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Policy-making
Documents and laws

Kristof Savski

Introduction
In this chapter, I see policies and laws as located at the intersection of two major fields, whose social practices, discourse and unique organisation (Bourdieu 1984) define the textual genres that constitute them (cf. Bhatia 2004). Many of these practices, actors and communities are linked to politics, a fluid field oriented towards shaping the exercise of state power, but whose boundaries are routinely redrawn in public discourse (Jessop 2014). It is this close relation to politics that differentiates policy from law, which is ultimately a much more strictly bounded field with an established historical narrative, settings, actors and linguistic practices (e.g. Tiersma 1999). In the following, I discuss how the social roles of policy and law impact linguistic approaches to the texts or genres that constitute both those fields.

Fairclough understands a genre as ‘a relatively stable set of conventions that is associated with, and partly enacts, a socially ratified type of activity’ (Fairclough 1992, p. 126). Investigating genres can therefore be carried out from two perspectives: from the text itself, with a close linguistic analysis of the language choices made in it, or from the practices in which it is embedded (cf. Bhatia 2004). This chapter attempts to take both perspectives into account, and most importantly, to create links between them by showing the ways in which policies and legal texts reflect the practices of which they are products. The core of the chapter is therefore devoted to three interlocking key areas of investigation outlined in the following.

In the case of policies and laws, the activities or social practices that the texts reflect and enact are geared towards the exercise of power within a certain community: in order to achieve a certain set objective, policies and laws mandate or ban certain types of activities. Policies and laws are therefore intrinsically linked to organisational structure and hierarchy, and can be seen as an exercise of institutional power that is dependent on the trust of the members of the community where it is to be applied (see, e.g. Jenkins 2007). In the case of state policy, this, for example, refers to the pre-supposed universal acceptance of the state as acting in common interest and following general will (Jessop 1990, p. 341). One section of this chapter therefore focuses on how analysing the genres that constitute policy and law also involve analysing the organisation they are embedded in.
However, policies and laws are not only about ‘making rules’: from a discursive perspective, every policy or law codifies a particular construction of social reality, and the transformative goal as well as the projected means required to achieve that goal are part and parcel of this construction (Levinson, Sutton & Winstead 2009, p. 770). From this perspective, the making of policies and laws is also a site of constant tension between different world-views or ideologies, and has evolved as a set of practices to allow for this tension to be overcome in the search for consensus. The law or policy text, itself most often the work of several different authors, is located at the meeting point of these commonly opposed views (e.g. Savski 2016a; Wodak 2000). The second focus of this chapter is therefore on analysing the genesis of such texts and, by extension, the different interests that collide within them.

However, while policy- and law-making go hand in hand with social power and hierarchy, this does not mean that it should be seen as a simple and linear top-down imposition of will. Just as ‘the state’ (or any organisation for that matter) is not an actor in itself, but an array of spaces that offer various actors unequal opportunities to exercise power (Jessop 2007, p. 37), policy- and law-making can be seen as a diverse spectrum of possible constraints of structure and openings for agency. Another set of major questions to be addressed is therefore when such opportunities for agency come about, who is able to take advantage of them, and what they are able to achieve through policy (cf. Levinson, Sutton & Winstead 2009). The final section in this chapter therefore focusses on analysing what happens to policies and laws once they become durable and officially adopted texts, and different audiences begin to engage with their contents.

Each of these three sections overviews the concepts that are key to understanding their respective area, and also overview existing studies as well as proposing different analytical frameworks that can help prospective analysts collect and understand their data at these different levels. Each section also includes a short illustrative case study that is intended to show how relevant concepts can be applied to a specific example policy. As these three areas, when seen from a linguistic perspective, build on an existing tradition of analysing legal language, the following section is intended to bridge the gap between them by providing a brief overview of this established field of inquiry.

