tolerance and cultural difference in their own environment and where they thought, ignorant behaviour would lead to exclusion, patronization and general abuse.¹³

4. The Body, Movement and Expression: Social Positioning in Video and Sound Installations

The body and its movement as well as its general relation to this world have become a centre point of all work we created throughout the last ten years. The outcome varies from showing a single person: i.e. *Project X...six transformations of life* (2004) to a group of dancers that interact and communicate through movement (i.e. *INTERVENTION Part 2*).¹⁴

Asagao (2007) as well as *Infertile Future* (2008) or *EXILe* (2008) used real and animated human beings to discover how the body related to society and its immediate environment.¹⁵

They looked into certain patterns and conditioned perceptions of social behaviour/structures and social masks we inherit. Which possibilities do arise from specific behaviour? Patterns of social understanding; concerning actions and reactions i.e. *Human Migration* (2008) or *Apart from the difference* (2009);¹⁶ in context to multicultural societies that originate in individual and cultural differences, signs and meaning (*ConceptOne*, 2009).¹⁷

5. Languages, Sound and Image: Cross-Cultural Connections in Video and Sound Installations

Languages are a fascinating tool, once we were thinking about how to transmit a feeling of in- or exclusion within audiences; an obvious tool in the multi- and cross-cultural context. To connect to people from a different cultural background does often involve a certain understanding of their language and vice versa. We simply cannot always expect others to adjust to us. We have to find ways to communicate and consider other languages in our daily communication. Other than that we already start excluding and valuing.

SUEX (2007/08), a four-wall installation, was designed to confront the audience with different voices (and languages) and asked to overcome the need to solely and primarily communicate through language.¹⁸

Throughout the last century many artists started to incorporate the use of language in their work. For example, we could recall Marcel Duchamp's various installations, conceptual art in general or Bruce Nauman's repetitive use of phrases and words - all implementing certain/different meanings, effect and use of language.¹⁹

In our case, language is used to ask the audience and ourselves: do we need to understand the words? Is there an understanding beyond language skills? Does it feel uncomfortable to not understand a language? In how far can we expect others to accommodate to 'our' lifestyle/cultural peculiarities and are we willing to accommodate/adjust to theirs?

Installations like *EXILe* further play with the body's limitations and set the human body in confrontation to artificial life forms that extend human abilities to move. *EXILe* questions how we try to recreate, re-charge and how we deal with the world around us.

ASAGAO reflects on a certain relation between the human being and nature (as a gigantic force) in a mechanized world. The human body starts to float, loses individualism and independence.²⁰

6. The Nature, Technology and the Human Being: Juxtapositions in Video and Sound Installations

Especially some of our projects address the relation we, Westerners deny to have to the world in general and nature in particular i.e. the video-installation series of six, called *Maybe It's Only...Imagine!* (2002), *Digital Trilogy* (2003), *manipulated* (2005), *Identical City* (2006), *Seafactory* or *White Net* (2007).²¹

This work became popular in recent years, based on a global concern about sustainability and an increased awareness of ecological problems (I am afraid - only because it suddenly seemed an attractive theme used and abused by the media and advertisings). Some of these works are currently represented in a solo-exhibition that tours in Australia from 2008 to 2011 (WA, NSW and QLD). All

these works tried to critically engage in a discussion about how we lose and lost control in taking care of nature.

7. A National Touring Solo-Exhibition in Australia

IMPACT & FUSION questions the social impact of human beings on nature through mass consumption and globally increasing population.²²

This exhibition presents a dialogue between three sets of wall-objects and three video and sound installations. It gives an overview of work created between 2003 and 2006.²³

The video and sound installations in this exhibition:

Identical City: what does identity in times of a global union mean? Is there a cultural consciousness (about Western culture) within the anonymous city environment?²⁴

Digital Trilogy addresses differences and cultural identities between people; focusing on modern movements inspired by nature and urban settings the digital installation is about how people interact with nature and the modern world.²⁵

Manipulated deals with questions like how the fragments and remains of pre-existing life forms become the starting point of new creation. Where do we come from? How far are we prepared to go?²⁶

8. Post-Production and Documentation Material

Released DVDs, Blu-ray discs and books in limited editions are distributed by CAM Contemporary Arts Media Inc. (Films and Books for Arts Education worldwide).²⁷

Further readings and screenings of projects on the ART IN PROCESS available on website <http://www.artinprocess.com>

Current work: 2010 project series - *Emotional Seasons*, experimentation with performance art and new media in public and private (in collaboration with other international artists).²⁸

9. The Future of our Artistic Work: Manifestation and Orientation

Globalisation has opened up enormous possibilities of linkages; it ideally means dissemination, diversity and insight into foreign worlds. But other than leading to a broad perspective or enthusiasm about the various aspects of this world per se and its cultures, we must admit that - critically observed - globalisation really concludes in generalisation and uniformity. It has become the ideal platform for broad mainstream, the playground of unquestioned fast food and

monopole society. For artists, globalisation opens up new ways of engaging and gathering together to produce, able to set a counterpoint to the various and absurd forms of mass consumption. Artistic statements have been political before and they must engage today in a socio-political way more than ever.

Our work is a reaction to the present. It translates our own perceptions into works of art; it transmits our thoughts and feelings/emotions into an interpretive and *aesthetic object* (a wall-object, a video and sound installation, a social sculpture) that becomes an artistic statement for the audience to engage with, in diverse and personal ways. It tries to connect people - not just through the *white cube* - exhibition space, but through the work process itself, in which questions are asked, discussion takes place and work is being produced.

Notes

¹ P. Mudie wrote this in an artistic statement in 2009 about ART IN PROCESS (Associate Prof at the University of Western Australia).

² The French writer and theorist Nicolas Bourriaud addresses the shifting of the worldview according to developments within the Arts in various publications and interviews. His theories help us to understand our work within a greater context and to ask: where does our work originate and how will it develop further?

³ ART IN PROCESS, 'INTERVENTION an International Project Series - Limited Editions Publication 2010,' ART IN PROCESS, 01.02.2010, 01.02.2010, <http://www.artinprocess.com/artistbook>.

⁴ ART IN PROCESS, 'INTERVENTION Part 1,' ART IN PROCESS, 01.02.2010, 01.02.2010, <http://www.artinprocess.com/Salzburg>.

⁵ ART IN PROCESS, 'INTERVENTION Part 2,' ART IN PROCESS, 01.02.2010, 01.02.2010, <http://www.artinprocess.com/EVORA>.

