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What is Cultural Policy?

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Liber, sonus, imago, ludus (book, sound, picture, play) are means of breadwinning, of cultivation, of delight or of indoctrination. One can not think about these means dissociating them from man (something like *ars gratia artis* – *art for art's sake* - does not exist, but is a mere Hollywood invention; see below). Instead there are four dimensions associating Muses and man:

- *Ars gratia culturae* – *art for culture's sake*: When we look to that field of culture which is inspired by the Muses, being the subject matter of the science of cultural policy, and when we choose a purely prosaic fiscal approach to artistic and humanistic activities, it turns out that in the Federal Republic of Germany this field contributes 44 billion euros (500 euros per inhabitant) resp. almost 2% of the GDP.
- *Ars gratia libertatis* – *art for freedom's sake*: Cultural expenditure constitutes 2% of private consumption.
- *Politia gratia artis* – *policies for arts' sake*: Current efforts of German politics to create a framework for art and culture are of exemplary character within Europe.
- *Ars gratia politiae* – *art for the sake of living together*: The significance of artistic and humanistic activities for the common good is considerable, albeit it may be difficult to provide numerical estimation of their contribution.

The following text aims to explain the situation taking examples from Germany and its specific positive law system. In all four dimensions, cultural policy is a genuine field for scientific research and debates.

1. A budget orientated approach

In a pragmatic first approach, cultural policy is what politics understands under this term when it appropriates funds in the budget.

Our political system assumes that, within a nation, the populace is the sovereign, that its representative is the Parliament, and that the latter's 'royal' privilege is the right to establish the budget. In a democratic system, the budget of a territorial entity constitutes the material substrate of the struggling for a fair order – within the frame of available budgetary resources. Different basic political assumptions will be represented by different parties eligible by the people. Their power play is mirrored in the diversity of priorities for specific areas of politics. Numerically, this diversity figures as the diversity of amounts designated for specific titles.

For the purpose of financing the state budget, the following resources are at disposal: (1) reserves from the past through a brimmed state treasury, erroneously called 'Tower of Julius',¹ (2) current revenue from taxes and other state income, and (3) financial settlements that burden the future. Whoever presumes, in the light of the extent of the latter², that it would not matter whether the German federal level contributes 0,0031% of its general budget to culture or does so with another sum, the one forgets that vehemence in political debates does not depend on the number of zeros – debates concerning big and biggest sums tend to be conducted less vehemently. Within the specific logics of budget negotiations, it was wise to estimate the cost of rebuilding the Berlin Castle to an amount of five-zero-zero-zero-zero-zero-zero-zero-zero-zero (500 000 000) euros. This allowed to put aside the question of Why and What for of rebuilding. The preparations for the construction works are in progress, but for the time being (spring 2010) these question are unanswered.

In order to systematize the cameralistic manner of calculating the budget in the public administration, German administration worked out a uniform four-stage procedure which is used in the whole federation on all levels. It comprises:

- *department plan* (for cultural policy the significant plans are: "EP°04" = Unit Plan No. 4 concerning the Federal Chancellery, Chapter 04 05 = 'Beauftragter für Kultur und Medien' / Plenipotentiary for Culture and Media. Its abbreviation 'BKM' sounds almost like the abbreviation for a 'BundesKulturMinister', but a Federal Minister of Culture is [yet?] not allowed to exist);
- *grouping plan* ('GPI'; main groups 0-3 = types of income, main groups 4-9 = types of expenditure; in our case 'Group 684 = subsidies for current purposes for social institutions and others similar to them');
- *employment plan* (civil servant, white-collar worker, manual worker);
- and *function plan* – the one of interest to us.

¹ In the Julius Tower at the Spandau citadel, actually neither the savings of the Reich nor of its predecessors were stored, but the French post-war contributions from 1871.

² In the current financial year 2010, the Federal Republic does not have means from the past at its disposal, means from the present by taxes will cover only three quarters of budget assumptions, and means from the future must cover the fourth quarter (new loans of 80 billion euros). The fundamental dysfunctionality of the social insurance system must be covered by state donations to the scarce pension fund at exactly this level (78 billion euros). The 2010 struggle for a fair order is burdened in half by the problems of previous generations (40 billion euros or one-sixth of current federal fiscal income goes towards the payment of interest of debts amounting today to 1,0 billion euros), and in half it may encumber the future generations that are not yet represented in Parliament.

Within this system, the Bayreuth *Richard Wagner* Festival received in the budget year 2009 in 'Chapter 04 05', 'Item 684 21', 'Function indicator 182' the allocation of funds in the amount of 1.673 000 euros. This corresponds to a financial contribution by the Federal level of the state in the amount of 30,77% of public subsidies (which comprise 5.437 000 euros) or 12,54% of the festival budget (which comprise 13.341 000 euros).

The function plan is based on function indicators. In the case of each budget item, after the item as such, there is a dash, and then, three numbers referring successively to main function, to superior function and to specific function. Within the system of function indicators, cultural policy is an item subordinate to the *main function 1* (system of education, science, research, culture-related issues) comprising both *superior function 18* (cultural institutions including management of culture) and *superior function 19* (supporting culture, protection of monuments, church matters). The difference between these two superior functions is connected with the question whether the giving body will perceive the receiving body as part of its own structure or whether it will see it as an Aliud. Administration tends to trust the first and to distrust the latter. The superior function 18 comprises a type of allocations called *Zuweisungen* with which an entity finances its own institution or an institution for which it is jointly responsible, such as e.g. the Bayreuth Wagner Festival. The superior function 19 comprises a type of allocations called *Zuwendungen to third parties'* institutions or projects, and which are strictly regulated. This differentiation is specific to German administration language. In French and in English it might correspond to the difference of *assignation* versus *donation*, but both are not *termini technici* for a state's action. The Berlin guidelines for public budgets state frankly:

Subsidies in the type of *Zuwendungen* are cash benefits which in principle depend on the administration's discretion (ex gratia benefits). They serve to achieve specific goals in places beyond Berlin administration. They are financial benefits of public-law character connected with specific goals, which Berlin pays for in order to fulfill public tasks. The recipient does not hold a legal claim neither to the grounds not to the amount of allocated support before the funds are allocated. A direct exchange of services does not take place either. Funds are allocated to the recipient for the realization of tasks which Berlin is largely interested in supporting (and so realizing the goal). Funds can only be allocated in cases where this interest of Berlin cannot be satisfied without this fund or cannot be satisfied to a necessary extent³.

If one would dare to apply such guidelines in a strict manner, then the question of an optimal allocation - optimal from the point of view of national economy - ought to be examined independently of the interests of the respective entity and of operational interests. Actually, neither will such an analysis be undertaken, nor nor have the parameters sufficient for making such an evaluation been worked out.

What type of culture politics is interested in, might be seen at the 'Annex: The function plan overview' to the Berlin 'Guidelines on Elaborating the Pre-Plan to the Draft Budget Plan'. Thus, from an administrative point of view, e.g. circus art is not a subject matter of West German cultural policy, as it has been in national socialism or in the socialist countries, or as it is in the People's Republic of China or in France.

³ [Senat of Berlin] *Richtlinien für die Aufstellung der Voranschläge zum Entwurf des Haushaltsplans, (Haushaltstechnische Richtlinien - HtR) = Guidelines on Elaborating the Pre-Plan to the Draft Budget Plan, (Technical Budget Guidelines) of October 24th 2006 (DBI. I, p. 37).*

A graver problem is that in the documents there is no column with the heading 'Language policy'. Thus one of the central areas of cultural policy in Europe lacks, whether as a curio like the crypto-language in Portuguese Minde, or as an element of nation building like in Finland, or as supranationally registered 'immaterial cultural heritage of mankind' like the whistled language Silbo in La Gomera.. On the basis of new developments in international law, linguistic policy towards national minorities is becoming a significant area of politics.⁴

The following abridgment of the Berlin budget shows the system of function indicators:

1 System of education, study, research, culture-related issues

18 Cultural institutions (including management of culture)

Establishment, maintenance and management of own institutions, Support of institutions of third parties (does not include: supporting single theatrical plays, music festivals, poetry reading, etc., compare functions from 191 to 193; Cultural institutions abroad, compare function 024)

181 Theatres

[Drama] theatres, opera houses

182 Institutions supporting music

Professional orchestras (when not part of theatres), choirs, music halls

183 Museums, collections, exhibitions

Museums, collections, permanent art exhibitions, archives dedicated to regional, literary and music items

184 Zoological and botanical gardens

Zoological garden, aquariums, botanical garden (does not include: landscape parks, compare function 321)

185 Music schools

Youth music schools (does not include vocational schools, compare function 127)

186 Non-scientific libraries

Libraries, reading-rooms, youth libraries and touring libraries, library institutions, music libraries (does not include: scientific libraries, scientific archives, compare function 162, school media libraries, compare function 129)

187 Other cultural institutions

Civic cinemas, centres of culture, astronomical observatories (if they are not research institutions), cinematographic institutions, institutions of homeland preservation, institutional support of circuses, institutional support of associations established for the preservation and promotion of literary works (does not include: local centres of culture and rural centres of culture as well as urban halls, multifunctional halls, see function 439; sports halls compare function 323, collections and archives, compare functions from 162 to 183; artistic schools and similar institutions dealing with cultural pedagogy compare function 153 institutional support of associations whose primary role is running special cultural institutions such as theatres, museums or archives, compare functions from 181 to 186).

188 Administrative institutions for culture-related issues

State offices for monument preservation, administration bodies of state-owned castles and gardens, (does not include: library institutions, compare function 186; administration bodies of nature protection, compare function 331; State Offices for monuments or administrative units of castles and state-owned palaces when the main

⁴ For current research results see: Vogt, Matthias Theodor et al. (ed.): *Der Fremde als Bereicherung*. Schriften des Collegium PONTES, Vol V. Frankfurt etc. 2010 [in print]. Vogt, Matthias Theodor et al. (ed.): *Minderheiten als Mehrwert*. Schriften des Collegium PONTES, Vol. VI. Frankfurt etc. 2010 [in print].

scope of their activity is maintenance and management of castles, palaces and monuments, compare function 195)

19 Supporting culture, protection of monuments, church issues

(does not include: issues connected with culture abroad, compare function 024)

191 Single activities in the field of theatre and cultivation of music

Supporting theatrical festivals, music festivals, rock concerts, cultural theatrical and music awards, organizing single events in the field of theatre and cultivation of music for which there is a separate preliminary estimate.

192 Single events in the field of museums and exhibitions

Supporting single exhibitions, fine arts, grants for artists at work, prizes, organization of single exhibitions for which there is a separate preliminary estimate.

193 Other single events in the field of culture

Film promotions (cinema and TV films), supporting film festivals, festivals devoted to the homeland and its customs, as well as literary festivals, literary awards and general artistic awards, grants for writers, organising single film festivals, festivals devoted to a homeland and customs for which there is a separate preliminary estimate.

195 Conservation and preservation of monuments

Institutions: palaces and castles of important artistic and historical heritage, historical buildings, excavation sites, monuments and remembrance sites, donations for maintenance, renovation and reconstruction of architectural, archeological and cultural monuments (does not include: palaces and castles which serve as buildings for other institutions [e.g. research centres, compare functions from 162 to 165; places of continuing education, compare superior function 15])

199 Church-related issues

Subsidies for religious communities, supporting single events with religious purposes (does not include: subsidies for religious communities for establishing and maintenance of schools, compare functions from 112 to 127; for social institutions, compare superior functions 23/24; for health care providers, compare superior function 15])

2. Federation level, Länder level, Community level, Multicommunity level, Churches

Our first pragmatic approach to the question 'What is cultural policy?' assumed the fiction of omnicompetence of the state. In reality, the state is only a subsystem of public-law entities and it should be differentiated by separating regions and federal level. In Switzerland they are called cantons and federation (Kantone and Bund, Art. 5 Item 4 of the Swiss Constitution from 1999 et passim), in Austria – federal states and federation (Bundesländer and Bund, Art. 1 Item 1 and Art. 5 Item 1 of the Austrian Constitution from 1929 et passim), in Germany – lands and federation (Länder and Bund, Art. 10 in the German Constitution from 1949 et passim – in Germany there are no 'federal states'). 'Federal' means in an American language use the proper level of a federal state (compare e.g. FBI); while 'föederal' in the European, not a fully logical language use, it means those entities which on a regional level are 'federating' and are partners of a federation, so the level of lands or federal states. Within this text, the translation uses Federation level for 'Bund' or top level, and Lands level for the 'Länder' or regional level of the state.

