

Discourses of Balance in the Corporate Political Strategies of Health Harming Industries: A Comparative Analysis of the Gambling and Opioid Industries

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Abstract

Previous studies of health harming industries have identified policy framing as a key component of corporate political strategy. According to these accounts commercial actors seek to frame policy problems and their solutions in ways amenable to their underlying commercial interests. Comparative analyses have identified a high degree of similarity between the political strategies employed by health harming industries (e.g. tobacco, alcohol, hyper-processed food and sugar, sweetened beverages). This includes similarities in the narratives employed by industry actors seeking to oppose public health regulations that affect their commercial interests, to promote alternative, business-friendly policy responses and to position themselves as legitimate stakeholders in the policy-making process. This paper seeks to examine the use of a specific concept in the policy discourses of two further health harming industries: the pharmaceutical industry implicated in the current prescription opioid crisis in the United States and elsewhere, and the UK gambling industry, whose products and practices are associated with a serious, but largely neglected, series of harms. It examines how the concept of ‘balance’ is employed by these industries to shape understandings of the social and policy problems associated with their products and to promote their favoured regulatory responses to these.

The idea of ‘balance’ serves to present partial, industry interests as objective concerns which must necessarily be taken into account by policy makers, conferring on these the same status, and political importance, as wider public interests and health concerns. It is a rhetorical strategy that portrays policy making as a technocratic, ‘weighing’ exercise designed to achieve an equilibrium among an already given set of effects or interests. Its effect is to mask over the fundamentally political nature of how policy problems are constructed, and how legitimate policy actors and interests are defined and prioritised. While the commercial impact of policy proposals are relevant considerations for decision-makers, it is not self-evident that industry interests should be afforded such prominence in health policy making or, as the concept of balance implies, given similar weighting as other outcomes and objectives such as health protection. Rather, the idea that a balance should be struck between these often conflicting objectives is the result of political and historical processes, which the discursive strategies of commercial actors are designed to influence. Our analysis draws on post-structuralist discourse theory to argue that the

depoliticization of the policy process and objectivization of the policy space through these strategies— in ways that obscure its contingent and political nature – through discourses of ‘balance’ is itself an arch political act. In engaging with this topic we extend previous research agenda on the ‘framing’ strategies of health-harming industries to examine the use of specific rhetorical tropes and concepts. This brings a micro-level of analysis to supplement previous meso- and macro-level studies and frameworks. It provides a comparative analysis attempting to identify similarities and differences between the uses of this concept across commercial sectors, policy debates and regulatory contexts. Finally, the literature on metaphor provides a set of concepts which offer additional theoretically informed insight into how industry discourses circumscribe the terrain of policy debates in ways amenable to commercial interests.

Introduction

There is a growing body of literature on the political strategies of health-harming industries (HHIs) – such as the tobacco, alcohol, hyper-processed food and sugar-sweetened beverage sectors (Ulucanlar et al. 2023) within the wider field of commercial determinants of health (CDoH) research (Gilmore et al. 2023). Much of this research examines their efforts to influence policy making, including the production and use of evidence (Legg, Hatchard, and Gilmore 2021), to create and maintain regulatory environments favourable to their business interests, often at the expense of human health and environmental sustainability. Previous studies have identified policy framing as a key component of corporate political strategy (McCambridge, Mialon, and Hawkins 2018). According to these accounts commercial actors seek to frame policy problems and their solutions in ways amenable to their underlying commercial interests. At the same time their framings promote an image of industry actors as socially responsible corporate citizens able to self-regulate, thereby obviating the need for governmental intervention. The result is policy regimes which favour industry interests at the expense of public health since industry often reject the precautionary principle and their favoured measures tend to be those least supported by the associated independent research evidence. Comparative analyses have identified a high degree of similarity between the political strategies employed by health harming industries (e.g. tobacco, alcohol, hyper-processed food, sugar, sweetened beverages and gambling) (Ulucanlar et al. 2023). This includes similarities in the narratives employed by industry actors seeking to oppose public health regulations that affect their commercial interests, to promote alternative, business-friendly policy responses and to position themselves as inherently legitimate stakeholders in the policy making process. More recent studies have sought to reconceptualise these strategies through the lens of post-structuralist discourse theory, adding additional insights into both the structure and affective power of alcohol industry discourses (Hawkins and van Schalkwyk 2023).

However, less attention has been paid to the function of specific metaphors used by commercial political actors in a comparative perspective. Metaphors are a key component of language and the conceptual architectures through which we perceive and debate the world around us. They function by presenting or describing one entity or concept in terms of another (Thibodeau, Hendricks, and Boroditsky 2017). As such, they have three components: a *source* domain, whose features or properties are *mapped* onto a *target* domain, for example ‘summer vacation is *around the corner*’ or ‘his claims are *indefensible*’ (Thibodeau, Matlock, and Flusberg 2019). Metaphorical framing is inherently partial in nature, in that certain features or ways of conceptualising the target domain are foregrounded, while others are downplayed or concealed. In short, metaphor ‘provide coherent structure,’ through which we perceive social objects, processes and identities while ‘highlighting some things and hiding others’ in the process (Lakoff and Johnson 1980: p158). Research in the field of cognitive science demonstrates that metaphors shape how people reason or think about complex social issues (target domains) by characterising or describing them in terms of unrelated but more familiar and less complex source domains, highlighting the value of

studying metaphors and their effects in the context of health (and other public) policy debates (Thibodeau, Hendricks, and Boroditsky 2017). Similarly, a growing body of literature has focussed on the framing strategies of policy actors, including commercial entities, to influence decision-making processes and outcomes in health policy (McCambridge, Mialon, and Hawkins 2018; Koon, Hawkins, and Mayhew 2016). What has received less attention is the use of specific metaphors favourable to corporate political interests and how this affects health policy agendas.

