GOVERNMENT AND THE ARTS IN ITALY (*)

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GOVERNMENT AND THE ARTS IN ITALY
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Public intervention in the arts was not an unfamiliar topic to Italian juridical thought even at the turn of the century. In 1906, in an article titled "The interference of the public administration in the artistic manifestations", Raggi—a well known legal scholar of that time—wrote that he wanted to "demonstrate the relevance that art can and does assume in public law, [and] the necessity and multiplicity of its relations with public administration". He stated also that "State involvement is especially useful, positive, and preferable, and therefore obligatory: when one is dealing with interests that are too abstract, primarily non-economic in nature, not amenable to prompt economic reward and whose pursuit cannot obey the laws of the marketplace; when the benefits are attained only after a long delay, their promise may only be fully appreciated by future generations and for which individual resources are insufficient". He concluded that, because the foregoing conditions hold in the field of the arts, there was a need for administrative intervention.

Nevertheless, the first public intervention in the arts in Italy was during the Fascist period. Naturally, there is no doubt that the historical and political motivations for involvement by the Fascist State went far beyond those that inherently propel all modern States toward cultural activism.

Indeed, the two essential reasons of the above mentioned involvement were:
1) the need of developing a scheme capable to reattract intellectuals to the channels of "official" (Fascist) culture (the Italian Royal Academy was established for this purpose) after the assassination of Matteotti (a famous socialist member of Parliament) in June 1924, which resulted in a crisis broadening the scope of opposition to the regime, especially among intellectuals;
2) the conviction of Mussolini that it was necessary to pass from the phase of "agitation" to one of "cultural integration", incorporating the conscience of the various groups in Italian society (this was to be attained through the National Institute of Fascist Culture).

These were the two actual goals of the regime; what is, however, to be stressed is that the pursuit of such objectives produced:
1) the growth of Fascist consciousness within public agencies devoted to culture;
2) the incremental growth of the so called MINCULPOP, the Ministry of Popular Culture (Ministero della Cultura Popolare), which had been created to nurture Fascist national identity.
3) the resistance of the Ministry of National Education (Ministero della Educazione Nazionale) which sought to retain control over the artistic patrimony and which went so far as to try to extend its mandate to modern art.

The Ministry of National Education's resistance to relinquishing its control over the nation's historical artistic patrimony had the advantage of denying Italy's treasures to MINCULPOP's "loving care": the MINCULPOP was, indeed, carefully devoted to the repression of every cultural expression that was not perfectly attuned to Fascist doctrine. But, this resistance also may have contributed decisively to the definitive separation between "traditional arts" and "representative arts" in so far as organizational schemes are concerned; and the continued existence of this separation produces—as we will see in a while—no small hardship today in the definition and pursuit of a comprehensive cultural policy.

The ideological and political justifications for Fascist intervention in the cultural sector obviously vanished with the republican Constitution of 1948. Nevertheless, the Constituent Assembly decided to state among the general principles that "the Republic promotes the development of culture" (art.9). But, at the same time, it was stated that "art and science are free as is their teaching" (art.33). It has been pointed out that, "the two constitutional provisions ... do not create an antithesis, but indicate that an equilibrium between public powers and culture must be sought" (MERUSI). In other words, although supporting public promotion, the Constituent Assembly was for the "negation of the ideological-cultural monism inherent in the totalitarian Fascist State" (MERUSI).

One cannot but agree with this observation, especially if one thinks of art.33 Const. as bolstering the freedom of art and science beyond the more general principle of freedom of expression stated in art.21 Const.

A question of constitutional doctrine has arisen over the years since the birth of the Constitution, concerning the interpretation of the term 'Republic' as used in the art.9 Const. What were the subjects referred to by the word 'Republic'? Initially, the prevailing interpretation was to consider that it referred to the institutions of the State as a discrete entity, thus excluding the Regions from any authority in the cultural sphere. Later, it was clearly asserted that the goals set by art.9 did not constitute an interest taken on by the State apparatus only, but rather a "goal taken on by the entire republican order as a whole" (BERTI). Therefore, all the representative entities, such as Communes, Provinces, Regions, and even sectoral agencies, not only can but—we may say—should adopt appropriate policies for the attainment of the goals indicated by the art.9 Const.
Moreover, the legislative history of the last decades progressively confirmed the enlargement of the Regions competence in areas of cultural policy, such as environmental matters, historical centers, promotion of cultural activities, etc., which traditionally had been the domain of the national government.

Finally, also the most recent conception of culture further strengthens the trend toward an enlarged regional role in cultural policy. Culture, indeed, is always more generally considered unintelligible outside of a precise territorial context within which it is rooted and only from which can it draw prospects of growth. In this light, culture is the filter through which every territorial policy should be planned; and we have to recall that 'urban planning' is one of the subjects of regional legislative competence listed in art.117 Const.

The difficulty—if not the impossibility—of surveying all of the relevant activities of these representative entities (particularly the Regions) and sectoral agencies means that what we are going to deal with is necessarily concerning the "State" intervention, rather than "public" intervention tout court.

To describe how the system of State intervention in the arts works in Italy, we should divide the topic in two sections: "Traditional Arts" and "Representative Arts", in both of which we will discuss the public organization as well as the public activity.

But, before embarking on this discussion, two things need to be pointed out.

First, it is better to clarify what we mean by "Traditional" and "Representative" arts. We will refer the "Traditional Arts," meaning those arts expressed by works which are tangible and self-contained and for which appreciation does not require immediate, measured passage of time (painting, sculpture, architecture). For those forms of artistry which do, in fact, require a measured passage of time, i.e. music, theater, and cinema, we will use the term "Representative Arts". Theater and music are certainly old and traditional art forms; however, when we refer to "Representative Arts" we mean to distinguish the live, transient performance of art from the tangible volumes from which it is derived. We will use this criteria also for the purpose of convenience, because the Italian Ministries which deal with these art fields divide the matter in this way.

Second, it should be noted that in Italy the preservation of the immense existing historical-artistic patrimonv absorbs all the public resources currently available (and in fact even these are insufficient). Consequently, in the so-called Traditional Arts public intervention designed to sustain artistic
"production" is almost totally absent. On the contrary, the Representative Arts benefit from a system of articulated support for the artists, even though the qualitative and, above all, the quantitative inadequacy of the means employed is lamentable.

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TRADITIONAL ARTS

1) public organization

Until the birth of the Ministry of the Cultural Heritage (Ministero dei Beni Culturali) in 1975, all that pertained to the care and exploitation of the historical-artistic patrimony was entrusted solely to the Ministry of Public Instruction (Ministero della Pubblica Istruzione) -the direct heir of the Fascist Ministry of National Education-, by virtue that educational and cultural matters are intimately linked and should be administered by a single entity.

