

The abused patron of culture

Public culture and cultural patronage in the United States

Kevin V. Mulcahy The American system of cultural patronage is much broader and stronger than may appear at first glance. The government's role is hardly negligible given its provisions of tax exemptions for cultural organizations and their benefactors.

The American government is often viewed as a reluctant patron of culture with a parsimonious and puritanical bent. In contrast, the conventional wisdom presents European national governments as longtime, generous and unstinting benefactors of culture. Traditionally, analysts of public culture contrasted the supposedly deplorable condition of public support for cultural activities in the United States with an idealized conception of the European cultural condition. While the generalization holds substantially true, there are exceptions on both sides of the comparison. Four examples can suffice.

First, while it is certainly true that European governments substantially support a broad array of cultural endeavors, the extent of these subsidies has been under debate in recent years. For example, France and Austria have recently cut federal government support for cultural affairs. Moreover, while the aesthetic

dimension of public policymaking is more prominent in the European nations, public culture is not totally absent in the United States.

Second, the universe of funded culture is very different in Europe as this includes support for industries that are primarily commercial in the United States such as film, theatre and publishing. On the other hand, many European nations are considering the arguable benefits of privatization and searching for alternative sources of support for culture to complement the annual appropriation of a public subsidy.

Third, while federal support for the arts in the United States has declined dramatically in the past decade, state and local arts councils have increased their composite support and demonstrated their institutional and political resilience in sustaining the nation's cultural infrastructure. In sum, the economically-mixed and organizationally-pluralistic character of

patronage in the United States belies the more dire predictions about the decline and fall of public culture.

Last, and most important, the role of the not-for-profit sector distinguishes the American case from that of other nations. To an extent unknown elsewhere, the American government through its tax code has delegated broad policymaking powers to private institutions that pursue a variety of eleemosynary goals. These charitable institutions involve religion, health, education, social welfare, culture and the not-for-profit entity is typically classified as a 501(c)(3) by the Internal Revenue Service. The American system of cultural patronage is, in effect, much broader and stronger than may appear at first glance; similarly, the components of public culture in the United States are highly variegated and diversely supported. This discussion seeks to elaborate the peculiarities of the American system of cultural patronage with particular reference to the structures through which public culture is administered, the variety of means by which culture is funded and the political issues involved in discussions of public-cultural policies.

No ministry of culture

There is no 'ministry of culture' in the United States, that is, a Cabinet-level department responsible for comprehensive cultural policymaking and for administering a wide range of cultural activities. With the exception of some limited programs during the New Deal, the United States has eschewed the idea of establishing an official culture in which the national government would act as a public Medici (Park and Markowitz 1992, 131). In the United States, government support for cultural affairs is typically associated with the National Endowment for the Arts (NEA) established in 1965. The National Foundation on the Arts and Humanities Act of 1965 outlines the NEA's functions as providing: 'matching grants to States, to non-profit or public groups, and grants to individuals engaged in the creative and performing arts for the whole range of artistic activity... A major objective of this legislation is to stimulate private philanthropy for cultural endeavors and State activities to benefit the arts.... The term 'the arts' includes, but is not limited to, music (instrumental and vocal), dance, drama, folk art, creative writing, architecture and allied fields, painting,

Figure 1 Government and the arts in the United States

		Role of Central Government	
		High	Low
Degree of Cultural Hegemony	High	National museums Exchange programs	private, non-profit arts organizations
	Low	National Endowment for the Arts	local arts agencies

sculpture, photography, graphic and craft arts, industrial design, costume and fashion design, motion pictures, television, radio, tape and sound recording, and the arts related to the presentation, performance, execution, and exhibition of such major art forms' (Public Law 89-209, 1965, 1).

However, the NEA is only one of a number of federal agencies responsible for the nation's cultural affairs. For example, the NEA's administrative companion, the National Endowment for the Humanities (NEH), provides support for scholarly studies and public programs in the following disciplines: 'history, philosophy, languages, linguistics, literature, archeology, jurisprudence, history and criticism of the arts, ethics, comparative religion, and those aspects of the social sciences employing historical or philosophical approaches.' Among the other federal agencies and departments involved in cultural affairs besides the NEA and NEH are the Federal Council on the Arts and Humanities (which has been sporadically active in coordinating federal cultural policies), the National Gallery of Art, and Smithsonian Institution (which includes federal museums such as the Hirshhorn, Sackler Gallery, Freer Gallery, Museum of American History, Air and Space Museum), the Library of Congress, the Corporation for Public Broadcasting, the Institute of Museum and Library Services. The Department of the Interior supports Native-American arts and crafts as well as overseeing the allocation of historic-preservation funds. The federal government also supports the Kennedy Center for the Performing Arts and several other cultural affairs programs in the District of Columbia. The United States Information Agency (USIA) supports various cultural and educational programs abroad (Cherbo 1992, 40). It should be noted that the USIA was abolished

in 1998 as an autonomous agency and its functions redistributed within various bureaus of the State Department. The Voice of America, which broadcasts news and entertainment programming abroad, remains administratively independent (Mulcahy 1999, 3-6).

