

Time to give Artists their Due – A Matter of Perception

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My theme is somewhat odd in this conference concerned with Mediterranean maritime heritage. We do, however, have a few meeting points, such as the question of what our recollection of history would be without the work of artists. I hardly need to convince anybody in this audience that artistic work is work, and that it has a value, independently of whether it generates money or not. Imagine how much poorer our recollection of history would be, if we did not have the work of artists – taken in the widest sense – to convey to us past times and cultures. There is one further point that unites my research perception, and that is what I want to talk about.

In this gathering of historians, I will be concerned with a very contemporary matter: how we perceive our own time, and particularly how we perceive artistic work. Throughout time, most artists have had to struggle for their material survival while doing what they had to do – create. My concern is that there has not been much improvement in this regard, notwithstanding the human rights standards introduced during the past century, particularly economic, social and cultural rights¹. A more recent phenomenon that should induce us to consider the conditions under which artists work are governmental policies concerning art and culture. The cultural policies of Malta, the Netherlands and Finland will here serve as illustrations of the points I will reflect on².

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1. See Vivan Storlund, 'To each one's due at the borderline of work – toward a theoretical framework for economic, social and cultural rights' (2002), http://ethesis.helsinki.fi_storlund.googlepages.com" <http://vivanstorlund.googlepages.com> page economic, social & cultural rights.
 2. See Vivan Storlund, 'Artistic Work – A Precursor of Work in IT Society', in *Liber Amicorum Reinhold Fahlbeck*, Juristförlaget i Lund, 2005, LINK "<http://vivanstorlund.googlepages.com>" <http://vivanstorlund.googlepages.com>, page art & artists.

Perception – the starting point

The problem I want to bring to the fore is that artistic work is not recognized in its own right in labour law and social security schemes; associated with working life. To give artists a status in labour law that would reflect the value accorded art and culture in cultural policy programs requires a change of perception so that artistic work is recognised as work in its own right. Whatever discipline or research questions we are concerned with, perceptions and thereby the prevailing cultural-theoretical paradigm influence how we see different phenomena, what is brought to the fore and how we deal with it. The paradigm equally acts as a censor for what questions can be put, delimiting thereby the scope of the possible. An effect of this is that law and perception largely determine what is the truth of the day. As historians you should have a good perspective on this phenomenon.

David Cooper has caught the implications of different paradigms in a nutshell in a comparison between the approach to arts in Antiquity and during the Enlightenment. He observes that “1,500 years divide Plotinus’ chapter on beauty from Hume’s essay on taste (1757), but it might as well be 15,000, so different are the contexts assumed and the problems addressed.” Before the Enlightenment, focus was placed on the value of art and beauty as contributing to human life, whereas by the 18th century focus had become placed on the status of judgements of aesthetic values, such as “This design is beautiful”.³

I would argue that the (post) Enlightenment theoretical legacy largely explains our difficulties in dealing with the value of art today, particularly so in a labour law context. Today we lack proper theoretical tools for perceiving other values in working life than economic ones. This delimits considerations about art and culture and the ways in which they contribute to human life. To put it bluntly, art and culture are mostly measured in economic terms, as commercial products, or they can be seen as a means through which to improve performance in working life. We lack proper criteria for according art and culture a value of their own.

One major reason why we have difficulties in talking about human values in a legal context is that Western legal traditions are based on an

3. David Cooper, ed., *Aesthetics, The Classic Readings* (Oxford: Blackwell, 1997), p. 76.

economic rationale and thereby economic values. This is a product of the industrial revolution and of the need for a legal regulation of the new conditions in the transition from a predominantly agrarian economy to an industrial one. In this process, work became equated with industrial work, making a blue-collar worker the ideal type for the regulation of working life. With the present transition from a predominantly industrial society to one dominated by information technology and globalisation, we are again faced with the challenge of adapting both perception and legislation to these new conditions. This is our chance to correct the deficiencies in the perception of work on which present legislation is based, and to also include other values on a par with economic ones. And here governmental cultural policies should guide us.