In 1937 the Ministry of National Education (and therefore successively the Ministry of Public Instruction) was given responsibility for "guardianship of the archeological, historic, monumental, literary, bibliographic, artistic, and linguistic heritage of the Nation; oversight, from the point of view of the arts, of the development of urban centers; and promotion of the diffusion of Italian art, culture, and science".

In the years that followed the enactment (1948) of the Constitution, there was a lively debate concerning the overhaul of the entire system (both organizationally and operationally). The main conclusions of a series of studies were:
1) the urgent need for public intervention to rescue the Italian cultural patrimony from its "dramatic state of impoverishment and decay" was definitively emphasized;
2) the need for a coherent approach toward reform of the system of guardianship and its related organizational structure was stressed;
3) such a reform should have had to move beyond the traditional idea of public action merely to preserve the nation's cultural patrimony, to embody a more dynamic approach, aiming toward its full appreciation, and, therefore, to its use as an instrument for the advancement of civilization.

In practical terms, reform of the system of guardianship has remained on the back burner, and provision has been made only for the reorganization of the administrative structure.

The organization of the Ministry of the Cultural Heritage consists of one central and one peripheral structure.
A) CENTRAL STRUCTURE - There are 4 Administrative Offices at the core:

1) the Central Office for the environment, architecture, archaeology, the arts, and history;
2) the Central Office for archives;
3) the Central Office for patrimony in the form of books and cultural institutes;
4) General Directorate for general administrative affairs and personnel (and including the Office of Research).

There are also 4 Technical Institutes:

1) the Central Institute for cataloging and documentation;
2) the Central Institute for the master catalog of Italian libraries and bibliographic information;
3) the Central Institute for book preservation;
4) the Central Institute for restoration.

Alongside these agencies is the National Council for the Cultural Heritage, an auxiliary body whose composition assures technical competence (university professors, scientific and technical experts employed by the Ministry, and renowned experts) and institutional participation (representatives of Ministries, Regions, Provinces, and Communes). This seems to guarantee the quality of the advice which it must continuously furnish to the active agencies. This advice ranges from opinions on general regulatory and administrative acts and on arrangements with university institutes and research organizations, to opinions concerning the design of programs and the supervision of their implementation.

It seems worthwhile to describe briefly some of the above mentioned structures because of their particular interest for the aim of this presentation.

The Central Office for the environment, architecture, archaeology, the arts, and history currently consists of 9 Divisions, some of which deserve to be mentioned.

The II Division (Protection - Legal affairs - Environment) is responsible for the enforcement of preservation regulations and revocation of restrictions.

The III Division (Budget - Programming) is concerned, among other things, with making payment to private owners of cultural items to enable the owners to restore those items, or with restoring the items itself.

The IV Division (Guardianship of items of archaeological, architectural, artistic, and historical interest) is responsible for authorizations to demolish, modify, or restore architectural
or monumental objects, permits for archaeological research, sanctions against violators, export and import of works of art, authorization to locate State-owned artwork in branches of governmental agencies in Italy and abroad, and art in public buildings.

The V Division (Aquisition - Inventory - Cataloging-Statistics) is responsible for the acquisition for the public domain of archaeological, architectural, artistic, and historical items, for the exercise of the right of pre-emption, and for the expropriation and cataloging of the same items.

The Central Institute for cataloging and documentation is divided into:
1) **services** (for archaeological, historical-artistic, ethnographic, architectural, and environmental items) which develop programs for cataloging of items, promotion and coordination of executive cataloging activities, and preparation of the national plan for cataloging and documentation;
2) **laboratories** that carry out survey tasks (photographic, aerial photography, etc.) of the data required for cataloging and documentation;
3) **services** for the arrangement and utilization of information acquired;
4) an **Administrative Office** that arranges and extends the execution of the Institute's actions;
5) and a **Technical Office** that provides technical consultations, maintains instruments and apparatus, and keeps up with technical and scientific advances.

The Central Institute for restoration is concerned with "scientific research oriented toward preservation, protection, and restoration of cultural items which are of archaeological and historical-artistic interest". It consists of:
1) **laboratories** (chemistry, physics, and environmental controls, biological investigations, materials testing), which study the causes of deterioration and techniques for preservation and restoration;
2) **services** for protective action (archaeological, historical-artistic, architectural, and environmental);
3) a **service** for teaching and information;
4) an **Administrative Office**;
5) and a **Technical Office** that monitors the operation and maintenance of the Institute's instruments and apparatus, purchases new equipment, and manages the storage and movement of items to be restored.

B) PERIPHERAL STRUCTURE - The peripheral structure of the Ministry's administration consists of several different agencies which oversee the custody of the items with which they are entrusted. There are:
1) the Superintendencies (archaeological, historical-artistic, environmental and architectural, archival);
2) the State Archives;
3) the State public libraries.

The appointed heads of these agencies in each Region meet for regular conferences to plan coordination, study proposals, and share information.

Like the central one, this peripheral structure has an auxiliary body in each regional capital: the Regional Committee for the cultural heritage. This Committee, "composed of the heads of the offices that constitute the regional conference ... and by an equal number of representatives of the regional government", has the task of 1) advancing national and regional initiatives, and of 2) liaison and coordination of these.

The Superintendencies—with the exception of archival ones—are subordinate to the Central Office for the environment, architecture, archaeology, the arts, and history. Their geographic distribution does not necessarily follow regional boundaries, but evolved as circumstances warranted. Thus, if there is a single archaeological Superintendency for two Regions (Veneto and Friuli), one can also find in a single Region more than one Superintendency of the same type. One can also find 'mixed' Superintendencies, which are concerned with all (e.g. Molise) or almost all (e.g. Umbria) fields. Each modification of a Superintendency's authority or location requires a Minister's decree.

The reform accomplished with the establishment of the Ministry of the Cultural Heritage suffers from a basic flaw, because it took place without the necessary legislative reform concerning supervision of the nation's cultural patrimony.

The new structure, due to the failure to rethink the basic regulation of the historical artistic patrimony is the outcome of a sterile, unproductive effort: in essence "the choice of instruments was allowed to precede the identification of objectives" (CASSESE). "The birth of the new ministerial structure is not, indeed, the terminal point and the organizational translation of a reform of the principles for guarding the nation's cultural material patrimony" (SERRANI).

Failure to settle the central issue of cultural policy has fundamentally compromised organizational reform. We can share the final negative judgment according to which "an outdated bureaucratic model" was reproduced and "the opportunity to introduce a new model was lost" (CASSESE).

