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Unearthing organic ideology in population health interventions: the case of water fluoridation provision in the Health and Care Act 2022

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ABSTRACT

Departing from Keith Syrett's article in this issue, this commentary critically considers the place of organic ideology in population health interventions, using water fluoridation provisions contained in the Health and Care Act 2022 as an example. It demonstrates that liberal capitalist and neoliberal capitalist conceptions of the state as protector ground these provisions and, in so doing, it shows that population health interventions must be grounded in resonant politico-philosophical ideas prior to considerations around the opening of a policy window. This comment concludes by noting the need for further work to grasp the positive and negative role of appealing to organic ideology in public health law, regulation and policy.

Keywords: population health; water fluoridation; organic ideology; liberalism; neoliberalism.

INTRODUCTION

Some years ago, Lawrence O Gostin stated that 'the public health community takes it as an act of faith that health must be society's overarching value. Yet politicians do not always see it that way, expressing preferences, say, for highways, energy, and the military.'[1] Today, however, as Keith Syrett explores in his article,[2] the Covid-19 pandemic has drawn politicians' attention to the value of population health interventions. Syrett demonstrates that the metaphorical policy window has been opened to population health interventions; how long this window can remain open is a matter of question, and he is surely correct to advise that grasping the disorder and contingency

1 Lawrence O Gostin, *Public Health Law: Power, Duty* (University of California Press 2008) 36.

2 Keith Syrett, 'Something in the water: opening the public health law policy window for fluoridation?' (2024) 74(4) Northern Ireland Legal Quarterly 664–688.

of the policy-making process is necessary to fully appreciate the ways that such interventions come to be received (and renounced).

In this commentary, I depart from Syrett's analysis in an effort to unearth one element of the politico-philosophical foundation of population health interventions – that of the state as protector – using the provision on water fluoridation in England contained in the Health and Care Act 2022 as an example. In so doing, I demonstrate that population health policy must be grounded in resonant politico-philosophical ideas prior to considerations around the opening of a policy window. To do this, I employ the Gramscian concept of organic ideology as a lens through which to analyse the aforementioned foundation. The utility of this Gramscian concept is that it facilitates a politico-philosophical understanding of policy and, therefore, the revelation of this pre-analytical assumption in the opening of the policy window.

First, I move to explain the Gramscian idea of organic ideology. At this juncture, it should be noted that Gramscian theory is not an undisputed *dictum*;[3] my reading and iteration of Gramsci's work here is one that is useful to this commentary rather than an exploration of the various interpretations. Following this, I consider the population health intervention of water fluoridation in England as contained in the Health and Care Act 2022 in relation to organic ideology. Following the logic of organic ideology, I suggest that it is self-evident that population health interventions should be founded in liberal capitalist ideas, but rhetoric around the measures on water fluoridation in the Act point to a contrary politico-philosophical underpinning. I review the measures and rhetoric against the idea of the state as protector – in its still prescient liberal capitalist articulation and in its reformulation in the *neo*liberal paradigm. I conclude this comment with a brief remark on the utility of using the ideological element of the state as protector to drive population health interventions.

3 Compare, for example: Christine Buci-Glucksmann, *Gramsci and the State*, David Fernbach (tr) (Lawrence & Wishart 1980); Perry Anderson, *The Antinomies of Antonio Gramsci* (Verso 2017).

ORGANIC IDEOLOGY: A GRAMSCIAN LENS

Hegemony is often cited as the cornerstone of Gramscian theory and can be thought of as the central concept to which all other Gramscian concepts stand in relation.[4] Briefly, hegemony describes the idea of 'a common material and meaningful framework for living through, talking about, and acting upon social orders'.[5] Organic ideology is a major component of hegemony – it is the ensemble of ideas from the various elements of society that come together to form a single, unified worldview through which people exercise thought, live and struggle; hence, it is 'organic'. These ideas – hereafter referred to as elements of organic ideology – do not possess class characteristics in and of themselves. Rather, it is through their articulation to a hegemonic principle that the elements come together and acquire class characteristics. Herein lies the malleability of organic ideology: ideology is not posited in an epiphenomenal or reductionist fashion, instead, organic ideology is formed from various elements that are carried from previous paradigms, co-opted from subordinate classes, and continually reformulated in the struggle for hegemony. Gramsci exemplifies this by explaining that the feudal classes have become economically absorbed into the capitalist class but retain their social and cultural characteristics.[6] Organic ideology is therefore not simply the dominance of a particular class's ideas, but an