⁶ ART IN PROCESS, 'INTERVENTION Part 3,' ART IN PROCESS, 01.02.2010, 01.02.2010, <http://www.artinprocess.com/KUMASI>

⁷ P. Tagoe-Turkson, 'About Art-Intervention,' in *INTERVENTION – An International Project Series*. ART IN PROCESS limited editions, 2010, p. 159.

⁸ ART IN PROCESS, 'Inside,' ART IN PROCESS, 01.02.2010, 01.02.2010, <http://www.artinprocess.com/Inside>.

⁹ ART IN PROCESS, 'Victim,' ART IN PROCESS, 01.02.2010, 01.02.2010, <http://www.artinprocess.com/VICTIM>.

¹⁰ ART IN PROCESS, 'Curio Kiosks Project,' ART IN PROCESS, 01.02.2010, 01.02.2010, <http://www.artinprocess.com/Kiosks>.

¹¹ ART IN PROCESS, 'Can you See the Sound,' ART IN PROCESS, 01.02.2010, 01.02.2010, <http://www.artinprocess.com/canyouSEethesound>.

¹² ART IN PROCESS, 'What Is out There,' ART IN PROCESS, 01.02.2010, 01.02.2010, <http://www.artinprocess.com/SVAPAworkshop09>.

¹³ ART IN PROCESS, 'Blue Child,' ART IN PROCESS, 01.02.2010, 01.02.2010, <http://www.artinprocess.com/blueChild>.

¹⁴ ART IN PROCESS, 'PROJECT X... Six Transformations of Life' and 'INTERVENTION Part 2,' ART IN PROCESS, 01.02.2010, 01.02.2010, <http://www.artinprocess.com/PROJECTXTrailer>, <http://www.artinprocess.com/EVORA>.

¹⁵ ART IN PROCESS, 'ASAGAO', 'Infertile Future' and 'EXILe,' ART IN PROCESS, 01.02.2010, 01.02.2010, <http://www.artinprocess.com/ASAGAO>, <http://www.artinprocess.com/infertilefuture> <http://www.artinprocess.com/ex>.

¹⁶ ART IN PROCESS, 'Human Migration' and 'Apart from the Difference,' ART IN PROCESS, 01.02.2010, 01.02.2010, <http://www.vimeo.com/1872284> <http://www.artinprocess.com/ChildGhana>.

¹⁷ ART IN PROCESS, 'ConceptOne,' ART IN PROCESS, 01.02.2010, 01.02.2010, <http://www.artinprocess.com/CONCEPTONE>.

¹⁸ ART IN PROCESS, 'SueX,' ART IN PROCESS, 01.02.2010, 01.02.2010, <http://www.artinprocess.com/SUEX>.

¹⁹ Throughout history there has been a tradition of combining text and art in the visual arts. Medieval written manuscripts in Christian Europe were interlaced with pictures, which helped to create layered meaning. Dadaists and Surrealists in the early 20th century combined fragments of found text and appropriated images to open new paths and the Futurists' use of innovative typography exemplified their belief in the expressivity of language. From the 1960's to the present numerous artists have woven visual images and verbal symbols together with great force. There are many ways in which contemporary artists explore and look critically at cultural narratives through the use of language in their art.

²⁰ ART IN PROCESS, 'Exile' and 'ASAGAO,' ART IN PROCESS, 01.02.2010, 01.02.2010, <http://www.artinprocess.com/ex>, <http://www.artinprocess.com/ASAGAO>.

²¹ ART IN PROCESS, 'Maybe It's Only...Imagine!,' ART IN PROCESS, 01.02.2010, 01.02.2010, <http://www.artinprocess.com/MaybelImagine>. ART IN PROCESS, 'Seafactory & White Net,' ART IN PROCESS, 01.02.2010, 01.02.2010, <http://www.artinprocess.com/Seafactory>.

²² ART IN PROCESS, 'IMPACT & FUSION Catalogue,' ART IN PROCESS, 01.02.2010, 01.02.2010, <http://bello.artinprocess.com/Downloads/IMPACT&FUSION-catalogue.pdf>.

²³ ART IN PROCESS, 'IMPACT & FUSION exhibition video,' ART IN PROCESS, 01.02.2010, 01.02.2010, <http://www.artinprocess.com/impact&fusion>.

²⁴ ART IN PROCESS, 'Identical City,' ART IN PROCESS, 01.02.2010, 01.02.2010, http://www.artinprocess.com/audio-visual_installations.

²⁵ ART IN PROCESS, 'Digital Trilogy,' ART IN PROCESS, 01.02.2010, 01.02.2010, http://www.artinprocess.com/audio-visual_installations.

²⁶ ART IN PROCESS, 'Manipulated,' ART IN PROCESS, 01.02.2010, 01.02.2010, http://www.artinprocess.com/audio-visual_installations.

²⁷ ART IN PROCESS, 'Released DVDs, Blu-ray Discs and Books,' ART IN PROCESS, 01.02.2010, 01.02.2010, <http://www.artinprocess.com/limitededitions>.

²⁸ ART IN PROCESS, 'Emotional Seasons - International Project Series 2010,' ART IN PROCESS, 01.02.2010, 01.02.2010, http://www.artinprocess.com/EMOTIONAL_SEASONS/notquitekosher.

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Benjaminian Memory in the Contemporary Work of Art

Paula Kuffer

Abstract

Starting from the Benjaminian sentence that asserts 'the historical facts happen to be what strike us right now: To state them is a task of memory', that supposes a Copernican turning point into the historiographical field because the historical is not about the reconstruction of the past anymore but about its construction in the present, the current chapter deals with the role of the contemporary work of art in the writing of history. The work of art of certain authors that endorse the Benjaminian premises by paying special attention to the voices of the oppressed that have been left outside the hegemonic discourse of progress is established as a privileged space at the crossroad of ethics and aesthetics. Authors from several disciplines - such as the writer Sebald, the film director Godard or the painter Kiefer - have introduced a public discourse of memory that can be seen as a calling for justice of these silenced voices. The interpretation of these works will be approached from the idea of the 'dialectical image', an aesthetical category that determines the political perception of history, where now and then unite as a lightning in a constellation generating a collision between past and present.

Key Words: Benjamin, dialectical image, Godard, Kiefer, memory, oppressed's voice, Sebald, writing of history.

The current chapter deals with the role of the contemporary work of art in the writing of history as Walter Benjamin presented in his *Theses on the Philosophy of History*. His philosophy of history is of particular interest because it deals with the voice of the defeated. However, addressing the voice of the defeated does not mean falling in a state of empathy with their suffering, which, as Benjamin complains, only leads to the mere melancholy of loss, but it means an update of those failed struggles in the present.