Identity and creativity – requisites of our time

It is high time to focus on the conditions under which artists work, because I would argue that artists have a very special mission today. Our challenge today, as Calderon & Lasegna have formulated it, is how we, in a world simultaneously characterised by globalisation and fragmentation, are to combine new technology and collective memory, universal knowledge and a culture of community, passion and reason⁴. Art and culture must be a part of that answer, something that is also confirmed in national cultural policy documents. Cultural policy programs are in unison in emphasizing the positive values of art and culture for individual persons as well as society at large.

A big challenge lies in translating the values that art and culture represent into legislative terms in a labour market context. But not only that. In order to make a reality of governmental cultural policies, the cultural administration must reach out to other sectors of society. To achieve this, again, we need something that Malta aspires to through its cultural policy, which is to “replace the Maltese mindset of standardisation with critical values and active questioning.”⁵ It requires both a change of perception and a new administrative culture. A pertinent point made

4. Manuel Castells, *Nätverkssamhällets framväxt, Informationsåldern, Ekonomi, samhälle och kultur* (1999), p. 35.

5. National Cultural Policy in Malta (2002), p. 17.

in the Finnish cultural policy document, “Art is possibilities”, is to consider art on a par with research⁶. In the following I will also make some parallels with research in this inventory of points on why we need a change of perception.

How shall we go about this task of looking at things in new ways? In the Foreword to the second collection of *Malta Tales and Narratives*, Edward de Bono makes a pertinent observation. “If history provides the bones of a nation, the stories provide the flesh on the bones. Stories and anecdotes reflect the everyday life of ordinary people living in their day.” He notes that although stories concentrate on unusual events, the background of these events illustrates the usual. De Bono further notes that four things work together: human nature, human emotions, human values and human thinking. Thinking he divides into two parts, one being the thinking involved in human perception: how we see a situation, and what we are dealing with⁷. If we want to be able to embrace all the aspects of human nature that de Bono mentioned, we need to recapture perceptual clusters that were lost after the Enlightenment, as illustrated by Cooper above⁸.

I wish to illustrate de Bono’s point with a story about how rabbit became the Maltese national dish⁹. This is a story that not only puts flesh on the bones of Maltese history, but muscles, too. It is a story about how the Maltese rose up against their rulers, the Knights of the Order of St John, when they had banned rabbit hunting. This is a bottom-up perspective, that brings to the fore the conditions of ordinary men and women, in contrast to the perspective of rulers that influences the perceptual truth of the day.

It is noted in the Maltese cultural policy document that one of the most fundamental values transmitted by culture is identity. Thus, after Malta’s independence from Britain in 1964, to democratise culture was considered important. And here, cultural heritage is central. In the 1990s,

6. Finnish Cultural Policy document (2002), p. 90.

7. Edward De Bono, Foreword in Robert Attard, *Malta A Second Collection of Tales and Narratives* (2001) p. ix.

8. Cooper, p. 76. I have traced the narrowing of the theoretical paradigm in Storlund (2002); Chapter V recaptures lost clusters.

9. The conference paper was complemented by a video presentation at this point.

it became the declared policy to review culture “not as the privilege of an elite few, but as the dynamic heritage of the whole people”¹⁰. The place where this conference is held, St James Cavalier Centre for Creativity, is an embodiment of these aspirations. There is a further important symbolic value associated with this place, as it is a bastion built for defence and exclusion that now welcomes everybody, enriching our lives with art and culture.

Likewise in the newly formed Finnish state of the early 20th century political leaders wanted to promote Finnish cultural identity through policies aimed at promoting the arts and artists¹¹. Identity is clearly not something settled once and for all. In the Netherlands, the German occupation during World War II was an incentive for extra financial support to artists as a gesture to mend the disrupted relationship between the artist and society for a limited period of time¹². The Dutch cultural policy program ‘More than the Sum’, states that “knowledge of our heritage contributes to a cultural self-awareness that is essential in a multicultural society. That added value for society is the basis for a justification of support for art and culture.”¹³

The quest for cultural identity is just as strong today, this time kindled by the changed conditions brought about by new technology and globalisation. Manuel Castells points to how information technology has lead to an increasing emphasis on identity in social and political organisation¹⁴.