> intellectual and moral direction exercised by a fundamental class in a hegemonic system [that] consists in providing the articulating principle of the common world-view, the value system to which the ideological elements coming from the other groups will be articulated in order to form a unified ideological system, that is to say an organic ideology.[7]

People become aware of the class nature acquired by elements of ideology when hegemonic principles conflict, hence Gramsci refers to organic ideology as 'the terrain on which men move, acquire

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4 Thomas R Bates, 'Gramsci and the theory of hegemony' (1975) 36 Journal of the History of Ideas 351; John Hoffman, *The Gramscian Challenge: Coercion and Consent in Marxist Political Theory* (Blackwell 1984); Joseph A Woolcock, 'Politics, ideology, and hegemony in Gramsci's theory' (1985) 34 Social and Economic Studies 199; Joseph V Femia, *Gramsci's Political Thought: Hegemony, Consciousness and the Revolutionary Process* (Clarendon 1987).

5 William Roseberry, 'Hegemony and the language of contention' in Gilbert M Joseph and Daniel Nugent (eds), *Everyday Forms of State Formation: Revolution and the Negotiation of Rule in Modern Mexico* (Duke University Press 1994) 361.

6 Antonio Gramsci, S*elections from Prison Notebooks of Antonio Gramsci*, Quintin Hoare and Geoffrey Nowell-Smith (trs) (Lawrence & Wishart 2003) 269–270.

7 Chantal Mouffe, 'Hegemony and ideology in Gramsci' in Chantal Mouffe (ed), *Gramsci and Marxist Theory* (Routledge & Kegan Paul 1979) 193.

consciousness of their position, struggle etc'.[8] Though this appears to be highly abstract, he explains that people reflect on ideology as 'the diffuse, uncoordinated features of a generic form of thought common to a particular period and a particular popular movement'.[9] People also encounter the materialisation of organic ideology in everyday life, for it is 'a conception of the world that is implicitly manifest in art, in law, in economic activity and in all manifestations of individual and collective life'.[10] These materialisations are superstructural components that Gramsci labels the 'hegemonic apparatus, in so far as it creates a new ideological terrain, determines a reform of consciousness and of methods of knowledge'[11] – they are therefore 'the instruments for the exercise of hegemony'.[12] It is important for any Marxist analysis to be mindful that 'ideologies would be individual fancies without the material forces'.[13]

UNEARTHING ORGANIC IDEOLOGY IN THE WATER FLUORIDATION PROVISIONS CONTAINED IN THE HEALTH AND CARE ACT 2022

Given the pervasiveness of liberal capitalism, it follows, from a Gramscian perspective, that population health interventions should be founded in liberal capitalist organic ideology, yet this association is not immediately apparent. Outwardly, such interventions seem to be a collectivist undertaking that are juxtaposed to common understandings of liberal capitalist philosophy since they confer power to the state and restrict individual freedom of choice. Indeed, in the case of water fluoridation measures provisions contained in the Health and Care Act 2022,[14] power is pointedly shifted away from English local authorities to the Secretary of State for Health and Social Care in Westminster and central government assumes responsibility for funding water fluoridation provision (though, as explained by Syrett, this can be disapplied). Furthermore, the rhetoric in the government-published factsheet on fluoridation[15] and the White Paper[16] that

8 Gramsci (n 6 above) 377.
9 Ibid 330.
10 Ibid 328.
11 Ibid 365.
12 Woolcock (n 4 above) 206.
13 Gramsci (n 6 above) 365.
14 Ss 175, 176.
15 Department of Health and Social Care, 'Integration and innovation: working together to improve health and social care for all' (2021).
16 Department of Health and Social Care, 'Health and Care Bill: water fluoridation' (2021).

preceded the Health and Care Bill drew on ideas around government responsibility for population health following the pandemic: both stated that 'our experience of the pandemic underlines the importance of a population health approach'. As Syrett notes in his article, Boris Johnson, former Prime Minister and ideologue of the liberal capitalist state, has previously criticised a population health approach on the grounds it amounts to a 'nanny-state'.[17] Whilst, as Syrett has also observed, Johnson has since come to adopt a more sympathetic attitude to population health interventions,[18] Johnson's reasoning is more akin to what John Coggon refers to as 'the face of public health as a political tool'[19] than a reformulation of the elements of organic ideology. So, it remains unclear that population health intervention on water fluoridation is founded in liberal capitalist organic ideology.