Overall, the cultural programs of the federal government are highly diffuse, located in a variety of administrative agencies, overseen by different congressional committees, supported by and responsive to a variety of interests and articulating the policy perspectives of discrete segments of the cultural constituency. Table 1 details the expenditures of the various federal cultural agencies with an estimated total of \$1.3 billion in expenditures for fiscal year 1998. Of this, the current NEA budget of \$99 million is a very small part and is likely to remain so as part of a political compromise to preclude further attempts by congressional conservatives to abolish the agency. While the symbolic importance of the NEA in the cultural world is clearly greater than its monetary resources, it needs to be underscored that the NEA is not the sum total of the federal government's cultural activities.

Furthermore, the American arts organization is typically a private, not-for-profit entity supported by earned income, individual and foundation philanthropy and government funding; it is neither a public agency, nor one that is largely supported by public funds. The indirect public support provided by tax-exempt charitable deductions is the crucial element in sustaining America's 8,000 museums, 2,000 local preservation commissions, 351 public television stations, 548 public radio stations, 7,000 community theaters, and 1,800 symphony orchestras among other components of the nation's cultural infrastructure. This organizationally pluralist system - supported by mixed funding and largely outside the public sector - is the

distinguishing characteristic of the American cultural condition. Indeed, government is a decidedly minority stockholder in the organization of culture (Mulcahy 1992, 9).

States, localities and public culture

The NEA is buttressed by fifty-six 'little NEAs,' the arts agencies of the states and special jurisdictions (SAAS) that receive yearly, formula-driven grants amounting to 40 percent of the NEA's budget. Of these SAAS, half are independent agencies and half are located

within other departments of state government such as education, economic development, tourism. Every state arts agency is governed by a part-time, advisory council usually appointed by the governor and approved by the state legislature. These governing bodies review grant recommendations, set agency policy and determine the goals of public support of the arts in their state or territory. The arts agency staff is typically headed by a professional executive director who is accountable to the council. Total state appropriations to their arts

Tabel 1 Select Federal Support for the Arts and Humanities, Fiscal Year 1998 (Actual funding in millions of dollars)

Select Federal Arts Support Program

	Appropriated Funds
National Endowment for the Arts	99
Smithsonian Institution	318
National Gallery of Art	54
Institute of Museum and Library Services	22
Kennedy Center for the Performing Arts	12
Institute of American Indian and Alaskan Native Culture	6
National Capital Arts and Cultural Affairs Program	6
Total	516

Select Federal Humanities Support Program

	Appropriated Funds
National Endowment for the Humanities	110
Corporation for Public Broadcasting	260
Library of Congress	208
United States Information Agency*, cultural and educational affairs	190
Historic Preservation Fund	37
Advisory Council on Historic Preservation	3
United States Holocaust Council	32
Woodrow Wilson International Center for Scholars	6
Total	846

Source: Government of the United States 1998.

*The United States Information Agency has been abolished and its responsibilities assumed by the State Department.

councils were \$305 million in 1997. Nearly half of the states have some form of decentralization program through which part of its funds are regranted to artists and arts organizations by local arts agencies (Mulcahy in Beaulac and Colbert 1992, 60-63).

It should also be noted that the American states support a range of cultural institutions in a manner similar to the federal government. There are state historical museums and commemorative sites, state-funded television and radio stations and arts and humanities programs in public schools and universities that are line items in addition to SAA appropriations. Each state has a humanities council which is often organized as a not-for-profit organization. States also promote movie production, market cultural tourism and legislate on historic preservation.

A local arts agency (LAA) is defined as a not-for-profit organization or an agency of city or county government which primarily provides programs, services, financial support, and cultural planning for arts organizations, individual artists, and the community as a whole (See Figure 1). In its 'Local Programs Guidelines,' the National Endowment for the Arts defines a LAA as either a nonprofit, 501(c)(3) corporation designated to operate on behalf of its local government or an administrative unit of city or county government. Three-fourths of all LAAs are private, not-for-profits; among the largest LAAs, two-thirds are agencies of state or county governments. There are approximately 3,800 local arts agencies throughout the United States and territories of which about 1,000 operate with a professional staff. LAAs serve 80 percent of American communities and are found in 90 percent of the largest cities; overall, 49 percent of local arts agencies are urban, 30 percent are rural and 21 percent are suburban. Total spending by local arts agencies in 1997 was estimated at \$700 million.

