Regulations are Long, Arts Subsidies are Short: Regulating the Arts


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In December, 1973, Congress passed the Comprehensive Employment and Training Act† (CETA). The Act earmarked a minimum of $250,000,000 of public monies annually to subsidize jobs. Not since the establishment of Work Progress Administration² (WPA) in 1935 had the U.S. government made a comparable commitment to the American worker.³ In 1975, CETA embraced the art world, suddenly making available an influx of funds. This funding would allow deserving artists selected for the program to be paid a living wage. This money, although continually being whittled away, haunted arts organizations for six years. In 1981, as suddenly as it had appeared, it vanished.

Steven C. Dubin, the author of Bureaucratizing the Muse, was a CETA worker. Hired by a Chicago arts organization, Artists-in-Residence (AIR), he observed the effect of public money and bureaucracy on arts administrators, government bureaucrats, and the artists themselves. His book documents AIR’s sojourn during the three year period it received CETA funds. The book studies the consequences of a program that required the collaboration of bureaucrats—arts regulators—and artists. Dubin summarizes the tension between art and public service by quoting John Irving’s best-seller of the period, The World According to

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‡ See W. McDonald, Federal Relief Administration and the Arts (1968) (account of the relationship between WPA and its artist-workers). Faced with massive structural unemployment, the WPA provided employment rather than training programs for its workers. Because such large-scale unemployment was not the issue in 1973, CETA offered training to the unemployed, in order to promote future job security.
Garp: "The two things mustn't be confused . . . there was art, and there was helping people . . . . The messes came when certain jerks attempted to combine these fields." 4

Unfortunately Dubin offers few insights into problems of arts subsidies and regulation. While *Bureaucratizing the Muse* adds to the history of government arts support (or intervention, depending on your side of the fence), it does not add to the analysis of this area, and it provides no concrete suggestions for the future.

I. The Short, Unhappy Life of CETA and AIR

CETA arts projects were a leftover of the optimistic 1960s. Artists were to be enlisted as cultural workers for the Great Society. They would be trained and paid to help solve society's ills. CETA artists would make sculptures to beautify the inner city and ameliorate urban blight. They would entertain the underprivileged in nursing homes, daycare centers, rehabilitation programs, and jails. They would even document local government "do good" programs.

This was the sociocultural context of CETA. 5 The scene was set for CETA and the events that transpired when CETA-sponsored arts programs began their work: hiring unemployed visual and performing artists, and regulating the way they produced and performed art. Turning artists into "cultural workers" was a square peg, round hole system of regulation and subsidy, but for a brief period the arts community thought CETA was the answer to its prayers.

For three years, AIR functioned as CETA's regional administrative arm, disbursing $1.2 million in CETA federal funds to artists and arts projects in Chicago. Its funding was channelled through the Chicago Council on Fine Arts (CCFA) which was involved at the time with other projects that linked the arts with the business world and local community. 6 These funds were for salaries only. Production and materials money had to be raised elsewhere. 7

AIR employed 108 artists in nine fields: dance, film, music, photography, theatre, video, visual and graphic arts, and arts administration. Dubin thoroughly examines how these artists were chosen during AIR's

6. P. 19 (other projects included surveys of the nature and scope of arts activities and the amount of corporate support of the arts in the city).
7. This division of the funding of labor and materials entailed problems of its own. At times projects were delayed unless the artists themselves provided "front" money. See, e.g., p. 201, n.17 (dancers whose salaries were paid by CETA were faced with having to pay for their own costumes).
Regulating the Arts

three-year existence, as well as how the organization's goals were defined over the years to emphasize public service at the expense of artistic quality.

Although the organization changed substantially during its brief life, the differences between its conceptual and operational bases were a constant source of trouble almost from the onset. The regulations and eligibility requirements of CETA eliminated many quality artists. Those who were accepted either submitted to AIR's governance, sacrificing their artistic freedom for a paycheck, or fought the program, staging bitter confrontations about government control of their art.

