The conference organizers have asked me to give something of a personal reflection upon my research. This panel addresses the cultural industries and, in the case of this presentation, from an “Anglophone” perspective. I am not sure what that is supposed to mean, “et encore moins étant donné ma citoyenneté française, mais c’est une autre histoire.” So let us say, to begin with, that it might mean that there is more to the question of the cultural industries than one might have imagined.

For the largest part of my academic career, which began in the late 1960s and has continued, with more or less long interruptions in journalism and a very short one in public relations, I have in one form or another been preoccupied with questions relating to the translation, transposition, movement or meanderings of political and social thought from one intellectual, often national, context to another. A first portion of my career was spent tracking how conceptions of socialism travelled from Germany to France, from Germany to Russia, and from Russia to China, as of the early twentieth century, via Japan. The middle portion has dealt with specific media artefacts such as film, the cultural industries, and media policy issues. The third portion deals with historical epistemologies in communication history.

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The Russian formalist critic Viktor Schlovsky once remarked that the movement of ideas corresponds to “the knight’s move” in chess. In other words, it is not direct; it seems direct at first, then veers unexpectedly. An example is provided by the Russian Revolution itself. Undertaken on the gamble that the European proletariat would also rise up following the Bolshevik lead, and so provide the developmental basis for worldwide socialism, what occurred instead was “socialism in one country,” a very different scenario from that of the Marxist theory of stages of historical development. Similarly in China, what began as an urban working-class movement became the basis for the encirclement of cities by peasant guerrillas; an idea further modified by the Cuban and Latin American experience in which “self conscious” revolutionary intellectuals willed revolution into being through acts of armed struggle.

Whether social movements or ideas — i.e., communication in a broad sense — the trajectory tends to follow Schlovsky’s knight’s move. Why, McGill University semiotician Marc Angenot once asked, did it take 50 years for Saussure’s ideas to travel from Geneva to Paris, not more than a thousand kilometres in actual physical distance?

There is thus something deeply indirect about processes of cultural translation. The “cultural industries,” considered initially as a conceptual reflection on the capitalist industrialization of cultural production in its movement from singularity (the culture industry) in Adorno & Horkheimer’s perspective to its subsequent conceptual pluralization (as cultural industries) by often Marxist-inspired sociologists (Piemme, Miège, Flichy in France or J.-G. Lacroix, G. Tremblay and others in Québec) offer a rich case in point. And that pluralization has become even more complex given the so-called new media and their resulting technico-aesthetic modes of production and circulation. Further, if one thinks of the cultural industries as a complex of industrial practices, their translation from one national context to another, not to mention across industrial sectors, represents a formidable array of “apprentissages” in an impressive number of social and ideational realms. Thirdly, the sudden “engouement” of the Canadian or Québécois state in the 1970s for the policy idea of the cultural industries represents a further level of questions about the translatability of culture still worth examining in greater detail.

But I want to argue here, based on my most recent research, that these questions in the end have less to do with the cultural industries per se (or cultural policy per se) than with the broader “civil culture” that provides both the ideational and praxical matrix, or habitus in Bourdieu’s sense, for the forms and types of communicative interactions that then become possible — either enhanced or constrained. In the case
of Canada/Québec, we are confronted with a civil culture of some complexity, and whose contradictory dimensions still remain largely unexplored. Here I will draw briefly on Maurice Charland’s and my recently completed book, *Peace, Order and Good Government: Law, Rhetoric and Authority in Canadian Civil Culture* (forthcoming from the University of Toronto Press).

In a profound sense, the encounter of the Europeans with the First Peoples of this continent was an exercise in legal translation. It was assumed by the Europeans that their ideas about law were 1) extensible and, therefore, 2) translatable through symbolic acts, gestures and words into the languages of First Peoples. Both assumptions were problematic, to put it mildly, and loaded in turn with all kinds of additional cosmological and cultural baggage, notably about the validity and universality of European, largely Christian, conceptions of law — especially the question of who constitutes a lawful speaker.

