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Music Education and Deliberative Democracy

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The influence of democracy and law on music education in Sweden and Finland, and the potential for music education as training in democracy, are discussed in this paper. The latter consideration can be instructive regardless of the nation, or its laws and paradigms of music education.[1] The theoretical background is based on Jürgen Habermas' ideas on communicative action and deliberative democracy.[2]

We stress the importance of communicative processes of music education and deliberative democracy (or deliberative politics), which refers to processes of argumentation in which all arguments are considered and the best ones succeed. Habermas emphasizes the right of everyone to take part in creating norms and values in society. This is possible in "practical discourse" through which joint action can be achieved without force or manipulation. It is not only cognitive meanings but also ethical norms and artistic values that are created through this process.

The perspective of deliberative democracy is applied to music education in Sweden and Finland. We begin by examining the goals and aims described in the educational legislation and curricula governing compulsory education (i.e. in comprehensive and upper-secondary schools). One of the basic terms and educational aims of schooling is communication. However, our interest is not confined to *compulsory* music education, and we also examine the educational legislation and curricula governing *voluntary* music education offered by music and arts schools.[3]

We conclude our essay by suggesting that compulsory and voluntary music education should be brought closer together – ideologically and organisationally – under the umbrella of educating in music, art, and deliberative democracy. The music teacher's role would thus be broadened and strengthened in the school organisation and in the curricula. By

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emphasising the process of open communication – verbal and musical – rather than dictating what is "right" or "wrong," music teachers can advance music, music learning, and deliberative democracy.

DELIBERATIVE DEMOCRACY

According to Habermas, society is divided into two parts, the "lifeworld" (*Lebenswelt*) and the "system" (*Systemwelt*). On the one hand, then, it is conceived of from the actor's perspective as the "lifeworld" of a certain group – the group context in which human beings create their identity, norms, and values in terms of legality and morality. Habermas' ideas are similar in this regard to the theoretical foundations of symbolic interactionism. Through *communicative rationality* the aim is to reach greater consensus and understanding in and of the lifeworld. As will be discussed more fully below, communicative rationality aims to reach understanding in discourse between equals and forms the basis for deliberative democracy.

On the other hand, from the observer's perspective, society is conceived of as a "system of actions".[4] Through *strategic rationality*, then, society as a 'system' is steered, even manipulated, by money, power, authority, bureaucracy, and political parties. Strategic rationality aims, then, at the effectiveness of the system and it is thus success-oriented, not understanding-oriented. Habermas stresses the importance and the need for communicative rationality, although he notes that every theory of society restricted to communication theory has its limitations. He therefore proposes that societies should be thought of as both systems and lifeworlds. Historically, the system has developed out of the lifeworld.[5]

Some of Habermas' ideas have their roots in Ancient Greece. According to Aristotle, for instance, the individual attains his or her proper perfection in a society (i.e. the Ancient Greek city state or *polis*), and the "good life" is paramount. Politics was considered to be the doctrine of the good life; it was considered as a practical science and, in the final analysis, was directed to the cultivation of character.[6] Aristotle's ideas on politics resemble Habermas' belief in the need to reach understanding through communication in a state that is truly guided by its citizens. Habermas' idea of deliberative democracy, then, involves processes of argumentation that are premised on communicative rationality. The underlying purpose of communicative rationality is reaching understanding in order to co-ordinate actions, and thus its basic goal is in reaching agreement.

Habermas also explores the question of the legitimacy of law and politics. A tension and paradox between politics and law exists in deliberative democracies because citizens (the folk or *demos*) or their representatives have the right to stipulate legal regulations, whereas the law protects citizens' rights against state intervention. In other words, political power is both grounded on and restricted by law. Communicative rationality is the basis of deliberative democracy for Habermas: all citizens have the right to take part in creating norms in interaction with other members of society. The procedural character of communicative rationality involves the right of every human being to create norms and values through *practical discourses*. Practical discourses stress the importance of empirical knowledge, and are understood as reflective forms of communication situated in a lifeworld.[7] Deliberative democracy reduces the potential for alienation between individuals and the political authorities that is increasing in modern democratic states. In many respects, Habermas' discourse theory in relation to the democratic constitutional state is an attempt to apply his theory of communicative action. In contrast to strategic action that aims at efficacy of the system, communicative action instead aims at reaching understanding (consensus) about the system and its impact on lifeworlds.[8]

Deliberative democracy stems from interaction between liberal commitments to basic human, civil, and political rights, according to political scientist and philosopher Seyla Benhabib. She argues that there is no presumption that moral and political discourses produce a normative consensus. Hostility between different groups in a society may sometimes grow so intense that the tensions find outlets other than dialogue. In these circumstances, a deliberative or discursive model can be criticised as naïve, since even the law cannot always control these hostilities. However, she argues, even if all conflicts were not resolvable through discourse, public debate would nevertheless enhance the civic virtues of democratic citizenship in terms of cultivating the habits of public reasoning and argumentation.[9]