Moreover, the design to create a true ministry of culture was lost: "jurisdiction over performances was not given to it"
(SERRANI). On the other hand, "the new ministerial apparatus seems so scantily equipped with personnel and resources as to restrict its activity to the mere conservation of the existing Italian cultural patrimony, without any opportunity for growth" (DALLARI). This echoes the opinion of those who maintain that the new Ministry "basically remains a Ministry of restoration, museums, libraries, and exhibitions. It has not enabled cultural policy to take giant steps on the organizational plane" (SERRANI).

2) Public activity

As we have just stated, the regulation of public activity in the area of the traditional arts has remained essentially unaltered from that established in the law (number 1089) of 1939, concerning the supervision of items of artistic and historical interest.

Before examining the regulatory system, one must remember that in Italy, according to the Civil Code, the historical-artistic patrimony is not exclusively publicly owned. Thus, the law of 1939 focuses on items "that have an artistic, historical, archaeological, or ethnologic interest" and applies both to public agencies and to private individuals.

If these items are the property of the State or of legally recognized (public or private) agencies, they are automatically subject to custodial regulation so long as they possess the "essential quality" of artistic or historical value and so long as they belong, or are transferred to, such agencies.

On the other hand, if the items belong to private parties (individuals and institutions not enjoying legal recognition)—although also in this case the principium individuationis considered by the law is the same "essential quality" of the items—the law conditions their actual subjection to the norms upon "notification" to the parties concerned.

The custodial rules concerning objects of historical-artistic interest seem to have been engineered so as to guarantee both the objects' conservation and their enjoyment by the community. These two goals are clearly related, since enjoyment mandates conservation of the items, and conservation is directly aimed toward its enjoyment.

A) Conservation

The measures directed toward conservation can be the expression of the so-called either "direct" or "indirect" supervision.

a) DIRECT SUPERVISION - On the one hand, this will highlight the series of prohibitions regarding demolition, removal,
modification, or repair without the prior authorization of the
Minister of the Cultural Heritage, as well as prohibitions
concerning the "use of items that is incompatible with their
historical or artistic character or which could jeopardize their
preservation or integrity". These regulations apply to items
without regard to whether they are public or private.

In order to make this series of prohibitions effective as
well as to make execution of supervisory powers possible,
"projects of any type" must be submitted to the appropriate
Superintendency and authorization obtained.

On the other hand, the duty to provide for maintenance is
spelled out in the law. "In order to assure the conservation and
prevent deterioration of the items", the Minister has the power
to "provide directly by himself for the necessary expenses" or to
"impose the necessary measures".

Both powers can also be exercised in matters concerning
private holdings. In either case, the expenses are charged to the
owner. Nonetheless, as an exception to this general principle,
the law provides that in those cases where the Minister has
already provided for the work, and the State must be reimbursed,
or in those cases where the owner has shown himself to be unable
to sustain the expense imposed by the Minister, the Minister
himself can "decree that total or partial expenses be charged to
the State".

But, also when "the expense has been sustained by the owner
of the protected item", the Minister can decree, without any
demonstration by the owner, "that the State share the expense up
to no more than half of the amount".

b) INDIRECT SUPERVISION - The law provides for an indirect
supervision of real estate possessing historical-artistic value.
It is dubbed 'indirect' because it does not focus on the items
themselves, but on items located in so-called "zone of respect",
which are occupied by the principal objects of interest.

Indirect supervision gives the Minister "the power to
prescribe distances, measurements, and other norms aimed at
avoiding any harm to the integrity of the real estates .... and
ensuring that their perspective, light, or ambient scenic
conditions will not be altered".

Even more, expropriation for the public good is allowed of
"areas and structures" when the Minister "recognizes such
measures as necessary to isolate or restore monuments, guarantee
their exposure to light, protect their perspective, guarantee or
enhance their decor, as well as further the public enjoyment of
them and, lastly, facilitate access".
B) enjoyment

For a work of art to fulfil its inherent function of cultural development and the increase of spiritual value, it must be or must become an object of contemplation and study.

The system of the law guarantees public enjoyment of only those items owned by the State and public agencies, which can be visited.

By contrast, access to private holdings is granted only in exceptional cases. Indeed, the Minister can oblige private owners to grant visits as long as details for such visits are arranged with the owner. But this rule applies only to real property and collections or series, and excludes the display of personal items.

Thus, if the only possible object of State cultural policy is to provide the people with the widest possible enjoyment of the nation's historical-artistic patrimony, and if, as seems incontestable, this patrimony consists of all the nation's art works (real and personal), then the provision of instruments designed to allow —by placing them in public hands— access for general public to objects which are in private hands seems to be necessary.

The law of 1939 devises the following instruments to assure the enjoyment by the community of the works of art.

a) EXPROPRIATION — The Minister has the power of expropriation over real property that comes under the purview of the law whenever such action would "respond to an important issue related to conservation or expansion of the national patrimony".

It is clear that expropriation is not only the extreme device established for the conservation of art objects. As we have seen, the State still reserves the authority to engage directly in restoration work and to impose the necessary measures. Therefore expropriation plays only an auxiliary role in conservation efforts, as well as it is a major instrument in the case of expansion of the national patrimony, making the individual work of art an actual object of public enjoyment, rather than a potential one.

Further confirmation that expropriation is primarily oriented toward promoting enjoyment is the fact that it can be employed against personal property also, access to which the Minister is not able to compel.

Ultimately we can say that the evaluations the Minister will have to make will be essentially political-culture in nature,
rather than simply related to the artistic-economic value of the art object.

b) DENIAL OF EXPORT LICENSE - Exportation is forbidden if the items, whether they have been the objects of notification or not, "possess such a value that their exportation would represent a substantial loss to the national patrimony".

The determination that would lead to authorization or denial of the export license must depend on the work's position within the national patrimony than on the artifact's own value, even though the latter is taken into consideration.

However, denial of an export license does not guarantee public access, but simply preserves the possibility of future enjoyment being achieved by eventually placing the work in public hands.

c) COMPULSORY PURCHASE UPON EXPORTATION - This is a more effective instrument of cultural policy for the latter circumstance. The Minister, if he acts within a two-month time period, has the power to purchase "items that possess important value for the national patrimony" at a price that matches "that contained in the declaration" (applicants for export licences must declare the economic value of the items to be exported).

This power is evidently given to the Minister primarily to promote collective enjoyment of the entire historical-artistic patrimony.

d) RIGHT OF PREEMPTION - When a work of art is being sold or transferred as a form of payment, the Minister has the option of purchasing it "at the same price established in the contract".