This paper seeks to address this gap in understanding of the role of metaphor in corporate political strategies by examining the use of a specific metaphor – *balance* – in the policy discourses of two further HHIs in different policy contexts: the pharmaceutical industry implicated in the current prescription opioid crisis in the United States, and the UK gambling industry, whose products and practices are associated with a serious, but largely neglected, series of harms. It examines how the concept of balance is employed by these industries to shape understandings of the social and policy problems associated with their products and to promote their favoured regulatory responses to these. We conceptualise the balance metaphor as a political practice and investigate the rhetorical functions that it serves and the way it structures norms, ideas, policy problems and solutions in ways favourable to commercial actors. The article contributes not just a micro-level analysis of discursive-political strategies of HHIs, it adds to the wider literature on CDoH by contributing additional insights into two under-researched industries and responds to the need in this area for further comparative analysis. Finally, we hope this article will be of interest to scholars of public policy and the policy making process beyond health and seek to promote further research on the activities and effects of commercial political actors beyond the specific areas of policy examined here.

Policy discourse and the function of metaphor

The art of rhetoric and the use of metaphor were traditionally seen as creative performances and ornamental figures of speech. This line of thinking can be traced back as far as the work of the philosophers Plato and Aristotle (Moosavian 2015). From this perspective, rhetoric is conceptualised as a persuasive act employed to win over audiences, serving to mobilise support for a political cause or some underlying ‘truth’. This implies a hard distinction between accurate, factual and transparent language on the one hand and partisan, misleading, and/ or emotive language on the other, with clear assumptions about the normative and utilitarian primacy of the former over the latter in policy deliberations (Moosavian 2015). This position is closely associated with the still influential paradigm of ‘evidence-based’ policy making in public health and beyond, in which ‘politics’ is seen as the barrier to ‘truth’ within a rational and ostensibly ‘neutral’ process of resource allocation (Hawkins and Parkhurst 2016). Similar logics underpin discourses in which the use of regulatory impact assessments based on cost-benefit analysis are presented as means through which rational and objective policymaking can be achieved,

obscuring the array of value judgements involved in such processes (Smith et al. 2015; Patterson and Lee 1997).

In recent decades, a different understanding of metaphor and rhetoric has emerged in a number of fields, including critical policy studies, psychology and cognitive science (Lakoff and Johnson 1980; Howarth and Griggs 2006, 2015; Thibodeau, Hendricks, and Boroditsky 2017). In post-structural discourse theory, for example, metaphors are to be understood as constitutive in nature, creating understandings of the world and assigning meaning and significance to social phenomena (Howarth and Griggs 2015).

Metaphors are used to draw equivalences and build shared meanings, bracketing out differences, and thus forming policy coalitions while drawing political frontiers and excluding opponents. The creation and use of metaphors can, therefore, be seen as acts of power, as they promote particular ideas, norms and policy discourses, while excluding or backgrounding other possibilities. Metaphors can appeal to deeply held values and norms (such as fairness and freedom) and impart policy discourses with an emotive grip.

Poststructuralist scholars have used the concept of metaphor to describe and explain developments in specific policy debates. For example, in their analysis of dynamics in UK aviation policy, Howarth and Griggs (2006) examine how proponents of the aviation business and further airport expansion employed particular metaphors, ‘freedom to fly’ and ‘sustainable aviation’, to construct a discourse based on the notion that the apparent conflict between growth in the aviation sector and environmental sustainability could be resolved and differing objectives accommodated within a single policy agenda.

A key contribution to our understanding of the role of metaphor in human reasoning and discourse has occurred in the field of cognitive science with the development of conceptual metaphor theory (CMT) (Lakoff and Johnson 1980). In their seminal work, Lakoff and Johnson (1980) argue that ‘the way we think, what we experience, and what we do every day is very much a matter of metaphor’. This is based on three core theoretical claims: 1) that metaphors are grounded in our embodied, physical experience of the world, 2) that metaphors *reflect* or *mirror* human conceptual representations; and 3) that metaphors *shape* or *influence* how people reason about, or explain, the complex and often abstract phenomena that constitute social reality (Lakoff and Johnson 1980; Thibodeau, Matlock, and Flusberg 2019). Lakoff and Johnson (1980) explain that:

Because so many of the concepts that are important to us are either abstract or not clearly delineated in our experience (the emotions, ideas, time, etc.), we need to get a grasp on them by means of other concepts that we understand in clearer terms (spatial orientations, objects, etc.). This need leads to metaphorical definition in our conceptual system (p 131).

Recent decades have seen a number of further developments and responses to CMT based on experimental research on the functioning of metaphor (Thibodeau, Matlock, and Flusberg 2019).

Building on findings that metaphors enable people to gain insights into novel and abstract problems, Keefer and Landau (2016) explore the mechanism through which metaphors and analogies can impact judgement and reasoning in problem solving by rendering complex or unfamiliar situations more easily comprehensible through comparison with more familiar and concrete objects, settings and processes. Metaphors can be understood as lying along a continuum of conventionality (Keefer and Landau 2016; Thibodeau, Hendricks, and Boroditsky 2017). Similarly, while many metaphors are deeply sedimented and highly conventional the possibility for new metaphors to enter into our conceptual vocabulary exists through creative and political uses of language (Howarth and Griggs 2006; Lakoff and Johnson 1980; Larson 2011).

The specific metaphors and analogies applied shape the way in which people perceive the target problem in specific ways, leading them to favour specific solutions in keeping with the metaphorical framing. Moreover, these processes have important affective as well as purely cognitive aspects. Established metaphors often draw on emotionally powerful individual and collective experiences, deeply held social myths and ideologies meaning that they exert not only a powerful cognitive lens for viewing policy problems but may be difficult to challenge and reframe (Landau et al 2014; see also Thibodeau et al 2019). As Shaw and Nerlich (2015) describe, ‘metaphors give life to a particular narrative’, anchoring particular policy issues, such as climate change, ‘within familiar storylines’ and rendering such complex issues amenable to policymaking.