The question of superiority between these two state areas has remained open since the Nuremberg decree from 1356, later called the Golden Bull, when Charles IV could not go through with his plans to regulate the question of central power. On the contrary, Art. 5 Item

2 of this decree reads that the infringement of the law of 'the Roman King' will be investigated before Count Palatine of the Rhine, thus he himself might potentially become an object of earthly justice. Charles's complaint placed at the very beginning sounds almost like a motto of a special federalist commission: 'Omne regnum in se ipsum divisum desolabitur; nam principes eius facti sunt socii furum⁵ / Every kingdom divided shall be forsaken, because its counts have become thieves' companions⁶.' In contemporary state practice the federation president (Unit plan 01) is a representative of the whole country; the federation parliament Bundestag or its president (Unit plan 02) has the priority for the records and for planning a budget before the federation council of the lands Bundesrat or its president (Unit plan 03). However, from the point of view of cultural policy, the superiority of lands is seen not only with reference to budget; the constitution seems to authorize the federation level only for the external cultural policy (but this is a misunderstanding; see below).

Local territorial units (in the Golden Bull called 'communitates civitatum' – communities of citizens), below these two state levels, won over and preserved from the Middle Ages, beginning with Lombardy, the right to 'regulate all matters of local community in accordance with the acts on their own responsibility' (Art. 28 Item 2 of the German constitution; similarly the constitutions of all lands). Art. 28 Item 2, p. 2 German constitution states there are two types of local territorial units. On the one hand *gemeindes* (*municipal boroughs* in the 1888 British law, now *municipality*), on the other hand associations of *gemeindes*, which can either have a non specific range of tasks, the *kreises* (*administrative counties* in the 1888 British law, now *county*; *Syndicat intercommunal à vocation multiple* in the French law of 1959, now *Communauté de communes*), as well as a specific nature, e.g. matters of local public transport, rubbish collection, water supply, etc. In Saxony (Sachsen) every *kreis* must by law be a member of a regional *Kulturraum* (*Syndicat intercommunal à vocation culturelle*)⁷ which are obligatory associations financing culture.

As far as the German cultural policy is concerned, public charges are split on all three levels:

- a sum total of 1 billion euros at the state level of the federation
- a sum total of 3,5 billion euros at the state level of lands
- a sum total of 3,5 billion euros at the community level (both *gemeindes* and *kreises*; most of it on charge of cities with more than 100.000 inhabitants.

Subsidies of territorial legal entities for cultural policy annually amount to the total of 8 billion euros.

Public entities are however not necessarily linked to a territory (territorial bodies) or to a wealth (real body). A public entity can also be made by a body of people which form a corporation (a *corpus membrorum*). In the field of German cultural policy, these are especially the Catholic and the Evangelical churches. They spend 4 billion euros annually on cultural

⁵ Zeumer, Karl: *Quellen und Studien zur Verfassungsgeschichte des Deutschen Reiches in Mittelalter und Neuzeit*. Vol. II, Booklet 2. *Die Goldene Bulle Kaiser Karls IV. Zweiter Teil: Text der Goldenen Bulle und Urkunden zu ihrer Geschichte und Erläuterung*. Weimar 1908.

⁶ Karl 'The Holy Roman Empire of the German Nation, emperor IV.': *The Golden Bull: a document reforming the system of the German Reich of Emperor Charles IV from 1356* [Akad. d. Wiss. d. DDR, Zentralinst. für Geschichte]. Translation into German: Wolfgang D. Fritz., certified historically by Eckhard Müller-Mertens, Weimar: Böhlau 1978, pp. 39-88. Also: „<http://pom.bbaw.de/mgh/index.php>„.

⁷ Compare Vogt. Matthias Theodor (1997): *Kulturräume in Sachsen, eine Dokumentation*. With Bertram Kober's photographic material and Fritz Ossenbühl's legal examination. *Kulturelle Infrastruktur Band I*, Universitätsverlag Leipzig, 1. issue. 1994, 2. issue. 1996, 3. issue. 1997.

tasks.⁸ These ecclesiastical subsidies are not included in *the Financial Report on Cultural Issues* of the Federal Statistical Office Wiesbaden and, consequently, they have to be added to the sum of 8 billion euros presented there. Thus, the total sum of expenses borne by German public institutions (territorial and corporation) is 12 billion euros annually.

3. The international union of states off the track?

The international union of states formulated a definition of culture which does not include any content functional from the point of view of politics, and thus remains fugitive. The *World UNESCO Conference on cultural policy* in 1982 in Mexico:

agrees: that in its widest sense, culture may now be said to be the whole complex of distinctive spiritual, material, intellectual and emotional features that characterize a society or social group. It includes not only the arts and letters, but also modes of life, the fundamental rights of the human being, value systems, traditions and beliefs;⁹

In a way it is absurd that a conference dominated by representatives from the so-called Third World, quoted Edward Burnett Tylor (1832-1917). The ethnographer in 1871 established an order of cultures arranged progressively with Europe being the centre that was quoted at the time:

On the basis of the comparative analysis ethnographers are able to define an outline of the development of our civilization [sic]. With high probability it can be stated that races are arranged in the order of the cultures: Australian, Tahitian, Aztec, Chinese, Italian¹⁰.

In the introduction to the same volume *Primitive Culture* it is written:

Culture or civilisation, taken in its wide ethnographic sense, is that whole complex which includes knowledge, belief, art, morals, law, custom, and any other capabilities and habits acquired by man as a member of¹¹.

The UNESCO definition quote Tylor without his reference to ethnography and without Tylor's equation of the notion of culture with the notion of civilization. This twin of terms was to make career within the western European languages, leading to severe conflicts¹² 'When the goal is achieved, [...] all of a sudden culture comes to a halt, it becomes [...] civilization' – according to Spengler, who claimed that Occident would have expired¹³. The development of both notions was extraordinarily complex and it proceeded differently in every European language. In 1952 Kroeber and Kluckhohn made a catalogue containing over 200 definitions of the

⁸ Vogt, Matthias Theodor (2005): *Der Beitrag der Kirchen und Religionsgemeinschaften zum kulturellen Leben in Deutschland*. The Institute of the Cultural Infrastructure of Saxony upon request of the Enquete Commission 'Culture in Germany' of the German Bundestag. German Bundestag, K.-Drs. 15/414b.

⁹ *World Conference on Cultural Policy. The final report of the international conference organised by UNESCO in Mexico from July 26th to August 6th. Ed. of the German Commission for UNESCO*. Munich 1983 (Reports from the UNESCO Conference, No. 5), p. 121.

¹⁰ Tylor, Edward B.: *Primitive Culture. Researches into the development of mythology, philosophy, religion, language, art and custom*, London 1871, p. 470.

¹¹ Tylor: *Primitive Culture*, p. 1.

¹² Fisch, Jörg: *Lemma Zivilisation, Kultur*. In: Brunner, Otto e.g. *Geschichtliche Grundbegriffe: historisches Lexikon zur politisch-sozialen Sprache in Deutschland*. Published upon order of Arbeitskreis für Moderne Sozialgeschichte. Stuttgart. Vol. 7, pp. 679-774.

¹³ Spengler, Oswald: *Der Untergang des Abendlandes. Umriss einer Morphologie der Weltgeschichte*. Vol. 1, 1918. Vol. 2, 1922.

notion of culture¹⁴ - in the 19th century 'culture and civilization became the criterion of Europe's leading position in the world'¹⁵. One of the most original definitions of culture was formulated by Bismarck: 'It was only this means of transport [i.e. railway] that initiated the whole modern development, thus it is the railway, its executives and clerks - they are the proper subjects of culture.'¹⁶ From the historical standpoint, one may support Jörg Fisch's statement¹⁷, that 'man defines his/her own actions, his/her own achievements and their results [...] as opposed to what one possesses naturally' - using for this purpose a pair of notions: 'culture' and 'civilization' 'in the broadest sense of the issue'. 'From this perspective the issue itself constitutes an element of the human existence'¹⁸ (It would be nice if we could also trust yet another statement: 'Similarly, consciousness of the above may be presumed as part of human conscience'¹⁹). When everything becomes culture, the notion of cultural policy ceases to be comprehensible.

The 'United Nations Educational, Scientific and Cultural Organization' was to be first called 'United Nations Organization for Educational and Cultural Reconstruction' (which would have been more appropriate in the linguistic sense: being a legal person, it cannot be cultural itself, but it can work for culture). However, upon suggestion of the United States of America, and also in the interest of *science* it was established in 1945 under the name UNESCO. Its predecessor was on the one hand a Genevian 'Bureau international d'éducation' (its head 1929-1967 was Jean Piaget), first and foremost subordinated to the League of Nations' 'Commission internationale de la coopération intellectuelle' (later: 'Organisation'; 1921-46; e.g. Henri Bergson, Albert Einstein, Sigmund Freud, Thomas Mann, Paul Valéry, Jules Romains). The organization worked for international peace. Similarly, also the UNESCO founding fathers wanted to maintain the organization 'destinée à instituer une véritable culture de la paix' whose goal was to 'établir solidarité intellectuelle et morale de l'humanité et, ainsi, empêcher le déclenchement d'une nouvelle guerre mondiale'²⁰. *Humanitas* means here mankind, not humanitarianism; the notion 'culture' is one of the thousands of hyphenation one, namely culture of peace. Arts are a means to achieve the higher purpose of peace, they play the role of a 'bastion of peace'. This is what UNESCO wants to achieve according to its mission:

That since wars begin in the minds of men, it is in the minds of men that the defences of peace must be constructed. // Que, les guerres prenant naissance dans l'esprit des hommes, c'est dans l'esprit des hommes que doivent être élevées les défenses de la paix. (Preamble: Introduction).²¹ // [The German translation translates erroneously: '[...]it is in the minds of men that peace must be constructed.]

The statement that arts serve peace expresses hopes which may be respectable, but this is an incomplete description. Young people's aggression is purposefully stirred by the latest types of arts such as TV games; early Hollywood guised patriotic mobilization under the veil of modern

¹⁴ Kroeber, Alfred; Kluckhohn, Clyde: *Culture: A critical review of concepts and definitions*. Harvard University Peabody Museum of American Archeology and Ethnology Papers 47. 1952.- Various further works until contemporary times.

¹⁵ Fisch 1978, p. 744.

¹⁶ Bismarck, Otto von: *Ansprache an die Beamten der Altonaer und Hamburger Eisenbahnen* (1.4.1890). FA Vol. 13 (1930), p. 407.

¹⁷ Fisch 1978, p. 679.

¹⁸ Fisch 1978, *ibid.*

¹⁹ Fisch 1978, *ibid.*

²⁰ UNESCO: [self-presentation]. www.unesco.org.

²¹ UNESCO: The presentation of *the Statute*. London - October 16th, 1945. The German translation was made later and is incorrect.

form of art, a bit later Metro-Goldwyn-Mayer followed suit under the guise of neo-Latin dictum 'ars gratia artis' (1924); opera of the 19th century is primarily based on the idea of the march; heroic epics did never serve, nor do they now serve, pacifism. Man is not a lamb, how could his/her art be like that, and why should they?

However, the fact that 'ars gratia politiae'²², that by means of arts and languages normative, affirmative and at the same time pacifist policy can be implemented and that they indeed constitute 'the third pillar' of politics (according to Willy Brandt recognizing interdependence of art and foreign policy)²³, was obvious at least for the UNESCO founders. There is no data available concerning the sums which on the national, supranational and international scale were spent and are still being spent for these purposes.

4. Radio and TV stations as 'media and factors' of culture

Among public bodies we find in Germany, as well as in many other countries, public-law radio and TV stations, too. They are under direct control of the state since the twenties of the 20th century (to avoid false information like the one transmitted on November 9th, 1918 that the communists would have seized power). They are financed through an obligatory payment by each household similar to the tax system. The Federal Constitutional Court argued that radio performs a 'role as »a medium and element« of public communication'²⁴. Within this logic, (1) the entire system of public-law radio and TV stations can be regarded as part of cultural policy, since it performs tasks within the scope of *public good*.²⁵ Within another logic (2) and based on a differentiation introduced by the stations themselves, we can argue that part of cultural policy is not the entire system but only those parts of the programme which bear the title 'culture and science'. There is yet a third logic (3): following Daniel Fiedler (3), a coordinator belonging to the public tv 3sat, it can be argued: 'Culture is not the question of the programme genre, but of mentality. The point is how our editorial staff approaches the

²² In the classical Latin the word *Politia* - as a foreign word derived from the Greek word *πολιτεία* - denotes the constitution and administration of the state (*politicus* is, just as in the Greek language, only an adjectival derivative). In the Romanian language the word *Politia* has been preserved until today; in the German language the word was transformed into *Polizey*. Since the substantive was used already, *Politik* was coined referring to the adjective.