The language of policies and laws

In recent history, a number of researchers have examined the language associated with the fields of law and policy. In the broadest sense, this includes, not only analyses of the language of policies and laws or statutes, but also language use in the courtroom (e.g. Cotterill 2003), in mediation sessions (e.g. Conley & O’Barr 1998), all of which are seen as sub-fields in the larger field of ‘legal language’ (e.g. Melinkoff 1963). Though the scope of this chapter is somewhat different, as it focuses mostly on policy-making from the governmental perspective, the characteristics of legal language described by these authors are also highly relevant as they remain central text-internal criteria for what is considered a law or policy – though text-external criteria play an equally key part, as discussed below.

As the social role of policies and laws is to establish norms (though they are not necessarily binding, as discussed below), it is understandable that linguistic resources commonly used to express obligation and/or volition are common in legal texts. In English-language legal texts, the deontic modal ‘shall’ was traditionally used to express legal obligation and ‘may’ to confer power to an actor or institution (Charnock 2009; Maley 1994). However, as Williams (2009) indicates, the growing demands for clearer modes of expression in the late
twentieth century has meant that many legislative texts now avoid ‘shall’ in favour of other modes of expressing obligation, such as the present simple tense.

Legal texts make great use of terminology, often drawing on several different codes (e.g. an English text may include expressions in Latin and French). As such texts aim to avoid any possible ambiguity or lack of clarity, their lexis is also characterised by frequent repetitions, and conversely, infrequent use of pro-forms or synonyms (Maley 1994; Williams 2004). Similarly, legal texts will often include a section where key terms are defined to avoid any possible uncertainty resulting from cases where a single term has been used with different meanings across different texts. However, to enable flexible application of legislation, such texts are also typically written in a highly generic manner, creating a constant tension between the two extremes of unambiguity and flexibility (Engberg & Heller 2008; Maley 1994).

Another key characteristic of legal texts is the fact that, while they were written by a set of actors (often in a complex genesis, see below), they are ultimately not associated with those writers. Rather, they become associated with the institution or polity that they govern. In Goffman’s terms, while the authors of the text, that is, those who provided the words it contains, are backgrounded, the text becomes associated almost exclusively with a principal, that is, the actor or institution who is committed to the words and whose beliefs or authority they represent (Goffman 1981, pp. 144–145). For example, EU legislation typically begins with a statement setting out the principal, such as ‘The Council of the European Union […] has adopted this regulation’.

**Analysing policy genres in institutional context**

For contemporary analyses of policies and laws, the tradition of analysing legal language continues to be of importance, as it provides a key means of distinguishing what is typical in such texts from what is atypical and therefore of potential interest. However, legal texts are not defined only by their language use, but also, and perhaps more dramatically so, by their shared discursive characteristics. As already mentioned, a key feature of such texts is that they attempt to oblige or forbid certain actions or practices: they do so by constructing a particular picture of the state of affairs in society, and the norms they aim to impose on society reflect a particular social set of social values, that is, a particular view of what society should be like (Levinson, Sutton & Winstead 2009). Laws and policies are therefore expressions of the particular moralities and/or ideologies that exist in their context, and their analysis should take this into account.

However, as the language used in legal texts and policies is often highly economised and condensed, creating a link between a particular feature of such a text and any ideologies in its context can be a major challenge if the text is analysed simply *in and of itself*. Instead, analysing policy texts is an exercise of constant recursion, that is, of constant interaction between the macro-, meso- and micro-levels of analysis. In practice this means, for example, examining a sentence in a policy text in light of its linguistic structure, its immediate co-text, the entire text, the policy-making practices that produced the sentence, the political agenda in which it is embedded, and finally how that sentence is understood by the different readers of the policy text.

One key consideration is therefore the question of what makes a particular text a policy: if not merely its form, is it its author, the institutional power it is associated with, or the way it was written and/or distributed within that particular polity? For instance, while a ‘policy’ in the contemporary state can take the form of a law, a strategy, a programme, or a white
paper, with each of these having a particular status in the polity (see below for an example). In a different type of context, such as a small business, a policy can be an email sent out by the CEO to every employee. As they are both legitimated by the hierarchical structure of the polity, both will be accepted as ‘policies’ by its members (citizens or employees), though their linguistic form may ultimately be different.