Benjamin does not make the illusory and deceptive attempt to reconstruct the past from a neutral present that looks back and thinks that it can grasp what was as it was. The image of the past can only reach us through the story that we make from the present: the historian is devoting himself to the interpretation and is responsible for the past. Certain artists, like Sebald, Kiefer or Godard, can be seen, in a way, as historians, when making a representation of history from Benjaminian approaches.

Benjamin focuses on the critique of the ideology of progress, as advocated by the bourgeois historicism that, contrary to what it proclaims - a progression of humanity of his own, endless and unstoppable - rather than to perfection actually

drives into the perfect disaster. The ideology of progress confronts the past as if it were an accumulation of *facts* with the aim of predicting the future. The conception of historical time of the ideology of progress is taken from the physical time, which is conceived as a continuous and linear measure in which the chain of causes and permanent effects can be developed without breaking. From a quantitative conception of time (which is the time of technology, that of the bourgeoisie, who takes it into homogeneous and measurable units, and therefore marketable) one writes a progressive history: causal, linear, rational, that is, necessary, metaphysical, a history that turns the dead into a pure nothingness, because they are considered as a necessary part of the chain of causes and effects. The progress is quite nihilistic and writes a narcissistic history, for his own sake.

Against this, Benjamin faces temporal discontinuity, a qualitative time, which states that the ontological basis of history consists of fragments not measurable. Against the optimistic history that is presented as a permanent walking towards the eventual achievement of humanity, which tends to exclude the flaws and failures, even in the Hegelian version, he faces the idea of a discontinuous history, its various reasons do not allow themselves totalising and whose crises, ruptures and tears are more significant than its apparent homogeneity. Against the idea of a future happiness, he presents the irreducible reality of human suffering, death and mourning.

The centrality of Benjamin's concept of memory cannot be explained without the burden of future that contains the concept of the past. It is as if the political consciousness of the present *leaped* over the centuries to capture a moment in which this present recognises itself, not to commemorate it, but to revive it, giving it a new life, and trying to do today what missed yesterday. This idea determines the relation of memory with the present, since it does not point at the past but at the immediacy of the present, at this break of the continuity defined as *Jetztzeit*: 'History is the object of a construction whose place is formed not in homogenous and empty time, but in that which is fulfilled by the here-and-now (*Jetztzeit*)', says Benjamin in the thesis XIV. With this idea of historical memory understood as the presence of the past oriented to the knowledge of the present, Benjamin sought to justify a new dialectical method of the historian, which founded a Copernican revolution in the view of history, opposing the positivist tradition that in endorsing the principle of causality in reference to past events keeps the historical facts away from the subject's experience. The Benjaminian notion of remembrance (*Eingedenken*) does not designate the conservation in memory of past events but their actualisation in the present experience. The task of remembrance is to save what has failed: it is the present possibility of making what we have been denied.

This is precisely the representation of the past that comes into play in the three artists mentioned. The act of remembrance arises as this *Jetztzeit* that urges to invest the oppressive continuity of history. The relationship established by the remembrance between the present and the past has nothing necessary, but it

establishes a link between two points in time that without it would not appear, which does not exist beyond the remembrance. It is the desire to link this present to a tradition, to revive the aborted hopes of the past generations. This notion of remembrance challenges the foundation of modern historical consciousness, namely, that the judgements of history are irremediable. In his view of history nothing is sacrificed, nothing is lost forever; the dead are no longer a pure nothingness. 'The facts become something that just now first happened to us, first struck us; to establish them is the affair of memory.'¹

This gesture of memory concretises itself in the dialectical image. As defined by Benjamin: 'It is not that what is past casts its light on what is present, or what is present its light on what is past; rather, image is that wherein what has been comes together in a flash with the now to form a constellation.'²

Facing the historiographical practices that select documentary testimonies that are intended to be objective, these three authors make of the rememorative experience the core of his work, a political and ethical gesture that gives place to the undermined voices and disillusionments to update them.

The German writer W.G. Sebald offers in his work a critical exponent of the preoccupation with the past and its close relation to the present. In his peculiar literature, a complex mixture of genres such as the essay, the novel, travel literature and poetry, the wandering, the exile, the relation between the living and the dead, their reminiscence and our rootlessness are raised as key issues. This aim of remembrance, for example, is clear in the final sentence of the story of Dr Henry Selwyn in *The Emigrants*: 'And so they are ever returning to us, the dead.' As a collector - a fundamental gesture of the Benjaminian historian, which incorporates the debris of history and gives them a new disposition and sense - Sebald retrieves the objects of the alleys of history, takes them out of a deceitful world; he dignifies them by giving them a new order created by himself, becoming the ruins of history in allegories with a hidden meaning. In this way, Sebald's literary project could be interpreted as a part of a narrative research closely related to the essential role of Benjaminian memory.

His are characters that have been annihilated, destroyed, forgotten. The possibility of remembrance would go through the reverse of these processes by providing the victims of a single identity to turn them into people we know that belong to us. The exploration of Sebald faces the dynamics of history that oscillate between exoneration and amnesia. We cannot reclaim the historiographical positivist exposure of the past an ethical dimension, because that is precisely what we expect from art. We consider Sebald's fictions as literary acts of remembrance on behalf of these forgotten victims of the machinery of violence and exploitation.

One of the key figures in this call to remembrance is the *Angelus Novus*, a picture of Klee, which is central in the IX thesis of Benjamin and that Sebald, in turn, quoted in *Luftkrieg und Literatur*:

Where *we* see the appearance of a chain of events, *he* sees one single catastrophe, which unceasingly piles rubble on top of rubble and hurls it before his feet. He would like to pause for a moment so fair to awaken the dead and to piece together what has been smashed.

In Sebald, this scepticism about the possibility of representing history is reflected in remembrance as a way to preserve the past beyond the discursive articulations of historiography. The act of remembrance that Sebald's writing is, presents itself as such Benjaminian *Jetztzeit* that urges to invest the oppressive continuity of history, the necessary chain of events. The Angelus Novus would be the subject of this desire in which we can glimpse the pathos that characterises the figure of the true historian, and from which Sebald, in his representation of history, echoes. Let us indicate only a few details of his latest novel, perhaps the one that most delves into remembrance.

Austerlitz is a story that follows the encounters between the narrator and a survivor of the *Kindertransport* that saved many Jewish children sent to Britain before the start of the German invasion, in which Sebald deals with a traumatic past that seems not to want to pass over. Jacques Austerlitz comes to England when he is only five years old, surviving the fate of his parents and many Jews during the Second World War.