For instance, it is of the utmost significance that for the early seventeenth century Jesuits, the highly rhetorical performances of Amerindian speakers made of them reincarnations of the ideal-typical “Cicero-neronian orator.” This was a connection to a presumption of a shared rhetorical past that only further fed the missionary belief that these were souls worth saving, however recalcitrant the recipients of such benevolence might be. In this sense, law and rhetoric — and the irony resulting from the two — form a communicative triangle in which would be replayed over and over, in Canadian history, the question of how to incorporate the Other within legally authorized discourse. This would be, and continues to be, the basis of land claim disputes (and related practices from narration to modes of usage associated with conflicting conceptions of what is meant by “land”). This would be, and continues to be, the basis of disputes over cultural distinctiveness and the jurisdictions and rules of the governance of communication that might follow from such differing views. The incorporation of Others thus becomes the condition of entry into the expansion of the public sphere.

Now each of these encounters would be legally stabilized for a while in a constitutional arrangement, or by one of the parties’ subscription to a particular constitutional perspective. We thus get a sedimentation of constitutional orderings, from the capitulation of 1760 and the royal proclamation of 1763 in the wake of the cession through to the Constitution Act 1982 (and Québec’s still not being a signatory to the latter) — roughly, five orderings in all — that established the rules of the games of lawful speech and legal subjectivity. The problem is that the various parties — First Peoples, the government of Québec, and the
federal government, to mention just these — tend to play the game according to whichever ordering, in an ongoing process, seems to best serve their (changing) interests. Needless to say, then, things get complicated, because there is no agreement as to what constitutes the fundamental (Canadian) legal order, in the sense of a Grundgesetz as it is nicely phrased in German. Is that legal order 1) the British common law, 2) the French civil law, 3) a self-conscious synthesis of both, or 4) an unconscious cobbling together of some aspects of each?

Ideally, it should have been 3) a synthesis of both, except for the enormous problem of the reconstitution and translation of comparative legal systems and concepts from one context to another (from France to New France, New France to Britain, Britain to Canada, within Canada, and so on). What could have been, as McGill law professor Louis Baudoin (1963) argued a number of years ago, a fascinating instance of legal comparativity (and of the reception of civil law into the North American context) would become instead the following paradox stated by Québec legal scholar de la Durantaye in the 1930s: “Avec des mots anglais, on fait des lois françaises.”

What develops, then, is enormous contentiousness over what constitutes the public sphere, its linguistic articulations, and the ever-constant difficulty of making policies; in short, who speaks for whom? And in turn the resulting cacophony or, more accurately, banalization of speech through ritualistic evocation of a set of clichés (about distinctiveness and differences, about quality, about Americanization and its cognates, about the distinction between public and private, etc.). It becomes difficult to say anything of much significance except within the vases clos of non-communicants or of self-referential monologues at best. Collective cultural practices accordingly become, on the one hand, ghettoized, localized, and regionalized or, on the other hand, as John Ralston Saul in his very uneven Reflections of a Siamese Twin (1997), but also others such as Gilles Paquet (1999) have argued, form instead complex networks of translation; fleeting, shifting games of differential appartenances, loyalties and identities. And these give themselves away qua game by being based ultimately upon a clin d’œil of mutual complicity. In other words, they give away their basis in a shared but unacknowledged philia that makes the situation, in the end, more ironic than despairing.

More ironic than despairing, I repeat, but no less complicated for all that. You can imagine readily enough some of the resulting difficulties that such a civil culture then tends to produce for the elaboration of cultural practices (never mind policies for now) in their reified or stabilized sense of the produc-
tion of cultural commodities, that is, as objects fundamentally of exchange, whether in a meaning-sense or in a commercial sense. How can such commodities be exchangeable when one could say that by definition they are not really meant to be exchangeable at all, but are at best reinforcing of a given, prior set of the beliefs, not to call these the prejudices, of the producing individual or group? Above all, what gets created, as I have argued elsewhere (Dorland, 1998) with respect to the emergence of Canadian feature film policy, are “discursive economies,” in which the key term is the first more than the second, i.e., more discursive than economies, in which what is being attempted to be guarantee is the continued production of discourse that seems otherwise mainly to stutter, to begin and then stop. Or if one prefers, what is being attempted is the establishment of the possible preconditions of exchange as opposed to exchange itself.