Still, it was claimed that liberal capitalist organic ideology 'is implicitly manifest in art, in law, in economic activity and in all manifestations of individual and collective life'[20] and, for this statement to hold, it must be unearthed from the measures contained in the Health and Care Act 2022. To unpack the role of organic ideology, it is essential to first consider the motivation for water fluoridation. Syrett specifies the public health benefits of water fluoridation in his article, but they can be summarised by reciting the words of the former Secretary of State for Health and Social Care, Matt Hancock: 'water fluoridation … will improve the health of the nation'.[21]

This desire to improve health outcomes subtly draws on liberal capitalist organic ideology, namely, the ideological element of the state as protector. First, this element should be briefly traced historically. The state as protector is found initially in Roman political philosophy; the Romans established public authorities to deal with common concerns of society in a manner that is akin to the state as protector.[22] The idea is later reencountered in foundational liberal texts[23] – themselves derived from the authors' reception of Roman sources – in which it is

17 See, for example: G Rayner, 'Boris Johnson aims to put an end to the "nanny state" and its "sin taxes" on food' *The Telegraph* (London 3 July 2019).

18 See S Lister, 'Boris Johnson: "My health wake-up call – and why it's a wake-up call for the WHOLE of Britain"' *Daily Express* (London 27 July 2020).

19 John Coggon, *What Makes Health Public? A Critical Evaluation of Moral, Legal, and Political Claims in Public Health* (Cambridge University Press 2012) 48–52.

20 Gramsci (n 6 above) 328.

21 Matt Hancock, quoted in G Lowery and S Bunn, 'Rapid response: water fluoridation and dental health' (*POST* 24 August 2021).

22 For a detailed discussion, see Raymond Geuss, *Public Goods, Private Goods* (Princeton University Press 2009).

23 See, for example, Thomas Hobbes, *Leviathan*, John Charles Addison Gaskin (ed) (Oxford University Press 1998); Jean-Jacques Rousseau, *The Social Contract*, George Douglas Howard Cole et al (eds), new edn (Dent 1993).

envisioned that individuals cede power to a sovereign (that is, a state) for protection from the so-called 'state of nature'. Work has already been done to establish how the state as protector has historically been extended to matters of public health, for instance:

> the policing functions of societies were directed towards enforcing general rules of hygiene, such as the water supply and the cleanliness of the streets. The notion of the state as protector of the people, in exchange for the relinquishing of certain rights on the part of its citizens – the 'social contract' – lay behind the concept of the medical police.[24]

The motivation for the measures on fluoridation is founded on a similar belief: individuals cede rights to the state for protection from population health threats. Whilst this element is not uniquely liberal and/or capitalist, since its roots are in Roman thought, its presence in the population health intervention on water fluoridation can be said to founded on a core politico-philosophical element of liberal capitalism. Employing Gramscian phraseology, it is possible to refer to the state as protector as an ideological element that has been reformulated around the liberal capitalist articulating principle.

Turning to the specific provisions on water fluoridation contained in the Health and Care Act 2022 and the precisely *neo*liberal capitalist paradigm, a reformulation of the ideological element of the state as protector is apparent. As Syrett details,[25] the rationale for the power-conferring legislation discussed earlier includes discrepancies around the boundaries of water companies and the boundaries of local authorities that made the previous legislation ineffective, as well as problems related to costs and funding. In short, this legislation intends to make water fluoridation more efficient and more cost-effective. These intentions draw on a *neo*liberal capitalist state as protector. The *neo*liberal capitalist state as protector does not eliminate the salience of the state as protector as previously outlined – recall, organic ideology is formed from various elements that are carried from previous paradigms, co-opted from subordinate classes, and continually reformulated in the struggle for hegemony. Rather, this reformulation bounds the state as protector by a *neo*liberal (or 'market') logic, here realised as efficiency and cost-effectiveness. Hence, writing in different contexts, this reformulated ideological element has been labelled 'state

24 Deborah Lupton, *The Imperative of Health: Public Health and the Regulated Body* (Sage 1995) 24; for further discussion, see Dorothy Porter and Roy Porter, 'The enforcement of health: the British debate' in Elizabeth Fee and Daniel M Fox (eds), *AIDS: the Burdens of History* (University of California Press 1988) 99–113.