Austerlitz lives an experience of dislocation, of *Unheimlichkeit*. He says he had always been against a background of undeniable despair. Only the painful exercise of remembrance, the slow recovery of the past, will grant a respite to Austerlitz. The search for identity and origins buried by the violence of history is also analogous to the image of a society built on death. The architecture, as Austerlitz explains, is built on the victims that it hides beneath its foundations, as the National Library in Paris, built on the premises where the Nazis stored the goods stolen from deported Jews. In dialectic that links culture and barbarism (Benjamin had said that there is no document of civilization which is not of barbarism), progress is built on the victims that the society condemn, at every step, to a second death of oblivion.

As the angel, Austerlitz at least needs to try to rescue the sunken fragments of life, get them out of darkness and oblivion in an impossible operation similar to that described by Primo Levi in *The Drowned and the Saved* when he says it was a must to speak for those who had no voice because there is nobody who is able to return to explain his own death.

Another example might be the filmmaker Jean-Luc Godard. Godard articulates his speech on the twentieth century and on film (it is not a coincidence that the history of cinema is that of the twentieth century), focusing also on the fracture involved in the experience of wars and making problematic the role that the art of cinema has taken in such events and social responsibility. The *Histoire(s) du*

Cinéma is a set of videos made over ten years between 1989 and 1998, which presents the cinema as witness of the century. The film, in fact, as Godard says, is the only art that can tell its history by its own means, the only art able to quote itself. The fundamental concept of the *Histoire(s)* is the *montage*, in the same way as in *The Arcades Project* in Benjamin. About his method, Benjamin said: 'This work has to develop the art of citing without quotation marks to the highest level. Its theory is intimately related to that of montage.'³ The quote, in both authors, has a strategic role. Not only between past generations and ours is a secret pact to meet, as Benjamin says in the thesis, but also between the writing of the past and the present is also an agreement of the same genus, and the quotes are, so to speak, the impetus behind such a meeting. As montage of rereadable and quotable moments, the historical method of Benjamin and the film method of Godard involve the attempt to retain in the form of exposition the now-time, the *Jetztzeit* that urges to recollect the debris of the past. The images of the *Histoire(s)* recontextualise, establish unforeseeable areas of exchange, permit to read the events in a new sense and reveal something hidden or unknown about them. Similar to the Benjaminian dialectical image, Godard says that 'seeing means the possibility to compare. But not to compare an image with the memory that we have of it, but to compare two images and, at the time that we see, indicate certain relationships.'⁴ As the Benjaminian historian, Godard claims to draw of each image that which at the time was not seen or understood and that must be shown again from another point of view.

The German painter Anselm Kiefer faces in his work the ghosts and taboos that populate the recent history from a sometimes ironic perspective, as in one of his earliest works, a series of photographs entitled *Besetzungen* (Occupations, 1969), in which the artist appears in various European landscapes and historical places acting, quoting, making the Nazi *Sieg Heil* gesture. As in other works of the 70, paintings where the fascist architecture is shown, it seems that the artist tries to occupy the taboo places of the recent German history, in a gesture both ironic and disturbing with which he reminisces the social occupation of the public spaces and the culture by the Nazis. As the artist says, the weight of fascism on the images should be reflected and elaborated by any post-war German artist (in this sense, Godard also, for example, complains that the film, despite having talked extensively about them, did not show the concentration camps). In turn, Kiefer resurrects the ruins of fascism as the pictorial realisation of a state of contemporary spirit and confronts us with our repression regarding the fascist image and he makes visible the dominant inability of mourning in the post-war time.

He offers both the perspective of victims and the executioners. In his series *Margarete / Sulamita*, based on the famous *Todesfuge* by Paul Celan, Kiefer looks back toward the victims of fascism. His painting is transformed into a genuine sense of mourning; it evokes the terror perpetrated by opening a space for mourning. Through the fragments that we find in his works, which mix words and

images to form images of thought (Godard, for example, speaks of ‘a form that thinks’) Kiefer manages to make the narrative and conceptual elements remain in a constant fluctuation preventing any attempt to detain them that allow us to study the consequences of such discourses and our relationship with them from the present.

From these three authors we can see a construction of an historical discourse in the work of art that does justice to the silenced voices of the past, in line with Benjamin’s fundamental purpose of the work of the historian.

Notes

¹ W. Benjamin, *The Arcades Project*, Harvard University Press, Massachusetts, 1999, p. 389.

² *Ibid.*, p. 464.

³ *Ibid.*, p. 458.

⁴ In D. Païni, ‘Que peut le cinéma?’, *Art Press*, Special No.1, November 1998.

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Images of the Dead: Ethics and Contemporary Art Practice

Mary O'Neill

Abstract

In this chapter I will discuss death in the museum in the form of exhibitions of photographic images of the dead focusing on 'The Morgue' (1992), by Andreas Serrano, and 'Life before Death' by Walter Schels and Beate Lakotte, exhibited at the *Welcome Collection (WC)* in 2008. In recent years there have been a number of exhibitions that have presented us with photographs of the dead that have instigated and contributed to discussions concerning the role of art and the appropriateness of photographing the dead, and have highlighted cultural sensitivities concerning the treatment of the corpse. These exhibitions are often discussed in relation to ethical considerations; however, I will posit the argument that the 'ethical turn' in discussions of contemporary art is often an avoidance of difficult subjects rather than an engagement with them. To elucidate some of the issues involved in public perceptions of the ethical issues involved in the display of the dead and images of the dead, I will explore two exhibitions that took place in Manchester in 2008. Gunther Von Hagen's 'Body Worlds 4' exhibition took place at the *Museum of Science and Industry (MOSI)*, while at the same time the *Manchester Museum (MM)* (in the university) covered some of the mummies in their Egyptian display - the unwrapped mummy of Asru and a partially wrapped child mummy - in order to raise issues about the ethics of showing human remains. Both exhibitions had a stated educational purpose though these were framed differently. In the longer version of this chapter I also discuss the appropriation of the dead through a discussion of the funeral in Uppsala Cathedral in 2002 of Fadima Sahindal, a 26 woman of Kurdish descent who was shot by her father because she persisted in a relationship of which he disapproved, exemplifies Durkheim's assertion that public ritual reinforces common values and social integration. It is precisely the concept of integration that was one of the principle elements of 'social glue' that was being preserved in the Swedish establishment's response to the murder.

Key Words: Art and ethics, 'Body Worlds', human remains, informed consent, Lakotta, 'Life before Death', mummies, photography and the dead, Schels, Serrano, 'The Morgue'.