Analysing this complexity requires a multi-levelled view of context, such as that proposed by Wodak (2008, pp. 10–14), and a recursive approach, where the different levels are explored flexibly, with the scope of contextualisation being constantly adjusted depending on what facets are highlighted as relevant by the data. Table 23.1 offers several policy-relevant potential research questions for each level.

To answer such research questions, recent linguistic analyses of policy have drawn on different types of data sets. Grue’s (2009) analysis of discourses about disability in the policies of a Norwegian non-governmental organisation (NGO) covered the documents written in response to various legislative initiatives, as well as the programme statements of the NGO itself. In her historical investigation of UK educational policy, Mulderrig (2011) created a corpus of policy documents adopted by the UK government between 1972 and 2005. Other analyses have preferred to broaden their scope, and have included not only traditional ‘policy documents’, but also secondary sources of policy discourse. While approaching the same broad topic as Mulderrig – trends in educational policy in light of broader discourses – Holm and Londen’s (2010) study of Finnish multicultural education policy relies on a data set adapted to the field of inquiry, including not only government strategies, but also national and local curricula, an important secondary genre in that field. To show the various considerations guiding data collection when conducting such research, I overview how various studies of policy in the European Union have responded to its complexity by gathering broader data sets.

Example: policy genres in the European Union

The way EU policy texts are related to each other is governed by the EU’s complex institutional and multilingual structure. The EU has 24 official languages as of 2015, and it

<table>
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<th>Table 23.1 Levels of context and their relevance to policy</th>
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<td><strong>Level of context</strong></td>
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<tr>
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<tr>
<td>Co-text and co-discourse</td>
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<tr>
<td>Intertextuality and interdiscursivity</td>
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<td>Social and institutional properties of the context</td>
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<tr>
<td>Socio-political and historical context</td>
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has its own set of language policies to deal with the complexity that this can cause, with one key principle being that policy texts are equivalent irrespective of which official language they are in. However, the situation is more complex: even though these 24 languages are *de jure* equal in EU institutions, there are *de facto* conventions that govern language choice, particularly in smaller, informal settings. Here, the more dominant working languages have a privileged status, and knowledge of them is a key strategic advantage for political actors (Wodak, Krzyżanowski & Forchtner 2012). In terms of the way policy texts are produced, and the status they have, this therefore indicates that the relationship between different language variants of the same policy text is not necessarily equal.

As a polity, the EU is a complex multi-level organisation whose ‘politics and policy-making must be seen as inherently bound by the constant mediation between different (i.e. European, national and regional) levels of governance and between different level-specific institutions’ (Krzyżanowski 2013, p. 109). There are three major institutions, the European Parliament (representing party interests), the European Council (representing state governments) and the European Commission (the ‘European government’) – all three share policy-making duties and must thus find agreement on key points. Due to the potentially overwhelming complexity that this entails, policy-making practices in the EU have developed to ensure that consensus is reached at an early stage (Huber & Shackleton 2013). While this has improved efficiency, it also means that policy-making has been effectively shifted out of public sight, and that a compromise has been made on democracy (Krzyżanowski 2013).

Another key property that defines EU policies is their complex relation to policies in the member states. In principle, EU policy is intended to take precedence over various national policies, and is considered to be binding to various extents, depending on the genre to which a particular policy is assigned (see below). To facilitate this, policy texts are written with a view towards enabling flexible application across the various different national contexts, although the extent to which they are implemented, or the pace of their enactment, varies greatly across these member states (Falkner et al. 2005), and the dynamics of recontextualisation of EU policy therefore differ from state to state (e.g. Wodak & Fairclough 2010).

This complexity means that several different genres are available to EU policy-makers. The exact status of these is set by another text, the Treaty on the Functioning of the European Union (2007):

To exercise the Union’s competences, the institutions shall adopt regulations, directives, decisions, recommendations and opinions.

A regulation shall have general application. It shall be binding in its entirety and directly applicable in all Member States.