²³ Brandt, Willy: *Bedeutung und Aufgaben der Auswärtigen Kulturpolitik*, in: *Bulletin* (the Press and Information Office of the Federal Government), No. 71, July 5th, 1967, pp. 613-614.- 'It was exactly Willy Brandt and Walter Scheel, who in 1967 spoke about the state support of international cultural relations as 'the third pillar' and 'the girder' of foreign policy. It would have an equivalent value beside the peace policy and the foreign trade policy.' Hoffmann, Hilmar: „Dritte Säule“ der Außenpolitik. Zur aktuellen Diskussion um die auswärtige Kulturpolitik. In: *Internationale Politik*, 1996 (3).

²⁴ Verdicts of the Federal Constitutional Court 12, 205, (260); 57, 295 (320); 73, 118 (152).

²⁵ Rossen-Stadtfeld, Helge: 'The reflection over public culture-related tasks [radio stations and TV] must inevitably pose substantial questions. They are discovered anew only recently and it will take a long time before they can be answered in a convincing way. Providing explanation to cultural references of radio and television touches upon the issues which are fundamental not only for the understanding of the role of the radio and television, but also for their self-understanding and their formation in a legal sense. It begins as early as with the question about the status of the radio and television as a part of culture, which they at the same time jointly form and influence its development. It will be possible to perceive such radio and such television both as objects and subjects, their products are perceived as shaped by this culture and shaping this culture.' In: Rossen-Stadtfeld, Helge: *Funktion und Bedeutung des öffentlich-rechtlichen Kulturauftrags im dualen Rundfunksystem*. Scientific booklets of the Institute for the Economics of the Radio at the University of Cologne, booklet 201. Cologne 2005. The paper *Der Kulturauftrag des öffentlich-rechtlichen Rundfunks* presented at the symposium on January 26th, 2005 organised by The Public Radio Initiative Group at the University of Cologne. Also in print: Rossen-Stadtfeld, Helge (Hrsg.): *Funktion und Bedeutung des öffentlich-rechtlichen Kulturauftrags im dualen Rundfunksystem*. Münster, Hamburg, London 2005.

issues of our times. Daily cultural and scientific programmes which deal currently with these issues, which take standpoints, which influence the course of debates, which are broadcasted in prime time, they manifest such a mental attitude.²⁶

The following paragraphs discuss these three types of possible relation between radio and cultural policy. We will see that cultural policy usually constitutes only a minor part within policy segments which severally are more highlighted in public apperception.

4.1. Supply orientation versus demand orientation?

Expenditure (1) on public-law regional stations which cooperate in the ARD (Arbeitsgemeinschaft der Rundfunkanstalten Deutschlands - working group of German radio and TV stations), (2) on the second channel of the German public television Zweites Deutsche Fernsehen (ZDF) and (3) on the Deutschlandradio (Radio Germany) is approximately 8.398,0 mln euros annually. This is more or less the same amount as the sum of all public subsidies for culture and art according to the Federal financial report on culture-related issues. 85% of this radio and tv budget is financed from fees, and 5% comes from advertising.²⁷ There is a Fee Collection Centre which collects subscription fees at a monthly base of 17,98 euros for 'a TV set, a radio set and a new-type radio set' from each household or place of work. In comparison with France (80 euros annually; without advertising) the sum is nearly three times higher. The offer of public-law stations includes in any minute of the year an average of 18,9 public TV channels (competing with over 500 commercial tv channels) and 61 public radio stations.

The public offer reaches numbers which are not just astonishing, but truly astronomically. Germans will watch tv 2,4 trillion minutes a year or 6,6 billion minutes a day. These figures result (1) from a market share of public-law stations reaching 42,9% of the tv audiences, (2) at an average of 212 minutes of Germans watching TV every day from the age of 3 onward, and (3) with the use of TV by 88% of Germans. At peak viewing time, shortly after 9 p.m., in 2009 TV reached day for day an average of 37% of the entire population living in Germany, and public-law stations reached 16% of them.

The average cost of a tv minute within the public broadcast system can be calculated at 804,35 euros, calculating on the basis of the ratio of 2,490 million of minutes of broadcasting of ZDF television and its seven thematic channels to the total cost of 2 billion euros borne by it annually (2008). However, the frequency of repetitions for instance within the channel ZDFtheaterkanal is 97% at clearly reduced costs. The average cost of a radio minute within this system can be calculated at 180,95 euros, calculating on the base of the ratio of 202 mln euros at Radio Germany with 1,1, mln minutes of broadcasting. Calculating total costs is not possible; since in their cost analysis the stations do differentiate between the share of the first minutes of broadcasting, and the share of own costs. However, without a logical allocation of remaining costs such as reserves for future retirement claims, property costs, administration, etc to the first group of costs.

²⁶ *Basis unserer Arbeit ist nicht die Quote. Interview mit 3sat-Koordinator Daniel Fiedler zum 25-jährigen Bestehen des Drei-Länder-Kanals* [2009]. In: *Untergeschoß. Beobachtungen aus der Niederflurperspektive*. ViSdP: Harald Keller, Berlin. <http://untergeschoß.wordpress.com/2009/11/28/%E2%80%9Ebasis-unserer-arbeit-ist-nicht-die-quote%E2%80%9C/>

²⁷ Data according to the Commission for estimating financial demands of radio and TV stations *17. KEF-Bericht*. Mainz 2009.

A democracy lives from political participation of the whole populace. Therefore, a democracy must induce demand for political information also to people not vitally interested in such themes. If ZDF would not broadcast folk music, there would be hardly any viewer of its news programme *heute*. German politics controls German stations at the level of lands, despite the fact that the level of lands plays a rather ephemeral role in the public news programmes like *tagesschau* or *heute*. Democracy lives from the slugfest between political parties with their different opinions. Therefore public tv must gather broad strata of viewers in front of TV sets, when the parties do self-promote their goals. This works out only when the public program is similar to that of private stations which deliberately address themselves to the so-called 'lower strata of society', the tele-precariat. From a democracy theory point of view, such a similarity of programs is a necessary condition for fulfilling the public purpose of public broadcast. Whoever thinks that public tv would – at least after 8 p.m., when commercials have to finish – be something like a 'non-market space', has not understood the system. TV advertisement is sold in units of 1.000 viewers as potential consumers reached within 30 seconds. Public tv can be said to be measured in units with 1000 potential election votes within 30 seconds. Looking on this structural identity between commercial radio and the public one, the co-existence of both systems within German broadcast may be called a 'dual' system, but truly dual it is not.

The struggle for percentage share has led to a high level of comparability between the public-law stations with the offer of commercial stations. However, the latter ones do offer their services in a more efficient way. In other words, the commercial offer is more reasonable regarded from a national economic point of view. Thus, in the case of ARD, broadcasting of sports programmes is 19% of all first view program minutes, their share of costs is 25,2%. For fictional films this ratio is 12,8% (minutes) to 17,2% (costs).

Exactly the other way round works the main duty of the public programs. Delivering information is usually realized cheaper than its share of first view program minutes: news *Tagesschau / Tagesthemen* 14,4% to 6%; politics and society matters 13,9% to 5,2%; religious affairs 0,3% to 0,1%; music 0,2% to 0,1%. We can conclude that public stations do not comply with the idea behind the above-mentioned guidelines concerning subsidies: the goal of the fees could be realized better if services were provided in a more flexible way than it is the case now where the public system is responsible for both, organization of broadcast and production. Without bearing in mind the interests of politics, the 'basic providing the society' (cf. above the Federal Court), providing with feature films, talk-shows, etc, could be given to commercial tenderers. It would be even possible to finance the latter from the resources by public fees, under condition that they resign from advertising, that they integrate public good services, and that a system of qualitative indices would to be established. From the perspective of media policy and the theory of politics, however, the question of allocation would be in such a model as unsatisfactory as it is in the present state.

From the point of view of cultural policy, the dual system (supply-orientation vs demand-orientation) introduced in 1984 was a failure not only in respect to optimal allocation. German public-law stations have failed to understand the leap from the mere European Economic Community to a true Political Union, and to incorporate this leap into their programs. Instead of being federal, they are national. Instead of being European, they still are national. But one shouldn't play the stations when one sees that a similar concern is true for the European Union itself. Expenditure on culture is here 0,07 euro annually per citizen.

The public broadcast of the EU member states and even the wider grouping of the European Broadcast Union EBU²⁸ fulfil its information duties still on national patterns. Its role as »a medium and factor« of social communication, or in this case of the Europeanization process, is fulfilled neither towards their own citizens nor towards the citizens of partner countries. The opportunities alongside the introduction of digital satellite systems received in the whole of the region, have not been taken up in a coordinated manner. Apart from such binational channels such as ARTE (whose German-Polish counterpart at Görlitz/Zgorzelec has not gone beyond the stage of planning), a real European TV landscape has not been realised in spite of the fact that the film production within Europe is in a way a cultural family. It could well contribute to the formation of tighter bonds.

4.2. Reports medium versus a proper medium of art

Taken the First Channel of the ARD alone, the field of 'culture and science' has 7% of first view minutes and 2,5% of expenses. If one would hypothetically transfer these 2,5% to the budget of all stations and programmes within the ARD family of stations, the field of 'culture and science' would amount to 154 mln euros. This is just the double of resources for the Bavarian National Opera (78,7 mln euros; budget 2007).

Art actually does not appear in the public TV news. The task of 'basic providing with arts and cultural processes' neglected. Exception make single reports on visually effective events such as the opening of the European capital of culture 'Ruhr 2010'. The artistic production itself is excluded from *prime time* be it in in the news or in any other format. Art, intellectual topics and problems how to produce sense and signification, appear on the screen only when an average working Smith has gone to bed. Transferring these programmes to thematic channels makes this dilemma even larger. Upon the establishment of 3sat, Dieter Stolte, the ZDF CEO, said to the director of the new channel: 'If you exceed 3% in the evening, we will turn you off.'²⁹ Culture is far from it. In 2009 the percentage share of 3sat on the market was 1,1%; ARTE 0,7%, and *ZDFtheaterkanal* even did not appear in the statistics of the working group regarding the research into German television.³⁰

From the point of view of cultural policy, one can not reduce the role of TV to making 'reports on art'. As a platform of film, TV in itself is a medium of art. Therefore, the production of own fictional films and broadcasting the films produced by others, should be at least considered. Together with the *elenovelas* or *soap operas*, whose theatrical counterpart may be found the like on public or commercial stages, there is every day a considerable amount of time of *fiction* broadcasting. TV replaced cinema long ago – at least in its national economy dimensions. To be specific, TV considerably widened the space of drama which is no longer bound to the place where it is put on.

When Daniel Barenboim arrived at the Bayreuth Festival in the mid 80s, he told me to be almost shocked about the fact that all the way he drove his car to the Green Hill, there had been a radio program with classical music. With its orchestras, choirs and studios of new music, the broadcast system in Germany, in Poland, the Czech Republic, in France, etc became one of the most productive and most perceived actors in the world's cultural scene.

²⁸ Cooperation within the framework of *European Broadcasting Union* (EBU) from 1950/1954; currently 75 members from 56 countries within the geographical boundaries of Europe and the Mediterranean Basin; other associate members from 5 continents: <http://www.ebu.ch>,

²⁹ Quote according to <http://www.taz.de/1/leben/medien/artikel/1/ich-sehe-was-was-du-nicht-siehst/>

³⁰ <http://www.agf.de/daten/zuschauermarkt/marktanteile>.

But when items of media policy are discussed, the above-mentioned political aspects are in the focus, the cultural ones hardly appear.

4.3. TV as a manifestation of mentality

'Culture [as] a question [...] of mentality' (Daniel Fiedler) is elusive. Within our perspective of cultural policy, we don't need to talk about.

5. The shaping of frameworks for the arts through the elaborating of legal norms

You may remember that up to here we have been argued within a most pragmatic approach based on budget figures. We discussed the question 'What is cultural policy?', so far for the level of public territorial legal entities (*lands*, federation, *gemeindes*, *gemeindeverbände*), for the inter-national level, for legal bodies constituted by a group of people (Catholic and evangelical churches), for the level of public broadcast (ARD, ZDF, German radio).