A key aspect of metaphor as it relates to our understanding of social issues and policy debates is that many of the most powerful and pervasive metaphors that structure our discourse are so conventional that many speakers will not even recognise them as such (Lakoff and Johnson 1980; Landau, Keefer, and Rothschild 2014; Shimko 1994; Larson 2011). In addition, Landau et al (2014) argue that the metaphors used to define issues may differ between different epistemic and policy communities with political gridlock emerging between groups employing incompatible metaphors to understand the object of contention. Landau et al (2014) provide evidence that the effect of metaphorical framings are in part moderated by an individual’s motivations for thinking about a given issue; namely, their desire or ‘epistemic motive’ to be certain, consistent or accurate. By highlighting the metaphorical, rather than literal, nature of policy discourses and their conceptualisation of the underlying policy problem may, therefore, serve to break policy gridlock and facilitate compromise, since coalition formation may require appeals to supporters identified with various different policy metaphors (Schlesinger and Lau 2000). This process is similar to Rein and Schoen’s (1994) analysis of incommensurable policy frames and the process of ‘frame reflection’ as a means of unlocking solutions to intractable policy problems.

Schlesinger and Lau (2000) find that exposure to specific metaphorical frames is more important in shaping perceptions of complex issues than political knowledge or ideology. Metaphorically imbued social institutions – ‘combinations of norms, practices, and organizational arrangement’s (Schlesinger and Lau 2000: p613; Nimmo and Combs 1980; Gamson 1992) – mediate our engagement with the world and provide a lens through which we can understand more complex social issues and policy problems. In other words, individuals reason and arrive at judgements on complex or novel policy issues through metaphorical association with more familiar, more accessible or more easily understood social institutions. Like all heuristic devices, metaphors act to frame our understanding of issues by (de)emphasising specific aspects and understandings of the issue with implications for decision making and attitude formation (Kahneman, Slovic, and Tversky 1982). Thus, the embedding of particular metaphorical framings as a dominant paradigm through which an issue or process comes to be assessed, explained and acted upon can foreclose other markedly different ways of thinking with considerable consequences for public policy making (Lakoff 1991; Shimko 1994; Larson 2011).

Thibodeau and Boroditsky (2011) identify how different metaphors used to describe social issues like crime affect respondent’s views about the appropriate policy response to address this. Identifying crime as a ‘virus’ meant respondents were more likely to propose ‘treating’ crime by identifying and tackling its underlying causes (i.e. through social reforms) in ways analogous with medical practise. Conversely, framing crime as a ‘beast’ lead people to favour more confrontational measures designed to ‘fight back’ against the aggressor and deal with the immediate threat (i.e. through augmented policing measures and more punitive sentencing for offenders). Respondents appeared to be highly sensitive to the effects of these metaphors with framing effects identifiable through changing just a single word (‘virus’ to ‘beast’) within the materials provided. At the same time, respondents appeared to be unaware of how powerful specific metaphors are in shaping cognition with some referring to (identical) statistics in reports to justify fundamentally different issue framings and policy responses. Unsurprisingly framing effects were found to be strongest where metaphors were introduced early in the text (Thibodeau and Boroditsky 2011), and when the metaphor is extended, such as when social reforms are presented as a way to ‘treat’ a crime ‘virus’ (Thibodeau 2016; Thibodeau and Boroditsky 2011; Thibodeau and Boroditsky 2015). These effects were identified equally in men and women but were found to be slightly stronger in Democrat voters and non-aligned voters than in self-declared Republicans suggesting an interesting interplay between metaphor and ideology in attitude formation (Thibodeau, Hendricks, and Boroditsky 2017; Thibodeau, Matlock, and Flusberg 2019). Similarly, strong prior beliefs about a given issue have been found to limit the effect of metaphor on understanding and attitudes as can the degree of understanding and interest of the source domain of the metaphor (Thibodeau, Hendricks, and Boroditsky 2017; Thibodeau, Matlock, and Flusberg 2019).

The Metaphor of ‘Balance’

Previous studies have examined the rhetorical function and consequences of the balance metaphor in different areas of public policy, revealing its pervasiveness across time and context. In the field of environmental policy, Patterson and Lee (1997) analysed the debates around the relicensing of the Kingsley Dam in Nebraska to demonstrate how the concept of ‘balance’ shaped the policy discourse and the role of the public in the decision making process. The idea of balance, they argue, reifies the core rationalist and pluralist assumptions of ‘interest group liberalism’. The latter identifies a policy agenda that is accessible to all stakeholders as inherently good and all organised interests, from commercial entities to citizens’ groups, as legitimate policy actors, but fails to differentiate between them in terms of their specific objectives or their relative power to influence procedures. Given these assumptions, it is easy to see how the idea of balance becomes the key norm – what the authors call the ‘god term’ – underpinning the policy process. The consequence of this is to procedurally diminish the role of the general public (beyond organised interest groups) and to mask over the subjective and value-based, versus technocratic and objective, nature of the policy process by reducing the role of government and regulatory bodies to that of ‘impartial arbiter’ between competing interests. Such interests are to be viewed as distinct entities to be collated and weighed as part of an administrative exercise through which technical expertise is said to both achieve balance through balance. The discourse is replete with references to ‘win-win’ outcomes through constructive engagement between actors that goes ‘beyond personal agendas’. Yet the mechanism for weighing of competing claims remains elusive within the discourse: ‘The metaphor is both the end and the means’ (Patterson and Lee 1997: p32). Thus, Patterson and Lee (1997) argue, ‘the potent affect and cognitive ambiguity of “balance” are the sources of its rhetorical power’ (p26). In summary balance appeals to a desired state of affairs in which both fairness and objectivity co-exist and are achieved free of the corrupting influence of a ‘partisan’ style of advocacy:

On the one hand, “balance” evokes the precision of the objective scale; on the other, it evokes the democratic value of equity. As a result, “balance” connotes a process that is simultaneously precise and fair (Patterson and Lee 1997: p35).

The concept of balance is also prevalent in the context of legal disputes and judgement. Moosavian (2015) critically examines the operation and effects of the ‘balance’ metaphor in misuse of private information case law. Echoing Patterson and Lee (1997), she argues that the idea of balance:

creates an impression of certainty by drawing on connotations of the quantifiable and calculable [and] fosters the moral appeal of a decision by alluding to notions of justice and equilibrium. In doing so, the balance metaphor marginalises the non-rational, inexpressible, even mysterious, aspects of judicial rights balancing (Moosavian 2015: p1).