Habermas' theory of communicative action includes the concept of *intentionality*. In order to understand an action, one has to interpret the actor's intention – the aims and meanings of the action for the actor. Habermas emphasizes the underlying meanings of actions, per se, rather than focussing on simple behaviours. He believes that the rationality of action cannot be separated from action itself and, moreover, that both socialisation and the creation of identity depend on the intersubjectivity of communicative action. Habermas' theory of communicative action is intertwined with his analysis of the symbolic structures of

the lifeworld. In traditional social theory, these structures have typically been called *culture*, *society*, and *person*, but Habermas regards these as purely analytical distinctions. For him, these lifeworld structures constantly interact in providing a continuous resource for the individual.[10]

Culture, in this sense, should be understood as only one aspect of the lifeworld, a store of common knowledge for mutual understanding. It is within and by culture that *meaning* in its widest sense is created, and by which cultural reproduction takes place: the passing on of traditions in order to preserve established knowledge.[11] And *society* should be understood as the aspect of the lifeworld that fosters social integration. It serves to co-ordinate actions through norms and rules, measurable through the degree of solidarity achieved within the community. It promotes the ability to comprise a collective (societal) solidarity that breaks down if the process is disturbed.[12] Finally, *person* (personality) should be understood as the aspect of the lifeworld through which socialisation occurs.[13]

These concepts have been applied in a Swedish music education project that researched music teachers.[14] The results show that the *cultural reproduction* music teachers are prepared and attempt to bring about has little in common with *cultural meanings* that are the focus of compulsory education. Collective norms integrated into a music teacher's preparation are closely tied to traditional artistic and musical norms; thus they are difficult to transform into a sense of solidarity with pupils in compulsory education. However, there was slightly more commonality for voluntary music schools in Sweden.[15]

PRACTICAL DISCOURSE

According to Habermas, as we have seen, all human beings should have the right to take part in creating societal norms. Benhabib is of the same opinion: validity of norms is attainable only if all those who could be affected by their consequences can take part in the practical discourses through which they are adopted. In other words, all participants must have the right and opportunity to create the norms and normative institutional arrangements that prevail in society. This can take place only in discourses between equal participants, what Habermas calls "ideal speech situations". In these, all potential participants in a discourse have an equal chance to communicate, to put forward interpretations, and to express their views.[16]

The "Habermasian society" of equal participants has sometimes been questioned and regarded as utopian. In practice, human beings are not treated equally. Their living conditions and circumstances and their social and economic backgrounds, values, schooling and knowledge all differ. The abilities and opportunities to take part in practical discourses also vary, as a consequence. As Benhabib notes, conflicts and misunderstandings between different cultural groups may be so deep that it is almost impossible to agree on norms through dialogue. Moreover, public debate in multicultural societies requires the discussion of the norms (moral, legal, ethical, religious, and aesthetic) that should be applied to the practices in question.[17]

Despite critics of Habermas' discursive model of society, Benhabib claims that its virtue is that participants are free to discuss and share their moral dilemmas, needs and conflicts, life stories and moral judgements with others. Moreover, they are also allowed to keep their personal narratives private if they do not want to share them. She develops the idea of practical discourses into one of *interactive universalism* where all human (moral) beings can be conversation partners if they are capable of sentience, speech, and action.[18] In the following section we apply the idea of practical discourses to music education.

COMPULSORY MUSIC EDUCATION

According to Swedish educational legislation, all pupils regardless of ethnicity, social, economic or regional background should have equal access to compulsory education.[19] This educational principle is quite similar in Finland. In both countries, then, compulsory education is offered free of charge to all children and adolescents in schools that are mainly owned by the state.[20]

The Swedish School Act (*Skollag*) forms the basis for the regulations governing compulsory education. This act describes fundamental values such as understanding and humanity, pertinence and generality, equality of education, the rights and duties and the task of the school, environmental concerns, and ideals for human development. The decree governing the curriculum for compulsory education (SKOLFS 1994:1) includes a more detailed description of the bases for setting the values and duties, as well as the goals and aims, of the school. It prescribes the aims and goals the comprehensive school should strive for, as well as the goals the pupils should attain.[21]

This decree also stresses the fact that the official educational system rests on the basis of democracy, and activities at schools have to be formed in accordance with fundamental democratic values. All pupils should be able to develop their potential to communicate through such means as speech, reading and writing.[22] In Finnish basic education, schooling seeks to promote the development of pupils as active participants in society and to provide the young with the learning needed to function in a democratic society where all are treated with equality.[23] All these aims mirror the fundamental prerequisites for communicative rationality in both countries' schools.

In Swedish comprehensive schools, pupils should be prepared for becoming autonomous persons capable of formulating opinions based on knowledge and ethical arguments. In addition, they should learn to listen and to discuss, to argue effectively and to use their knowledge, as well as to critically explore and value different statements and circumstances. All those working in Swedish schools should play their part in creating in the pupils a sense of solidarity and responsibility for all human beings, including the "others" who do not belong to the same social group. In Finland, children and adolescents are educated to become human beings who have appropriate self-esteem and who are capable of critically evaluating their surroundings. This is how the school should educate its pupils for "discursive practice."[24]

The curricula for Swedish compulsory education include several aspects that support communicative action through education. Swedish course plans include detailed descriptions for school subjects. Music is regarded as a kind of language that supports and develops understanding and tolerance between people around the world. The underlying belief is that integration and cooperation can be promoted and made easier through music. In short, music is regarded as a subject promoting "the common good". According to the Finnish Core Curriculum for basic education, underlying values rest on such basic values as human rights, equality, and democracy. Basic education seeks to promote a sense of community and responsibility as well as equality among individuals and regions. The core curriculum for compulsory music education states that music helps to support the overall growth of pupils, for instance.[25] In practice, of course, the connection between music and "the good" is not nearly as simple, direct, or successful as intended in either country.