After suffering blows from both its artists and its audiences, AIR was desperate to make sure its federal money would be renewed each year. It therefore devised a system of patronage that optimized its own organizational survival potential. This new system redefined AIR's mission as providing public service (and uncontroversial) art. AIR proceeded to subsidize artists and artistic disciplines that conformed rather than rebelled. It steered clear of any art or artist that smacked of controversy. Public Art came to mean Public Service Art; artists had to learn to dance to the proper tune to get their CETA paychecks.

Artists initially welcomed CETA funds. A CETA job for many AIR artists meant no longer having to do subsistence work to support their art. They could work as artists and get paid for it. However, their tenure under CETA was limited. As one participant put it, "While finding employment for artists is nearly impossible, hiring them for a year is a band-aid solution that inevitably causes ill feelings, guilt, and dead-end promises."

Add this frustration to the controversy over who regulates the

9. Pp. 58-88. Along with the new emphasis on public service, AIR emphasized marketing skills. Although artists resented this emphasis at the time, they may find these business skills useful: the success of the artist is becoming increasingly related to his marketing talents. See McGuigan, New Art, New Money, The Marketing of an American Artist, N.Y. Times, Feb. 10, 1985, §10 (Magazine), at 20.
10. After the first year of the program, a screening process for applicants was instituted which placed highest priority on artists who could work on public service projects serving the economically disadvantaged or the broadest number of people. For example, musicians chosen by CETA were almost exclusively jazz and blues musicians, rather than classical. Pp. 42, 200 nn.10, 11.
11. One such confrontation involved a request by the Chicago Department of Building that AIR make videotapes to be used in the Department's orientation program to inform new employees about the functions of the Department. This request caused a protracted controversy with the video artists, who resisted the idea of being made mere "boosters" of the agency. (Before this problem was resolved, a scandal involving corruption in the Department became public, and the videotape project was never completed.)
12. Pp. 135-54. For example, murals created by AIR artists were typically, in Dubin's opinion, artistically bland and politically neutral. In addition, the design of at least one outdoor mural was changed in reaction to community group objections.
kind of "art" subsidized with public monies and, as Garp said, it becomes a mess.

II. The Problems: Public Money, Private Artists, and Censorship

The subject of government subsidy and regulation of the arts is a tricky one at best. The National Endowment on the Arts (NEA) and state and local arts councils have long been the avenues for government subsidy. Yet they are continually underfunded by their respective legislatures, hindering their ability to do a thorough job of promoting the creative process. CETA funds were another source of subsidy but came with many strings attached.

While the NEA funded projects proposed by the artists, CETA created projects for the artists to produce. Therein lay the rub. Rather than being saved from the private market (and its possible market failure, where culture is concerned), CETA artists now found they had to deal with the CETA “marketplace”: bureaucrats with their own organizational agenda.

In many cases, the regulations and procedures implemented by these bureaucrats demanded that artists forsake their artistic integrity. In retrospect, no one knows whether the “better” artist was the one who conformed to CETA demands or the one who fought them. Or could it be that CETA’s eligibility criteria were such that the “better” artist wasn’t even eligible for the CETA program in the first place? Did AIR’s programmatic evolution toward safe art equal censorship? According to Dubin, not exactly. It did represent implicit control and an awareness of a regulatory feature of the art world: success means giving the marketplace what it demands. Thus, a sculpture unfavorable to the Mayor was quickly removed; a play about Black History featuring white actors was

15. The City of New York, for example, has been providing assistance to local arts organizations since the last century. The New York State Council on the Arts was established in 1960, the National Endowment on the Arts in 1965. See D. Netzer, The Subsidized Muse 52, 59-60, 80 (1978).

16. These attached strings are not restricted to CETA. In 1981-1982 a bitter controversy arose when the New York State Council on the Arts cut funding for the Wooster Group, a theater group, due to the Council’s finding “racist” the theater’s blackface play, Route 1 & 9. See Savran, Terrors of the Text, 3 Am. Theatre 22 (Dec. 1986).


18. The pool of eligible applicants for employment under CETA both decreased and changed composition after the first year of the program. For the second and subsequent years, the required unemployment period for applicants was increased from the 30 day period of the first year to 15 weeks. Dubin points out that many artists normally do not receive a steady income, but instead work periodically, on project-related or commission-basis work. Therefore, a large number of artists could probably meet a 30 day unemployment criterion; however, given the typically low wages artists earn when they are employed, many artists would be unable to meet basic expenses without working at some time within a 15 week period. See pp. 38-39.