If conservation were the only objective, preemptive purchase would be necessary only if the prospective owner did not appear to be trustworthy. But the law gives to this instrument a general character, so that the true purpose is to allow pursuit of political-cultural goals.

e) COMPULSORY PURCHASE UPON RESTORATION - If works that have been the object of unreimbursed State restoration are involved, the Minister has the power to purchase them at their prerestoration value. Even though this instrument has the character of a sanction, we can consider it among the other instruments just examined, because all yield an enlargement of the public's enjoyment of the national patrimony.

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REPRESENTATIVE ARTS

1) public organization

As has already been noted, during the Fascism the State attempted to control all intellectual, and therefore all artistic expression.

This policy was limited with regard to the historical-artistic patrimony by the Ministry of National Education's strong tradition of continuity. The same limitations did not apply to sectors dealing with entertainment (and especially the newest sector: cinema) which were progressively subordinated to the patronage of MINCULPOP, which had been created with the intention of guiding cultural developments.

After the war, with the collapse of Fascism and the promulgation of the Republican Constitution, MINCULPOP was suppressed and its responsibilities passed to the Office of the Prime Minister.

To relieve the Prime Minister of a number of tasks, in 1959 the Ministry of Tourism and Entertainment (MinistEro del Turismo e dello Spettacolo) was established. The idea of consolidating the cultural sector was therefore "set aside since the Ministry of Public Instruction had too many tasks to carry out, so that the administrative activity in the field of entertainment would have become inefficient" (FRAGOLA).

The establishment of the Ministry was not -nor is it now- free from criticism. The subjects entrusted to it cannot be called homogeneous, although it is true that it deals with sectors sharing a common "recreational" theme and activities which are promotional or in the nature of subsidies. In fact, on another level, while tourism does relate to the industrial-economic sector, entertainment, as the expression of artistic impulses, has its own natural position in the area of cultural administration.

A negative judgment regarding the survival of the Ministry is furthered by the progressive loss of powers and tasks that it has suffered in favor of the Regions. Tourism was given to the Regions and the transfer of duties concerning "activities of prose, music, and cinema" to them (and to local entities) has also been planned by recent legislation.

A) CENTRAL STRUCTURE - In its current state the Ministry consists of two General Directorates: that of General Affairs, Tourism and Sport and that concerning Entertainment.

The latter deserves a brief description, as well as it concerns with cinema, theater and music. Each of these sectors
MINISTRY OF TOURISM AND ENTERTAINMENT

G.D.G.A.T.S.

G.D.E.

13 DIVISIONS

I

II

III

IV

V

VI

VII

VIII

IX

X

XI

XII

XIII

VARIOUS

COMMITTEES AND

COMMISSIONS

PARALLEL ADMINISTRATIONS

THEATER

E.T.I.

I.N.D.A.

PUBLICLY MANAGED THEATERS

MUSIC

11 OPERATIC AGENCIES

2 ASSIMILATED CONCERT INSTITUTIONS

CINEMA

EXPERIMENTAL CENTER FOR THE CINEMA

AUTONOMOUS AGENCY FOR CINEMATOGRAPHIC MANAGEMENT

ISTITUTO LUCE

CINECITTA'

ITALNOLEGGO
has a complex discipline—in many ways independent of the others—which is probably the cause of the General Directorate of Entertainment’s great structural fragmentation. It has, indeed, 13 Divisions, only 3 of which are organized on the basis of function rather than specific art form.

These three are:
I Div.: General operations—Cinema and Theater (It has responsibilities in all three sectors, especially in matters pertaining to the nomination of various committees and commissions);
II Div.: Theatrical and cinematographic management;
V Div.: Theatrical and cinematographic revision.

The other Divisions have duties according to subject:
for theater
VI Div.: Theatrical activities: prose, reviews, and assorted arts;
for cinema
III Div.: Activities dealing with cultural film-making in Italy and abroad and also film festivals;
IV Div.: Production, import and export of full-length movies, movie shorts, and newsreels;
XIII Div.: Disbursement of contributions and awards favoring film production;
for music
VIII Div.: Operatic and symphonic agencies;
IX Div.: Operatic concerts in Italy;
X Div.: Concert performances in Italy;
XI Div.: Festivals, reviews, competitions, and ‘groups’ (popular music);
XII Div.: Opera and concert productions;
and finally
VII Div.: Circuses and traveling shows.

A number of diverse Commissions and Committees operate alongside the Divisions. Their composition guarantees a bureaucratic presence as well as the representation of the groups involved. These organs deal with theatrical and movie censorship, as well as providing for the presentation of awards, subsidies, commendations, etc.

B) PARALLEL ADMINISTRATIONS—The ministerial structure in this area doesn’t have a peripheral organization. The Ministry, however, is the apex of a series of agencies that operate in the three sectors of cinema, theater, and music.

a) theater

This field has long awaited organic legislation, being regulated on the basis of ministerial circulars or “leggine di spesa”.
There are a number of assuredly public agencies, as well as others whose nature is questionable and which require legislative direction. The Italian Theatrical Agency (E.T.I.) and the National Institute of Ancient Drama (I.N.D.A.) are clearly public entities.

The E.T.I. was established by law for "the purpose of promoting, with the design of instruction issued by the Ministry of Tourism and Entertainment, the growth and diffusion of theatrical activity and public entertainment within the nation and abroad". Among other things, it also provides the planning/scheduling of theatrical halls including direct management of theatrical establishments which are owned or only being used.

The I.N.D.A. is under the Ministry of Tourism and Entertainment in concert with the Ministry of Public Instruction. Its first goal is to recreate "the dramas of Greek and Latin period, in the Greek theater of Siracuse, the Roman theater of Ostia, in other ancient arenas, and eventually in any locality possessing a special classical mood".

The public nature of the so-called "publicly managed theaters" is less clear-cut. Their juridical status is generally that of the "de facto associations". However the Communes (and/or other public agencies) are their principal sponsor, and the task they carry out cannot appropriately be considered to be private. They are within the system of local, rather than national, administration.

b) music

The Operatic Agencies (Enti Lirici) and Assimilated Concert Institutions are the focal point for state intervention in the musical arena.

According to the law of 1967 they "have as their goal the diffusion of musical art, the professional formation of artistic cadres, and the musical education of the collectivity". They pursue these goals through the direct management of the theaters with which they have been entrusted. The law grants them legal standing in public law and places their supervision within the Ministry of Tourism and Entertainment.