However, apart from budget statistics, politics affects the sphere of artistic activity and cultural services, also by means of a variety of legal norms, exerting influence not by means of the budget, yet having a direct pecuniary influence. Here is the second, in fact a truly political perspective for the analysis of the question 'What is cultural policy?' Designing these norms constitutes the central task of politics, which does not yet say anything about the purpose as such. Here we can leave alone the widely debated, and insofar questionable 'cultural independence of lands'. This second perspective is primarily the task of the central government, the Federation. Unique among the EU countries was the establishment of a research commission 'Culture in Germany' (2003-05 and 2006-07; Gitta Connemann – the president) by the German Bundestag. In his foreword to the commission's final report, Norbert Lammert, the president of Bundestag explains in some kind of 'politia gratia artis' (*policies for arts' sake*), and in a nearly too elegant reticence:

The state is not, in our understanding of the state and of culture, responsible for art and culture, but for the conditions under which they are created. It has no material competence regarding the forms and contents, in which art and culture unfold within a society. However, the state holds a cultural policy responsibility for the frameworks, which make such unfolding possible.³¹

Indeed, the commission devotes less than 10% of its 625-page main text, i.e. pp. 285-291, to the issue of 'Supporting culture through the joint responsibility of state, civil society and enterprises' and pp. 292-321 to the issue of 'Selected 'areas of special significance requiring support', e.g. the issue of supporting indigenous minorities.

Take – at the difference to the practices used e.g. in France – book retail price maintenance, in force not only for bookshop chains, but also for the Internet sellers of books published in Germany. Take the reduced VAT on books. According to their advocates, by means of these two instruments, publishing houses, wholesalers and approximately five thousand trade bookstores which cooperate in the book traders association are systemicly supported, without any public subsidies. Income from mega-sellers may be used for the purpose of printing

³¹ Lammert, Norbert: *Vorwort*. In: Deutscher Bundestag (ed.): *Schlußbericht der Enquete-Kommission des Deutschen Bundestages*. Regensburg 2008, p. 89 next. p. 7

poetry or special literature; metropolitan bookstores and those in small cities sell books at the same price as big chains. Suhrkamp Verlag publishing house has centred German intellectuals for many years. Its annual income turnover is 33 billion euros. This is less than subsidies of the land Baden-Württemberg intended for the National Theatre of Baden in Karlsruhe (37 mln euros plus 3,5 mln euros of own revenue). Risk-based and demand-oriented commercial enterprises in the field of culture prove to be very effective. Their turnover is three times higher than the one of public institutions in the field of culture which operate with a minimised risk and are supply-oriented.

For social affairs all legal norms are collected within a Federal Social Security Statute Book. For building affairs, legal norms are collected within a Federal Building Code Book. A similar Federal Culture Code in which legal norms concerning culture and art would be collected has not been created yet.³²

6. Culture as an economic phenomenon

In order to capture the production in the field of art, beginning with preceding fields (e.g. musical instruments manufacturers) up to succeeding fields (organizers, users, distributors), one may refer to the instrumentarium of the European Union 'Nomenclature statistique des Activites economiques dans la Communaute Europeenne / The Statistical Classification of Economic Activities in the European Community / NACE Rev. 2, edition 2008'. The German classification of economic branches, in the current version 'WZ 2008', is based on this statistical classification. Upon request of the working group Cultural *Economy* of the Conference of Ministers of Economy, Michael Söndermann from the Cologne based Office of the Research on Cultural Economy, published at the end of 2009 a *Manual to the establishment of a statistical database for Cultural Economy and of an international evaluation of Cultural Economy data*.

The classification presented by Söndermann does not convince if one follows the notion of culture given in this article. A rubrication 'Art and Entertainment related Economy' seems more reasonable. It may be found adding 12 subbranches of the Söndermann Cultural and Creative Economy sector. Key data for Germany are: 72.904 enterprises and self-employed persons; achieving a cumulated turnover of 40.204 mln euros; 247.502 persons being employed, 174.599 employed persons obligatory subjects to social insurance; 162.000 euros of turnover per employed person.

³² Compare Vogt, Matthias Theodor: *Was soll ein Bundeskulturminister tun? Perspektiven der Kulturpolitik in Deutschland*. Dresden 1998 [special print], of the same author: *Perspektiven der Kulturpolitik in Deutschland* [additional print]. In: *Netzwerk Kulturarbeit*, Kognos-Verlag Augsburg 12/1998, pp. 561 – 574, of the same author: *Perspektiven der Kulturpolitik in Deutschland* [additional print]. In: *bühnengenossenschaft*. Ed.: Hans Herdlein upon order of Genossenschaft der Deutschen Bühnenangehörigen. Hamburg. Part I Booklet 6-7/1998, pp. 15 - 21; Part II Booklet 5/1999, pp. 16 - 18; Part III Blooklet 6-7/1999, pp. 15 – 17, of the same author: *Perspektiven der Kulturpolitik in Deutschland* [additional print]. In: *Kulturpolitische Umschau*. Ed. Jörg-Dieter Gauger upon order of Konrad- Adenauer-Stiftung. St. Augustin. Part I Booklet 2-3 / June 1998, pp. 74 - 84; Part II Booklet 4-5 / March 1990 pp. 90-105.

Art and entertainment sectors by submarkets (Federal Republic of Germany 2006)		Self-employment and enterprise (1)	Turnover (2)	Employed persons (3)	Subject to obligatory social insurance (4)	Turnover per employed person (5)
WZ 2003	Economy branch	Number	In millions of euros	Number	Number	In thousan ds of euros
Cultural and Creative Economy sector according to Söndermann subsectors No. 1.-12		219.376	126.377	938.043	718.667	135
Share in the National Economy		7,10%	2,60%	3,20%	2,70%	.
Step I: Cultural Economy, including double count		92.968	43.572	281.028	188.060	.
Step II: Sum of doubly counted branches		20.065	3.369	33.526	13.462	.
Remains:						
Art and entertainment sector		72.904	40.204	247.502	174.599	162
Share in the Cultural and Creative Economy sector		33%	32%	26%	24%	.
Share in the National Economy		2,36%	0,83%	0,84%	0,66%	.
1. Music sector		10.798	5.392	34.984	24.186	154
92.31.5	Self-employed musicians and composers	2.337	244	2.471	134	99
92.31.2	Music and dance groups	1.859	214	7.368	5.509	29
22.14.0	Recorded sound carriers and music publishing companies	1.478	1.867	5.155	3.677	362
92.32.1	*Theatrical plays/concerts organisers	1.268	1.301	7.046	5.778	185
92.32.2	*Running of theatres, opera houses, author's theatres, etc	207	334	3.347	3.140	100
92.32.5	*Other auxiliary services of culture and entertainment sector	1.358	381	3.677	2.319	104
52.45.3	Retail trade in musical instruments and note scripts	2.291	1.051	5.920	3.629	178
2. Book market		13.638	14.743	81.497	67.859	181
92.31.6	Self-employed writers, authors	5.915	456	6.179	264	74
22.11.1	Book publishing company	2.674	10.294	43.136	40.462	239
52.47.2	Retail sale of books	5.049	3.993	32.182	27.133	124
3. Fine arts market		10.985	1.767	15.249	4.264	116
92.31.3	Self-employed fine art artists	8.039	713	9.489	1.450	75
52.48.2**	Art trade (estimated)	2.003	588	3.670	1.667	160
92.52.1	Museum shops (including commercial segments,, estimated), exhibitions of art.	943	466	2.090	1.147	223
4. Film sector		17.654	7.609	53.850	36.196	141
92.31.7	*Self-employed stage artists	8.924	754	10.369	1.445	73
92.11.0	Production of film, television and	6.600	3.788	30.682	24.082	123

	video film					
92.12.0	Film rental facilities and tenderers of video software	1.145	1.621	3.641	2.496	445
92.13.0	Cinemas	985	1.446	9.158	8.173	158
5. Radio and TV sector		17.504	8.623	40.307	22.803	214
92.40.2	*Self-employed journalists	16.615	1.197	18.174	1.559	66
92.20.0	Radio, broadcasts, TV programmes organisers	889	7.426	22.133	21.244	336
6. Stage arts market		17.320	4.155	36.899	19.579	113
92.31.7	* Self-employed stage artists	8.924	754	10.369	1.445	73
92.31.8	Self-employed circus artists	531	36	626	95	58
92.31.1	Theatrical ensemble	108	41	1.233	1.125	33
92.32.1	*Organizers of theatrical plays / concerts	1.268	1.301	7.046	5.778	185
92.32.2	*Carriers of theatres, opera houses, actors' theatres, etc.	207	334	3.347	3.140	100
92.32.3	Varietes and smaller-scale performing arts	203	74	807	604	92
92.32.5	*Other auxiliary services of culture and entertainment sectors	1.358	381	3.677	2.319	104
92.34.1	Dance schools	1.522	198	3.020	1.498	66
92.34.2	Other culture/entertainment institutions (circus, acrobats, puppetry)	3.199	1.036	6.774	3.575	153
7. Design sector		0	0	0	0	
8. Architecture market		0	0	0	0	
9. Press market		0	0	0	0	
10. Advertising market		0	0	0	0	
11. Software and games industry		0	0	0	0	
12. Others		5.069	1.283	18.242	13.173	70
92.31.4	Self-employed restorers	1.266	136	2.671	1.405	51
92.51.0	Libraries, archives	74	20	1.037	963	19
92.52.2	Carriers of historical sites	65	24	188	123	128
92.53.0	Botanical and zoological gardens and nature reserves	300	209	770	470	271
92.33.0	Carnies, amusement parks	3.364	894	13.576	10.212	66

Source: (*)Differentiation M. Vogt on the basis of Söndermann: *Leitfaden* (2009), this one based on: Statistical VAT data, Destatis, Statistical Data of the Federal Employment Agency, Own calculations by M.Söndermann.

Suggestions according to Söndermann: (*) Data marked blue are assigned to a more than one submarket. Data marked red: Estimated value (**) Estimation of the art trade.. (1) 'Enterprises subject to fiscal obligation' comprise all entrepreneurs working on a freelance basis or on self-employment basis generating income subject to taxation (2) in the amount of at least 17.500 euros annually (3) 'Employed persons' comprise all self-employed persons and dependent employed, whose workposts are subject to the obligatory social insurance (4) except for so-called *mini-jobs*.

In the table 'Art and entertainment sectors' given above, a certain range of economy branches listed by Söndermann were not considered. They constitute between 67% a 75% of the total field of the Cultural and Creative Economy sector, and thus a majority. Their list reads as follows:

Other subsectors of the Cultural and Creative Economy sector		146.473	86.174	690.541	544.069	125
Share in the Cultural and Creative Economy sector		67%	68%	74%	76%	-
Share in the National Economy		4,74%	1,77%	2,36%	2,04%	-
7. Design sector		38.728	14.869	120.147	81.419	124
74.20.6	Industrial design	3.455	680	8.683	5.228	78
74.87.4	Product / graphic design	13.445	1.595	19.133	5.688	83
74.40.1	*Communication / advertising design	21.828	12.594	92.331	70.503	136
8. Arichitctural market		39.737	7.286	99.626	59.889	73
74.20.1	Architectural offices of building construction and interior design	34.124	6.246	84.251	50.127	74
74.20.2	Architectural offices of local, regional and country planning	3.132	626	9.425	6.293	66
74.20.3	Architectural offices of garden design and landscaping	2.481	414	5.950	3.469	70
9. Press market		22.917	27.311	124.360	101.443	220
92.40.2	*Self-employed journalists	16.615	1.197	18.174	1.559	66
92.40.1	News agencyies	801	804	7.201	6.400	112
22.11.2	Address book publisers	169	1.102	3.701	3.532	298
22.12.0	Newspaper publishing house	700	10.617	50.971	50.271	208
22.13.0	Magazine publishing house	1.732	10.172	36.759	35.027	277
22.15.0	Other publishing activities	2.900	3.419	7.554	4.654	453
10. The advertising market		39.507	25.797	142.021	102.514	182
74.40.1	*Communication design / advertising design	21.828	12.594	92.331	70.503	136
74.40.2	Advertising companies / advertising agencies	17.679	13.203	49.690	32.011	266
11. Software/games market		35.719	24.103	305.805	270.086	79
72.20.0	Software manufacturers	35.719	24.103	305.805	270.086	79

Source: see above.

The term 'art and entertainment sector' accepted above, makes it possible to define art in a more narrow sense and to define culture in a more broaden understanding, including even zoological gardens (on the world scale the most cherished communal field of culture with some 600 millions visitors a year), as well as circus and carnies, dance schools and the whole sector of radio and television. In comparison to this, the British term 'creative industries' comprises the communication branch (the Press, advertising, design), architectural offices except for underground construction, and particularly software / game industry. 'Creative industries' bundles all this into an artificial whole. The term *creative* is politically positive, but one its numerous problems is that from a logical point of view all other, necessarily 'non-

creative' industries must be considered as 'non-creative'. But this is obviously not true even for the British motor industry, not to mention British financial sector services.