Regulating the Arts

cancelled; and plans for a realistic mural for a treatment center were revised. AIR regulated itself and its artists by establishing an organizational structure that selected and promoted art that fit socially acceptable modes. However, it seems more troubling to liberal thinkers when the state intervenes to tell an artist what to produce than it does when market demand pressures an artist.

Works of art push a subjective response button in all of us. Some believe Public Art should be neutral and beautiful to behold. Others fervently want it to provoke and stimulate new perspectives. And by nature (or at least by institutional position), the bureaucrat tends to be a populist, the artist an elitist.

III. Dubin’s Position: Straddling the Fence

Dubin’s book begins slowly. His narrative of CETA’s development as an arts resource, and his comparison to the WPA, although historically important, are over-elaborated; they are really not crucial to his project. Furthermore, the first half of the book is overwritten and unclear. This reviewer had some knowledge of the CETA arts program and yet found the background history of how CETA entered the art community and the eligibility requirements for employment vague. It’s not until the latter half of the book that Dubin hits his stride. The quotes, anecdotes, and analyses of specific artists, events, and administrators represent the book’s strength and value.

Here Dubin addresses the strange bedfellow aspect of the program that brought artists and CETA together. He describes the intentional and unintentional results of CETA regulations. He attempts to justify the rationale behind everyone’s jump on the CETA bandwagon, and explains how and why survival became the watchword for both CETA and its artists.

21. See Tell, Drawing the Line on Art, 3 Nat’l. L.J. 1 (April 13, 1981) (legal battles and controversy over public displays of art, such as artist Christo’s “Running Fence”, a nylon wall 18 feet high which extended across 24 miles of rural California, and sculptor Claes Oldenburg’s university-commissioned 26-foot high toothbrush at the University of Hartford).
22. The comparison of CETA to the WPA at first appears to be a natural but it actually is not. Our assessment of the projects produced by the WPA is now suffused with a rose-colored, nostalgic light. The murals, guidebooks, and plays that came out of this period of mass unemployment are now coveted souvenirs, collected as one collects Art Deco pieces or Fiestaware.
The book comes to life when Dubin stops generalizing and hones in on one specific organization, Chicago’s Artists-in-Residence. By using examples of actual projects and quotes from participants, Dubin finally clarifies the unusual dynamics that evolved. The artist’s resentment at compromising his work and the bureaucrat’s need for quantitative results placed these two professionals in direct conflict. The story of how AIR charted its course amidst tempermental egos and government agencies to create “acceptable” art is thought-provoking for anyone interested in the problems of government arts funding and cultural regulation.

Although his storytelling is skillful, Dubin skirts the larger issue: during its short life, did CETA produce any significant contributions to American art? Can a government program of arts subsidies make such a contribution? Many arts observers believe that CETA funding was detrimental at best. Too many organizations shaped their artistic philosophy to secure funding, only to find themselves artless as well as penniless when CETA funds were rescinded.

It isn’t until the end of the book that the author reveals his own former affiliation with CETA and AIR. He characterizes his role as that of an observer, survey taker, and documentarist. Although he has provided data, Dubin lacks a strong thesis and conclusion. Was CETA good for the arts, even for the short time it existed? Should we encourage further government participation in this field? Are the problems of artist-bureaucrat tension and potential government censorship insurmountable? With ten chapters, copious footnotes, an epilogue, and a methodological afterword, Dubin should have addressed these critical issues.

At the beginning of Mr. Dubin’s epilogue, the following quote appears: “[AIR]. . .was straddling a fence with art on one side and government on the other. And fence straddling usually causes pain.” Unfortunately, Mr. Dubin himself is guilty of straddling the fence.

Conclusion

Writing in 1987, Dubin has the benefit of reflection and hindsight. He should have assessed whether CETA was an interesting experiment that failed or a foolish undertaking for all concerned. Government funding and regulation of the arts is a delicate subject. Artists need and merit assistance, but regulating the creative spirit is dangerous and justifiably controversial. Despite Mr. Dubin’s efforts, the bureaucracy of the Muse remains, for the most part, uncharted territory.