While grantmaking is the most common activity, 87 percent of LAAs manage festivals and art exhibitions; over 70 percent provide services such as advocacy, volunteer referral, arts calendars and newsletters; 57 percent collaborate with convention and visitors bureaus and one-third administer programs for art in public places. In addition, other funds are available to the arts from other local agencies such as parks and recreation departments and downtown development districts. In effect, the local arts agency is a catalyst that brings together a range of community organizations (public and not-for-profit) to serve a public-cultural purpose.

America's administrative pluralism

It is difficult to disagree with the observation that before 1965 the arts in the United States enjoyed 'no large-scale and continuous tradition of direct subsidy by the government, such as was common in Europe,' (Cummings in Mulcahy and Swaim 1982, 142). An exception can be noted during the New Deal when the Roosevelt administration sponsored an innovative and comprehensive program of governmental art patronage in American history. The New Deal-era cultural programs were predicated on the belief that art could help people 'to weather the Depression by giving them meaningful and hopeful communal (and governmental) symbols' (Park and Markowitz in Senie and Webster 1992, 131).

However, the Roosevelt administration's efforts were a distinct exception to the American tradition of cultural patronage and reflected the exceptional exigencies of the Great Depression rather than any enduring commitment to a national policy to promote public culture. As schematized in Figure 1, national museums and the cultural exchange programs would be the administrative activities that would most closely approximate

those of a European-style ministry of culture.

The United States represents a unique model of cultural policymaking with its reliance on pluralism in administration and funding. As noted, responsibility for public culture is spread among a variety of federal agencies; among these the National Endowment for the Arts may be *primus inter pares*, but it is not paramount. Also, in funding for the arts, the NEA's efforts are dwarfed by those of state and local arts agencies, as will be elaborated in the following section. Most important, American culture is largely composed of commercial enterprises in the cultural industries such as film, recording, television, theatre, and publishing while not-for-profit organizations typify management of the performing arts and of most museums (Netzer 1992, 174-175). In sum, public culture is a small part of a much larger cultural world.

Diversified funding of culture

Comparisons between the United States and other nations in cultural spending are notoriously difficult. This reflects a basic structural difference: in the United States support for the arts is a mixed system involving

public funding, philanthropy and earned income as sources of revenue. Outside the United States, cultural activities are typically funded and often produced directly by the government. There is little private philanthropy and very few not-for-profit arts organizations. Also, the United States makes distinctions between the not-for-profit arts and the for-profit entertainment industries and deals primarily with the not-for-profit as recipients of public funding. (See Figure 2) Outside the United States, profitmaking entities are funded when these cultural industries are deemed important to the nation's cultural policy goals, which often entail economic concern.

The United States federal government promotes cultural philanthropy, that is, support for private and nonprofit arts organizations through several tax measures. For example, like all 501(c)(3)s - that is, tax-exempt, not-for-profit, autonomous agencies - cultural organizations benefit from provisions allowing corporations, foundations, and individuals to deduct the full amount of charitable contributions made to them. Also,

Figure 2 Models of public funding in the United States

		Role of Central Government	
		High	Low
Degree of Cultural Hegemony	High	Public ownership National Museums	Philanthropy 501 (c) (3) non-profit
	Low	Appropriation NEA and SAAS	Mixed Funding most LAAS

nonprofit arts organizations generally do not pay local property taxes, nor federal tax, nor local sales taxes on income that is related to their mission. Nonprofits also receive substantial subsidies through preferential postal rates; for example, nonprofits receive a 60 percent discount off the third-class postage rate (Cummings in Benedict 1991, 39-41). On the other hand, there has been little support by the United States government in the European traditions of ecclesiastical, monarchical or aristocratic patronage. However, the United States government is the proprietor of several major museums in the Smithsonian complex. Also, through the commissioning and decoration of public buildings and commemorative memorials, the government acts as architectural client and art collector.

Rise of local funding

The most conventional form of public support for the arts is an annual appropriation to a public cultural agency. As has been noted earlier, total federal government appropriations for cultural agencies amounted to about \$1.3 billion in 1997. As also noted, the NEA appropriation is a very small portion of the intergovernmental total. Moreover, as Table 2 shows, using 1992 and 1997 as points of comparison, the states and localities are the major-league players in public funding with total spending on the arts of \$305 million and \$700 million respectively. Indeed, as federal funding has declined from a high point in the early 1990s, state and local arts councils have become increasingly the more important public patrons of the arts.