As noted earlier, as a school subject in Swedish compulsory schools, music aims at offering all pupils opportunities to develop their musicality and to learn that musical

knowledge promotes personal identity socially, cognitively, and emotionally. Music education is connected to communication, but not to gender or resistance to undemocratic circumstances. We suggest that music as a school subject could contribute to understanding those issues in any country if it was taught from the perspective of communicative rationality. In addition, discussing the forces of socialization might open up pupils' options in life.

VOLUNTARY MUSIC EDUCATION

In the research volume *Aesthetics of Democracy*, an official Swedish state report (SOU 1999: 129), musicologist Ingemar Grandin[26] suggests that music is an activity that belongs to the local level where intervention by the state or the market is minimal. Grandin's ideas stem from the social anthropologist Ulf Hannerz's view of the trilogy of the state, the market, and the form of society. He compares *state* organisations to an iceberg: the visible parts are closely connected to the state and the *market* (public financing and sponsoring), while the invisible parts are characterised by broad involvement without connections to either. The latter, the invisible part, is called *civil society*, and is usually characterised as the world of societies and organisations, including popular movements. This invisible part of society, civil society, consists of individuals acting collectively in societies and organizations.[27]

In civil society, active participation is based on performance, and the ability to participate in such activities as singing, playing, jumping, running and dancing are the criteria for admission. Inherent in it are the good will of society, local politics, visions, admission examinations, and the distribution of municipal finances. The rights of the participants are not secured in the same way as they are in a democratic state or in compulsory music education at school.

In Finland, the first music schools were established by enthusiastic amateurs and operated as "civil societies". Thus, they had total freedom for deciding the contents of the music education provided. Their problems were mainly financial, and economic considerations were used as one of the main arguments in their demands for a special government act for providing state support.[28] This first Act (147/68) for music schools was not very detailed but, subsequently, the number of regulations increased rapidly. A phenomenon known as a "deluge of norms" eventually arose: it was claimed that the system had become so rigid that the burden of pedantry and bureaucracy – which should be unfamiliar in arts education – had become embedded in it. The fundamental aims of the

music schools were thus threatened and the system increasingly criticised. From a Habermasian perspective, the system had intervened so strongly in the lifeworld of these schools (i.e. a "colonisation" had occurred) that *it* became more valuable than the content of the education offered.[29]

This led to lively discussion in the 1980s and 1990s. Music schools were criticised for serving just a minority of pupils. Critics complained that study programmes, including the examinations and focus on the traditional repertoire and obligatory theory subjects, were intended to educate only future professionals. However, in practice, only 1.5 % of the pupils actually became professionals in music. In addition to criticism of the content of entrance examinations and curricula was the additional problem that limited resources resulted in only a minority of applicants being offered a place at these schools. The question of the small number of boys at music schools was connected to the narrow content of the schools' curricula and the narrow range of musical styles thus emphasised. In short, the schools wanted more freedom without losing the financial security guaranteed by the legislation.[30]

The special legislation enacted for music schools was abolished in conjunction with the fundamental reform of Finnish educational legislation and administration in the 1990s. When the present Basic Arts Education Act (633/98) came into force, the state subsidy for music schools remained unchanged. According to the Parliamentary Education Committee (responsible for giving a statement concerning government's proposal for the act), one of the general aims of basic arts education should be to support the development of pupils' personalities. It should also provide pupils with a basis for potential professional studies in the arts. However, according to this act, the training of future professionals should not be the only or the principal aim.[31] The Core Curricula for music (2002; 2005) include aims such as creating preconditions for the development of a good relationship with and a life-long interest in music.[32] Following much lively discussion and criticism of the narrow content of music school studies, the examination system and pupil evaluation at these schools have been reformed in the 2000s, and the contents of education is made increasingly varied.[33]

As in Finland, the efforts of enthusiastic individuals engaged in voluntary music activities has usually been the catalyst for the establishment of a music school in Sweden, functioning at first on a private basis and later becoming a municipal institution.[34] During the first stage, no official regulations govern the activities at these schools. Municipal regulations do not usually apply until the school becomes more closely affiliated with the local official

educational system operating under the municipal Board of Education. From then on, the demands set out in the local government policy documents have to be taken into account.[35]

Western classical music has played a major role in the education offered by music schools in both Finland and Sweden. The classical repertoire has been favoured especially in Finnish music schools, where pupils usually receive individual lessons for approximately one hour a week compared with the 20 minutes at the Swedish music and arts schools. Western classical music is currently regarded as a minor subject in Swedish schools, and the development from the traditional idea of "music schools" to "arts schools" (sometimes called "culture schools") also includes a change to a broader music repertoire.[36]

The main difference between the two countries is that Finland has created national legislation governing voluntary music education as well as music education in obligatory schooling. On the other hand, in the autumn of 2003, the Swedish Association of Teachers proposed legislation for Swedish music and arts schools. The proposed act would have covered the right of every child to receive education at music or arts schools and the qualification requirements for teachers, for instance. However, no act was adopted. In Sweden, the idea of democracy is put into practice through local self-government.[37]