1. Introduction

'The Morgue' by Andres Serrano has invariably been met with moral/ethical outrage while 'Life before Death' by Walter Schels and Beata Lakotta has been received sympathetically. In this chapter I wish to uncover the sometimes hidden

or less obvious factors that contribute to the contrasts in their reception. I will argue that it is not images of the dead *per se* that are problematic but the far broader issues of the role of images and art in maintaining or undermining social order. Added to this, ideas of the 'good death' and 'meaning making' are at stake. I will explore the possibility that the use of ethical concepts, such as informed consent and the dignity of the dead, is an avoidance of these issues rather than an engagement with them and represents the purposes for which the dead are appropriated. Many of the arguments deployed in the context of the exhibition of images of the dead also appear in relation to the practice of displaying human remains in museums and I will draw on this debate to amplify the issues involved.

I would like to begin with the glaring obvious - not all deaths are the same and consequently not all dead bodies are the same. While death is a universal experience response to it is culturally determined and depends on: the cause of death; the age of the deceased and the normal age of dying within the culture; and the context of the death. Glaser and Strauss identified three trajectories of death - the lingering death, the expected and quick death and the unexpected and quick death. The works discussed here represent the extremes of these trajectories - the lingering, managed 'good death' in a hospice, and the unexpected, sudden death as a result of violence. 'The Morgue' and 'Life before Death' represent the extremes of these trajectories.

2. Manchester Museum Egyptian Collection and 'Body Worlds'

According to *MM's* Blog 'The covering was carried out in order that the human remains be treated with respect and to keep the bodies on display in line with the Manchester Museum Remains policy.' The Museum policy also refers to images of human remains and states these 'will always be in context with appropriate accompanying interpretation' and guarantees that where possible remains will be identified by name or the name of the community to which it belonged. Significantly, the same consideration is also applied to casts of remains.

The majority of the comments on the museum's blog and on response boards at the time of my visit requested that the mummies be uncovered. While in a few responses there were references to the debate about the ethics of such a display, the majority simply stated that they wanted 'their' mummies 'back'. The report on consultation process shows that of the total 1738 responses that fell into either the general or specific categories, 79% of the museum visitors were positive about the display or the museum.¹ The museum provided a set of options for display, however, very few of the responses referred specifically to these. Several of the specific comments cited refer to the educational role of displaying mummies. Of the comments that refer to the ethical consideration there was reference to the 'relatives', ancestors, and 'the right to be buried' suggesting a lack of understanding of different cultural practices in relation to the treatment of human

remains and the relationship between present day Egyptians and the mummified Egyptians.

Lawrence Burns in his discussion of the ethical implications of 'Body Worlds' argues that providing it is for educational purposes and done with respect for the dignity of the remains it is acceptable to display human remains.² He however, questions both the validity of the educational claims made by the exhibition organisers and the protection accorded the dignity of the human exhibits. Burns suggests that the exhibition cannot be seen as educational because of its focus on entertainment, and the bodies are treated with disrespect by Von Hagen's assertion of his status of author - he is named as the artists on the labels - which changes their status from bodies to 'works'. Maienschein and Creath argue that rather than being disrespectful, the posed figures demonstrate the 'joy' of being human and it is Burn's limited view of what can be educational that inhibits his appreciation of the exhibition. Like the visitors to the *MOSI*, the general public does not seem to share Burns's reservations about the integrity of 'Body Worlds', which has received 28 million visitors worldwide.³ *MM*'s assertion that 'it is well known that there can be no ownership of human remains' is similarly contradicted by one of the alleged consequences of the 'Body Worlds' phenomenon - the increase in the trade in bodies. Universities and medical schools can pay between £19,000 and £37,000 for a plastinated corpse.⁴

The public response to both the covering of the mummies and 'Body Worlds' suggests that the public do not have an objection in principle to the display of dead bodies. However, I would suggest that both have a common element that may account for the lack of reserve. Neither plastinated bodies nor mummies actually look very like us. They are desiccated or flayed and belong either to the blurred world where history and mythology overlap or to the world of horror which many of the visitors will be familiar with from films and computer games, though with the extra frisson of being 'real'. The branding of the specimens referred to by Burns also belongs to this aesthetic. In contrast the images displayed in 'The Morgue' and 'Life before Death' do look very human and in the case of 'The Morgue', very dead, giving rise to different critical and public responses.

3. Appropriation of the Dead

The examples of the funeral of Fadima Sahindal and the ritualised repatriation of British service personal at Wootton Bassett not only highlight the appropriation of the dead for political purposes but also the powerful need to construct a narrative of martyrdom in the face of untimely and violent death. In these circumstances rather than viewing the death as merely tragic and pointless the narrative allows the possibility of a 'post life' in which the deceased still function as social being through the potential of their funerals to influence the actions of others. The construction of narrative is also fundamental in reading the works of Serrano and Schels and Lakotta.

The dead can also be appropriated for financial benefit. While at Wootton Bassett the financial benefit is indirect there is also the possibility of direct financial benefit, which may well be an unwritten sub-text to the objection to 'Body Worlds', raised on grounds of taste.

There were no admission charges for 'Life before Death' or the associated events. *MM* does not charge admission. Admission prices to Serrano's exhibition varied between venues; in some circumstances the exhibition was free of charge. The admission charges for 'Body Worlds' also varied between venues; in the *MOSI* the charge was between £11.50 for Adults and £8.00 for children. In both Serrano's exhibition, on occasions, and 'Body Worlds', the charging of an admission fee suggests that these works may be motivated by profit. At the *WC* and *MM* the arguments are not tainted by the appearance of profiting from the exploitation of the dead.⁵

4. 'The Morgue'

Andres Serrano (1950) is a Hispanic artist whose work is clearly indebted to the baroque catholic imagery and aesthetic of his childhood.⁶ 'The Morgue' is a series of colour photographs taken in a New York morgue showing the nameless and in some cases unwanted dead. Serrano guaranteed to protect the privacy of the deceased by not revealing the location of the morgue in which he worked and he does not show the entire faces of the most of the bodies. Apart from the fact of the photographs, Serrano gives us another fact - we are given the cause of death. The majority of the subjects are untimely violent deaths; they are the stuff of our nightmares, giving a new meaning to the vocabulary associated with photography of the trace, evidence and witness.

In 'Andres Serrano: Works 1983 -1993' at the Institute of Contemporary Art in Philadelphia 'The Morgue' was shown alongside other works including the controversial *Piss Christ* (1987). Much of the objection to that exhibition focused on the offence caused by *Piss Christ* and replayed the argument originally presented by Senator Jesse Helm in his opposition to the public funding of the arts through the *National Endowment of the Art*. Serrano's work is invariably seen through the lens of this argument. Much of discussion of 'The Morgue' focuses on issues of consent and dignity of the dead.