Creativity is another strongly favoured attribute. In the Finnish policy program for art and artists, creativity is seen as central among the multiple ways in which art enriches both people and communities. For the human,

10. Cultural policy finally gained its own profile when a Minister for Education, Culture and Tourism was appointed after the first elections in 1966. Malta, country profile, chapter 1, Historical perspective.
<http://www.creativeurope.info>.

11. Finland, country profile, chapter 1, Historical perspective. <http://www.creativeurope.info>.

12. Netherlands, country profile, chapter 1, Historical perspective. <http://www.creativeurope.info>.

13. ‘More than the sum’, Cultural Policy Letter 2004-2007 presented by the Dutch State Secretary of Education, Culture and Science, Medy C. van der Laan, (2003), p. 2.

14. Castells, p. 35.

art offers a platform for creative self-expression and for the development of one's emotional life and self-understanding, enhancing thereby the ability to build one's identity and structure reality. For the community, art represents creative, social, cultural and economic capital. Likewise, the role of art is emphasised in the global and increasingly differentiated, pluralistic and technologically dominated information society. The innovation policy of the state should therefore be extended so that art is also seen as a strategic source for development, it is noted in the Finnish program¹⁵.

We need creativity to rid ourselves of standardised ways of thinking. And creativity is precisely what artists can contribute. On this score, the Dutch Minister of Culture advocates a reverse reasoning, whereby focus is placed on an increasing cultural awareness in society rather than social awareness in culture. "The focus is not on the social or political 'control' of cultural life, as if the sector needs such due to an inherent weakness, but on intensifying the cultural factor in the various sectors of social life." Among others, the Minister calls for a questioning of things we think give us security, and calls for a need to constantly calibrate different values¹⁶.

How do we go about it?

I think that the required change of perception has to start with simple observations. The organiser of this conference, Simon Mercieca¹⁷, offered me one such insight, when he pointed to how a phenomenon that today is the most obvious of things was something revolutionary in its time, i.e. the Middle Ages: *the identification of artists by name*. Some Austrian scholars have offered similar assistance, by formulating an alternative way of capturing the artistic scene and thereby nuancing perceptions of traditional professional categories in the artistic and cultural field¹⁸. They opted for the following distinctions:

15. Finnish cultural policy document, *Konst är möjligheter* (2002), p. 90.

16. He exemplifies with the need to 'pay attention to culture in education, the quality of public space, the urban investment climate and the amount of free time. 'More than the sum', p. 2.

17. Director of the Mediterranean Institute, University of Malta.

18. Pyramid or Pillars (2002), p. 43, www.ericarts.org.

1. High culture, artistic culture: traditional, representative art having *symbolic profitability*.
2. Social culture: the so-called third sector in culture, which consists of process- and communication-oriented initiatives having *social profitability*.
3. Mass culture: culture and leisure industries having *economic profitability*¹⁹.

What these authors have done is to substitute formal professional categories with categories that take into account the context and the factual conditions in which artistic and cultural work is performed. This reveals that one and the same kind of activity assumes different values depending on the context.

These are important distinctions that need to be considered in any efforts to tailor a status for artists in a labour law context. But they can equally serve to differentiate the simplistic perception of work that has its origin in a blue-collar worker as the ideal-type in labour law. This ideal-type can be seen as an adequate representation of traditional industrial work along assembly-line principles. In contrast to this, for any work involving people, such as care functions and education or work involving ideas such as research, art and culture, the blue-collar worker as ideal-type is clearly inappropriate. The only thing that unites these different kinds of work in labour law is the formal criterion of an employment contract. But as soon as different considerations and calculations become involved, such as quality versus profitability or efficiency, the blue-collar worker as an ideal-type reveals its inadequacy. In addition to this, work that is done outside an employment relationship, such as artistic and cultural work, is situated in a legal grey area because of inadequate legal regulation of such work.