DISCUSSION

"Fast Democracy" in Contrast to "Deliberative Democracy"

"Fast democracy" is, in important ways, the antithesis of "deliberative democracy". An example of fast democracy was observed in 2003 in Kungälv Sweden when all municipal activity that was not mandated by law was threatened by limited public resources. The municipal music school was such a non-mandated activity and the decision was made to close it.[38] The teachers, the pupils and their parents were shocked and subsequently put in an immense effort to save the school, and an organization was formed to help them influence public opinion. These efforts are naturally valuable when people come together to support important issues and institutions; but from the perspective of a democratic process, they have been called "fast democracy"[39] in contrast to "deliberative democracy". Such activities as "save our music school" or "don't touch our school" are characterized by the temporariness of these groups.

In contrast to such occasions of "fast democracy," on-going co-operation – that is, communicative rationality, practical discourse – between music schools and providers of

obligatory music education in the comprehensive schools might provide a more warranted, continuing basis for justifying public support of voluntary music activities in order to develop a more comprehensive and long-lasting basis for music education across society. Through accepting and promoting the transfer effects of both types of music education between each institutional setting, the two sides would stimulate each other in terms of instilling a shared sense of social responsibility for education in deliberative democracy. Thus, the social function of *fostering deliberative democracy* would be one aspect of the education offered at music schools. This need not deny their important role in also advancing the arts and music and in promoting the good life of students and society through music.

Music Education for all Children?: A Question of Democracy and Equality

The question of children's opportunities and rights to receive music education has several dimensions. The right to compulsory music education is secured by law for all children in Finland and Sweden.[40] However, questions remain: Who is entitled to lessons? How many music lessons should the pupils have? What kind of music should be taught? And so on. In practice, due to financial reasons and educational-political trends, there is a real threat of diminishing the amount of available music and arts lessons at comprehensive schools (and in teacher education as well), a right that is currently threatened in both countries.[41].

The right to voluntary music education in Finland is not as strong as the right to music in its comprehensive schools. Admission to music schools in Finland is selective: pupils are selected by entrance examination because limited public resources cannot serve all who are interested, and because, as already mentioned, educational policy has focused on selecting musically talented children as a basis for future professional studies in music. The contents and the aims of the entrance examinations have been criticized from both the pedagogical and the socio-political perspective. Firstly, critics note, it is extremely difficult and pedagogically questionable to give such competitive tests to young children. Secondly, it is not easy to justify public financial support that is directed only toward a selected 'elite' of children.

In Sweden, in contrast, all applicants are offered the opportunity to study in a music school according to the principle of "music for all". However, also due to limited resources, applicants must wait for their opportunity to study, sometimes for several years. The Swedish principle may appear more democratic, but the right to music education as an "access to"

right is threatened if it takes several years before there is room to accommodate the child, or if the music school is closed because of financial problems at the municipal level.[42]

The contents and the repertoire requirements in music education are also connected to the question of rights. The rights of cultural minorities to their own culture influences curriculum planning, and multicultural music education is a manifestation of this right. On the one hand, while the genres of music taught should be broadened beyond Western classical music if the musical needs of all students are to be satisfied, on the other hand, the influence of pop music is already so strong that classical music could be regarded as a minority interest, especially in school music studies. The cultural rights of children and adolescents include their right to learn all kinds of music and thus a broad range of genres should be offered.[43]

Children's rights to music education are based not only on national legislation but also on international conventions, such as the United Nation's *Convention on the Rights of the Child*. Music education is not specifically mentioned in this document, but it is connected to the right to freedom of expression and the principle of the "child's best interests". The Swedish municipality of Örebro, for example, has based its official vision for children on this convention and this also influences the activities at its municipal arts school. In Stockholm, education at the arts school is said to accord with the principles of non-discrimination of children, the best interests of the child, and the right to the development of and participation in cultural and artistic life. The democratic criterion requires that all children should have the right to artistic expression, not only in several musical genres but in other arts subjects as well; so, group teaching, projects, and new teaching methods are favoured. Due once again to limited financial resources, however, there are plans to shorten study time and thus reduce individual teaching so much that it would be offered only for adolescents starting at age twelve. Many teachers are opposing the proposal since it will be extremely difficult to teach and learn to play musical instruments if tuition is offered only in large groups for a very limited time.[44]

The right *to* something, to music education for example, is called "positive freedom." In contrast, "negative freedom" is freedom *from* something such as from state intervention that diminishes individual rights.[45] Music education comprises both these dimensions. Negative freedom, the freedom from undue imposition of state authorities, maximizes freedom of choice of the musics studied and allows music teachers to decide content and aims by taking individual needs of pupils into account. This kind of freedom is important

from a pedagogical perspective. Moreover, without positive freedom, namely appropriate conditions and funding secured for the arts, we may lose almost everything that, in practice, supports education in music and other arts, as well as people's opportunities to take part in these activities.[46]

Teaching Music – Expertise for Instruction or Dialog?