From the point of view of economy, the term's appeal is that the branches of economy gathered here, mark Europe's biggest growth indicators. They caught up with the car construction sector or the chemical industry and, consequently, they are the focal point of politics. At the German conference of ministers of economy in 2008 the following definition appeared: 'The Culture and Creative Economy sector comprises those cultural and creative enterprises, which are predominantly income-oriented and deal with planning, production, distribution and / or medial distribution of cultural / creative goods and services.' The Federal commission 'Culture in Germany' attempted to use as a key the term 'creative act'. However, as anthropological constant, it does constitute a basis for all human artefacts. Therefore it cannot be used in this isolated context.

Be this as it stands. The debate around 'Creative Industries' has a side effect which is important for culture also in its narrower understanding, as well for the economy in general. Söndermann says: 'It is [...] absolutely necessary to draw attention to the fact that the notion of the creative act in the concept of Cultural and Creative Economy must be interpreted as an economic category, too. The production of aesthetic contents must proceed parallelly to an economic process or lead to it. The economic process should not be seen here as simple fiscal estimation, but in a much broader sense'. In Peter Bendixen's argument there is bipolarity of it: every economic process has also a cultural dimension, and every cultural process has an economic dimension.

From the point of view of cultural policy, the notion of economy in the field of culture will not lead far if it is confused with the artificial term of creative economy. In order to get away from this debate, the term 'Art and entertainment economic sectors' was coined (see above). It comprises hardly one per cent of the national economic turnover and hardly one per cent of employed population. However, because of the small scale of most of the initiatives, there is almost a three times higher share of the number of enterprises and self-employed persons. Its core is the production and distribution of literary, musical, dramatical, fine art and film activities. This comprises a turnover of 29,8 billion of euros. Because of the dense interweaving within this sector, the ratio between turnover and GDP contribution to GDP might be 2:1. In economic and political respect, a noteworthy profitability of public expenditure on culture may be observed.

The European Cultural Convention of the Council of Europe (1954) did not have binding consequences for the self-image of its signatory countries and for their economic processes. Therefore it did not cause misunderstandings or resistance. The GATS negotiations showed a different behaviour. A strong opposition of all EU member states as well as of the EU formed itself against the American position. On October 20th, 2005, during the UNESCO general assembly, the UNESCO *Cultural Diversity* convention was adopted. It initiated a range of activities both on national as well as on international levels.³³ It can be stated that since that day cultural policy gained recognition as a constituent of economically significant politics, in the international arena, too.

³³ Compare www.unesco.de.

7. Civil society

'Cultural education' is a current catchphrase of cultural policy. However, from a logical point it is nothing but a hendiadys. When *Cultura* appeared in history for the first time (Cicero: *disputationes tusculane*, 45 B.C.), it targeted at the education of (young) people: Education is always a cultivating phenomenon specific for the place of its occurrence. With reference to the regularly intended connotation with Word and Art,, it would be more appropriate to talk rather about 'Muse-born education' (or, more precise, about 'camenalic education').

The nine Muses are far less emphatically marked than the notion of 'culture'. The latter may be used to ennoble jurisprudence, turning it into the Culture of Law, or the craft of hairdressing, transforming it into the Culture of the Head, or to call the second lowest need in the *Maslow's hierarchy of needs*³⁴ a Culture of Eating. According to Peez, the notion of 'Muse-born education' has a complex history.³⁵ In the first place, it refers to a formalized process of training: 'Its key characteristics is the principle of holistic education of man, in which stress is put on the critical attitude to culture and appealing to the creative powers [note the plural] of man'.³⁶

The plural form of the expression 'creative powers' indicates that cultural or Muse-born education of man, initially does not focus on studying thoroughly the arts as an aim in itself. Instead, it focuses on the ability to develop the creative potentials of an individual and to help him/her achieve the ultimate Maslow *self-realization* ('What a man can be, he must be'³⁷). A piano and a violin have been proven milestones on this road. According to recent research results³⁸, several hours of mathematics less at school and several hours of music more help score better marks in mathematics. We can note at first a non-mediated function 'ars gratia culturae' (*cultura* understood as an individual process of maturation in the sense of Cicero,³⁹ which always goes hand in hand with an enculturation into the beliefs of the surrounding society). Beyond this function, again it is not about the arts bearing an aim in themselves 'ars gratia artis', but it is about the anthropologically fundamental function 'ars gratia libertatis'; when the arts stimulate the development of man as *homo ludens*⁴⁰. According to Schiller, a man is fully a man only there where he or she plays.⁴¹ That sphere is the exact opposite of the middle-high-German notion of 'arebeit', the toil and the worries for to satisfy man's physiologic needs. Since the Greek era, the Muses have been at the core of the European self-conception of civil society, either by ascending through the arts as understood by the late

³⁴ Maslow, Abraham H.: *A Theory of Human Motivation*. In: *Psychological Review* 50(4) (1943): 370-96.- The notion of the 'pyramid', quoted many times, does not appear here.

³⁵ The notion was created within reformed pedagogy of the 20's; its roots reach also to the youth movement. [...] Since the late 60's [...] in the sphere of social work, where it was able to survive till that time due to the general deficit of theory, the notion has been considered outdated. Here, the concepts of aesthetic education were adopted. Based on the political directives, the notion of 'des Musischen' – artistic, has been used again first of all in cultural work with young people since the mid 80's – in such combination of words as „musisch-ästhetische Erziehung“ (artistic-aesthetic education) or 'musische Bildung und Medienerziehung' (artistic education and upbringing in contact with the media) Peez, Georg: *Musische Bildung*. In: *Fachlexikon der sozialen Arbeit*. Frankfurt a. M. (Deutscher Verein für öffentliche und private Fürsorge) 6. Ed. 2007, p. 662-663.

³⁶ Peez (2007), a.a.O.

³⁷ Maslow, Abraham. *Motivation and personality*. New York 1954, p. 91.

³⁸ See. Bastian, Hans Günther: *Musik(erziehung) und ihre Wirkung. Eine Langzeitstudie an Berliner Grundschulen*. Mainz 2000.

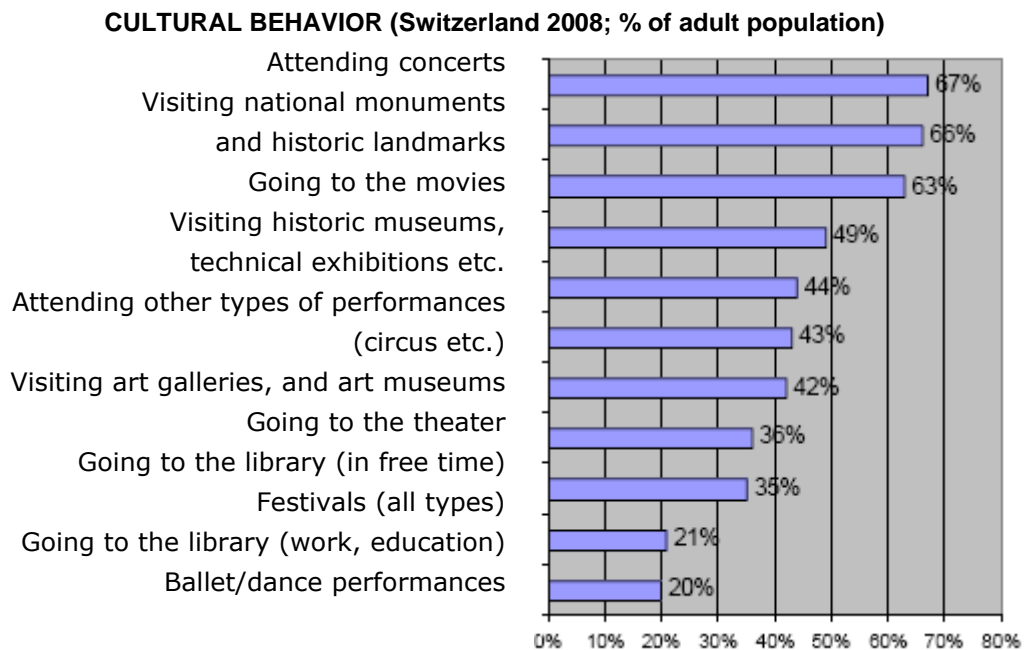
³⁹ Vgl. Vogt, Matthias Theodor: *Beitrag der Kultur zur Wohlfahrt*. In Vogt, Matthias Theodor (Hrsg.): *Kultur im ländlichen Raum. Das Beispiel Mittelsachsen*. Kulturelle Infrastruktur Band VIII. Leipzig, 2000.

⁴⁰ Huizinga, Johan: *Homo Ludens, proeve eener bepaling van het spel-element der cultuur*. Haarlem, 1938.

⁴¹ Schiller, Friedrich [o]: *Über die ästhetische Erziehung des Menschen* (1795).

burgher's, or by being entertained by them, in a general social meaning, be it in a creative or a receptive way.

The most recent research of Swiss scholars⁴² concerning cultural behavior of adults, indicate that 2/3 of the members of the society regularly (from one to six times a year) attend concerts, visit historic landmarks or go to the movies; half of the society goes to the museum, to the circus or to the theater; 1/3 takes part in festivals or goes to the library. Research conducted in other countries, shows similar results.⁴³ Differences in age do not matter – contrary to the differences in education and income. Among the main obstacles to realization of cultural activity, the researchers list lack of time (depending on a field between 50% and 70%), whereas the cost is an obstacle only in 15% of cases.



Source: Schweizerisches Bundesamt für Statistik (2009): *Kulturverhalten in der Schweiz. Erhebung 2008*.

The single German's expenses of for literature or the other forms of art – for cultural services or products to use the terminology of the 'basket of products' compiled by the Federal Statistical Office - amount to 344 euros per year; giving a total of 28 billion euros.

The Beotian original trias of Muses⁴⁴ - *Melete*, *Mneme* and *Aoide* – was translated by Burckhardt⁴⁵ as *Zeal* (which is also the original meaning of *studium*), *Memory* and *Singing*. Indeed is μελέτω the central term which was available for the ancient Greeks for to define

⁴² Schweizerische Eidgenossenschaft, Eidgenössisches Departement des Inneren, Bundesamt für Statistik: *Kulturverhalten in der Schweiz. Erhebung 2008. Erste Ergebnisse*. Neuchâtel, 2009.- Complete results will be presented in 2010.

⁴³ Compare France, Austria, European Union and other. Donnat, O.: *Les Pratiques culturelles des Français*. Enquete 1997, La documentation française, Paris 1998. IFES Institut für empirische Sozialforschung: *Kultur- Monitoring. Bevölkerungsbefragung*, Wien 2007. EUROSTAT: Participation of Europeans in cultural activities. Eurobarometer survey ordered by the European Commission, Brüssel 2002. Europäische Kommission: European cultural values. Special Eurobarometer 278, Brüssel 2007.

⁴⁴ Pausanias IX, 29,2.- Comp. with further works Ettliger, L. D.: *Die Verwandlung der Musen in die sieben Freien Künste*. In: Sitzungsberichte der Kunstgeschichtliche Gesellschaft, Berlin 1960/61.

⁴⁵ Burckhardt, Jacob: *Werke. Kritische Gesamtausgabe, Band 20. Griechische Kulturgeschichte. Zweiter Band, Dritter Abschnitt: Religion und Kultus. II. Die Griechen und ihre Götter*. München, Basel 2005. P. 67 column 24.

scientific practice, comprising quite a group of notions: consider, study, practice. Contemporary apprentices devote to these notions half of their time each week. In the era of *lifelong learning* these notions provide for Europe the decisive chance to develop its economic potential. The art of recollection *Mneme* characterises the integration of historic thinking., Since the success of the national exhibition on Staufs (Stuttgart 1976), one can see that *Mneme* interests broader and broader parts of the society . Finally, *Aide* is metonymic with the creative use of all that has been well thought-out and memorized, giving an artistic or humanistic form to the results of thinking and the historic reflection.

The group of civil society's activities referring to art may be treated in this sense as 'Muse-born culture'. Its definition is sharp enough for to become a subject of study in cultural policy, being the segment of cultural policy outlined by the first actor of politics, namely the civil society. Πολιτεία means first of all an interaction of "more than two" (πολύ) people and does not inescapably limit the art of common good merely to the constituted state or burgh. Understanding culture as a bastion of community has some tradition in Germany. Ernst Wolfgang Böckenförde, who became later a lecturer in Freiburg, formulated in 1967 the question: 'What does a nation live on, where does it find the power which elevates it, guarantees unity, and where does it find the strength of regulating the freedom, which it needs?' and he answered openly: 'A free, secularized state lives on premises which it cannot provide on its own.'⁴⁶

Tying in with 19th century workers associations, in nowadays Germany the so-called A lands (traditionally governed by left-wing SPD) call their administration 'Ministries of Education and Culture'. In the so-called B lands (traditionally governed by right-wing CDU), the corresponding structures are called 'Ministries of Education and Art'. In reality both ideas denote the same 'Muse-born culture' and the same function of arts in self-unfolding of society and of its members (*ars gratia culturae*).