The central role played by the Operatic Agencies is what leads to criticism of the law. The law, indeed, does not give sufficient consideration to balanced distribution of these agencies throughout the country: it recognizes 11 Operatic Agencies and 2 Assimilated Concert Institutions, whose locations leave entire Regions without any cultural/musical services, with the usual inequality regarding the South.
This pattern based "solely on the criterion of recognizing pre-existing situations resulting from the dynamics of the country's socio-economic development and ignoring any logic of programmed promotional action, institutionalizes rather than corrects the disparities that exist among geographic areas with regard to the musical cultural infrastructures" (GRASSI).

c) cinema

In this sector there are essentially 2 agencies; the Experimental Center for the Cinema and the Autonomous Agency for Cinematographic Management.

The Experimental Center for the Cinema - among other tasks - organizes "courses designed for the cultural and professional formation of those who intend to work in the field of audiovisual devices with special reference to cinematography" and seminars for "professional up-dating and specialization in cinematography and television". It is also responsible for the organization and operation of the National Movie Library, "created for the preservation of the national film patrimony".

The Autonomous Agency for Cinematographic Management (E.A.G.C.) is under the direction of the Ministry of State Participations (Ministero delle Partecipazioni Statali), but there are representatives of the Ministry of Tourism and Entertainment in its administrative council and its board of auditors.

This agency is required to provide "national cinematographic production of artistic and cultural quality", and is entrusted with "planning, management, promotion, coordination and control of the corporations which have been incorporated" into itself. The number of such corporations has varied over time. Presently they are the following three:

1) ISTITUTO LUCE - it has "production duties with particular concern for didactic and specialized cinematography, as well as movies which are experimental in character and which enjoy a particular cultural relevance";

2) CINECITTA' - it has "the management of cinematographic production, synchronization, processing, and editing establishments" and the promotion of "experimental research and laboratory work, as well as the modernization of cinematographic equipment";

3) ITALNOLEGGIO - it is charged with "working in the market for distribution of films capable of gradually elevating the public's taste", fostering the diffusion of films (either as
products of the Istituto Luce" or as "films obtained from distributors"), and managing movie theaters.

The involvement of the Ministry of State Participation in the sector of cinema deserves a brief comment. As it has been said, "The cultural purpose of this agency, which distinguish it from other state enterprises, ... [and] its functional position as guardian, while indirect, of the constitutional principle of freedom of thought, ... place the EQGC on an entirely different plane compared to other similar agencies and create no small degree of perplexity concerning the application of general principles in this sector" (ZACCARIA).

In particular it is inappropriate, as well as difficult, to apply mechanically a standard of 'cost-effective management', as is typical in other areas of State participation where the firms and corporations involved operate according to the dictates of private enterprise. In the cinematographic field, the goals pursued by public powers "approach, to a significant degree, the role of efforts aimed toward public education -goals which would be absurd to manage according to any classic criteria of cost-effectiveness and which require instead completely different standards concerning their effectiveness" (ZACCARIA).

Finally, there is the Autonomous Agency "La Biennale di Venezia", which also has legal status under public law. It must "promote permanent activities and organize international displays which focus primarily on documentation, knowledge, criticism, research, and experimentation in the field of the arts".

2) public activity

In the field of representative arts, the predominant administrative activity is the promotion and nurture of artistic "production".

a) theater

Unlike cinema and music, there is no organic law for theater. This sector is regulated on the basis of funding bills and, above all, by ministerial circulars which possess an "intense normative character".

The Minister of Tourism and Entertainment can allocate subsidies "on the basis of the results of examination of the budgets and the artistic programs and activities carried out by each theater organization". There are no precise instructions concerning the definition of subjects and of enterprises that can be supported. The legislative vagueness has left a substantial normative vacuum and has encouraged the routine use of ministerial circulars as a kind of remedial action. This led to assign to the administration an enormous degree of discretionary
power in the selection of recipients and the size of the government's contributions.

This increases the chances that respect for the constitutional principles of "substantive equality" and "freedom of expression" will be eroded. Nor can these concerns be alleviated by arguing that this lack of precision is necessary because of the constant evolution of taste in this field. Neither should one argue that such evolution requires a flexible regulatory system that can constantly adjust itself to new fashion. No one could argue that flexibility should be maintained at the expense of constitutional principles.

The analysis of the circulars could be conducted through different topics: 1) subjects and initiatives eligible for public funding; 2) types of subsidies; 3) specific requirements for public funding; 4) criteria for the allocation of public funds.

1) "Publicly-managed organs of theatrical production" as well as host of private theater companies are fundable. Public organs of theatrical production are "those established by territorial or local agencies, either through direct action or through associational or consoritioal action, as well as those institutions possessing legal standing to which the aforementioned agencies formally adhere or in whose administration they directly participate". Within the private sector numerous types of subjects are eligible for funding: they could be mentioned, for instance, privately or cooperatively managed companies, or professional companies of "experimental theater", as well as "agencies, organs or associations involved in theatrical promotion or production", or entities (assembled by Regions and other local agencies) that "operate within the scope of regional or inter-regional theatrical promotion and programming", or -finally- "theatrical initiatives undertaken by universities".

2) Generally, the circular distinguish several types of subsidies:
   a) initial or start-up contributions - assigned, appropriately enough, at the start of the theater season;
   b) contributions proportional to receipts - only for privately managed dramatic and comedy troupes and only for the presentation of Italian works;
   c) supplementary contributions - granted in addition to prior subsidies at the end of the season and based on examination of specific factors, such as the number of performances given;
   d) lump-sum contributions - which can be awarded either at the beginning or end of the season and are awarded in place of the start-up contributions or those proportional to receipts;
   e) awards (or bonuses) - of lesser importance, granted to "those companies which distinguished themselves for the quality of their shows, the number of their performances, or the
total employee-days", or granted to publicly-managed organizations and theatrical companies "for their stimulation of national production in the area of drama", and specifically for the production of "Italian novelties" or "opera premieres".

3) In order to gain admission to state contributions, the general technical requirement for the interested parties is the presentation of their program of activities and a related financial forecast. There are additional requirements for each type of theatrical organization. For example, theatrical cooperatives are required to have a minimum number of associate members in order to receive a lump-sum contribution, and privately managed companies must have a minimum number of employees if they are to receive start-up contributions.

4) Some of the criteria adopted by the circular for the allocation of contributions recur in almost all categories of subsidy. An example is the emphasis given to the Italian repertory. Another criterion could be called the "magnitude of the engagement", and is usually contained in such expression as "number of shows", "number of recitals", "length of activities", or "length of programming". Still another yard-stick is the ratio between production expenditures and income.