Communicative rationality in terms of "ideal speech situations" is inherently a democratic approach to reaching "truth" and forms the basis of our aim to clarify the importance of music education for the promotion of democracy in society. The tradition of a teacher *instructing* pupils is replaced in this proposed model by the notion of a teacher who *engages* with pupils and facilitates their learning through dialog. For critics of Habermasian communicative rationality as dialog between equal partners, the teacher is the expert in comparison to the knowledge and skills of the pupils. However, this expertise need not prevent a pedagogy based on communicative action since expertise can be used pedagogically in a communicative rationality model in several ways.[47] For example, the Helsinki Philharmonic decided some years ago to become the godparent of all the babies born in 2000 in Helsinki. Thus, it invites these children to special concerts and happenings and offers them opportunities to become familiar with the orchestra's instruments and musicians. The Finnish National Opera cooperates with schoolchildren, and several workshops on composing have been arranged by professional composers for children in music schools. In such projects, the atmosphere is communicative and supportive in using expertise in music to promote a lifelong interest in music.

There is always a danger of overemphasising the positive connections between the arts subjects and general virtues and educational aims such good grades or law-abiding conduct. In analysing this danger, Lars Lindström divides the term "knowledge" into knowledge "about" and knowledge "in" the arts. Knowledge "about" is related to the public (e.g. listeners), whereas knowledge "in" is connected to the actor (e.g. making music). He has found no evidence that education "about" *or* "in" the arts *as presently taught* has transfer effects, which in education typically refer to transfer of cognitive, social benefits (etc.) gained in music studies to other studies, to brain development, to social development, or even to transfer from "school music" to music *in life* outside school and after graduation. Arts

education may sometimes produce transfer effects solely due to fortunate circumstances rather than as a controlled effort.[48]

Lindström's argument against general transfer has to be taken seriously: there is no direct connection between music and moral behaviour, for example. The Nazis were not morally better people after they had listened to Beethoven's string quartets. It is also naïve to claim that people would become more intelligent, happier, or more responsible if they were offered more music lessons at school. Several researchers have stressed the positive transfer effects of music studies (e.g. Maria Spychiger[49]) but even so, the claim that music has so-called 'instrumental' or 'practical' values for life seems to be an argument based more on faith than on unequivocal evidence.

Music-making should always be accompanied with practical music discourse, in which the best musical and verbal arguments are allowed to be the principal themes. Music teachers, professional musicians, and well-known soloists, connoisseurs, and scholars need to be considered as equal members with everyone else in such discussions. Nonetheless, everyone has the same right to take part in the musical process, just as everyone has the right to participate in the process of deliberative democracy. This means that music teachers should stress the importance of the dialogical aspects of the pedagogical and the musical process in making and creating music.

In a Habermasian-inspired fashion, this means that children and teachers discuss the repertoire chosen, the aims, and so on, in ways that aim at promoting understanding between all involved. Mutual understanding and respect can be developed through music by allowing pupils more freedom to reflect on matters happening in their classes and rehearsals and by encouraging such reflection. This is a challenge for music teacher-education which, therefore, needs to promote new pedagogies where music teachers act more like mentors and guides than conductors or dictators. It is our view that music is one of the school subjects most closely connected to the process of deliberative democracy, if not the most important one.

CONCLUSIONS

In this essay, we have explored aspects of music education in two Nordic countries, Finland and Sweden. Estelle Jorgensen describes the relationship between music education and society as follows:

> As a microcosm of general education, music education provides a window into what happens in education generally. It also can be an agent for change not only in education but also in the wider society. The arts are important ingredients of cultural life, and education fundamentally involves the transmission and transformation of culture. This link has been recognized since ancient times, and the idea has persisted to our day. As a means of enculturation, education is fundamentally about the arts.[50]

The most significant difference between these countries is the Finnish legislation governing basic arts education that regulates voluntary music education offered by state-supported music schools. In Sweden, voluntary music education is dependant on local decision-making, funding, and politics. In both countries, closer relations between voluntary and compulsory music education would be fruitful. Cooperation could be manifested, firstly, through the use of teaching methods that could become more closely and innovatively related to each other. Secondly, stronger stimulation and motivation could be provided for those musically especially interested pupils (who study and practice music outside school) to take an active part also in school music. Finally, stronger organizational cooperation, financially and practically, would maximize results for students and society.

We have suggested that the aims and duties of music educators should include promoting an education in deliberative democracy. The implementation of this aim is not straightforward: there are no automatic connections between the procedural conditions of deliberative democracy and music education. Deep knowledge of music teaching methods, especially of music pedagogy, is needed. Teacher preparation, as well as ongoing education for in-service teachers, will be crucial.

Finally, we stress the importance of music education in the furthering of democracy in a nation. Our aim in this paper was to give arguments in support of our claim in the spirit of communicative rationality.

Notes

[1] We would like to express our sincere thanks to all those readers who kindly commented on the drafts of this paper. This article is part of research project #209507, funded by the Academy of Finland.