8. The humanities⁴⁷

The Statistical Office of the European Union Eurostat (as well as other research investigating funds used for culture) regularly ignores one central resource of culture: the humanities.

Within the EU this is systemic. It's guiding principle is Fichte's 'practical art of application in life'.⁴⁸ According to the EU, the *scienda*, i.e. that, what one should know, is 'science' and hence, already in this primary meaning it limits the canon of sciences to natural sciences, life sciences and technology. These three constitute 9 out of 10 *topics* in the 7th Framework Research Program (2007-2013). The expenditures on the 'socio-economic sciences and the humanities'⁴⁹ amount to 623 million euros or 1,9% out of the total of 32.413 million euros. This translates to a subsidy of 0,18 euro per citizen and year. The German version 'Geistes-Wirtschafts- und Sozialwissenschaften' (humanities, economy and social sciences) is overblown. The English version mentions only the narrow field of 'socio-economic research', i.e. human factors connected with economic development, and the *humaniora*.

⁴⁶ Böckenförde, Ernst Wolfgang: *Die Entstehung des Staates als Vorgang der Säkularisation* (1967), re-edited in: the same: *Recht, Staat, Freiheit*, Frankfurt am Main 1991. S. 111 bzw. 112.

⁴⁷ I would like to thank Andreas Bracher, Harvard MA, for his unvaluable help in translating this paragraphe.

⁴⁸ "Many of the subjects taught at the universities (such as theology, jurisprudence or medicine) include elements, which do not qualify as science, but are rather part of the very different practical art of application in life.« Fichte: *Deduzierter Plan*, § 22. Cp. Schelsky: *Einsamkeit und Freiheit*. Reinbek 1963, p. 88.

⁴⁹ http://cordis.europa.eu/fp7/budget_en.html.

8.1. What are the humaniora?

The term 'humanities' used in the EU derives from Coluccio Salutati (1331-1406), who in his later life was chancellor of the city of Florence. In a letter of condolence in 1369 he used the expression *studia humanitatis*.⁵⁰ In the Trecento, studying grammar, rhetoric, history, literature and moral philosophy (i.e. all of the commonly recognized disciplines at that time, apart from the three sciences of order [see below] and the natural sciences) was aimed at acquiring skills for performing Good Service in the society (et sibi et ceteris consulebat); not in order to be more "educated" (non quo doctiores efficiamur), but as a personal prerequisite of co-competence in governance in the seal of humanity (quo meliores [but not: melius] efficiamur).⁵¹ It is not clearly distinguished however – the same is true for usage in contemporary French or English – whether *humanitas* refers to humanity or to humaneness (Menschheit oder Menschlichkeit); but the use of the Genitive case instead of the Dative suggests rather the former. *Studia*, effort, is by no means aimed at acquiring knowledge alone, but at building one's character.

The divine order, the order of the world and the order of the body were in the medieval universities the subjects of the three higher faculties of theology, the two laws and medicine. Before one could go to order studies, you had to go to the faculty of liberal arts. In the Enlightenment epoch some centuries later, a specific function was ascribed to the arts' faculty – many scholars still like to quote Immanuel Kant⁵² who argued:

The name of the lower [philosophical] faculty may be ascribed to that part of the university which deals exclusively with the disciplines of which the direction will not be determined at the order of a higher authority.⁵³

To continue using the argumentation of Kant, it's canon of subjects relates to the key task of conveying something beyond practicality. Standing in the tradition of Salutati, he clearly refers here to the concept of freedom (and thus to the foundation in late antiquity of the idea of studies and teaching as a way of the liberation and the self-realization of man):

Now, the ability to formulate judgments autonomously, i.e. freely (in accordance with the general principles of thinking) is called reason. Thus, the faculty of philosophy, since it has to stand in for the truthfulness of the teachings which it supports or concedes, must be thought to be in essence free and subject exclusively to the jurisdiction of reason, not of a government. At every university, also such a faculty has to be installed, that is the faculty of philosophy must exist. Looking at the upper three, it is designated to control

⁵⁰ Salutati, Coluccio: *Letter of condolence to Ugolino Orsini de' Conti di Manupello on the occasion of his father's death, whose character and whose efforts are highlighted. Epistolario I, Letter XVIII, Viterbii, pridie kalendas octobris [1369]: „Omnium consensu divinarum humanarumque rerum volumina, quasi Parnassus biceps pariter continens, utriusque sophie non sophistico, non ventoso sensu, sed vere realitatis solidam existentiam attingebat, et denique omnia humanitatis studia longa exercitatione complexus ad universas vite partes et sibi et ceteris consulebat.“* In: *Epistolario di Coluccio Salutati*, a cura di Francesco Movati, Roma, 1891 (vol. I) 1893 (vol. II), 1896 (vol. III), 1905 (vol. IV/t), 1911 (vol. IV/2). Tutaj Vol. 1, S. 106.

⁵¹ The normative aspekt is even clearer in a letter of Salutati's of 1398.: „Alterum in quo tibi gratulor est, quod ad litterarum studia te convertas. nichil enim perseverantius nobiscum est quam habitus scientificus et humanitatis studia. habitum autem volo, non quo doctiores solum, sed quo meliores efficiamur, cuius magna pars philosophie moralis preceptis doctrinaque continetur.“ *Libro Nonno [Brief] XXV. A Giovanni di Paoluccio Manzini della Motta di Fivizzano. Firenze, 3 dicembre 1398. Movati ecc.. Rom 1896. Vol. III, p. 330.*

⁵² Gethmann, Carl Friedrich; Langewiesche, Dieter; Mittelstraß, Jürgen; Simon, Dieter; Stock, Günter: *Manifest Geisteswissenschaft*. Berlin-Brandenburgische Akademie der Wissenschaften, Berlin 2005.

⁵³ Kant (1794): *Der Streit der Fakultäten in drei Abschnitten*. Eingang des zweiten Abschnitts.

them and in this way to become useful for them, as everything depends on truth (the most important and the first condition of learnedness); the utilitarian character, which the higher faculties promise to provide for the purposes of the government, is a secondary momentum.⁵⁴

When later, after 1800, the countries of continental Europe were collapsing under the pressure of Napoleon's armies' and required some kind of an intellectual defense-attack, a new university principle came into being, which today goes by the name of Wilhelm von Humboldt. According to this principle, the humanities occupy the central place – without them and without their state financed legitimization of the state no state any longer was willing or able to exist. The towers and crenels of the state edifices would give historic meaning and legitimacy to the external image of the state; the publication of the *Nibelungenlied* gave importance to its internal image. Germanic studies established the urgently needed connection with the old Germanic tribes; the historiography linked itself to the antique authors and *the Weltgeist* was shown to lead straight into Prussianism. Among the faculties, philosophy was usually ranked at the second position. Only theology did not yield and still occupied the first place. Partly even today it still occupies the place of a symbolic second.

In the middle part of the following, the 20th century, a physicist, Charles Percy Snow, stated 1959 in a lecture at the University of Cambridge that there was an inability of a dialogue between the 'literary intellectuals' of the the *humanities* on one side, and the representatives of *science* (the natural science recording objective results of research) on the other. Underlying his article in the press in 1956,⁵⁵ his lecture and its publication in 1959⁵⁶ as well as an extended book of 1964⁵⁷, was a defensive position: 'Science [is] not understood or respected by the dominant culture [the literary intellectuals], to the detriment of all.'⁵⁸

The contrast defined by *The Two Cultures* derives from the creator of the concept of 'Humanismus' (humanism; 1808), the pedagogue, reformer of Bavarian schools and friend of Hegel's, Friedrich Immanuel Niethammer (1766-1848). As the 'dualism between the humanistic gymnasiums and the 'Realschulen''⁵⁹, it shaped the whole of the 19th century. Its *humanism* was an ideal: building character with the 'ideas of humanism'⁶⁰ as the aim of education. The tradition of Niethammer's concept is reflected directly in the concept of

⁵⁴ *ibid.*

⁵⁵ Snow, Charles Percy: *The Two Cultures. New Statesman*, October 6, 1956.

⁵⁶ Snow, Charles Percy: *The Two Cultures and the Scientific Revolution*. The Rede Lecture 1959. 7 May 1959., Senate House, University of Cambridge. Published: Cambridge University Press Cambridge 1959. [p. 52] Translated into German as Snow, C. P.: *Die zwei Kulturen*. 1959. In: Kreuzer, Helmut (ed.): *Die zwei Kulturen. Literarische und naturwissenschaftliche Intelligenz. C. P. Snows These in der Diskussion*. dtv, München 1987.

⁵⁷ Snow, Charles Percy: *The Two Cultures: And a Second Look: An Expanded Version of The Two Cultures and the Scientific Revolution*. Cambridge University Press 1964. [p. 100]

⁵⁸ Quoted after: *Are We Beyond the Two Cultures?* May, 7, 2009.

http://seedmagazine.com/content/article/are_we_beyond_the_two_cultures/

⁵⁹ Compare Prantl, Carl: Artikel *Niethammer, Friedrich Immanuel*. In: *Allgemeine Deutsche Biographie*, Publisher by the Historic Commission of the Bavarian Academy of Science, Vol. 23 (1886), pp. 689-691: 'In 1808 Montgelaß assigned him [Niethammer] to Munich and in the name of the Central School Council and the Higher Church Council ordered him to work out of a new plan of teaching for the 'Gymnasien'; in order to prepare and justify his plan, he published 'A Controversy between Philanthropy and Humanism in the Theory of Education in our Times' (1808), in which, based on the differentiation between the intellectual and the animal character of man, he discussed the importance of educating reason based on the ideals of humanism on the one hand, and of developing practical skills on the other. He generally emphasized the superior importance of the first task. [...] Now the dualism between the humanistic Gymnasien and the Realschul-Gymnasien was strictly put into reality and whereas in the former the stress was put on cultivating classical antiquity, in the latter the idealistic side of things was also included – namely, the higher grades were taught some philosophical disciplines (in his way N. could still in 1808 contribute to hiring Hegel for the Realygmnasium in Nurnberg)."

humanities in the United States. The *National Foundation on the Arts and the Humanities Act* (1965) defines its target of funding in the following way:

The term 'humanities' includes, but is not limited to, the study of the following: language, both modern and classical; linguistics; literature; history; jurisprudence; philosophy; archeology; comparative religion; ethics; history, criticism and theory of art; those aspects of social sciences, which have humanistic values and employ humanistic methods; and the study and application of the humanities to the human environment with particular attention to reflecting our diverse heritage, traditions and history, and to the relevance of the humanities to the current conditions of the national life.⁶¹

The demand for excellency ('democracy demands wisdom') of the *National Endowment for the Humanities* relates to Kant's idea of something beyond practicality. This is however, not true for the other part of its mission statement, the demands of the state ('conveying the lessons of history to all Americans'), which is inspired by thoughts from the 19th century which are still alive on the other side of the Atlantic:

The National Endowment for the Humanities (NEH) is an independent federal agency created in 1965. [...] Because democracy demands wisdom, the National Endowment for the Humanities (NEH) serves and strengthens our Republic by promoting excellence in the humanities and conveying the lessons of history to all Americans.⁶²

What is considered 'humanism' now (and what really was no more such than Constantinople was ever Byzantine), was comparable to Washington's ideology of practicality, and to Droysen's⁶³ concept of 'Geisteswissenschaften'.⁶⁴

While Leopold von Ranke made do with 'what has happened', Droysen demanded meaning: History should give orientation, co-create the future, or, put more sharply, should be politics by other means.⁶⁵

Let us go back to Snow 1959. The main issue for him was another problem, also directed at *Good Service*: What can rich nations do to help the poorer ones? The sociologist Rudolf Stichweh, the present rector of the University in Lucerne, noted:

The one-sidedness of the solution, that he considers the only possible response to backwardness, is impressive: the training of a sufficient number of scientists and engineers. [...] This extreme narrowness of his view is connected with the fact that Snow does not in any way realize that the rich countries of the West do not differ from other regions of the world in the number of scientists and engineers, but in their social, legal and economic order, which cannot be recreated through the technological-scientific culture. [...] The function of social sciences according to him boils down to reflecting in

⁶⁰ Prantl, *ibid.*

⁶¹ National Endowment for the Humanities: *Who We are*, <http://www.neh.gov/whoweare/overview.html>,

⁶² *ibid.*

⁶³ § 48. Relying on the individuals, working, the mankind creates the universe of the ethical word. Its creation would be mountains of unicellular organisms, without the tireless development and shaping of its moral community, without history. Its work would be infertile like sand dunes, and the play of wind without the consciousness of continuity – i.e. without history. Its continuity would be only a repetitive motion of a wheel – without the certainty of its purposes and without the ultimate goal, without the theodicea of history. « Droysen, Johann Gustav: *Historik. Rekonstruktion der ersten vollständigen Fassung der Vorlesungen* (1857), outline of historicism in the first manuscript (1857/1858) and in the last printed version. Text edited by Peter Leyh, Stuttgart 1977, p. IX i 435 n.