The 'balancing' metaphor has a reifying effect on the concepts, ideas and values at the heart of legal processes since the act of weighing is 'undertaken in relation to two objects, two 'things' with a physical presence' (p 18). Consequently, competing rights become 'physical objects of variable weight' despite their evaluation involving non-rational, qualitative and normative judgements (p 19). Balance thus 'acts as a convenient fiction which overlays an inherently creative, subjective and, to some extent, inexpressible interpretive activity' at the heart of the legal process (p 21). Moosavian (2015) explains that the power of balance lies in its implicit claims to scientific rationality and a will to certainty. Fish describes this 'impersonal method' as 'both an illusion and a danger (as a kind of rhetoric [that] masks its rhetorical nature)' (Fish 1989).

The origin of the scales as the symbol of justice dates back to antiquity but it evokes the idea that the optimum outcome from any dispute is a return to a status of 'equilibrium and harmony' (p23) between opposing values and interests, in ways that favour 'synthesis and reconciliation over contestation and conflict' (Moosavian 2015: p24). The idea of balance has a reassuring effect because it holds out the promise that tensions between issues and actors can be resolved and erased, what Moosavian terms "the allure of recolliation", again echoing the findings of Patterson and Lee (1997). Yet this masks the fact that any legal judgement must ultimately decide (at least partly) in favour of one actor over another, so 'the balancing exercise inevitably results in an imbalance' (p 25). Thus the balance metaphor functions as a 'disguised metaphorical device' which holds out the promise of harmony and reconciliation while masking over the conflictual nature of legal cases and the inevitable imbalance in outcomes between litigants. The notion of balance conceals the reality that, while a judgement does indeed provide a resolution, a resolution does not in itself inevitably represent an erasure of tensions or conflicts that exist between competing interests and rights. Rather, it 'rests on merely one interpretation that has been preferenced over many other possible interpretations, and as such it represents a political choice' (Moosavian 2015: p24).

Perhaps most famously, the concept of balance is a key metaphor in the field of journalism and debates surrounding political news coverage, particular in the context of state funded, formally apolitical broadcasters such as the BBC in the UK. Wahl-Jorgensen and colleagues (2016) argue that balance functions as a metaphor representing the concept of impartiality which is the 'cornerstone' of the BBC's principles of public service broadcasting. Balance enters into the lexicon of journalistic practise through metaphorical references to 'weighing' the facts (p 784) and the 'weight of opinion' (p 783). This paradigm of 'impartiality-as-balance' is primarily enacted by juxtaposing, and giving equal time to, the positions of the two main, UK-wide political parties on a given issue. In the same way that the voice of the public was elided in favour of organised interests groups in the case of the Kingsley Dam (Patterson and Lee 1997), the effect of this approach is to narrow down the range of voices heard, particularly in the most contentious policy debates (Wahl-Jorgensen et al. 2016). The somewhat abstract concept of impartiality is

thus approached and enacted through the more concrete concept of balance. This has the effect also of framing stories in terms of party-political contestation at the expense of providing greater context and more nuanced engagement with the issues. The effects of this are deeply conservative, reproducing existing power structures and the platform offered to dominant elite voices (Wahl-Jorgensen et al. 2016). From a CDoH perspective, the embedded media paradigm of impartiality-as-balance has been exploited by vested interests in the pursuit of casting doubt on the overwhelming evidence on the health and environmental threats posed by fossil fuels and tobacco (Christensen 2008; Oreskes and Conway 2011).

The literature reviewed above supports Lakoff and Johnson's (1980) claim that 'metaphor is pervasive in everyday life, not just in language but in thought and action' (p11). Metaphorical framings shape how actors reason and engage with abstract and complex social issues in terms of other unrelated, yet more intuitive or accessible, concepts or entities with implications for policymaking and actions. Some rhetorically powerful metaphors, such as balance, become embedded in political discourse, and appeal to deeply held values and the pursuits of fairness, certainty and resolution of conflict. In the remainder of the article we examine how this concept has been used by the pharmaceutical and gambling industries to shape and curtail regulation with significant negative effects for public health.

Methods

This paper adopts a comparative case study approach (Yin 2009), focussing on two contested policy issues: the regulation of gambling and prescription opioids and their respective industries. More specifically we examine (1) the processes leading to the enactment of the Gambling Act (2005) which was explicitly aimed at 'getting the balance [of gambling regulation] right' and subsequent gambling policy developments in the UK and (2) the outputs of the opioid industry-funded Pain and Policy Studies Group (PPSG) at the University of Wisconsin, which was integral in promoting the idea of balance as a defining regulatory principle in opioid policy debates. The mission statement of the latter was to:

promote 'balance' in international, national and state pain policies to ensure adequate availability of opioid analgesics and their appropriate medical use for patient care (Ryan 2007).

In pursuing these goals, the group received around \$2.5m in funding from opioid producers (Faubert April 03, 2011). While the group maintained there were 'no strings attached' to the funding it is reasonable to conclude that, in funding such a group, industry actors at least believed their research agenda was amenable to their commercial interests.

These industries represent important case studies in that they have received less attention in comparison to other policy areas related to the practices and products of HHIs, yet policy developments in recent

years have established regulatory contexts conducive to their commercial interests despite the risk to public health.

We collected key documents related to the activities and regulation of both industries. For the UK gambling industry, we identified relevant policy documents that emerged during the passage of the Gambling Act 2005 (a report based on a formal review of gambling laws, and the subsequent government white paper and draft bill) and subsequent key policy developments through searches of the literature, government and parliamentary websites and archives (stakeholder submissions, reports and government responses related to formal consultations and inquiries), as well as publicly available materials produced by the gambling industry and those in receipt of its funding as part of their engagement with these events.

For materials related to the PPSG, data collection was pursued through an iterative process, consistent with the principles of interpretive study design (Schwartz-Shea and Yanow 2012) and established archival research approaches (Holden and MacKenzie 2016). First, we conducted a key word search for the individuals affiliated with the University of Wisconsin in the Opioids Industry Document Archive¹. This yielded various types of documents including email correspondence, journal articles, newsletters, grant proposals and deliverables, and project reports. In addition, we requested email correspondence for researchers involved in the PPSG, under Wisconsin's Public Records Law and were provided with between 25-30,000 pages of emails and attachments from one researcher affiliated with the group. We secured all 287 journal articles in which the four researchers were listed as authors. The *Wayback Machine*² internet archive was used to identify content from the group's defunct website. Many of their publications, including several in industry trade publications, were available through the website. Finally, we used hand searches in Google to identify materials and pursue lines of inquiry that remained incomplete following searches from the previous four sources.