25 Syrett (n 2 above).

as protector of private property'[26] and 'state as protector of private persons and property'.[27] In a similar vein, as part of a study on the social investment discourse by the European Commission, Francesco Laruffa concludes that

> the promotion of social policy under social investment is largely informed by logics that make this agenda compatible with the epistemological and distributive aspects of the neoliberal framework: the application of economic rationale and the cost-benefit logic to all domains of society.[28]

This liberal and *neo*liberal capitalist worldview is found too in the institutions of public health that can be characterised in Gramscian phraseology as components of the hegemonic apparatus. One such component is the Office for Health Improvement and Disparities (OHID), which is tasked by the Government to monitor and report annually on the health effects of people living in areas already covered by fluoridation schemes,[29] further serving to reinforce, unify and stabilise organic ideology. This is still more apparent when the Government uses the annual report on water fluoridation by the OHID to justify its fluoridation intervention[30] – here, recollect Gramsci's writing that the hegemonic apparatus 'creates a new ideological terrain, determines a reform of consciousness and of methods of knowledge'.[31] Finally, organic ideology is apparent in the advocation of population health measures. For instance, public health academics deploy the ideological element of the state as protector in asserting the Government's responsibility for health[32] and promote specific measures in language associated with the *neo*liberal state as protector[33] – this is an *appeal* to organic ideology that further emphasises the validity of the ideological element, the state as protector.

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26 Joanna Fax, 'Vulnerability as hegemony: revisiting Gramsci in the age of neoliberalism and tea party politics' (2012) 53(3) Culture, Theory and Critique 323, 324.

27 Brenda Chaflin, 'Cars, the customs service, and sumptuary rule in neoliberal Ghana' (2008) 50 Comparative Studies in Society and History 424, 447.

28 Francesco Laruffa, 'Studying the relationship between social policy promotion and neoliberalism: the case of social investment' (2022) 27(3) New Political Economy 473–489.

29 See, for example' OHID, 'Water fluoridation health monitoring report 2022' (OHID 21 March 2022)

30 See, for example' UK Government, 'New report confirms fluoridation can reduce tooth decay among children' (Press Release 21 March 2022).

31 Gramsci (n 6 above) 365.

32 Lawrence O Gostin et al, 'The Shibboleth of human rights in public health' (2020) 5 The Lancet Public Health e471.

33 See, for example: Lowrey and Bunn (n 21 above).

CONCLUSION

This commentary has sought to briefly draw out one element of the politico-philosophical foundation of population health interventions on water fluoridation using the Gramscian concept of organic ideology. It seems that this analysis can be extended from water fluoridation to population health interventions more broadly to assert that population health measures are founded in the liberal and *neo*liberal capitalist notion of state as protector. Syrett states that scholars should make use of the policy window metaphor to enhance future analysis of public health law and policy – I believe that they should also be mindful of the politico-philosophical underpinnings of public health law and policy.

The degree to which those of us interested in advancing population health should employ this ideological element is uncertain. On the one hand, it is clear from this analysis that an appeal to the state as protector can advance specific measures to improve population health. On the other hand, appealing to the state as protector has also been said to reinforce, unify and stabilise the liberal and *neo*liberal capitalist hegemony. It must be noted that this hegemony has been shown to have a detrimental impact on health.[34] Whilst further critical work is always required to understand and appreciate the effects of liberal capitalism on public health – the ways in which public health law, regulation and policy are limited, as well as the ways they are promoted – we must be willing to immediately recognise the political nature of an appeal to the state as protector. I do not have the space in this commentary to make a thoroughly reasoned comment on the utility (or lack thereof) of appealing to the current formulation of the state as protector, but I should conclude by rhetorically asking the public health community whether the short-term gain of individual measures on population health offsets the damage done to population health by liberal and *neo*liberal capitalist hegemony.

34 See, for example, Ronald Labonté and David Stuckler, 'The rise of neoliberalism: how bad economics imperils health and what to do about it' (2016) 70 Journal of Epidemiology and Community Health 312; Sudan K Sell and Owain D Williams, 'Health under capitalism: a global political economy of structural pathogenesis' (2019) 27(1) Review of International Political Economy 1.