[2] The authors are specialized in music sociology, law, and music education; see Stephan Bladh, *Musiklärare – i utbildning och yrke. En longitudinell studie av musiklärare i Sverige* [Music teachers – in training and at work: A longitudinal study of music teachers in Sweden] (Göteborg: Göteborgs universitet, 2002); Marja Heimonen, *Music Education and Law. Regulation as an Instrument* (Helsinki: Sibelius Academy, 2002).
[3] Herein, voluntary music education refers to music education offered by music and arts schools (in Sweden, sometimes called "culture schools") in Sweden, and music schools in Finland. These schools are publicly financed. See Heimonen, *Music Education and Law. Regulation as an Instrument*, 26.
[4] Zygmunt Bauman, *Culture as Praxis* (London: Sage 2000 [1973]), 43, 61, 63, 65, 83, 94, 95, 114; Raimo Tuomela, *The Philosophy of Social Practices. A Collective Acceptance View* (Cambridge: Cambridge University Press, 2002), 122–123.
[5] Jürgen Habermas, *The Theory of Communicative Action. Volume two. Lifeworld and System: A Critique of Functionalist Reason.* Translated by Thomas McCarthy (Boston: Beacon Press, 1985), 117–118; Bladh, Musiklärare – *i utbildning och yrke. En longitudinell studie av musiklärare i Sverige* [Music teachers – in training and at work: A longitudinal study of music teachers in Sweden]. As an institution, the law is part of the lifeworld linked to morality; but, as a medium, it is just like the political and economic systems. Habermas also argues that modern law is situated between the lifeworld and the system; see Matthieu Deflem, "Law in Habermas's theory" in Matthieu Deflem, ed., *Habermas, Modernity and Law* (London: Sage Publications, 1996), 11.
[6] Aristotle, "Politics" in Jonathan Barnes, ed., *The Complete Works of Aristotle*. The revised Oxford translation, Volume two (Princeton, New Jersey USA & Guilford, Surrey: Princeton University Press, 1984); Stanford Encyclopedia of Aristotle's Political Theory (http://plato.stanford.edu/entries/aristotle-politics/); Jürgen Habermas, *Theory and Practice*. John Viertel, trans. (London: Heinemann, 1974), 42.
[7] See, for more, Jürgen Habermas, *Justification and Application. Remarks on Discourse Ethics*. Trans. by Ciaran P. Cronin (Great Britain & U.S.A.: Polity Press, 1993).
[8] Jürgen Habermas, *Diskurs, rätt och demokrati*. Trans. by Lindén, T., Molander, A. & Ramsay, A. (Göteborg: Bokförlaget Daidalos, 1995) [Original: *Faktizität und Geltung.* Frankfurt: Suhrkamp, 1992] [In English:.*Between Facts and Norms: Contributions to a discourse theory of law and democracy.* Cambridge, Massachusetts: The MIT Press, 1996]; Habermas, *Kommunikativt handlande. Texter om språk, rationalitet och samhälle.* Andra upplagan (Göteborg: Daidalos, 1996) / Habermas, *The Theory of Communicative Action, 2 volumes* (Cambridge: Polity Press, 1981 & 1984); Bladh, *Musiklärare – i utbildning och yrke. En longitudinell studie av musiklärare i Sverige* [Music teachers – in training and at work: A longitudinal study of music teachers in Sweden].

[9] Seyla Benhabib, *The Claims of Culture. Equality and Diversity in the Global Era* (Princeton and Oxford: Princeton University Press, 2002), 114–122. See also Bernhard Peters, "On reconstructive legal and political theory" in Mathieu Deflem, ed., *Habermas, Modernity and Law* (London: Sage Publications, 1996), 111.
[10] See Christer Bouij and Stephan Bladh, "Grundläggande normer och värderingar i och omkring musiklåraryrket – deras konstruktioner och konsekvenser: ett forskningsprojekt" [Basic Norms and Values in and around Music Teacher profession – their construction and consequences], *Tidskrift för lärarutbildning och forskning* 2 (2003), 39–58; Bladh, *Musiklärare – i utbildning och yrke. En longitudinell studie av musiklärare i Sverige* [Music