⁶⁴ Compare Nippel, Wilfried: *Johann Gustav Droysen. Ein Leben zwischen Wissenschaft und Politik*. München 2008.

⁶⁵ Schnyder, Caroline: *Zwischen Wissenschaft und Politik. Wilfried Nippel entzaubert den Almeister Johann Gustav Droysen*. NZZ Zürich 11.04.2008.

retrospect the results of the 'industrial revolution', which he sees as a mere consequence of breakthroughs in the technological-scientific domain.⁶⁶

Stichweh comes back to the idea of the 'Third Culture' signaled already by Snow and developed later by the others, and attributes predominance to his own, Stichweh's discipline. Opposing John Brockmann⁶⁷ he states:

A third culture, apart from the literary intelligence and the natural sciences [...] – came into being in an impressive way in the last century in the systematic sciences of culture, in the economic sciences, in the legal sciences, and in the wide spectrum of social sciences. What we know thanks to this sphere and what is possible for us thanks to it in form of creative intervention, denies the reduction of the social world and the sphere of culture only to problems of application of the technological-scientific progress. This reduction we find as an error of category in Snow, and we may later find it many times up to the politics of science of the early 21st century.⁶⁸

Thus, also here, although assuming a different point of view, we do not hear much about Snow's 'literary intellectuals'. If we would want to call them after Snow the 'First Culture', then on the one hand they are pressed hard by the 'Second Culture' – the canon of *sciences* – which gets the lion's share of at least the European subsidies; whereas on the other hand the small remains would be claimed in most part by the 'Third Culture' of social and economic sciences, which do the scholarly discussion of Niethammer's *realia*.

Thus, where is ground for the philosophic faculty in the narrow sense? Where is there a place for Salutati's ideal of humaneness and humanity (*studia humanitatis*), for Kant's mediated sphere beyond practicality (the faculty of philosophy), for Niethammer's building of character (humanism), for Snow's 'literary intellectuals', for the 'strengthens our Republic' of the National Endowment (humanities), or for Droysen's program of giving meaning (*Geisteswissenschaften*)? Where is there a place for the discussion of the *idealìa* or maybe *imaginaria*⁶⁹?

8.2. The humanities in the German system of higher education

According to the present analysis of the Federal Statistical Office in Wiesbaden on 'language and culture studies' and on 'art and art studies', the number of people employed in the domain of the humanities – which are here called by a different name – amounts to 61.860 persons. This constitutes 11,51% of the personnel of German academia.

Humanities in German Hochschulen (2008)		Humanities		Languages and culture studies	Art and art studies
Total number of personnel	537 335	61 860	11,51%	44 567	17 293
Total number of people employed as artists and scientists	274 769	55 492	20,20%	39 304	16 188
As main profession, total	184 797	28 024	15,16%	21 889	6 135

⁶⁶ Stichweh, Rudolf: Die zwei Kulturen? Eine Korrektur. FAZ 2 December 2008.

⁶⁷ Brockman, John: The Third Culture: Beyond the Scientific Revolution. Simon & Schuster 1995.

⁶⁸ Stichweh, *ibid.*

⁶⁹ Compare Vogt, Matthias Theodor: *Was wir nicht wissen können und dennoch wissen müssen. Kulturpolitik als Ertüchtigung des Imaginärsinnes*. In: Vogt, Matthias Theodor; Sokol, Jan; Ociepka, Beata; Pollack, Detlef; Mikotajczyk, Beata (ed.): *Die Stärke der Schwäche*. Pisma Collegium PONTES Vol 3. Bern, Berlin, Bruxelles, Frankfurt am Main, New York, Oxford, Wien, 2009, pp. 219-232.

Professors	38 564	8 950	23,21%	5 587	3 363
Assistant professors and associate professors	4 862	893	18,37%	757	136
Art and science employees	133 497	14 453	10,83%	12 724	1 729
Teachers for special assignments	7 874	3 728	47,35%	2 821	907
As side profession - total	89 972	27 468	30,53%	17 415	10 053
Professors – visiting professors invited by the school	401	124	30,92%	65	59
Retired professors, emeriti	915	250	27,32%	217	33
Lecturers	59 516	21 060	35,39%	11 967	9 093
Honorary professors	1 464	345	23,57%	236	109
Part time associate professors, part time professors, Privatdozenten	6 252	1 195	19,11%	1 141	54
Research workers	21 424	4 494	20,98%	3 789	705
Administrative and technical personnel, and others – total	262 566	6 368	2,43%	5 263	1 105
Basic type of professional activity - total	258 909	6 209	2,40%	5 129	1 080
Administrative personnel in the higher grade of civil service	8 628	165	1,91%	129	36
without higher grade	60 303	3 995	6,62%	3 580	415
Library personnel in the higher grade	779	13	1,67%	13	-
without higher grade	9 924	431	4,34%	387	44
Technical personnel in the higher grade	1 527	20	1,31%	12	8
Technical personnel without higher grade	51 986	890	1,71%	455	435
Other personnel in the higher grade	1 362	30	2,20%	28	2
Other personnel without higher grade	49 293	546	1,11%	425	121
Nursing personnel	59 798	1	0,00%	1	-
Trained personnel	14 571	55	0,38%	36	19
Apprentices	738	63	8,54%	63	9
Additional professional activity - total	3 657	159	4,35%		25

Source: Federal Statistical Office: Bildung und Kultur. Personal an Hochschulen. Series 11 Row 4.4. Wiesbaden 2009.
Own analysis.

Taken the average cost of 53.187,71 euro per position in the balance of expenditures for personell and for materials (2007)⁷⁰, we come to a calculated expenditure of 3,3 billion euro per annum. But in fact the share of intensive teaching of the so-called 'teachers for special assignments', who are cheap in terms of costs, amounts not to 11% but to 47%, and the share of free guest professors without any costs to 31%. The share of the badly paid lecturers equals 35%. The development of the humanities in the last decades may be best tracked by looking at the number of emeriti, who constitute 27% as opposed to 23% of the active professors. This means that within half of a generation the number shrank by 20% and it indicates a weakening position of the humanities in the eyes of institutionalized society. Where is its *Good Service* beyond quoting Kant's?

Since the universities do not carry out full cost accounting, the real expenses for the humanities may be assessed only approximately. Out of 33,3 billion euros for the present public and private system of colleges we have to deduct first of all the costs for human medicine (15,8 billion euros) and for veterinary medicine (together 48%). It remains 17,0

⁷⁰ Vogt, Matthias Theodor et al.: *Serbian folk ensemble*. Frankfurt 2009, p. 34.

billion euros for academia apart from medicine. Of these, the non-medical faculties obtain 10,7 billion euros, and the main facilities (in general the lecture halls, libraries, administration, etc.) get 6,6 billion euros. Of the first, the humanities have a share of 2,0 billion euros or 19%. If we project this percentage onto the main facilities we obtain a further 1,2 billion euros. In total, 'languages and cultural studies' together with 'arts and art studies' amount to 3,289 billion euros, which confirms the correctness of our previous calculation (3,3, bio.). That amounts to 19,5% of the total sum for the system of higher education (excluding medicine), but they only get 9,5% of the investments.

Expenses of German universities 2007	Expenses		Current expenses		Investments	
Expenses - total	33.314.103	311,3%	30.611.346	309,8%	2.702.757	329,2%
Main facilities (excluding university clinics)	5.233.180		4.751.762		481.418	
Colleges – total excluding clinics	1.370.982		1.132.257		238.726	
Main facilities of university clinics (only human medicine)	4.859.565		4.419.356		440.209	
Groups of faculties - total	21.850.376	204,2%	20.307.971	205,6%	1.542.405	187,9%
Human medicine / health science	10.992.957	102,7%	10.289.224		703.733	
Veterinary medicine	157.082	1,5%	139.311		17.772	
Groups of faculties excluding medicine	10.700.336	100%	9.879.436	100%	820.900	100%
Languages and cultural studies	1.475.096	13,8%	1.448.927	14,7%	26.169	3,2%
Sports	127.808	1,2%	117.826	1,2%	9.982	1,2%
Legal, economic and social sciences	1.858.943	17,4%	1.775.684	18,0%	83.259	10,1%
Mathematics, natural sciences	3.548.480	33,2%	3.154.315	31,9%	394.165	48,0%
Agriculture, forestry, dietetics	366.701	3,4%	347.649	3,5%	19.053	2,3%
Engineering sciences	2.764.232	25,8%	2.527.580	25,6%	236.652	28,8%
Arts, art science	559.076	5,2%	507.455	5,1%	51.621	6,3%
Humanities	2.034.172	19,0%	1.956.382	19,8%	77.790	9,5%
Share of main facilities and Schools of higher learning total	1.255.475	[19,0%]	1.165.187	[19,8%]	68.242	[9,5%]
Humanities including the share in main facilities	3.289.648	19,0%	3.121.569	19,8%	146.033	9,5%

Source: Federal Statistical Office: Bildung und Kultur. Finanzen der Hochschulen. Series 11 Row 4.5. Wiesbaden 2009.
Own analysis.

The systematics of the Federal Statistical Office cannot satisfy us. It has its historic roots, but it is e.g. not entirely clear why psychology and pedagogy are not assigned to the social sciences. Moreover, both catholic and protestant theologies however small they are, for various reasons should be presented separately. Thus, the analysis may be more precise if we differentiate between the humanities in the broader and in the narrower sense.

If we classify these subjects exclusively based on the costs, unexpectedly music takes the first place with 15% of expenditure (and 26% of investments). Language studies together amount to 42% of the humanities in the narrow sense, and the art studies to 22%.

Expenses of German universities 2007	Expenses	Current expenses	Investments
Humanities in a broader sense	2.034.172	1.956.382	77.790 9,5%

Theology	128.646	6,32%	127.696	6,53%	950	1,22%
Evangelical theology	72.090		71.499		591	
Catholic theology	56.556		56.197		359	
Pedagogy, Psychology	408.412	20,08%	398.934	20,39%	9.479	12,18%
Educational sciences	192.408		190.922		1.486	
Psychology	182.233		175.031		7.202	
Special needs pedagogy	33.770		32.981		790	
Humanities in the narrow sense)	1.497.114	100%	1.429.752	100%	67.362	100%
Music, musicology	235.845	15,75%	218.194	15,26%	17.651	26,20%
History	166.246	11,10%	164.372	11,50%	1.874	2,78%
German studies (German, Germanic languages without English)	158.840	10,61%	157.137	10,99%	1.703	2,53%
Designing	119.693	7,99%	114.772	8,03%	4.921	7,31%
English, American studies	90.883	6,07%	90.087	6,30%	796	1,18%
Languages and cultural studies general	86.858	5,80%	83.690	5,85%	3.169	4,70%
General and comparative studies of literature and linguistics	85.510	5,71%	84.044	5,88%	1.466	2,18%
Other/non-European language and cultural studies	75.076	5,01%	73.693	5,15%	1.384	2,05%
Stage art, film and television, theatre studies	72.084	4,81%	57.421	4,02%	14.662	21,77%
Romantic studies	71.809	4,80%	70.963	4,96%	846	1,26%
Philosophy	69.903	4,67%	68.674	4,80%	1.229	1,82%
Art, art studies, total	69.814	4,66%	66.542	4,65%	3.272	4,86%
Fine arts	61.641	4,12%	50.525	3,53%	11.116	16,50%
Librarianship, documentation, Journalism	51.428	3,44%	49.182	3,44%	2.246	3,33%
Classical languages (classics)	35.368	2,36%	34.786	2,43%	582	0,86%
Slavic, Baltic, Finnic Ugrian studies	25.523	1,70%	25.433	1,78%	90	0,13%
Cultural studies in a narrow sense	20.591	1,38%	20.236	1,42%	356	0,53%
Share of the humanities (narrow sense) in main facilities	924.007		851.535		59.094	
Humanities (in the narrow sense) including main facilities	2.421.121	14,0%	2.281.288		126.456	

Source: Federal Statistical Office: Bildung und Kultur. Finanzen der Hochschulen. Series 11 Row 4.5. Wiesbaden 2009.
Own analysis.

The expenditure on the "real" humanities (i.e. in the narrow sense), including the corresponding costs of main facilities, amounts to 2,4 billion euros or 14% of the total expenses on the German system of higher education excluding medicine.