This is not to say that even this is an easy or simple matter. One might imagine, for instance, that one way of ensuring the circulation of exchange would be through translation in its usual acceptation, and on one level this seems obvious enough. So-and-so is a bestselling author in Quebec. Let’s then translate the book, the film, the TV program into the other language, and voilà. Well, as you know, this has been tried and doesn’t work, or at least not very well, or only within certain specializations in academic literary or film studies, say. Because there is more involved, as I’ve attempted to suggest, in translation than the mechanical conversion of one language into another. If only it were that simple.

Let’s take another example. Québécois films for a while in the 1970s had a certain succès d’estime in France; they were exotic; they spoke somewhere to atavistic notions of a “France profonde;” they were also incomprehensible to contemporary French cinema audiences, except for film festival devotees. And so to the horror of their makers here, the films were shown in France with subtitles! Again, there is more to translation, as this example shows, than a common language.

One could take further examples, also from film and TV, but from English-Canadian production this time. Here one could revert also to the 1970s and the production of the so-called tax shelter films, in which Toronto or Montréal, or rather some streets and locations there, were decorated with US flags and Budweiser beer neon signs; the cops ran around being sheriffs and wore the stars and stripes on their shoulders; all this to be able to lull US audiences into thinking that this simulacrum of appearance was a “good, old, made in the USA type” film or TV show. One of my favorite moments in many of these films always included a long lingering pan of Mont-Royal and the Montreal skyline (or the CN Tower, though less commonly) that would not have especially meant anything to an American audience, but was a clin
d’oeil to Canadian viewers who might see the film. But there is more to translation than dressing people up in county sheriff police department uniforms and flying a few US flags.

The pressures of economics, greater continental trade coordination and, beyond these, globalization, have brought about changes to many of these issues. They have forced exchange into more predictable paths, making often reluctant partners have to learn to work together, or even to have to compromise their claims to distinctiveness in the name of an overriding common fiscal objective. Or not, given the diversification of possible markets brought about by ever-increasing demand for product, and the niching that becomes more possible in media rich environments. To contrast the example above of the tax-shelter films, take for a moment Christian Duguay’s recent feature film *The Art of War*, just out on video, starring Wesley Snipes, and seemingly set in New York City, but into which Montréal has been seamlessly woven. However, no more loving pans of the Montreal skyline now. On the other hand, a feature film is often edited together from a number of varied shooting locations that one cannot distinguish except by carefully reading the credits. And the credits to *The Art of War* not only reveal an almost entirely Québécois crew but also the logos of Canadian federal and Québec government financial participation through various programs of subsidy and tax credit. This film, one could say, is a more successful illustration of the suturing that is involved in processes of cultural translation — not to mention the fact that the storyline pits yellow — and brown-skinned people of colour against evil white America Firsters attempting to bring back a whitebread and vanishing past with the unwitting aid of UN General Secretary actor Donald Sutherland, a peace-keeping and peace-loving Canadian stooge.

Globalization, in other words, forces exchange and métissage; it’s the great gumbo of global cultural production and the rebuilding of the Tower of Babel. To the extent that it makes of global culture one of translation, it makes translation into the new lingua franca, This, on its positive side, makes it possible to finally begin to overcome the fragmentation of Canadian civil culture; and so allow cultural productions to take their place as a plurality of cultural formations within a pluralized world.

But I must of course address some of the negatives, mustn’t I? So let me list four topics that globalization further complicates. First, the problematic assumptions about distinctiveness. Secondly, their essentialism. Thirdly, their frivolousness. And fourthly, the importance of story or narratives.

Firstly, then, the assumptions about distinctiveness. Part of our problem here stems from the displacement
by political (or policy) considerations of what more properly belongs to the realms of either aesthetics or business. A politicized aesthetic is a form of fascism, as Walter Benjamin claimed in his famous essay on mechanical reproduction. I wouldn’t put it quite that strongly, but the point then becomes one of having to attempt to reconcile very contradictory, if not impossible, imperatives. The question of the politicization of business is a bit trickier, since business is not in my view exactly a perfect form of rationality. So suffice it to say that politicizing business overrides “normal” market rules. What we end up with, either way, in University of Vermont law professor Oliver Goodenough’s wonderful phrase, are policies of “defending the imaginary to the death” (1998). And this is nihilism, because it is not clear whose imaginary is being defended.