The local arts agency is largely a community creation that depends on mixed funding from public, private, and earned-income sources. Overall, LAAs received 50 percent of their funds from public sources (primarily local

governments), 31 percent from earned income, and 19 percent from the private sector as corporate and individual contributions. However, there are marked differences between the private, not-for-profit agencies (more typically found in small communities) and public agencies (more typical in urban areas). While public LAAs receive 87 percent of their funds as governmental appropriations, private LAAs have a more even distribution of revenue sources: 38 percent from the government, 38 percent from earned income, 24 percent from private sources. (See Table 3)

In any discussion of governmental appropriations for the arts, it should always be kept in mind that the government is a distinctly limited partner as a source of support for arts organizations in the United States. For the performing arts, government accounts for about 6 percent of their budgets compared to 36 percent from philanthropy and 58 percent from earned income. For museums, this is about 30 percent, which reflects a greater degree of public ownership and long-standing public-private relationships; philanthropy and earned income account for 23 percent and 47 percent respectively. (See Table 4).

Alternative sources of public funding

To support an increasing responsibility for public culture, state and local governments have devised some creative mechanisms for supporting the arts. It should be noted that the American tax system allows localities a fair amount of independence in determining their rates of taxation and the objectives of public budgetary expenditures. Also, localities have adopted fairly expansive conceptions of culture to include historic preservation and public broadcasting, zoos and botanical gardens, as well as the traditional visual and performing arts and heritage programs.

Table 2 Total Arts Spending By Level of Government

	1992	1997
National Endowment for the Arts	132 million	99 million
State Arts Agencies	213 million	305 million
Local Arts Agencies	600 million	700 million

Sources: Executive Budget of the United States 1999; NASAA 1998, State Arts Agencies Legislative Appropriations; Research Division of Americans for the Arts, 1998.

Table 3 Sources of Support for Local Arts Agencies in the United States (in percentages)

	Government	Philanthropy	Earned Income
All LAAS	50	19	31
Not-for-Profit LAAS	38	24	38

Source: Americans for the Arts 1998.

Table 4 Sources of Support for Arts Organizations in the United States

	Government	Philanthropy	Earned Income
Performing Arts	6	36	58
Museums	30	23	47

The following summary is a general overview of ten alternative methods of supporting the arts (see NALAA 1995, 65-93; Rafool and Loyacono 1995, 13-29).

1. Hotel/motel levies. 'Bed taxes' are generally a fixed tax on anyone who rents a hotel or motel room in a local jurisdiction. These taxes may also be extended to a surcharge on restaurant meals.
2. Special property taxes. In 1971, St. Louis and its surrounding suburbs established the St. Louis Zoo-Museum District which was able to levy a property tax to support designated cultural institutions. All the recipient institutions have free-admission policies.
3. Special sales tax. In 1987, Denver, Colorado voted to add .01 percent to the sales tax in the six-county area that was expected to produce \$13 million for local cultural institutions.
4. Admission and entertainment taxes. Examples are levies on movie tickets and video rentals, license fees on cable television franchises, and, more typically, taxes on admissions to commercial theater and music productions and sporting events.
5. 'Sin taxes'. These refer to the revenues gained from special taxes on alcohol and gambling-related activities. State-sanctioned gambling operations, which allocate a portion of the proceeds to cultural institutions, are another mechanism of support.
6. Tax checkoffs. Five percent of states allow taxpayers to use checkoffs when making contributions to various causes. A check-off allows an individual taxpayer to earmark a specific portion of taxes owed to support particular causes including the arts.

7. Percent-for-art programs. This requires that a certain portion of a city's capital expenditures be set aside for the purchase of public art and that a method of allowing artists to compete for the commissions be established.
8. Live/work ordinances. As established in 1996 in Providence, Rhode Island, artists and performers in a one-square-mile, downtown arts and entertainment zone pay no state income tax on what they sell; their customers pay no sales tax on what they buy.
9. Trust funds. Ten states have created independent cultural trusts through some kind of dedicated revenue stream. For example, the Arizona Arts Trust Fund was created in 1989 by increasing the annual filing fee for the profit-making corporations doing business in the state.
10. Miscellaneous revenues. Three states have lotteries with proceeds used for support of the arts. Tennessee instituted a fee from the sale of vanity license plates to support the state's major cultural institutions.