The main part of the expenditures comprises the training of teachers and is an investment in the future of 'the artistic culture' (*ars gratia culturae*).

9. Cultural policy as a subject of a science of cultural policy

Not the practice itself but the German term "Kulturpolitik" ('cultural policy') is relatively young. After the change of the political system 1918/19 from an empire into a presidential-

democratic republic, Germany built 'shrines of honor' (as Richard Wagner said on an other occasion).⁷¹ On the one hand, it nationalized the institutions of the former royal or princely courts, and on the other hand, in the wave of a communalization of formerly private and privately financed theatres, museums and educational institutions, it created a nationwide cultural infrastructure.

The now so-called Kulturpolitik ('cultural policy')⁷² was included in the party programs of the early Weimar Republic.⁷³ Becker, a Prussian undersecretary of state and the later minister of culture, devoted to it a publication in 1919.⁷⁴ Herder's lexicon of the state defined in 1929 in a strange division between spirit (Geist) and culture: 'Cultural policy is the use of intellectual [geistiger] and cultural instruments by the state'.⁷⁵

In the era of National Socialism, art and the artists were called-up to serve the totalitarian state. After its all, the two partially independent 'fragments of state'⁷⁶ in the east and in the west, at least after the 'hour zero' in 1945, applied in a surprising unison the national-bourgeois models of interpretation of cultural life. Cultural policy attained almost a constitutional rank on October 3, 1990, in the unification treaty proclaiming in article 35, section 1:

In the times of division, culture and art, in spite of differences in the development of both countries in Germany, constituted the basis for maintaining unity of the German nation. They gave an invaluable and independent contribution to the process of the national unification of the Germans on it's way to European unification. Apart from political aspects and it's economic power, the position and recognition of the united Germany worldwide will depend on its importance as a state of culture.

We may refer to the Federal Republic of Germany as to a "state of culture" in two meanings of the term. Firstly, in a legal sense, due to not honoring the obligation to adopt a constitution according to article 146 of the old version of the fundamental law (Grundgesetz), the Einigungsvertrag of 1990 has acquired a constitutional status and is a foundation for all further legal acts.⁷⁷ The *Bundesverfassungsgericht* (the German Supreme Court) already at

⁷¹ Wagner, Richard: *Rede zur Grundsteinlegung des Bayreuther Festspielhauses* (May 22, 1872). In: *Gesammelte Schriften und Dichtungen*. Vol. IX. Leipzig 1873, p. 392.

⁷² Lepenies refers to Fontane 1871 and Bethmann Hollweg, who in 1913 in his famous letter to Lamprecht stressed the need for a 'cultural policy of the grand style'. Lepenies, Wolf: *Kultur und Politik. Deutsche Geschichten*. Bonn 2006. In particular Chapter III „Deutscher Geist und Deutsches Reich", p. 24.- Some hints as to the early history of the concept in the form of 'Culturpolicy' compare Bernd Wagner: *Das Stichwort. Kulturpolitik (1). Der Begriff*. In: *Kulturpolitische Mitteilungen* no 110, III/2005.

⁷³ Aufruf und Leitsätze der Deutschen Zentrumsparterie 1918; Görlitzer Programm of the SPD 1921, Heidelberger Programm of the SPD 1925, Deutsche Staatspartei Manifesto 1930. Issued by Wilhelm Mommsen: *Deutsche Parteiprogramme*. München 1960.- Only the extreme right wing parties did not follow this trend.

⁷⁴ Becker, Carl Heinrichs: *Kulturpolitische Aufgaben des Reiches. Eine dem Verfassungsausschuß der Nationalversammlung vorgelegte Denkschrift*. Leipzig 1919. Compare with the present context of differentiating between education and the church, the report in Ernst Troeltsch: *Kritische Gesamtausgabe*: Ed. v. Graf, Friedrich Wilhelm / Albrecht, Christian / Drehse, Volker / Hübinger, Gangolf / Rendtorff, Trutz. Band 15: *Schriften zur Politik und Kulturphilosophie (1918-1923)*. Ed. v. Gangolf Hübinger in cooperation with Johannes Mikuteit. Berlin, New York 2002. Proposition of Beckera regarding creation of the Reich's office of culture for both the internal and external policy including various internal reports, is still visible in the present federal policy.

⁷⁵ *Herders Staatslexikon*. ed. Based on the work of many specialists ordered by Görres-Gesellschaft on supporting science in the catholic Germany by Julius Bachem. Vol. III, 5. issue., Freiburg. Br. 1929, p. 693.

⁷⁶ Carlo Schmid in Parliamentary Council, 8 September 1948. Comp. Hertfelder, Thomas; Jürgen Hess (ed.), *Streiten um das Staatsfragment. Theodor Heuss und Thomas Dehler berichten von der Entstehung des Grundgesetzes*. With introduction by Michael F. Feldkamp, edited by Patrick Ostermann and Michael F. Feldkamp, (= foundation of the federal president -Theodor-Heuss-Haus, Wissenschaftliche Reihe, Vol. 1), Stuttgart 1999.

⁷⁷ Compare Vogt, Matthias Theodor (1998): *Was soll ein Bundeskulturminister tun? Perspektiven der Kulturpolitik in Deutschland*. Dresden 1998 et alt.

many earlier occasions had stated and confirmed 'culture as a basic policy objective of the national state':. According to some experts in state law, this means that the proposition of the German Bundestag's Research Commission *Culture in Germany* to adopt an article 20b into the constitution becomes redundant (it was proposed to refer to the National Assembly at St. Paul's Church in Frankfurt and to the Weimar Republic and to introduce a statement "the state guards and supports culture").⁷⁸ On the other hand, we have the financial point of view: as has been pointed out, the communities and states, as well as on the sidelines the federal government spend 8 billion euro of public means a year financing German culture. There are also public-law institutions of the two churches which spend estimated 4 billion euros, as well as exemption of taxes for the amount of 1,5 billion euros.⁷⁹ Altogether, this sums up to 13,5 billion euros or 165 euros of public subsidies per capita. Private expenditure of citizens on cultural services or products (e.g. radio and TV subscription) amount to 344 euros per person, which gives a total of additional 28 billion euros. This sum can be added directly to the total given above (whereas the economical turnover of the cultural economy is a parallel calculation, which can not be additionally included here). The humanities in the narrow sense of the term obtain 2,4 billion euros. The sector of culture in the narrow sense publicly and privately financed, thus comprises ca. 44 billion euros per annum, which is the equivalent of about 500 euros per capita.

This cultural sector is the subject matter of the studies of the politics of culture. If we understand culture as a sum of evaluating decisions, which is the typical definition in the cultural studies programs, our pragmatic way of understanding culture is in line with that in the sense that the 44 billion euros are a central evaluating decision of the Sovereign, the citizens, and their representative, the constituted policy.

Referring to Clausewitz, we should differentiate between purpose, aim, and means. The purpose of the 'ars gratia politiae', cultivating the arts for the benefit of the commonwealth, is the self-expression of the civic society and its members. For this we earlier spoke of 'artistic culture' (ars gratia culturae). The aim of 'politia gratia artis', of the direct and indirect support for the arts is the strengthening of the condition of the society internally and externally. It would be difficult to find 'ars gratia artis', art for art's sake, anywhere beyond the sphere of pure imagination. *Books, sounds, images, plays* serve professional work, education, entertainment and indoctrination; they cannot be understood in separation from man.

The assessment of the *rationales*, the motivational structures of cultural policy at the level of state, communities and civil society, the assessment of it's goals and the criticism of the strategic means, have been insufficient so far. Cultural policy is often reduced to what the Americans call bluntly *advocacy*, that is to an instrumental repertoire for earning money and getting attention, seen from a company-like perspective. The disproportion between the amount of empirical data collected across Europe, and the lack of an inductive development of theories from these data is striking. Max Fuchs, president of the German Cultural Council and director of Remscheid Academy, noted in 2007 that "probably among all possible fields of political activity, cultural policy is the last in terms of developing (political-) scientific theories".⁸⁰ Klaus von Beyme summed up concerning his domain of political studies: "The

⁷⁸ Deutscher Bundestag (ed.): *Schlußbericht* der Enquete-Kommission des Deutschen Bundestages. Regensburg 2008, p. 89next.

⁷⁹ Estimate according to Söndermann, Michael: *Öffentliche Kulturförderung in Deutschland 2005. Ergebnisse aus der Kulturstatistik*. In: Institut für Kulturpolitik (Hrsg.). *Jahrbuch für Kulturpolitik 2006*. Essen 2006.

⁸⁰ Fuchs, Max: *Kulturpolitik. Elemente der Politik*, herausgegeben von Hans-Georg Ehrhardt u.a. Wiesbaden 2007, p. 22.

political sphere 'art and culture' plays [...] a marginal role«. ⁸¹ The list of people employed in German academia, who within their core and additional professional duties deal with cultural policy and the accompanying issues, is short and comprises but hardly 15 names. Fuchs also notes:

This does not mean that the whole domain conducts its practical activity without thinking about it (although one can in fact notice a certain degree of thoughtless activism). Indeed there are many reflections on art, culture, politics and education. There are also discussions about the direction in which society is heading. What is missing is an identifiable *scientific community*, possessing its own scientific publishing organs, and maybe even opposing schools of thought und their respective followers. Now everybody who does research or writes in this field can immediately create his own tradition. ⁸²

Ancient Rome in the course of it's execution of power through beneficence used *panem et circenses* (Juvenal: Satires 10, 81) – bread for satisfying the physical needs and games for satisfying the symbolic needs of the masses. Our initial statement on cultural policy studies calls for that at the level of science the representatives of "bread" and the representatives of "word" should start a dialogue, to be able to commonly carry out a comprehensive analysis of the entity of cultural policy. Differentiation between a material substrate and an immaterial world of symbols was in the notions of 'bread' and 'word' already sketched out in the Old Testament and was picked up again in the New Testament (Dtn 8,3; comp. Mt 4,1-11): "man shall not live by bread alone, but by every word that proceedeth out of the mouth of God". ⁸³

If we stick to the example of *circenses* (or *ludi*, the sphere of performing arts), then the striking fact is the overlapping of *hard facts* and *soft values*. On the one hand, theater requires a framework of complex legal, economic and technical issues, which can be summarized as the cultural infrastructure. and which can be analyzed in the social and economic sciences. Here at least partially we can operate with numerical data.

On the other hand, theater is an example of man's search for meaning in various societies. To understand this search for meaning and to be able to unlock it's respective contexts, German studies evolved into the field of theater studies. Combined with philosophy, history and the multitude of studies investigating individual forms of art, they investigate texts and their interpretations and subject them to public discussion. That makes them part of the humanities. It is impossible to track here hidden numerical codes (comp. Paul Feyerabend⁸⁴ regarding the Parmenidean breakthrough); nevertheless the *impact* of the search for meaning can be investigated in relation to other social evaluating decisions and that may contribute to optimizing allocations beyond all kinds of technical reductionism.

Almost a hundred years after the multiple emergence of the concept of cultural policy on the German language territory (1913; 1919), lately cultural policy studies have begun to develop as a fusion of the analysis of *realia* and *imaginaria*. Functionally, cultural policy studies are pragmatic not in the meaning of *πραξις*, i.e. as a given fact, but in the meaning of *πραγμα*, i.e. as a productive act in connecting *the humaniora* with the social sciences.

⁸¹ Beyme, Klaus von: *Die Kunst der Macht und die Gegenmacht der Kunst. Studien zum Spannungsverhältnis von Kunst und Politik*. Frankfurt am Main 1998. Here: Ch. 1: Outline of political science of art.

⁸² Fuchs Max: *ibid.*

⁸³ Quoted King James Bible. In Hebrew the notion 'word' does not appear directly;

וַיַּעֲבֹר וַיִּרְעַב וַיִּשְׁאֵל לֵבְבִי אֶת־הַמֶּלֶךְ אֲשֶׁר לִי אֵת־עֵמֶת וְלֵאמֹר אֲבִי לִמְעַן הַיּוֹם כִּי יִלְדָּא עַל־הַלֵּל הַסֵּם לְבָדוֹ וַיִּתֵּן הַיְיָ אֱלֹהֵינוּ כִּי יִרְחַמֵּנוּ וְיִתְּנֵנוּ הַמַּעַד . . .

- will let know, that man does not live by bread alone, but lives by all, which comes [= opinion] from the mouth of Jehova.- I want to thank Wolfgang Schulze. Munich, for this comment.

⁸⁴ Feyerabend, Paul: *Naturphilosophie*. Ed. Helmut Heim i Eric Oberheim. Frankfurt a.M. 2009. Passim.