We selected documents for deeper analysis of the concept of 'balance' based on our cursory reading of the aforementioned sources. We ran word searches within the documents to see where and how this concept was employed. We analysed the corpus of documents, identifying the ways in which the metaphor of balance was used in the construction and reproduction of policy discourses and the rhetorical functions it serves. Specifically, we noted the ways in which the metaphor of balance structures meaning and policy definitions and solutions in ways favourable to the interests of the gambling and opioid pharmaceutical industries, noting similarities as well as divergences in the functions played by the balance metaphor.

¹ <https://www.industrydocuments.ucsf.edu/opioids>

² <https://archive.org/web/>

Findings

Our analysis identified how the concept of balance has been employed in the context of two policy areas of significance from both a commercial and public health perspective, namely, prescription opioids and gambling. The analysis of the corpus of documents identified for the study demonstrates the pervasiveness of the balance metaphor in contemporary UK gambling policy discourses and in the discourses employed during the developments of the opioid crisis in the US and extending into internal fora such as the WHO.

Striking the right balance: Balance and the gambling industry

The conceptualisation of gambling harms, the role of the gambling industry and how it should be regulated are long-standing highly contested issues with markedly divergent policy discourses observed between policy actors. Gambling industry discourses see harms as arising from an individual's misuse of gambling products and lack of personal responsibility, while the gambling industry itself is presented as a legitimate commercial actor. The metaphor of balance plays a structuring role in the emergence and maintenance of this industry-favourable policy discourse in the UK. The passage of the Gambling Act (2005) delivered a paradigm shift in UK gambling discourses towards further liberalisation of the gambling industry (Cassidy 2020). Among other changes, the Act liberalised the marketing, availability and accessibility of particular gambling products and venues and abolished the demand principle whereby the industry would no longer have to prove that there was an unmet demand for more gambling opportunities to justify commercial expansion.

The new industry-favourable policy regime redefined the industry as a legitimate commercial leisure sector, and a source of employment and tax revenues, that should be stimulated to grow and accepted the industry analysis that harms arising from gambling were both due to the faults of individual gamblers and limited to a small minority of the population. The key policy challenge was articulated as navigating the 'fine balance' between ensuring gambling is fair, crime free and that 'the vulnerable' are protected while encouraging the industry to grow and innovate (Department for Culture Media Digital and Sport 2002). The very aim of gambling policy making was thus framed in terms of balance: 'in developing detailed legislative proposals we will continue to work closely with stakeholder interests to ensure that we get that balance right' (Department for Culture Media Digital and Sport 2002). The notion of balance signalled an appeal to the quantifiable and objective, that 'relaxation of outdated restrictions and extension of choice for adult gamblers' could be 'managed' using counterbalances of 'responsibility and protection for the vulnerable'. It was presented as self-evident that the aim of gambling policy was to 'strike the right balance' between the need for regulation to protect the vulnerable few while recognising the rights of millions to gamble and the commercial interests of the gambling industry as a legitimate leisure industry: 'in modernising, we need to strike the right balance between economic gain and social protection' (Department for Culture Media and Sport 2003). Taking a 'balanced' approach to gambling regulation

was framed within a policy agenda of modernisation that aimed to free the industry from unnecessary and ‘out-of-date’ restrictions that were undermining its ability to innovate and meet the ‘legitimate desires of many millions of people’:

The gambling industry suffers from a lot of out-of-date restrictions, ... The law needs to be modernised. Properly managed and run, gambling can create wealth and jobs. It can be part of an attractive leisure environment in towns and cities (Department for Culture Media and Sport 2003).

Specific policy details on the regulation of products and venues were also framed in terms of balance, with the metaphor of balance being employed to legitimised certain ratios of machines to table games in casinos, power ‘balances’ between the newly formed national regulator and local authorities, regulation of the online and land-based sectors and the stakes and prizes allocated to different product types.

Successive parliamentary inquiries and government consultations were framed in terms of the need to assess if the ‘right balance’ is being struck by gambling policy. For example, the stated objective of the Government’s 2017 review of gaming machines and social responsibility measures was:

to look across the industry and determine what, if any, changes are needed to strike the right balance between socially responsible growth and the protection of consumers and the communities they live in. This Government is determined to address this balance, to step up and act to ensure that appropriate measures are in place to protect the vulnerable people that are exposed by the current weaknesses in protections (Department for Digital Culture Media and Sport 2017).

Thus through the metaphor of balance, the industry-favourable gambling policy discourse reifies the interests of the gambling industry, the right to gamble and harms to the vulnerable minority as quantifiable entities that can be weighed against each other. Furthermore, this balancing act is framed as an objective ‘evidence-led’ process that involves scoping the views of all stakeholders to ensure that the ‘right balance’ can be struck. Thus, as Patterson and Lee (1997) and Moosavian (2015) identified, the metaphor of balance functions rhetorically to make claims to quantifiability and objectivity as well as the deeply held social norms of fairness and equity, which itself draw on metaphors of balance. The concept of balance functions as a form of ‘metaphorical redescription’ (Howarth and Griggs 2006: p41) of the industry as a legitimate policy actor, on equal footing with other interest groups. This casts the industry in a different moral light from previous policy discourses in which its pursuit of profit through the stimulation of gambling was defined as the problem to be regulated rather than an economic opportunity to be fostered.

Gambling industry actors themselves embraced the discourse of balance, using the metaphor to argue for further deregulation and against the need for further governmental oversight, raising fears that ‘over regulation’ would lead to an imbalance and an unjustified infringement on consumer’s enjoyment. When responding to the House of Commons Culture, Media and Sports Committee’s 2012 inquiry into the impacts of the Gambling Act (2005), some industry actors argued that balance had not been achieved and what had instead transpired was a regulatory regime that was skewed towards restrictive regulation of the industry:

we are confident with the statement that the Act has had little or no impact on levels of problem gambling, either negatively or positively... Finally we would want to confirm our view that far too much focus has been placed on this issue and it is disproportionate to any perceived harm and does not balance legitimate commercial interests with protecting the vulnerable (Gala Coral Group 2011).