A directive shall be binding, as to the result to be achieved, upon each Member State to which it is addressed, but shall leave to the national authorities the choice of form and methods.

A decision shall be binding in its entirety. A decision which specifies those to whom it is addressed shall be binding only on them.

Recommendations and opinions shall have no binding force.

(Article 288, ex-Article 289 in the Treaty of the European Union)

To a certain extent, this text also codifies the policy-making practices through which others are produced. This is, however, not exclusive, as various other practices and genres are not prescribed in this way. Genres such as *Green papers* and *White papers* serve to highlight a
particular area for future policy intervention at EU level, and potentially also an early vision of what the scope of such a policy would be. Additionally, a number of genres co-exist in the related field of policy communication, such as leaflets, fact-sheets, and so on. Rather than establishing policy directly, these are directed specifically at mediating policy objectives, priorities and decisions to various interested publics (Krzyżanowski 2013).

Analyses of EU policy have integrated many of these different genres into their data collection, aiming both to create a better account of policy discourse in a particular area, as well as to show its development through time, from early agenda-setting documents to binding legislation. Krzyżanowski (2013), for instance, shows how a major discursive shift occurred in EU environmental policy between 2007 and 2011, and how this was first announced by changes in green papers, intended to stimulate a broad public debate, before being integrated into other genres, which began to specify future policy action in more concrete terms. Krzyżanowski and Wodak (2011) take an even broader approach in their historical analysis of EU language policy, examining not only policy texts, but also speeches and surveys to show how EU discourse about multilingualism was embedded into a larger-scale political agenda.

Analysing the genesis of policy texts

As I discuss above, policy is an area where different world-views come into contact, and often, into conflict. With any policy, the engagement of actors or communities with different backgrounds means that potentially competing policy meanings are generated (see below). These reflect the different situated understandings of social reality, different concerns and proposals for solutions that such actors will have. From the earliest stages of planning and drafting, policy texts constantly come into contact with such communities as various public consultations are conducted (Scollon 2008).

This ultimately contributes to the creation of a polyphonic policy text containing the voices of different actors (Savski 2016b), which, while being interwoven and dialogically linked (see Bakhtin 1981), remain distinct and separate, reflecting the power relations between the actors contributing to the policy (Wodak 2000). All these voices are artificially merged with the finalisation of the policy text (Wodak 2000) and become associated with the authority of the polity in which they apply (Tiersma 2010).

Reconstructing these voices is therefore one possible approach to policy-text analysis. Ideally, this can be done directly if the researcher is granted access to the drafting process: Wodak (2000), for example, combines observation with textual analysis to show how the language of an EU document on unemployment developed as different stakeholders made contributions to it. In many cases, however, access to such backstage settings is not possible, and in such cases, the researcher has to employ alternative methods of data collection. Often, while meetings cannot be accessed, early drafts and feasibility studies can be found and can yield useful information about key issues, particularly if combined with research interviews. Examining different policy genres (see p. 357) can also be a useful tool in identifying the key trends in the genesis of a policy document.

Example: the genesis of a Slovene language policy document

Studying policy in the contemporary state presents a new challenge, as the researcher has to take into account the dynamic character of mediatised late-modern politics – where constructing a distinctive and likeable identity is as important as providing reasoned
arguments (see, e.g. Wodak 2011, 2015). An example that typifies this is the Resolution for a National Language Policy Programme for 2014–2018 (RLP-14), a strategic document intended to establish a common frame of reference for all state institutions involved in language policy. The text was drafted over an extended period of time, from 2010 to 2013, during which time, a number of political shifts occurred in Slovenia.

In 2010, under the left-centre government led by social democrat Prime Minister Borut Pahor, several preparatory studies were conducted to set the format of the future strategy, and a drafting team began to write the text in mid 2011. However, by the time the first draft of RLP-14 was finished at the end of 2011, Pahor’s government had collapsed, a snap election had taken place and a right-centre government under Janez Janša took power. This signalled a change of agenda, and following a public consultation regarding RLP-14, a new team was named and began a major rewrite of the existing text. By January 2013, this rewrite had been completed, and a new version of the text was published, creating a hybrid document that already contained several different voices, which can be uncovered by analysing the additions, deletions and rephrasings made during the redrafting (Wodak 2000).