Many of the alternative funding mechanisms discussed here have achieved some degree of success in states and localities across the country. However, no one of these can be judged to be the optimal solution. Each must be evaluated in terms of its feasibility in relation to the economic and political climate of the given locality. With the 'site-specific' nature of these alternative forms of revenue, a cultural agency should ascertain which methods are most appropriate given the nature of its state and local tax laws as well as the community's private resources.

American exceptionalism

It is the United States that represents the great exception in the funding of public culture with its extensive reliance on tax exemptions for charitable deductions and on not-for-profit, 501(c)(3) organizations. There are certainly subsidies for cultural institutions in Washington like the Smithsonian and as well as grants awarded through an arms-length, panel system by the NEA and NEH. However, what makes American culture unique is the extent to which the indirect mechanisms of tax exemptions empower private institutions and individuals to address a public purpose. For example, the Metropolitan Museum of Art is a not-for-profit organization; like other such arts organizations, it can receive tax-deductible donations and may operate profitmaking enterprises that are exempt from sales taxes. In exchange, the Metropolitan Museum maintains and displays a depository of art-historical treasures that is the single most visited site in New York City and is the keystone of the City's attractiveness for cultural tourists. 'To a degree unparalleled elsewhere, the nonprofit sector in the United States is enshrined in constitutional law, instrumental in the delivery of many social services, and inextricably bound up with broad social processes of change and governance' (Clotfelter 1992, 1).

In sum, the persistent notion that the United States lacks a significant public commitment to culture must be adjusted to take into account the role of the not-for-profit sector. Cultural activities in the United States are not as directly subsidized as in other nations, but the government's role is hardly negligible given its provision of tax exemptions for cultural organizations and their benefactors. Whether such a highly privatized system of patronage best promotes the public interest in cultural affairs is a highly debatable issue.

Politics, policies and public culture

While there is much to recommend corporate sponsorships, private philanthropy, and not-for-profit arts institutions, a completely privatized cultural world would be less likely to address broad policy issues involving accessibility and diversity. Public funding has typically considered the need for access by the culturally underserved and of representation for minoritarian and marginalized art forms. Privatization is not antithetical to distributional equity in its investment in cultural products; but, at root, it accepts a market determination of cultural values and is necessarily concerned with profitability (Yudice 1995, 1-26). In a system of mixed funding, the public cultural agency exists to nurture the arts groups and cultural activities that contribute to individual definition and community development even if counting for little in a monetary bottom-line. In effect, the public cultural agency can offer the means for achieving greater cultural equity, that is, the right of every citizen to participate in some form of cultural activity and to experience the diversity of a community's cultural heritage.

There has been increasing awareness of the need for a more equitable cultural policy in the recent recommendations of the President's Committee on the Arts and Humanities (PCAH), the American Assembly on the 'Arts and the Public Purpose', as well as the NEA itself. Creative America argued for greater participation in the arts and humanities as a means of unlocking 'the human potential for creativity' that lifts us 'beyond our isolated individualism to shared understanding' (PCAH, 1). In a similar vein, the American Assembly proposed that a comprehensive cultural policy should address the concerns of not only the not-for-profits, but also non-institutional arts activities including 'amateur, applied, avocational, folk art, community art, traditional and indigenous arts' (Wyszomirski

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was in 2000 a professor of political science and the humanities at Louisiana State University

1999, 34). Also, the NEA's American Canvas called for replacing narrow, institutional definitions of the arts 'with a more expansive view that includes a range of activities - avocational and ethnic, participatory and popular' (NEA 1997, 162).

Overall, these recommendations suggest that public cultural agencies should pursue a 'latitudinarian approach' to public culture, that is, one that is aesthetically inclusive and broadly accessible (Mulcahy 1991, 5-25; Mulcahy in Mulcahy and Wyszomirski 1995, 205-28). In conceiving of public policy as an opportunity to provide alternatives not readily available in the cultural marketplace, public cultural agencies would be better positioned to complement the efforts of private institutions rather than duplicate or challenge their activities. Similarly, public cultural agencies could promote individual and community development by supporting minoritarian aesthetic preferences and heritages that are at a competitive disadvantage in an increasingly privatized cultural sector. The real issue is not whether a public cultural agency should exist, but what should be its role in a funding triad comprised of private and corporate philanthropy, earned income and government funding. Classically, the purpose of public subsidy has been to enable cultural institutions to do what they could otherwise not afford, to make culture accessible to constituencies that would otherwise be unserved, and to promote the diversity of aesthetics that would otherwise be unrepresented.

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Mulcahy, K.V. (2000) 'The abused patron of culture: public culture and cultural patronage in the United States'. In: Boekmancahier, jrg. 12, nr. 44, 169-181.