The idea that the Gambling Act was liberalising legislation is a fallacy. There was some market liberalisation which was balanced by the highly intrusive operating licence process, but overall a restrictive regime was created which has adopted the precautionary approach of the legislation it replaced (in other words we have more regulation, but little or no liberalisation) (William Hill 2011).

When consulting on the regulation of different gambling machine categories, the Government called upon stakeholders to submit evidence, explaining that their objective was to ‘look across the industry and determine what, if any, changes are needed to strike the right balance between socially responsible growth and the protection of consumers and wider communities’ (Department for Culture Media and Sport 2016). In response, industry actors stated that:

In order to strike the correct balance government must recognise the fact that gambling is a properly functioning demand led market; betting shops and betting shop products meet customer demands (William Hill 2016).

Reaching the right regulatory balance, it was argued, should be a depoliticised process, not influenced by extreme views or certain lobby groups. However, such arguments were often contradictory in nature, calling for a focus on promoting the gambling industry’s interests and making political statements about what the role of the gambling regulator *should* be. For example, the charity, GREaT, tasked with raising funds from the gambling industry to fund research education and treatment, stated in their submission to the House of Commons Culture, Media and Sports Committee’s 2012 inquiry that:

GREaT also believes that the process of regulation and deregulation should be as depoliticised as possible and that the Gambling Commission should be required to report annually to DCMS on the appropriateness of current regulations and any recommendations for new, removed or amended regulations. Such recommendations should seek to balance legitimate commercial interests with the need for public protection and should be evidence based (GREat Foundation 2011).

They also stated that they believed ‘the Gambling Commission has a responsibility not only to regulate effectively but also to be an advocate for what they should see as a well regulated global leading British gambling industry’ (GREat Foundation 2011). In line with gambling operators, the industry-funded charity called upon the Committee to ‘urgently addresses the current damaging imbalance between allowing legitimate and responsible gambling companies to grow and thrive as part of a modern economy and social protection’ (GREat Foundation 2011).

Similar contradictory statements were made by industry actors:

The Gambling Commission needs to continue to evolve into a more modern, risk based, regulator which also advises government on evidence based policy changes, and acts as an advocate for the industry that it regulates, thus providing improved value for money for the same, or lower, cost. This will also help to depoliticise gambling policy (Gala Coral Group 2011).

In response to the threat of stronger regulations unfavourable to the commercial interests of the gambling industry posed by the UK government’s review of the Gambling Act (2005) launched in 2020, gambling operators called for a balanced and evidence-led approach to ensure ‘the right balance’ of regulation was struck. A key actor in these policy developments was a newly formed trade body, the Betting and Gaming Council, representing most of the major land-based and online operators whose practices reproduced the discourse of balance:

We are pleased that ministers have pledged to take an evidence-based approach, and to ensure that the right balance is struck between protecting the vulnerable and not spoiling the enjoyment of the vast majority who enjoy a flutter as part of their leisure time. I fully support the need for changes to the way our industry is regulated, but it’s important that we get them right. We need to protect the tens of thousands of good quality jobs in the regulated industry and stop gamblers drifting off to the unsafe, unregulated black market online (Dugher June 11, 2021).

Use of the balance metaphor enabled the industry to maintain a vision of policy making as a technocratic and evidence-led process which could only achieve balance if all voices were heard and given equal weight. Within this discourse advocates for reform in the interest of public health and who sought to reframe the industry as the problem were cast as holding extreme views and posing a threat to the balance between freedom and protection:

It is clear from claims by campaigners that sponsorship bans are seen as ‘just the start’ to a wider blackout on the industry – this should be an issue for all of us committed to a long-term sustainable future that balances customer protection with customer freedom (Banbury August 03, 2022).

The gambling industry thus employs the metaphor of balance to reproduce an policy discourse favourable to its interests, namely that by being ‘evidence-led’ and not pandering to extreme views, the conflict between the growth of the gambling industry for economic gain and the protection of the public can be erased and an equilibrium between interests achieved. The industry-favourable discourse see it as self-evident that the commercial interests of the gambling industry should be placed on the same scales as the protection of people and communities from gamble harms. Deregulation is presented in terms of balance while a preferencing of precaution and safety (from the practices of the industry and its products) is seen as a disruption of balance and legitimate rights. Thus while the industry and its proponents explicitly call for a balanced, proportionate and evidence-led policy regime, what runs through these narratives are demands for less regulation and for the regulator to act as an advocate for the industry. In this way, the metaphor of balance serves as a legitimising narrative for a highly partial policy agenda, which privileges commercial interests.

Addressing the ‘epidemic of pain’: The discourse of balanced pain policy

The opioid crisis in the US has had devastating impacts and is now officially recognised to have been driven in large part by the activities of certain actors within the pharmaceutical industry and a policy regime which failed to address the emerging epidemic and to effectively regulate the industry as its key ‘vector’. Certain companies, and those in receipt of their funding, sought to embed the idea that Americans were experiencing not an epidemic of opioid addiction and harm, but of untreated pain (Keefe 2021). As such, pharmaceutical companies could promote their products as the answer to this (exaggerated) problem of untreated pain. At the same time, they played down the harms associated with expanded prescription of opioid-based pain relief while working to enhance the addictive property of their products and actively influencing the prescribing practices of healthcare providers to drive demand and sales (Keefe 2021).

The documents analysed for this study demonstrate how the PPSG constructed an industry-favourable policy discourse which rested on the need for ‘balanced’ pain policies that ensure access to opioids for those who use them appropriately and safely to treat their ‘legitimate’ needs on the one hand, and prevent misuse, abuse and the illegal supply of opioids on the other. This policy agenda was evident in the activities of the PPSG, which also hosted the World Health Organization Collaborating Center for Pain Policy and Palliative Care. The group was in receipt of opioid industry funding and was actively engaged in activities to overturn state-level laws for prescription monitoring programs and national-level clinical guidelines used in accreditation.