As the examples in Table 23.2 demonstrate, the rewrite of RLP-14 enabled a major change in the Slovene language policy agenda and signalled a broader ideological shift in the text itself. While the original version had prioritised the area of multilingualism and minority rights as one where major improvement was needed, the rewritten version saw various hedging devices being used to reduce the force of such statements (Example 1). More generally, the new version moved away from the earlier text’s equal treatment of different minorities, and established clear boundaries between the indigenous minorities protected by the Slovene constitution, and the non-indigenous minorities, or immigrants (see Example 2). Elsewhere, the focus of the text was shifted from the promotion of a development-minded and tolerant society to the protection of a monolingual Slovene-speaking community (see Example 3).

These changes indicate that the change of government sparked a major ideological shift in RLP-14: instead of a late-modern language ideology, to which values such as mobility and diversity are central, the text was now predominantly based on a more traditional nationalist ideology centred on a rigid levelling of nation, language and state (Savski 2016b). However, in many cases, only small changes had been made to the existing wordings to achieve this, creating a hybrid text, one which contained elements pertaining to both language ideologies, and written by two different drafting teams. This is the case with most,

Table 23.2 Comparison of RLP-14, first and second draft (deletions crossed out, additions underlined)

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<tr>
<td>1</td>
<td>Alongside this, [the minority members’] rights to use their own language and culture must be guaranteed within legal and budgetary means.</td>
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<tr>
<td>2</td>
<td>At the same time, the Republic of Slovenia cares for the strengthening and full enactment of the language rights of the constitutionally defined minorities, and enables the maintenance and revitalisation of the use of languages of other language communities and immigrants.</td>
</tr>
<tr>
<td>3</td>
<td>A language policy oriented towards development is based on the belief that the Slovene state, Slovene language, and Slovene language community are vital and dynamic entities, which should be developed and strengthened in a way that will enable all inhabitants to live in freedom, welfare, as well as tolerance and responsibility. In those areas which require special care in order to maintain the scale, vitality and dynamicty of the Slovene language, measures must be ensured to improve the situation when required.</td>
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if not all, policy texts: despite their ‘fixed’ appearance, the many language choices made within them have been made by different actors with different belief systems and intentions. The importance of studying this genesis process becomes clear when examining the stage of policy implementation, when such individual pieces of language become crucial to how texts such as RLP-14 are put into action.

**Analysing the trajectories of policy meanings**

As texts, policies are intended for varied audiences: some have to allow for broad application, while others are written for a small audience, and only play an administrative role (Tiersma 2010, pp. 165–167). However, the ways in which such audiences ‘read’ policy are varied. Various scholars in the field of policy analysis have stressed that the interpretation of policy texts is a complex process where, depending on what epistemic community it encounters, such a text will be received differently (Yanow 2000; see also Stone 2012). This presents a move from traditional conceptualisations of policy implementation as a linear process with no space for agency, part of a ‘linguistic turn’ in policy analysis (Fischer & Forrester 1993).

Policy meanings are discursively constructed as actors engage with policy in various texts and contexts (Savski 2016a), such as the genres of policy communication (see p. 357), political speeches (Koller & Davidson 2008, p. 316) and local administrative settings tasked with the implementation of a policy (p. 363). In these contexts, both hegemonic as well as subversive policy meanings are constructed in the discourse that surrounds a policy text (Savski 2016a). Which policy meanings dominate this discourse, therefore, becomes a central issue when considering how policies are put into action by grass-roots actors (p. 362). This brings about a significant implication for the study of policy texts, as a clear-cut assumption of equivalence between sign and meaning is no longer possible (Hutton 2009).