5. 'Life before Death'

'Life Before Death' was shown at the *WC*, London, in 2008.⁷ Photographer Walter Schels and science journalist Beata Lakotta visited two hospices, the Ricam Hospice, Berlin, and the Leuchtfeuer Hospice, Hamburg, photographing and talking to the patients. The exhibition takes the form of large format portrait images in black and white accompanied by information about the subject - age, date of first photograph - the life shot and the date of death, which is also the date of the second post mortem photograph. There is also some text that is made up of

information taken from conversations Lokatta had with the dying person. Some of the subjects of the photographs describe their loneliness in dying 'Some of the dying said, 'It's so good you're doing this - it's really important to show what it's like. No one else is listening to me, no one wants to hear or know what it's really like'.

The words of the dying presented along side the images are often prosaic or mundane. For example Behrens says 'And I'd just bought a new fridge freezer! If only I'd known...' and in the apparent banality they are powerfully honest. Others speak of the loneliness of death and the isolation created by the fear of those who have not yet been forced to face the reality.

The exhibition is also accompanied by a narrative of origins and describes the couples' journey in the making of the work. During this exhibition the WC also hosted a number of events that facilitated discussion and understanding of the works. The artistic, ethical, and educational benefits of the exhibition were not questioned in media and public responses to the exhibition, which forms an exemplar of how a difficult subject can be presented with sensitivity and intelligence.

6. Conclusion

The reading of 'The Morgue' and 'Life before Death', and public and professional reactions to them, requires an understanding of the contexts in which they are displayed. The viewing of images of the dead is deemed acceptable if it is in an educational context. However evidence from the Aboriginal community points to the cultural nature of this assumption.⁸ The understanding that an image can be educational only if it is in an overtly educational context is a limiting one and does not allow for all of the informal educational experiences that individuals may encounter in their day-to-day experience. The focus on informed consent excluded the many other ethical issues raised by these works. While we may be, as Zygmunt Bauman suggests, 'ineluctably moral beings', there is also the possibility the ethical issues are reduced to the most obvious and easily assessable concerns. The informed consent argument is problematic because it assumes informed consent has been acquired in an educational context - and that an artist has not acquired it. Informed consent is in itself a problematic criterion for the judgment of these works. Individuals are often not capable of giving informed consent because the circumstances do not allow for either 'informed' to truly be consistent with understanding or for 'consent' to involve all the implications that the term involves. In the circumstances of Serrano's photographs what would informed consent mean? Informed consent from the authorities responsible for the bodies? This was provided albeit informally by the coroner. Many of the bodies were people whose identities were unknown - John and Jane Does. The individuals were in no position to provide such consent and as their deaths were sudden and violent the need to provide a living will that would have authorized photographs of their

corpses was not an issue. Because 'Life before Death' was shown in an educational context, viewers of the exhibition assumed informed consent had been given. However, formal informed consent had not been sought. This was an informal relationship between Lakotta and Schels and the people in the hospices. Informed consent is required when there is a potential of harm. It is debatable whether the individuals shown in either exhibition could have been harmed either by the taking of the photographs or the exhibiting of them.

What is at stake here is the necessity of forming a narrative that is consistent with the human fear of death as outlined by Ernest Becker in *The Denial of Death*. In a hospice it is difficult to maintain a complete death-denying edifice and so a narrative of a good death must be constructed to ameliorate the consequence of confrontation with the reality of imminent death. Schels' photographs accommodate this narrative. The subjects look peaceful and while some may have expressed the loneliness of dying in the conversation with Lakotta the images do not suggest a frightening or painful death. Serrano's images on the other hand do not allow for the construction of a narrative that can either transform these deaths into heroic deaths or suggest a peaceful end of life. We are given very little information to facilitate the narrative construction with which we respond to untimely death.

The evidence of Fadima Sahindal's funeral and the repatriations at Wootton Bassett do not suggest that the appropriation of death is always or inevitably a cynical and conscious act on the part of those involved. It can be a collective gesture which attempts to accommodate otherwise meaningless and tragic loss. Lakotta, and Schels appropriated the dead for their own ends as much as Serrano, notwithstanding the pre-death agreement of their subjects. Their personal motivations do not imply a cynical act or that others cannot share in the insight that their work offers. Both artists offer accounts of their encounters with death that offer others the opportunity of confronting the fear that lies at the heart of both projects. As can be seen from responses to 'Body Worlds' and *MM's* mummy display, the general public, do not, by and large, share the concerns expressed by academics, critics and museum professionals regarding the display of human remains and images of corpses. The visitor figures published by 'Body Worlds' suggest that the spectacle of the dead can be accommodated providing it is packaged in a familiar aesthetic and the dead do not appear too human. All four exhibitions do suggest that there is a distaste for the appearance of profiting from the dead, even if on in the form of their images.

The ethical concerns expressed by professionals with regard to displays of images of the dead are valid and noble but they should not automatically override the fact that as individuals we may be curious about a fearful experience we will one day encounter. In a world filled with fake images of death and in which most people don't see a corpse until their parents die we need to be cautious about moralistic judgments of this basic human curiosity. If, even at the great distance

the photography entails, we are able to go a little way in our confrontation with our fear, this is not a bad thing.

Notes

¹ F. Birchall, *Human Remains Comments Cards*, The University of Manchester: The Manchester Museum, 2009.

² R. Stack, *Exhibiting Human Remains: A Provocative Seminar*, Health and Medicine Museums, Australia, May 2000.

³ 'Body Worlds', 'Latest News 29/7/2009', Viewed 1 February 2010, <http://www.bodyworlds.com/en/media.html>.

⁴ P. Harris and K. Connolly, 'World Trade in Bodies is Linked to Corpse Art Show', *The Observer*, 7/3/2002.

⁵ A. Searle writing in *The Guardian* who concludes that 'Body Worlds' may well educate and captivate but states 'The dreadful exhibition design, and the publicity machine is what taints the enterprise.'

⁶ C. Fusco, 'Shooting the Klan', *The Artist Citizen: 20 Years of Art in the Public Arena: An Anthology from High Performance Magazine 1978 - 1998*, L.R. Burnham and S. Durland, Distributed Art Publishers, New York, 1991, pp. 159-170.

⁷ Wellcome Collection, Viewed on 4 February 2010, <http://www.wellcomecollection.org/press/press-releases/exquisite-bodies.aspx>.