Their strategy involved a number of activities including critiquing international laws and policy agendas from the perspective of ‘balance’, including establishing a scorecard system that enabled the ranking and periodic assessment of states achievement of a “balanced” approach pain policy, and leading on the development of the WHO guidelines *Achieving Balance in National Opioids Control Policy*. The PPSG developed the scorecard to serve as a:

tool that can be used by government and non-government organizations, as well as by policymakers, healthcare professionals, and advocates, to understand the policy in their state that reinforces the appropriate practice of pain management or that can hinder patient access to effective treatment (Pain & Policy Studies Group 2014).

It was intended to facilitate ‘scoring’ of state pain policies, assigning them a grade from A to F, and producing state by state progress report cards. Based on their activities, the PPSG claimed that they had ‘become the focal point for expertise on policy governing drug control and medicine and pharmacy practice related to opioid availability and pain relief’ (Cleary and Maurer 2018).

The PPSG constructed a discourse in which the achievement of balanced pain policy was articulated as the self-evident aim of prescription opioid regulatory regimes. The PPSG explained that balance in the policy context ‘refers to international, national, and state policies that strive to ensure both the adequate availability of pain medication for patient care and the avoidance of their diversion and abuse’ (Cleary and Maurer 2018). While acknowledging the potential for misuse – framed in terms of mis-supply and misuse by individual physicians and patients – this was juxtaposed with an apparently ‘dire need to improve [that is to say increase] the availability of opioids globally to relieve pain.’ The objective was to remove ‘barriers to legitimate access of prescription opioid analgesics’ that were ‘essential’ for addressing the global under-treatment of pain and inequalities in access to pain relief (Cleary and Maurer 2018).

The practices of the PPSG revolved around embedding the concept of balanced pain policy within regulatory debates, in the context of a wider emerging agenda of the right to access quality pain management services and healthcare more generally. They sought to place adequate opioid-based pain

management at the heart of an evolving conception of medical practise in which pain was identified as the fifth vital sign.

Yet the idea of balance promoted by the group within their various publications appears to be defined in a way which privileges access over the avoidance of harm and the precautionary principle:

Achieving more balanced pain policy means identifying and eliminating archaic medical concepts and restrictive provisions that impinge on modern pain medicine; it also means adding policies that recognize pain management as a part of quality medical practice (Gilson, Joranson, and Maurer 2007).

Elsewhere, the group argued that:

Improving balance in a state's policy does not "liberalize" prescribing; it is not going "soft on drugs," nor does it encourage misuse. Rather, better balance improves the consistency of a state's policy with modern drug regulation, medical knowledge, and professional practice for the benefit of the patient (Gilson et al. 2005).

Both these quotations defend the new forms of 'balance' opioid prescription through an appeal to modernity in terms of clinical and regulatory practise. As such the idea of balance is equated with progress and discovery. It is seen as progressive and forward thinking, casting off the traditional modes of thinking that have previously held us back and caused unnecessary pain and suffering. Similarly, while there was a recognition of the potential for harms, this appears to be of secondary importance to the primary objective of facilitating access to medications for those in pain:

to be "balanced," a state's policies should not have barriers, and should also contain provisions that support controlled substances and medical practice concerning pain management and palliative care. To be balanced, drug control policies will have a high potential to identify and address the specific sources of diversion and a low, perhaps zero, potential to interfere with legitimate availability of pain medications, medical practice, and patient care (Gilson et al. 2005).

Furthermore, the dangers arising from more widespread opioid prescription was framed only in terms of 'diversion' of opioids from the legitimate clinical use, and there is an absence of discussion about the harm potential for those accessing increasingly powerful doses of these potentially addictive drugs through legitimate prescription. Greater patient access to opioids was presented as self-evidently beneficial. The focus on misuse also foresaw specific responsibilities for medical professionals and law enforcement actors, which was again described in terms of balance:

The principle of Balance also is helpful in conceptualizing the appropriate roles and responsibilities of both health care practitioners and law enforcement officials when addressing pain management and the problems of drug diversion. The main role of practitioners is to treat pain, but they also must avoid contributing to medication abuse and diversion. Alternatively, law enforcement works to stop diversion, but, in doing so, must not interfere in medical practice and patient care. Thus, the principle of Balance provides a framework for recognizing what should be the common interests of health care and law enforcement: to understand and avoid interfering with each other's work to protect public health and safety (Gilson, Joranson, and Maurer 2007).

Absent from this is any sense of industry responsibility for harms through the promotion and reformulation of ever more powerful and addictive products to an ever widening pool of recipients whose 'pain management' needs fell well short of requiring such treatment.

The idea of deregulation-as-balance and relaxation of policy as inherently beneficial was enshrined within the scorecard system for US state laws established by the PPSG:

PPSG has contributed to the promotion of the principle of balance and the development of our unique model of technical assistance to help national governments assess regulatory barriers to essential medicines for pain relief and amend existing or develop new legislation that facilitates appropriate and adequate opioid prescribing (Cleary and Maurer 2018).

The descriptions of this as a form of 'technical assistance' and the presentation of the group as a 'focal point for expertise on policy' is noteworthy since it is in keeping with the preceding discussion of balance as a specific form of metaphorical narrative which is used to present highly political forms of governance as technocratic or apolitical forms of weighing or scoring between competing actors and interests.

Discussion

The literature on the function of metaphor in language use and cognition, and the specific effects of 'balance' within that, signal their importance for the fields of policy analysis in general and CDoH more specifically. Metaphors structure policy deliberations and shape peoples' reasoning about complex and abstract social issues. Here we have shown the functions and consequences of the use of balance as a metaphor within gambling and pharmaceutical industry-favourable discourses.

Although the contexts and industries are different, we identified remarkable similarities in the way that the metaphor of balance functions in each setting. The balance metaphor is used to shape perceptions of policy problems and deflects attention from the role of industry actors as the principal driver of harms

through the promotion of their products and of ineffective regulatory regimes to govern them. Both gambling and pharmaceutical industry-favourable discourses present balance as the self-evident goal of gambling and pain-relief policy. In both instances, they define past policy regimes, aimed at restricting access to these products and curtailing commercial activities as outmoded or archaic, denying people access to products that fill legitimate demands and needs.