teachers – in training and at work: A longitudinal study of music teachers in Sweden], 270; Habermas, *Kommunikativt handlande. Texter om språk, rationalitet och samhälle* [The Theory of Communicative Action], 131; Habermas, *The Theory of Communicative Action. Volume Two. Lifeworld and System: A Critique of Functionalist Reason*, 138; Carl Cassegård, "Livsvärldens rationalisering och studiet av partikularism" [The Rationalisation of the lifeworld and the study of particularism], *Sociologisk Forskning* 3 (1997); Troels Norager, *System och livsverden. Habermas' konstruktion af det moderne* [System and Lifeworld. Habermas' Construction of the Modern] 1:a utg., 6:3 uppl. (Aarhus: Forlaget ANIS, 1998), 146.
[11] Bladh, *Musiklärare – i utbildning och yrke. En longitudinell studie av musiklärare i Sverige* [Music teachers – in training and at work: A longitudinal study of music teachers in Sweden], 329.
[12] *Ibid.*
[13] *Ibid.*
[14] The Swedish research project on music teachers is conducted by Christer Bouij and Stephan Bladh. See Bouij and Bladh, "Grundläggande normer och värderingar i och omkring musikläraryrket – deras konstruktioner och konsekvenser: ett forskningsprojekt" [Basic Norms and Values in and around Music Teacher profession – their construction and consequences], *Tidskrift för lärarutbildning och forskning* 2 (2003), 39–58,
[15] Bouij and Bladh, "Grundläggande normer och värderingar i och omkring musikläraryrket – deras konstruktioner och konsekvenser: ett forskningsprojekt" [Basic Norms and Values in and around Music Teacher profession – their construction and consequences], 39–58.
[16] Benhabib, *The Claims of Culture. Equality and Diversity in the Global Era*, 11; Kaarlo Tuori, "Sovittelu ja refleksiivinen oikeus" [Arbitration and reflexive law], *Oikeus* 4 (1991), 367.
[17] Benhabib, *The Claims of Culture. Equality and Diversity in the Global Era*, 12–13.
[18] *Ibid.*, 14.
[19] *Skollag* 1985:1100 (1 kap. §§ 1, 2) [School Act of Sweden].
[20] *Skollag* 1985: 1100 [School Act of Sweden]; *The Constitution of Finland* § 13; *The Education System of Finland 2001*, Prepared by Eyridice Finland for Eurybase Database. National Board of Education (Helsinki: Hakapaino, 2001), 18.
[21] *SKOLFS* 1994: 1 (*Skollag)* [School Act and the Decree governing the curriculum for obligatory education in Sweden]
[22] *SKOLFS* 1994:1, § 1, § 3 [School Act and the Decree of Sweden]; *SRF* 1435/01, § 2, § 3 [Government Decree on the General National Objectives and Distribution of lesson hours in Basic Education Referred to in the Basic Education Act of Finland]. See also the National Core Curriculum for basic education (intended for pupils in comprehensive schools) by the Finnish National Board of Education, 2004 (Vammala: Vammalan Kirjapaino, 2004); http://www.oph.fi/english.
[23] *Ibid.*
[24] *Ibid.*
[25] Finnish National Board of Education: National Core Curriculum for Basic Education 2004, 12, 229.
[26] *Statens offentliga utredningar* (SOU 1999:129) *Demokratins estetik*, Demokratiutredningens forskarvolym IV.
[27] Ulf Hannerz, "Stockholm: Doubly creolizing" in Åke Daun, Billy Ehn, & Barbro Klein, eds., *To make the world safe for diversity: toward an understanding of multicultural societies*

(Stockholm: Invandrarminnesarkivet, 1992), 98. C.f., *Statens offentliga utredningar (1999) Civilsamhället*, Demokratiutredningens forskarvolym VIII.

[28] Mirja Aro & Anja Salmenhaara, *Harrastajaopistosta konservatorioksi* [From an amateur insitute to a Conservatory]. Helsingin Kansankonservatorion Säätiö (Lahti: Lahden kirjapaino ja Sanomalehti, 1972), 58–63; *Otavan iso tietosanakirja, osa 5* [Otava large Encyclopedia] (Keuruu: Otava, 1979), 421, 621; Heimonen, "The development of Finnish music schools: A legal perspective" in Frede V. Nielsen and Siw Graabraek Nielsen, eds., *Nordisk musikkpedagogisk forskning Årbok 7* (2004), 117–131.

[29] Veikko Helasvuo, "Musiikkioppilaitokset ovat oppilaita varten" [Music schools are for pupils], *Rondo* 4 (1983), 12–15.

[30] Pekka Vapaavuori, "Onko musiikkioppilaitosjärjestelmämme oikeilla raiteilla?" [Is our music school system on the right rails?], *Rondo* 1 (1989), 22; Anu Karlson: "Hyvä opetus herättää rakkauden musiikkiin" [Good teaching awakens a love of music], Rondo 7 (1999), 35; Harri Kuusisaari, "Oikeus harrastaa, osa 3" [The right to have a hobby, part 3], *Rondo* 7 (2001), 5.

[31] *Sivistysvaliokunnan mietintö n:o 1/1992 vp. hallituksen esityksen johdosta laeiksi taiteen perusopetuksesta* [Report of the Parliamentary Education Committee 1/1992}.

[32] Opetushallitus, *Taiteen perusopetuksen musiikin laajan(2002) / yleisen (2005) oppimäärän opetussuunnitelman perusteet* [Finnish National Board of Education, Core Curriculum for Basic Arts Education, extensive / general study course in music) (Helsinki: Edita Prima); www.oph.fi. See, for more information, Basic Arts Education Act (633/98); Marja Heimonen, "The Finnish Music Schools and the role of government funding", *Finnish Music Quarterly* (in press).

[33] Research on music-school studies and teachers, e.g. Ulla-Britta Broman-Kananan, *På klassrummets tröskel. Om att vara lärare i musikläroinrättningarnas brytningstid* [On the Threshold of the Classroom – On Being a Teacher during the Transition Period of Music Schools] Studia Musica 24 (Helsinki: Sibelius Academy, 2005); Kaija Huhtanen, *Pianistista soitonopettajaksi. Tarinat naisten kokemusten merkityksellistäjinä.* [A Pianist Becoming a Piano Teacher. Narratives Giving Meaning to the Experiences of Women] Studia Musica 22 (Helsinki: Sibelius Academy, 2004); Annu Tuovila, "*Mä soitan ihan omasta ilosta": pitkittäinen tutkimus 7–13-vuotiaiden lasten musiikin harjoittamisesta ja musiikkiopisto-opiskelusta.* ["I Play Entirely for My Own Joy!": A longitudinal study on music making and music school studies of 7 to 13-year-old children] Studia Musica 18 (Helsinki: Sibelius Academy, 2003); Erja Kosonen, *Mitä mieltä on pianonsoitossa? 13–15-vuotiaiden pianonsoittajien kokemuksia musiikkiharrastuksestaan.* [What is the point in piano playing? Experiences of 13–15-year old piano players] Jyväskylä studies in the arts (Jyväskylä: Jyväskylä University, 2001). See more about reforms affecting Finnish music schools, http://www.musicedu.fi.