If these criteria give reasonable discretionary powers to the Minister, there are others -which better characterize the system- that are distinguished by extreme discretion. These concern a variety of elements such as: the quality of shows or theatrical companies; the artistic strength and effort contained in a program; and the results attained.

None of these categories are bounded by any clear-cut parameters. Evaluations based purely on merit may well be acceptable for awards, which, by their very nature may demand a subjective judgment. But, when one is concerned with contributions, upon which the very survival of a theatrical entity may depend, one must be extremely cautious because of the danger that constitutional guarantees of substantive equality and freedom of expression may be compromised.

It should also be emphasized that there is no general principle to guide the distribution of funds among the various enterprises, or to guide the funding's geographic distribution. Instead, it is simply stated that access to State contributions is based on the presupposition that the activity shall "also be qualified by an ever greater dissemination among territorial districts and locations in southern and insular Italy".

As can be easily seen, everything depends upon the "competence and equilibrium" and "capacity for political and personal mediation" of the individuals who run the cultural bureaucracy (ZANCHI).
It would appear that the system of subsidies established by circulars favors undertakings that possess great economic and organizational substance. In reality, the system seems to favor maintenance of the status quo rather than permitting possible projects geared toward novelty. This continues the familiar (one could say historic) tendency of the circulars to follow the moods of the theatrical world, merely registering them and thus allowing opportunities to formulate a better cultural policy to slip away.

Responsability for this state of affairs should be placed on the legislator, who, by his dereliction, has encouraged the consolidation of bureaucratic power and has failed, not only to commit the bureaucracy to a precise direction, but even to specific goals.

b) Music

There can be no doubt that the law governing the musical sector (number 800 of 1967) has provided more coherent regulation of the music world than has been enjoyed by the theater. Still, reform is called for in the music field as well.

From the very first interventions by the State, the regulations governing operatic agencies and those governing the so-called "other musical activities" were separate. It was with law 800 that for the first time they were integrated.

Thus, public intervention in the field of music takes the two forms just mentioned.

1) Direct intervention takes place through the operatic agencies: it is the most highly visible public intervention and there is no reason to believe that it will be changed in the immediate future.

The State fund for operatic agencies is distributed after hearings of the Central Commission for Music. The fundamental criterion for dividing the fund is based on the "expenses sustained by each agency for the maintenance of administrative, technical and artistic personnel".

Concerning the distribution of the sums that remain after meeting these basic costs, the law establishes additional criteria:

a) the quality and quantity of the agency's artistic production during the preceding three years;

b) the public's average attendance during the last three years (the average is set as the ratio between the number of spectators and the theater's capacity);
c) the agency's program of activities, considering also the activities carried out within the Region and the organization of performances of particular international interest;

d) the burden of operating Professional Training Centers;

e) the quantity of support by local institutions and agencies, taking into consideration their financial resources and capacity.

As is easily appreciated, the evaluations are quite objective and one can assert that this process of funding does not result in any relevant limitation of the operatic agencies. Close examination of the criterion "quality of their production" does not seem particularly detrimental to the autonomy of the operatic agencies, compared with most of the criteria that are basically limited to an evaluation of objective data.

2) The uneven geographic distribution of the operatic agencies necessitates "a greater emphasis on indirect intervention; it goes to support other musical activities. This kind of intervention is especially important because of the diffusion of musical culture, even though it involves limited expenditures.

"Aside from the activities carried out by autonomous operatic agencies and by assimilated orchestral institutions", the law anticipates the subsidy of "operatic, orchestral and ballet productions". They benefit from the fund ear-marked for "other musical activities".

At least 25 percent of this fund "is assigned to 'traditional theaters' and to 'concert-orchestral institutions'". The theaters and institutions are listed in the law and their number may be increased upon the decree of the Minister and with the agreement of the Central Commission for Music. They have the task of "promoting, assisting, and coordinating musical activities that take place within the territory of their respective Provinces".

The contributions granted to these "other musical activities" are asigned upon decree of the Minister and agreement of the Central Commission for Music, "which take into consideration the importance of the locality, the interest of tourism, the public's affluence, and the needs of depressed areas". With the exception of this last criterion, which can express the perspective of a promotional program applied uniformly throughout the nation, these legal criteria governing the award of aid do not seem to fit in with the overall goal of "promoting the musical, cultural, and social development of the national collectivity" which the law itself establishes as its goal.
As long as they are not organized by traditional theaters, "lyric productions" can obtain the State's supplemental financial support if they are "promoted by communal or provincial administration, 'provincial tourist agencies', 'sojourn, tourist, and health agencies', musical institutions and non-profit agencies that possess recognized legal standing".

To gain the State support, these entities, for the execution of these activities, must make use of "the cooperative societies and lyric companies listed in the law and of theatrical and concert-orchestral institutions managed by public agencies". They must also employ Italian singers and at least 45 Italian orchestra players.

The total subsidy is determined annually by the Minister "for each single recital" and, according to the "importance of the production", the contribution for the "traditional seasons" (which are performed by the "traditional theaters") must be at least 30 percent more than that granted for "ordinary seasons". Special incentives are established in favor of the Italian repertory.

Aside from the shows organized by concert-orchestral institutions, any other "concert, chorale, or ballet productions" must be "organized by non-profit agencies, societies, institutions, or associations" if they are to be eligible for any form of state financial aid.

The amount of the contributions is based on:

a) cultural importance, continuity, and length of season;

b) the number of world or Italian premieres;

c) the number of local premieres, the number of works by a living Italian author and the number of works by an Italian author that have not been performed locally for at least twenty years;

d) the number and importance of collateral activities".

As can be seen, while access to supplemental contributions for lyric productions is conditioned upon consideration of the national repertory, in the case of concert, chorale, or ballet productions, presentation of Italian repertory is considered only in deciding the size of the subsidies granted. It should also be noted that there are no regulations protecting Italian performers in this last field.

c) cinema

With further modifications in 1975, the norms of the law (number 1213) of 1965 correspond to current regulation of this sector.
The law of 1965 declares: "The State considers the cinema as a medium of artistic expression, of cultural development, of social communication and recognizes its economic and industrial importance. The activities of film production, distribution, and programming are held to be of relevant general interest."

Unlike the field of theater and music, the justification for public intervention in the cinema is rooted not only in artistic-cultural considerations, as the declaration cited above attests. The cinema presents a "double personality: the first frankly commercial. In this regard, cinema is pre-eminently the organization, production, and exchange of economically valid activities for profit, within the bounds of a free market economy...; it is because of the second personality that cinema is numbered among cultural activities" (FERRARA). However, it cannot be denied that "the economic aspect has always been pre-eminent in establishing and managing public intervention", to the extent that "the only interests which have never been protected happen to be exactly the artistic" ones" (ORSI BATTAGLINI).