In addition, balance serves as an ideological cloak for a deregulatory agenda. This is a fundamentally partial agenda that is presented in terms of even-handedness and its implicit connotations of fairness. The idea of balance also implies a return to equilibrium and order from a state of disturbance. Both the gambling industry and the PPSG present themselves as authoritative voices on achieving policy balance. The ambiguity and multiplicity of meanings and associations evoked by the balance metaphor is what makes it so powerful to those seeking to promote a certain understanding of policy problems and the policy making process. It allows for appeals to both dispassionate, technocratic forms of policymaking on the one hand, and normative assumptions about equity and fairness on the other, while acting to embed a specific policy regime that favours commercial interests over public health.

Balance creates a specific lens through which to see and think about the policy making process and one that appeals to deeply held values in current society: an ordered, objective, fair and precise method of weighing up the costs and the benefits as opposed to an unordered value-based struggle over meaning and what is to be sacrificed or foreclosed in the pursuit of certain ideas, interests, and possibilities. This way of conceptualising policy making obscures important questions: What amount of harm and to whom is acceptable, and on what grounds is this to be decided? What freedoms are we willing to curtail to protect others and save a life? Who is benefiting, in what way, and who is harmed in the process? What counts as evidence, and are all actors legitimate evidence providers?

In the context of the case studies analysed above, balance obscures the role of the industry and suggests that conflict can be resolved and all demands met by attempting to achieve the 'right balance'. This helps to construct an industry-favourable understanding of policy making focussed on consensus building and 'win-win' discourses, bracketing out conflict and the political judgments involved in decision-making. In the context of public health policy, in which many of the most effective measures are either opposed by industry actors or not amenable to the forms of self- and co-regulatory approach which they favour (and would see as part of a balanced policy agenda), this is highly problematic. It leads to lowest common denominator focus in which the search for balance skews the agenda in the direction of a specific set of interests and actors.

The focus on balance as a marker of good policy runs the danger that the concept itself becomes reified as a key outcome or objective to be sought in policy making. This could lead to a situation in which

delivering balance in both process and outcome crowds out the primary policy objectives to address harms and promote public health or a concealing of primary objectives that undermine public health. At times a ‘balanced’ outcome between two sets of concerns or interests is not a legitimate goal or consistent with effective and legitimate policy making. Simply because interests are asserted – often vociferously by powerful policy actors – does not mean that they are normatively equivalent to other priorities, or should be placed on the same scales, as the discourse of balance assumes. This is not to say they should be dismissed out of hand, but that they should be critically appraised and afforded an appropriate ‘weight’ in the evaluation of competing priorities.

While the functions and consequences of balance were overwhelming consistent across the gambling and opioid policy discourses analysed in this study, differences were identified. Notably, the PPSG appeared more prescriptive in their practices to support achieving ‘balanced’ policy regimes. This is most evident in their efforts to develop the policy score scoring system and the issuing of US State report cards documenting their progress towards achieving ‘balanced’ pain policies. The policy discourse of the gambling industry and its proponents was more nebulous as to what constitutes a balanced policy approach and how to monitor this. Differences in practices are in part likely to reflect the nature of the policy problem and wider context. That is, the PPSG exploited a recognised need such as access to quality palliative care whereas the gambling industry had to focus its efforts on legitimatising and embedding a discourse in which people’s right to gamble and enjoyment were placed on the same scales as protecting from vulnerable people, including children, from harm.

Our analysis resonates with the findings of Patterson and Lee (1997) and Moosavian (2015) in their analyses of the role of the balance metaphor within environmental policy and legal discourses respectively. Namely, the role of balance in appealing to the notions of certainty, technocratic objective policy making, fairness and resolution of conflict while obscuring the political and subjective nature of decision-making and what is ultimately a preferencing of one perspective or interest over another. We add to this literature by examining the role of balance in two new policy areas, namely, gambling and opioids, and in the construction of industry-favourable discourses specifically. In this way, our study also contributes to the CDoH literature by advancing understanding of two under researched industries and by showing the value of comparative analysis that examines the use and functions of a specific metaphor and how such practices can be placed within broader frameworks of corporate political strategies (Ulucanlar et al. 2023). Our analysis also builds on specific studies that document industry strategies aimed at embedding commercially favourable understandings of policy making and codifying the involvement of business and the use of certain tools such as impact assessment based on cost-benefit analysis (Smith et al. 2015; Fooks 2022).

Our study opens up avenues for further research focusing on the use of metaphor in the context of others industries and policy issues as well as further analysis of the use and functions of balance by other commercial actors and those who receive their funding. Our study was limited to the analysis of documentary materials and further studies could focus on the use of metaphor in interviews with industry actors as well as their use of visual metaphors (Thibodeau, Matlock, and Flusberg 2019). Future research could focus on efforts to challenge and replace metaphors as part of the wider literature studying efforts by public health advocates to counter industry influence of policy making and undermine their policy framings (Katikireddi, Bond, and Hilton 2014). It is important to note that we are not making claims to right or wrong metaphors or against the notion of debate and hearing from more than one stakeholder. Instead we aim to highlight the importance of identifying the metaphors that are used in the construction of policy discourses and how they function to favour the attainment of commercial goals at the expense of public health policy agendas.

Conclusion

Metaphors are powerful and their role in debates on contested public policy areas that concern commercial interests warrant scrutiny. The dominance of one metaphorical framing over others can determine the terrain of the policy debate, what comes to be seen as self-evidently the issue of concern, and thereby contribute to the construction of industry-favourable policy discourses, concealing other ways of conceptualising an issue. Our analysis demonstrates the value of a comparative analysis and in adopting a micro-level approach to examine the functions played by a particular metaphor – in this case the metaphor of balance – in the construction and consequences of industry-favourable policy discourses. Shining a light on the metaphors used in policy debates and their functions reveals important insights that can be used to inform the construction of counter-narratives to industry-favourable discourses including the creative use of novel metaphors.

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