[34] See Torgil Persson, *Den kommunala musikskolans framväxt och turbulenta 90-tal. En studie av musikskolorna i Mörbylånga, Tranås, Kiruna och Borås*. [The growth and turbulent 1990s of the municipal music schools. A study of music schools in Mörbylånga,Tranås, Kiruna and Borås] (Göteborgs universitet: Institutionen för musikvetenskap, 2001).

[35] See, e.g. the publications of the Association of Swedish municipalities, *Den kommunala musikskolan* [The municipal music school] (Stockholm: Roselundstryckeriet, 1976); *Den kommunala musikskolan: en resurs i kulturlivet* [The municipal music school: A resource in cultural life] (Stockholm: Svenska Kommunförbundet, 1984).

[36] Sven Nilsson, *New Directions. Transforming the Stockholm School of the Arts* (Stockholm, Katarina Tryck, 2006), 76; Heimonen, *Music Education and Law: Regulation as an Instrument,* 53.
[37] Heimonen, *Music Education and Law: Regulation as an Instrument*, 43; Lisa Abrahamsson, "Lång kö till musikskolan" [A long queue to music school], *Västerbottenskurien* (10 August 1998); Barbro Ahlqvist, "Lagstifta om musikskolan" [Legislation governing music school], *Dagens Nyheter* (17 June 1992).
[38] The same kinds of decisions were made in Arjeplog, Åtvidaberg and Karlsborg. Almost all Swedish municipalities have been obliged to reduce their financial support to music schools. At the same time, student fees have increased.
[39] Rune Premfors, *Den starka demokratin* [The Strong Democracy] (Stockholm: Atlas, 2000), 36; Premfors writes in his *Den starka demokratin* ["The Strong Democracy"] that "fast democracy" is regarded as an anti-deliberative model.
[40] Heimonen, Music Education and Law. Regulation as an Instrument", *Philosophy of Music Education Review* Vol. 11 Number 2 (Fall 2003), 170–184.
[41] See, e.g. Bladh, *Musiklärare – i utbildning och yrke. En longitudinell studie av musiklärare i Sverige* [Music teachers – in training and at work: A longitudinal study of music teachers in Sweden], 138; Bouij and Bladh, "Grundläggande normer och värderingar i och omkring musikläraryrket – deras konstruktioner och konsekvenser: ett forskningsprojekt" [Basic Norms and Values in and around Music Teacher profession – their construction and consequences], 39–40; Teemu Luukka, "Taideopiskelijat lähtevät barrikadeille koulujen taideaineiden puolesta" [Arts students leave for the barricades in support of schools' arts subjects], *Helsingin Sanomat* 23 March 2006.
[42] See, e.g. Bengt Olsson, "Musikundervisning i fara?" [Music teaching in danger?], *Musikläraren* 1 (2004), 4–6; SMoK, Sveriges Musik- och Kulturskoleråd, "De kommunala musikskolornas framtid?" [The future of municipal music schools?], *Musikläraren* 1 (2004), 6; Raimo Siltala, Response to Marja Heimonen, "Music Education and Law: Regulation as an Instrument", *Philosophy of Music Education Review* Vol. 11 Number 2 (Fall 2003), 192.

[43] Jorgensen, "Western Classical Music and General Education", *Philosophy of Music Education Review* Vol. 11 Number 2 (Fall 2003), 134.
[44] Sven Nilsson, *New Directions. Transforming the Stockholm School of the Arts*, 36, 82–84, 125; Heimonen, *Music Education and Law: Regulation as an Instrument*, 50; Örebrovisionen antagen av kommunstyrelsen [The Vision of Örebro by the local government], www.orebro.se (December 2000).
[45] Isaiah Berlin, *Four Essays on Liberty* (Oxford: Oxford University Press, 1969).
[46] Berlin, *Four Essays on Liberty*; Heimonen, *Music Education and Law. Regulation as an Instrument.*
[47] See, e.g. the arts projects of the Project Zero (founded by the philosopher Nelson Goodman) involving collaborators in schools, universities and museums all over the world. Http://www.pz.harvard.edu/Research/ResearchArts.htm
[48] Lars Lindström, "Att lära genom konsten. En forskningsöversikt" in Madeleine Hjort, Åsa Unander-Scharin, Christer Wiklund & Lennart Åkman, eds., *Kilskrift. Om konstarter och matematik i lärandet. En antologi* ["To learn through art. An overview", in About arts and mathematics in the learning process] (Stockholm: Carlssons bokförlag, 2002).

[49] E.g. the so-called "Mozart Effect", with its claims to improving the brain's thinking and learning ability, is an example of general transfer claims that is strong, though strongly

argued against, in some scientific and philosophical circles. See, also, Maria Spychiger, "Music Education is Important – Why?" in Georg Matell & Töres Theorell eds., *Musikens roll i barns utveckling* (Stockholm: Institutet för psykosocial medicin, 2001), 111.
[50] Jorgensen, *Transforming Music Education*, xiii.

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