Or secondly, if it isn’t nihilism, it is the essentialization of certain traits claimed to be distinctively “Canadian.” Whatever else that might mean, this is a strategy of exclusion on the basis of a normative Canadianess that once again shifts the burden of criteria of evaluation to the political powers, their funding agencies, their bureaucracies, etc. But perhaps enough has been said by others about this aspect of things in particular, for me not to have to repeat them once again.

Thirdly, frivolousness. Political power is exactly this: power, and so it must be deployed, or so political philosophy tells us, in conjunction with some virtue: call it wisdom, intelligence, or prudence. Power combined with stupidity or cowardice is not a happy combination. I said above that in the realm of cultural policy and cultural industries policies, we have excelled at producing “discursive economies.” Let me state this even more bluntly: the discourse on culture and cultural policy in this country is a completely captive discourse, captured above all by state priorities that change, how shall I say it gently? whimsically? In other words, this “captive discourse” consists of little more than stock issues endlessly reiterated: basically, 1) define a problem (badly), and 2) devote enormous energies to “solving the problem.” When that doesn’t work, start all over again (just as badly). Stock issues, then, and like clichés and stereotypes, are very difficult to change, or to think outside the boxes they lead to. Let me rapidly mention two (I am sure you can make your own list): one is the American threat which I’ll simply ignore; another is that Canadians wants Canadian stories; we want to be able to tell our own stories, as the cliché goes.

This brings me to point four, and the importance of stories. Human beings are among other things storytellers; stories are how we largely make sense of things and others. But of course the question becomes “who is the we” whose stories are to get told, and who decides this? We circle back, in other words, to the
problem of who is authorized to speak, who is a lawful speaker; questions that are, as I said, at the center of what constitutes the civil or public culture of this country, and about which we as speakers have never satisfactorily been able to agree.

Nor do I propose to resolve these issues here. I am quite content, if I have succeeded at all here, to leave you with a sense of the depth and breadth of the problem. What I can say, however, is that an answer is suggested by the problematics of translation, not understood as the mechanical transcription of one language into another, but as the creation of new texts across cultures.

Walter Benjamin in his essay “The Task of the Translator” argued to the effect that what translation permitted was the creation of something better than its original, because paradoxically truer to it. “…(T)ranslation[’s] … goal,” he writes,

is undeniably a final, conclusive, decisive stage of all linguistic creation. In translation, the original rises into a higher and purer linguistic air, as it were. It cannot live there permanently... and it certainly does not reach it in its entirety. Yet, in a singularly impressive manner, at least it points the way to this region: the... hitherto inaccessible realm of reconciliation and fulfillment of languages.... If there is such a thing as a language of truth, the tensionless and even silent depository of the ultimate truth which all thought strives for, then this language... is — the true language. And this very language, whose divination and description is the only perfection a philosopher can hope for, is concealed in concentrated form in translations (1969: 75-77).

Now, obviously, I’m making use of Benjamin and his mystical language as a provocation. So I ask you these questions: could one turn this into cultural policy? And how? And should one? If the possibility strikes you as utterly futile, that is a measure of how far we have yet to go. If, on the other hand, it does not, then I recommend to you James Boyd White’s fine book of essays entitled Justice As Translation in which he discusses Canada as precisely such a possible site of what translation, law, and justice could be, somewhat in Benjamin’s sense of a “hitherto inaccessible realm of reconciliation and fulfillment of languages” (1990). Or, if Benjamin’s idealism offends you, let me in closing turn to some recent observations by Eco (2001) that make many of the same points. 1) that studying translation is like studying bilingualism; 2) that translation is not only a matter of linguistic competence, but also of intertextual, psychological and narrative competence; 3) that translation is a special case of interpretation; 4) but not between two
languages, but between two cultures (5, 13, 14). If this sounds at all familiar in the context of our cultural policy dilemmas, it is because these are some of the underlying — and unresolved — issues concealed therein.

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