Furthermore, the conviction that cinema must be regarded as a medium of artistic expression, regardless of its often quite questionable contents, makes it necessary to analyze the legislative regulation that contributes in no small manner to its very survival.

The State intervenes in the sector of cinema in both a direct and an indirect way. We have already discussed the direct intervention, which is administered through the Experimental Center for Cinema and the Autonomous Cinema Management Agency.

The indirect intervention operates through an articulated system of legal supports that assist the various operators in this field.

This system is founded basically on two instruments:
1) mandatory programming, which consists of a guarantee that movies will be shown in theaters and provides for contributions to producers and allowances to exhibitors;
2) awards, which are given to works that have reached a certain high level of quality.

It is important to explain, preliminary to a more detailed description of the system, how the 1965 law distinguish the various types of movies subject to legislative regulation:
- a full-length feature film is longer than 1600 meters;
- a short is not less than 290 meters;
- movies produced for youth are those "whose content is especially suited to promote the ethical, cultural, and civic development of youth below the age of 16", regardless of their length or nationality.
With the exception of movies produced for youth, any others seeking public benefits must be recognized to be of Italian origin. The requirement to obtain Italian nationality vary according to the type of movie.

The autarchic instincts reflected in the regulations is compensated by the weakening of the favoritism shown to indigenous film production, expressed by provisions which allow Italian nationality for full-length and short films produced in cooperation with foreign firms. This is also allowed for full-length films produced with the participation of foreign firms.

The declaration of Italian nationality is an indispensable condition for the cinematographic work to be eligible for mandatory programming. But there is more.

Full-length movies must demonstrate "beyond adequate technical standard, sufficient artistic, cultural, or spectacular value". "Films that vulgarly exploit sexual themes for profit" are excluded from mandatory programming.

The required elements are verified by a Commission of experts. Once the Commission has made a favorable judgment, the movie is admitted to mandatory programming. This does not, however, guarantee that the movie will be programmed. While cinema operators are obliged to "reserve a minimum of 25 days in each trimester of projection ... for Italian full-length features admitted ... to mandatory programming within the last five years", it is not established which and how many of these films must be selected by the operators. In this matter they have full discretion.

The situation is different for shorts, because their mandatory programming depends upon either having received an award for quality, or having been "produced by the Istituto Luce on behalf of the State Administration, public agencies, or corporations of predominant State participation" and being judged to have "cultural or spectacular value" by the Commission cited above.

Only full-length movies admitted to mandatory programming enjoy some additional benefits for the producer, the director and the authors of the idea and script. Theater operators, instead, benefit from all types of movies.

Mandatory programming seems to be established primarily to support entrepreneurial activity. It is through the device of awards for quality that objectives of an artistic-cultural nature are met.

In fact, while it is true that for a full-length feature to be admitted for mandatory programming the "artistic, cultural, or
"spectacular value" must be evaluated, at the same time it is easy to see the critical importance of the conjunction 'or'. This allows even a movie of poor artistic and cultural quality to be admitted for mandatory programming, solely on the basis of an ambiguous "spectacular value". The issuance of awards for quality, on the contrary, depends upon certification of "particular artistic and cultural qualities".

Such a system of artistic promotion is, however, totally inadequate for its goals. The awards follow the completion of a work and cannot always be obtained and, therefore, "do not stimulate or encourage a certain type of production" (ORSI BATTAGLINI). Moreover, the size of the award, perhaps meager from the beginning, is absolutely insufficient because it has not been up-dated since it was proposed more than twenty years ago.

The regulations governing awards also vary according to whether the work in question is a full-length feature or a short. Not only the amounts of the awards are different, but even the Commission on the advice of which the Minister must certify that the film possesses those "particular artistic and cultural qualities", or the short "achieve a particularly high level of technical, artistic, and cultural value".

* * * * * * *

State Expenditure Policy in the Artistic Sector

To conclude we will try to summarize the results of a research (*) on the flow of State funds to the various sectors of the arts in Italy made in 1985.

Theoretically, artistic policy should be evaluated on the basis of available funds, since the eventual partial expenditure of funds may be the result either of established procedures (often slow and muddled), or of an inefficient bureaucracy (at times dull, sometimes unprepared), rather than the result of bad political choices.

On the other hand, the deliberate assignment of discretion to the administrative level is very frequent. This transfers responsibility for decisions concerning expenditures to administrative organs. Thus, they have de facto authority over arts policy. Consequently, in order to assess arts policy, it is imperative that we consider in addition the sums actually expended.

The analysis focuses on two aspects of government support of the arts in Italy.

First, the trend of available State funds and actual expenditures for the arts has been traced. In doing this we consider both the share of the total State budget devoted to the arts, and the breakdown of expenditures among the various artistic sectors, in order to paint a picture of State arts policy.

Second, the ratio between available funds and disbursements has been analyzed. This is in order to evaluate the speed with which expenditures are actually made and, therefore, the productivity and efficiency of the procedures.

1) STATE EXPENDITURES DEVOTED TO THE ARTS. The level of actual expenditures for the arts has definitively increased between 1945 and 1982, both in nominal and real terms. However, while there has been constant growth in nominal terms, in real terms expenditures for the arts have not grown progressively, although there has been an overall increase (see Table 1).

Any optimism is, however, reduced upon noting the meager percentage of total State expenditures devoted to the arts: always below 1 percent. Any feeling of optimism is further dashed upon examining the curve's direction: it shows that, while it is possible to speak of an absolute increase in arts expenditures, not only has been no relative increase, but in fact there has been a steady decline since 1955 in the share of public spending devoted to the arts (see Figure 1).