To overcome the potential insecurity that this would bring to the legal system, different legal traditions have suggested a number of theories of statutory interpretation, which are intended to guide the decisions of actors interpreting laws and policies. In the British context, an early example of such a theory was the plain meaning rule, which broadly placed the focus on the ‘ordinary’ meanings of the language used by law-makers, rather than on the context (Tiersma 2010, p. 156). In the US, a number of competing theories also exist, such as intentionalism, which involves investigation of context to reconstruct the intentions of law-makers (ibidem, pp. 159–163). In European legal theory, a similar approach is systematic interpretation, which involves making comparisons between different legislative texts in order to arrive at a valid meaning (Schütze 2012, p. 137).

For policies to be successfully enacted in real-world situations, the language used in them has to be flexible enough to enable application in changed contexts, while also being precise enough to avoid unwanted ambiguity (Tiersma 1999, pp. 79–85). Two principle perspectives have developed in the study of policy implementation: a top-down view that studies implementation from the perspective of policy-makers, in terms of the generalizability of policy problems and solutions, and a bottom-up view, which looks at implementation from the standpoint of the local actors. The latter perspective sees local policy actors as key decision-makers who are afforded a large amount of agency in order to enact the different provisions of a policy (Lipsky 2010).

This focus on the role of individual actors in policy has led Levinson, Sutton and Winstead to propose the concept of appropriation instead of implementation, to indicate ‘the ways that creative agents interpret and take in elements of policy, thereby incorporating these discursive resources into their own schemes of interest, motivation, and action’ (Levinson, Sutton &
Winstead 2009, p. 779). The role of policy texts in appropriation is to open (or close) ideological spaces, potential policy meanings that enable these agents to pursue a particular policy agenda in the local implementational spaces available to them (Hornberger 2005).

Example: policy appropriation in a US school district

In 2002, US President George W. Bush signed into law the bipartisan No Child Left Behind Act (NCLB), an educational policy that aimed to improve student achievements across states and school districts, with a particular focus on improving the academic proficiency of socially and/or economically disadvantaged students. Its various provisions were distributed into several sub-sections (titles). Title III, entitled ‘Language Instruction for Limited English Proficient and Immigrant Students’, represented a particular shift from previous policy, as it foregrounded English proficiency, and saw bilingual education as a means to that goal, rather than a value in itself.

The initial version of that text was, in fact, almost exclusively focused on English-language education, and it was only after extensive negotiation in the two houses of the US Congress that a compromise version was finalised (Johnson 2009, pp. 147–149). The final Act was dominated by two voices, one advocating knowledge of English as a focus of bilingual education, supported particularly by members of the House of Representatives, and one that supported bilingual education and was mainly introduced through amendments made by members of the Senate (ibidem). As Johnson comments, this ultimately made the bill acceptable to both sides, as either could interpret the text according to its own interests (ibidem).

Johnson (2009, 2013a, 2013b) conducted a detailed ethnographic study of how Title III was appropriated by local actors in the Philadelphia school district. One of his particular interests was the role of local decision-makers, or language policy arbiters, particular individuals whose institutional role granted them the ability to dictate policy interpretation (Johnson 2013b). He interviewed two such arbiters, two administrators who held positions of power in the office that co-ordinated bilingual education in the district, and uncovered how different their interpretations of NCLB were:

Dixon-Marquez and Sánchez [the two school district administrators] interpreted Title III in very different ways, which led to different forms of implementation of the policy. In a discussion about NCLB in 2003, which was then a new policy, Dixon-Marquez said, ‘There’s an emphasis on English language acquisition [in NCLB] but it doesn’t mean that’s all they’re going to fund – we haven’t changed our programs dramatically – we’re pretty much going to do what we’ve been doing’ (11 April 2003). What they ‘had been doing’ was further developing the additive bilingual programs in the district. Dixon-Marquez made this quite clear in her proposal to the Federal Department of Education, and, she got the money. So, it appears that her interpretation of Title III was not rejected by the Department of Education even though her intention was to use Title III money to support additive bilingual education programs.