We thus need to substitute formal distinctions by substantive ones. By doing so we are able to see the work that is factually done, what values it represents, and whether it is symbolic, social or economic. Another distinction that requires careful scrutiny is the distinction between public

19. Robert Harauer, Elisabeth Mayerhofer, Monika Mokre, 'Thanks for Playing Anyway', in *Pyramid or Pillars* (2002), p. 43.

and private that in an equally undifferentiated way lumps together a variety of different functions and activities²⁰. As things now stand, there is a growing legal grey area in the intersection between the public and private sectors. This is an area that has been long inhabited by artists. The experience of artists can therefore help us to see factual conditions and equally help to devise new structures and practices that are better suited to today's conditions than those of the past.

If we look at substantive aspects, we see that the public sector is an agglomeration of competing functions and interests. Here we have the whole range of activities: from defence, law and order, where we hear the echoes of Thomas Hobbes, and further to John Locke and other thinkers legitimating a minimalist night-watch state. Then we have education, research, art and culture that represent an opposite pole to that of law and order. In between we have a whole array of activities from care functions to road maintenance and many more. The point I want to make is that they all represent different categories of activities, requiring different conditions for the work to be effective.

Because of the varied nature of activities in the public sector, the administrative culture also requires careful scrutiny. As a legacy from past times there is a paternalistic control mentality that is at odds with many activities carried out in the public sector, and increasingly so with the changed conditions of the information society. Here I see that researchers and artists are allies in the sense that their work stands for values that cannot be measured in economic terms; neither is the control mentality that permeates much public activities appropriate for the creative and innovative processes involved in art and research. The work of both researchers and artists requires a sphere of autonomy, and should consequently not be judged according to traditional "administrative" standards. This is a point that the Dutch Minister of Culture also referred to when questioning the need for 'control' of cultural life, as if the sector needs such control due to an inherent weakness. We are thus faced with an old control mentality that never fitted activities involving creative processes. It is therefore appropriate to act upon the Dutch minister's

20. For a further inventory of this topic, see Storlund, Vivan, 'Public power versus industrial democracy - the case of public employees', IV. Conclusions (1992).

suggestion that we constantly need to calibrate different values and give artistic creation its proper recognition and space.

Behind the notion of public power and authority, we have sediments from past times, during which different power centres have promoted their position and interest, from absolute monarchy to the role of the state as the night-watch state, safeguarding economic interests. Despite the introduction of democracy and human rights provisions, no fundamental revisions have been made to older theoretical schemes to accommodate them with perceptions relating to democracy and human rights. To this must be added today's neo-liberal orientation that attempts to see almost any activity in economic terms, independently of whether activities can be measured in such terms or not. This induces conflict and misunderstanding between those who do the actual work and those who control it. Here researchers have an important role to play to correct these anomalies, because how we go about things is conditioned by perception. Thereby it is the task of the academic community to bring theoretical reflection in line with human rights standards and cultural policies, for which there is no proper place in current practices and paradigms.

The Dutch Minister of Culture translated his plea for a strong cultural self-awareness into three priorities: less bureaucracy and more individual responsibility, more connection and interaction in cultural life, and a reinforcement of the presence of "Culture" in society²¹. It is a question of giving recognition to features that are there, although not always recognised. Because, as Philip D. Dracodaidis has pointed out, "culture is no longer a closed world governed by inspiration and *avant-garde* but it is part of everyday life, whether we accept it or not. . . . Today, Culture is not a self-supplied world where individual principles prevail; it is an extrovert world where individual principles contribute salt and pepper, lifestyles and common understanding."²² Perhaps it has always been so, after all – for are not all the artefacts that make up the Mediterranean maritime heritage a significant instance of the embodiment of art and culture?

21. 'More than the Sum', p. 3.

22. Dracodaidis, Philip D., *Building Cultural Strategies for the Enlargement Countries – Myth or Reality*, p. 28, in European Council of Artists, *Artists Sharing Without Frontiers, Networking in the Enlargement Process*.

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