⁸ R. Stack, *op.cit.*

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Towards a Geopolitical Understanding of Architecture

Alison Wolanski

Abstract

This conceptual chapter was presented at an interdisciplinary conference on culture, politics and ethics in the hope of initiating an important interdisciplinary discussion on the potential of architecture as a geopolitical agent. It offers the argument that architecture can play an important role in a new politics of place that is emerging out of local-global tensions, and that a reconsideration of architecture's symbolic capacity in the context of globalisation opens up new areas of exploration for design. The chapter begins by outlining a basic tension in architecture between *flows* and *roots*: between design approaches that respond to global trends, and those that are aimed at generating and sustaining unique place identities. A set of three examples that emphasise architecture's relationship to the politics of migration and colonisation, corporatisation, and the emerging global network society allow architecture to be reframed as a geopolitical consideration. Architecture is offered as a potential tool for legitimisation or exclusion, for ideological assertion or compromise, and as a means for improving local accountability for global actors.

Key Words: Architecture, collective identities, culture, geopolitics, globalisation, network society, place identity, urban studies.

In architecture we are looking for the forms that resonate both with who we are and who we want to become. Architecture is a collective product that gives form to the world we hold in common. Embedded within architecture, therefore, are many of the same socio-political themes that define the rest of our common realities.

However, collectivity today is a complicated subject. In today's world, symbolic forms cross boundaries and ideas are implanted in unlikely contexts. A general over-saturation of images and ideas has eroded our capacity to contemplate, adapt and integrate them into a collective understanding of urban space. Consequently, architecture's roots in culture have become problematic. This chapter is about finding a way to conceptualise the variety of architectural responses that are embedded in contemporary reconfigurations of collective identity. Architecture is still a collective product, but the question is, which collective, and for what purpose?

1. Flows versus Roots

Architectural theory today can be described in terms of a duality between those who are excited by the potential of connectivity, decentralisation and flow, and

those who are concerned with questions of identity, meaning and place. For the architects of flow, synergies, dynamism, and invention can be encouraged through architecture. Spaces and materials can be mixed in exciting ways leading to new social and architectural possibilities. While these architects do make references to the importance of context, their use of it is selective: materiality and form have more to do with global trends than with indigenous materials and skills; and the character and resonant symbols of local people is not considered to be particularly relevant. In the Western world, architects who take an overtly rooted stance are now on the defensive. While most in the field are aware of and intrigued by the works of the past, this does not translate into an accepted use of the past as a guide for new projects.

In the Muslim world, those who argue for architectural continuity can get a more sympathetic hearing. A strong pre-modern tradition combined with a multi-dimensional unease with foreign interference has combined to turn design into a tool of symbolic resistance. In a 1994 reflection on the discourse surrounding the Aga Kahn Award, Oleg Grabar highlighted the emergence of a mission:

... to escape from the constricting blandness of external, and mostly western imports, to look with care, intelligence and affection at the traditional structures of the environments in which Muslims live now and have lived in the past [and] to find ways to adapt these structures to the contemporary world.¹

But as is clear also in this statement, in the Muslim world, as elsewhere, the hybridisation of contemporary life with architectural tradition can prove challenging. The economic and social reality has changed, and with it, the materials, skills and influences that are available to designers.

In places where pre-colonial architecture was more humble meanwhile, proponents of fragile building traditions risk being accused of romanticising the primitive or of wanting to hold back economic development. Glass towers and clover-leaf intersections have come to seem synonymous with desirable progress for many people who are impatient to claim the same standard of living as Americans and Europeans. And so, in spite of a persistent resurgence of the argument for the need to value traditional and vernacular architecture, few would claim today that they represent living traditions.

This leaves us with an interesting paradox: on the one hand, there is near universal appreciation for historic architecture that shows evidence of accumulated *savoir-faire*, complex social and symbolic codes, and a strong connection between places and the people who built there. We also invest a great deal in order to preserve and visit such traces of the past. But we do not show much inclination to behave in a way that supports continuity. We do not inherit, we consume, and invent. But most of us look around at the places this philosophy generates, and do not find them, taken as a whole, to be particularly meaningful.²

This analysis is, of course, an over-simplification. However the reconfiguration of the relationship between place, culture and architecture is under-theorised. It is now clear that neither the architecture of flow, nor architecture steeped in tradition can adequately respond to the complexity of collective identity in the world today: the architecture of flow will nearly always fail to give us a sense of our place in the world. The traditions of the past alone, however, do not provide us with the inspiration and freedom to live in a way that is consistent with the realities of our time. The nature of collective identity has been reconfigured. The argument here is that this reconfiguration is geopolitical, and that a reconsideration of architecture as a geopolitical agent offers a fascinating range of new possibilities.

2. Contemporary Geopolitics

It is important to clarify what is meant here by geopolitics. The word tends to imply the strategic manoeuvring of territorial authorities. This aspect has certainly not disappeared and remains relevant, but post-modernity has added additional layers:

1. Free association and increased mobility means that it is common today for people to live in one place while maintaining loyalties to another. Diasporas are becoming important geopolitical forces.
2. Faith among elites that human welfare and free markets are virtually synonymous has transformed the nature of governance. Governments have begun sounding like market actors, emphasising productivity, innovation, and brand.
3. Increased connectivity has fostered a proliferation of cause-based networks with no regard for borders. Castells' influential *Information Age* trilogy describes how these are becoming increasingly relevant geopolitical actors. These have, however, also inspired a corresponding resurgence of fundamentalist and nationalist movements.³

This last point brings us back to a similar tension as was described earlier for architectural theory: flows versus roots. It is clear that there has been a substantial uprooting of culture that is redefining the contemporary social landscape. In today's geopolitics, therefore, territorial strategies are now just one layer of a complex weave that also includes international business flows, global interest groups, as well as ethnic Diasporas. These reconfigured global cultures can clash with an older, and still present cultural principle rooted in place. The following three examples clarify how this has become a relevant architectural consideration.

3. Diasporas and Colonisation

When people whose roots lie elsewhere attempt to reference the world they left behind with iconic architectural artefacts, some fundamental geopolitical dynamics are made concrete. In some cases, local people can come to see the inserted symbolism as a threat to their collective identity, more profound than the mere presence of foreigners.

One example is the recent fuss over minarets in Switzerland. For Muslim immigrants, minarets are likely comforting, easily identifiable reminders of their values and their origins. They create a centrality for their community while providing a symbolic assertion of the legitimacy of their presence. However some people in Switzerland apparently do not see their presence as entirely legitimate. The focus on minarets provided a way for anti-Islamic sentiment to be concentrated around an identifiable symbol. Posters showing a minaret takeover of the county were clearly intended as a metaphor for cultural imposition.