During the 2003–2004 school year, there was a shake-up of the administrative personnel in the ESOL/bilingual office and Lucia Sánchez stepped in as the head of the office. Her ideas about language education, in general, and her interpretation of Title III and the goals of NCLB, in particular, were very different than her predecessors. In a discussion about Title III, she said: ‘Title III was created to improve English language acquisition programs by increasing the services or creating situations where the students
would be getting supplemental services to move them into English language acquisition situations’ (13 June 2005). Sánchez’ interpretation of Title III is much different than Dixon-Marquez’ and this interpretation helped guide the implementation of Title III and radically changed the direction of language education in the school district. […] (Johnson 2013a, pp. 211–212; my addition in italics)

This demonstrates not only that a plurality of policy meanings can co-exist, but also that such meanings matter, or rather, that who is in a position to establish a preferred policy meaning is crucial to how policy is appropriated. In this case, one key finding of Johnson’s study is that while NCLB narrowed the ideological space for bilingual education, a potential remained for local actors to find implementational spaces (Johnson 2013a, pp. 212–213). It was, however, down to the individual initiative and beliefs of the local actors to take advantage of such spaces. The fact that both administrators from the example successfully applied and won funding awarded on the basis of NCLB shows that decision-makers can be equally permissive of different policy interpretations (Johnson 2013a, p. 211).

Concluding remarks and future challenges

I have overviewed three perspectives of contemporary discourse-orientated policy analysis. Ideally, the three should be joined together to form a comprehensive analytical framework suitable to the research questions that guide a particular policy study. In practical terms, this is not always possible, for instance, if the policy being analysed was drafted entirely behind closed doors and only limited information regarding its genesis can be recovered. In such cases, the use of research interviews with key actors, coupled with a detailed review of the discourses surrounding a policy, can still enable the dominant voices within a policy text to be identified. Alternatively, following implementation processes can give policy analysts vital clues as to how the text is ‘read’, once again indicating the key discourses with which it interacts.

For many, if not most, discourse-orientated approaches to politics and policy-making, the text remains the primary object of analysis. However, as discussed, policy texts are characterised by their complex genesis, where the voices of multiple contributors become entangled before a final version is adopted. During this complex process, because different contributors can independently write and rewrite (or give advice on) various sections, the text can also be seen as a series of developing fragments rather than a homogeneous whole. In addition to this, the fact is that even when these texts are finalised and officially adopted, their meaning and function continue to be a matter of debate.

Hutton (2009) argues that all this is a major theoretical – as well as practical – challenge for the structuralist systemic view of language that still represents the intellectual foundation of much of contemporary linguistics. For a discipline that continues to largely assume that the meaning of a piece of language in a text can be isolated and generalised as part of a broader system, the very notion that textual meanings are context-bound and can be contested or changed is highly problematic (Hutton 2009, pp. 44ff). While his interpretation can be seen as an overgeneralisation, given the diverse nature of contemporary linguistics – Hutton himself acknowledges that there are currents in sociolinguistics that can and do take flexibility of meaning into account – it does serve as a reminder of the theoretical and methodological flexibility needed to approach such texts.

When considering policy interpretation, the relationship between structure and agency also requires some reconsideration. As I have highlighted above, policy texts have the
potential to empower grass-roots actors, but it is often left to the initiative and creativity of such local ‘policy-makers’ to take advantage of such potential. However, as tools of top-down state power, policy texts can also disempower by limiting space for interpretation, and thus for agency. The key question to be answered here is whether these two explanations are ultimately two sides of the same coin, or whether one should ultimately be seen as more crucial to understanding contemporary politics.

Another challenge that requires a similarly flexible approach is the question of how to integrate the study of power and polyphony: if policies and legal texts are seen as fragments produced by different actors, how do we account for and describe the power relations between the different voices in the resulting text? Do we assume that the ‘loudest’ voice (i.e. the one that we find is most commonly ‘heard’ in the text) is hegemonic? Or do we examine how the text is read, and thus see whether the way it is interpreted is actually governed by the ‘loudest’ voice, or whether the reading in fact reflects the polyphonic nature of the text in a more inclusive manner?

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