It is important to note that minarets are actually not essential for the functioning of a contemporary mosque. To argue that religious freedom has been significantly compromised by the ban is not quite accurate. The debate is rather about symbolic expression: a clash between one group's sense of history, identity and place, and another group's desire to feel more at home by importing their own traditional markers of identity.

In this respect, the architecture of colonisation is the flip side of the same coin. While it was imposed by domination rather than inserted by a powerless minority, architecture played a key role in the colonisation of the world by firmly planting new, conflicting symbolism to the dismay of the indigenous populations. This is arguably a role that architecture continues to play today in modified form in many parts of the world, most notably through corporate architecture.

4. Place Brands

In response to a perceived competition for global clout, many cities have engaged celebrity architects to provide photogenic objects that project a sense of dynamism. This was the strategy adopted by Istanbul when they launched an international competition for the re-design of Kartal district. Architects with global reputations were invited to propose ideas for the rehabilitation of a large derelict area on the Asian side of Istanbul. The winning proposal by Zaha Hadid received global media coverage.

According to city officials in Istanbul the high level of publicity means that even if the project is never built it has already provided an important boost. It has put the ancient city back on the map while redefining it as a place where interesting, new things happen. This, they hope, will stimulate foreign investment and help turn Istanbul into a key geostrategic centre.

Architectural projects initiated for their branding value are intended for a global as much or more than a local audience. This necessarily has an impact on the

choice of architectural language. In the case of Kartal, many in the Turkish architecture community were not pleased with the choice of a foreign architect for such a prominent project. For them, an important chance to boost native designers was lost, and local identity threatened. However a native designer would probably not have received the same level of coverage. Hadid is already world famous. Furthermore, she is based in a city that has disproportionate clout in the global economy and controls a significant amount of the international media. Anything she builds is guaranteed to generate buzz.

This of course reveals the workings of the new form of architectural colonisation. While London is not imposing itself by force when Istanbul chooses an architect from there for a major project, it is clear that the game is more than slightly rigged in their favour. This gives the city disproportionate influence in the symbolic evolution of globalising cities; an important theme in the work of Doreen Massey. The global, she points out, is locally produced. 'And some places more than others are home-bases for the organisation of the current form of globalisation.'⁴

5. Re-rooting Networks?

The concept of a global society composed of multi-layered networks and flexible associations is one that has intrigued theorists in many fields for years. It is a primary preoccupation of our time. What is less developed is the theory of how networks touch the ground; of precisely how they inhabit real places. Many are necessarily transient. They seem to exist mainly in cyberspace, leaving few traces in the physical reality of place. Manuel Castells therefore concludes that the architecture that best fits our contemporary aversion to rootedness and symbolic continuity is architecture that tries to say nothing at all.⁵

It may well be that a flexible, anonymous environment is what is required to accommodate our amorphous new reality. In an essay that challenges the importance of urban identity and history, Rem Koolhaas depicts continuity as a sort of prison: 'What if this seemingly accidental - and usually regretted - homogenization were an intentional process, a conscious movement away from difference toward similarity? What if we are witnessing a global liberation movement: down with character!'⁶

It is an interesting argument that deserves consideration. On the other hand, the unease that many people feel with generic places does not seem to be going away. Rather than a sense of freedom, the loss of global diversity in place identity seems to be fuelling the growing sense among many that corporations are exerting undue influence on people's lives, leaving them with no clear way to resist, and often forcing them to conform to a lifestyle that they did not choose. Indeed, there are already signs that people have grown weary of freedom to do anything, but no common framework within which to relate their desires to a social whole. Rather

than idealising freedom, it is becoming important to try to understand what this freedom actually allows us to achieve.

This is work for social scientists. However there are also architectural implications: it may be that meaningful action in the world is limited if network actors do not touch the ground or evolve enduring symbolisms. Architecture may well prove to be an important means of making common objectives concrete, accountable and legitimate. It may well be that the fact that architectural symbolism cannot operate at today's hectic pace will become an important check, reminding us to keep things real and meaningful. Eventually even the most opaque and fluid global actors do need to touch the ground, and when they do, the message they send can be framed as an architectural question.

6. A Geopolitical Understanding of Architecture

Suzanne Langer once asserted that architecture provides 'a physically present human environment that expresses the characteristic rhythmic functional patterns which constitute a culture.'⁷ This remains true, however today we are coming to terms with a profoundly altered cultural reality. Architectural theory grounded in an assumed link between culture and place is no longer adequate. Nevertheless, a denial of the importance of culture, and of the role of collective identification in guiding even the most uprooted among us is also profoundly unsatisfactory. This chapter has presented an alternative way to conceptualise the relationship between culture and architecture.

A process of network actors gaining strength in common objectives conceivably could lead to the emergence of new centralities - of places that resonate with the collective objectives of particular groups and that assert their legitimate presence in the world. These new centralities would inevitably be the subject of contention and would generate break-away movement in sync with the clarity of their objectives. However they would be held together by a culture of common project, adding new dimensions to, but not subtracting from, cultures of location and history.

A geopolitical understanding of architecture allows for an exploration of this potential. Rather than seeing architectural evolution as a linear progression in time with a focus on the object, the reconfiguration of collective identities that we are experiencing allows us to see architecture as a potential tool of ideological assertion or compromise, of legitimisation or exclusion, and as an important means for improving local accountability for global actors. Architecture can provide us with a link to the past, but it can also be a way to build an argument, through a collective process, for a particular idea of the future. Rather than relying on history alone to assert identity, architecture can be used to make concrete the particular ways in which global networks and their symbols are negotiated in particular places with potentially very unique results.

Notes

- ¹ J. Steele (ed), *Architecture for Islamic Societies*, Academy Editions, London, 1994, p. 7.
- ² See M. Augé, *Non-Places: Introduction to an Anthropology of Supermodernity*, Verso, London, 1995.
- ³ See M. Castells, *The Power of Identity*, Blackwell Publishing, Oxford, 2004.
- ⁴ D. Massey, *World City*, Polity Press, Cambridge, 2007, p. 16.
- ⁵ M. Castells, *The Rise of the Network Society*, Blackwell Publishing, Oxford, 2000, p. 450.
- ⁶ R. Koolhaas, *S, M, L, XL*, The Monacelli Press, New York, 1995, p. 1248.
- ⁷ S. Langer, *Philosophy in a New Key*, Harvard University Press, Cambridge, 1960, p. 95.

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