The picture becomes even more negative when we consider the individual artistic fields. The State's pattern of expenditures for the arts appears to be not so much the product of a well conceived and carefully considered policy for the arts, as the result of having to respond to changing circumstances. In fact the curves portraying expenditures, especially in real terms, are fairly irregular. The trend lines also are quite often in divergence among themselves, and these diverging trend lines can be explained with some historically contingent events (see Figures 2 and 3). Until the first sixty's, for instance, it was the cinematographic sector that absorbed the largest part of State aid, because, immediately after the war, the cinema required a consistent amount of public support. Afterwords, its
<table>
<thead>
<tr>
<th>Year</th>
<th>Nominal</th>
<th>Real</th>
</tr>
</thead>
<tbody>
<tr>
<td>1945/46</td>
<td>95.032</td>
<td>1,885.757</td>
</tr>
<tr>
<td>1950/51</td>
<td>9,062.254</td>
<td>91,787.945</td>
</tr>
<tr>
<td>1955/56</td>
<td>21,875.693</td>
<td>183,868.481</td>
</tr>
<tr>
<td>1960/61</td>
<td>23,755.152</td>
<td>175,884.333</td>
</tr>
<tr>
<td>1965</td>
<td>33,907.467</td>
<td>198,107.766</td>
</tr>
<tr>
<td>1970</td>
<td>59,886.544</td>
<td>307,373.675</td>
</tr>
<tr>
<td>1975</td>
<td>100,856.869</td>
<td>302,187.350</td>
</tr>
<tr>
<td>1980</td>
<td>387,466.971</td>
<td>535,091.886</td>
</tr>
<tr>
<td>1981</td>
<td>400,914.205</td>
<td>466,423.586</td>
</tr>
<tr>
<td>1982</td>
<td>488,221.362</td>
<td>488,221.362</td>
</tr>
</tbody>
</table>

*In millions of lire.*
Figure 1. Percentage of total State expenditures devoted to the arts, 1945-82 (in nominal terms).
Figure 2. Actual total disbursements, 1945–82 (in nominal terms).
Figure 3. Actual total disbursements, 1945–82 (in real terms).
own commercial vitality, which certainly exceed that of the other arts, gave the film industry a degree of self-sufficiency.

The lack of coordinated planning in the State intervention in the arts is also evident in the curves showing the percentages of each art sector's expenditures on the total State expenditures devoted to the arts (see Figure 4).

2) THE EFFICIENCY OF STATE EXPENDITURES IN THE ARTS. To evaluate, finally, the efficiency with which government programs to aid the arts are administered in Italy we have to consider the relationship between available funds and the actual disbursement of funds.

From 1945 to 1982, only between 43.6 and 66.1 percent of the available funds have actually been spent. If there had been a carefully planned policy for the arts, one would have expected a pattern of gradual increase in the percentage of available funds being spent. Instead, the pattern is a see-saw of alternating ups and downs, providing additional confirmation that there is no planning for progressively accelerating disbursements. These patterns apply to all sectors (see Table 2).

There are, therefore, some noteworthy "not disbursed funds" in State expenditures for the arts. Not disbursed funds ("residui passivi") is a technical term in Italian public finance. It refers to funds appropriated for, but not spent in, previous years and available for dispersal during the current year. Therefore, in each fiscal year the available funds are composed by the amounts of current appropriations and not disbursed funds of the previous fiscal years.

The phenomenon of not disbursed funds in the art field should be a source of concern. In fact, even if sums that are actually disbursed are composed primarily of the current year's appropriations, the proportion of not disbursed funds spent is higher than the proportion of appropriations (see Tables 3 and 4). This means that the phenomenon of not disbursed funds is still generated by the sluggishness of the expenditures of current appropriations. So that, it will never be possible to reduce the existing not disbursed funds, because, even if these are disbursed, they will progressively be replaced by those again produced in the current year.
FIGURE 4. Percentages of Art Sectors' Expenditures on the Total State Expenditures for the Arts.
**Table 2. Percentage of Available Funds Actually Spent**

<table>
<thead>
<tr>
<th>Year</th>
<th>Cultural Material Patrimony</th>
<th>Theater &amp; Music</th>
<th>Cinema</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>1945/46</td>
<td>70.0</td>
<td>13.1</td>
<td>49.1</td>
<td>43.6</td>
</tr>
<tr>
<td>1950/51</td>
<td>81.4</td>
<td>74.0</td>
<td>46.0</td>
<td>57.9</td>
</tr>
<tr>
<td>1955/56</td>
<td>17.7</td>
<td>65.2</td>
<td>57.3</td>
<td>52.7</td>
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<tr>
<td>1960/61</td>
<td>53.7</td>
<td>76.0</td>
<td>63.5</td>
<td>66.1</td>
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<tr>
<td>1965</td>
<td>59.7</td>
<td>71.7</td>
<td>55.7</td>
<td>62.5</td>
</tr>
<tr>
<td>1970</td>
<td>45.9</td>
<td>51.4</td>
<td>36.9</td>
<td>45.0</td>
</tr>
<tr>
<td>1975</td>
<td>62.2</td>
<td>40.6</td>
<td>30.0</td>
<td>43.3</td>
</tr>
<tr>
<td>1980</td>
<td>50.1</td>
<td>80.6</td>
<td>47.6</td>
<td>64.2</td>
</tr>
<tr>
<td>1981</td>
<td>47.3</td>
<td>60.3</td>
<td>37.2</td>
<td>52.0</td>
</tr>
<tr>
<td>1982</td>
<td>42.0</td>
<td>59.1</td>
<td>48.0</td>
<td>50.2</td>
</tr>
<tr>
<td>Mean</td>
<td>53.0</td>
<td>59.2</td>
<td>47.0</td>
<td>53.7</td>
</tr>
</tbody>
</table>

*Calculated on nominal values.
### Table 3. Composition of Disbursed Funds for the Arts

<table>
<thead>
<tr>
<th>Year</th>
<th>Current Appropriations</th>
<th>&quot;Not Disbursed Funds&quot;</th>
</tr>
</thead>
<tbody>
<tr>
<td>1945/46</td>
<td>56.1%</td>
<td>43.9%</td>
</tr>
<tr>
<td>1950/51</td>
<td>54.6%</td>
<td>45.4%</td>
</tr>
<tr>
<td>1955/56</td>
<td>36.4%</td>
<td>63.6%</td>
</tr>
<tr>
<td>1960/61</td>
<td>54.8%</td>
<td>45.2%</td>
</tr>
<tr>
<td>1965</td>
<td>62.8%</td>
<td>37.2%</td>
</tr>
<tr>
<td>1970</td>
<td>52.2%</td>
<td>47.8%</td>
</tr>
<tr>
<td>1975</td>
<td>62.5%</td>
<td>37.5%</td>
</tr>
<tr>
<td>1980</td>
<td>66.6%</td>
<td>33.7%</td>
</tr>
<tr>
<td>1981</td>
<td>65.4%</td>
<td>34.6%</td>
</tr>
<tr>
<td>1982</td>
<td>59.4%</td>
<td>40.6%</td>
</tr>
<tr>
<td>Mean</td>
<td>57.1%</td>
<td>42.9%</td>
</tr>
</tbody>
</table>

### Table 4. Percentage of Appropriations and "Not Disbursed Funds" Actually Spent

<table>
<thead>
<tr>
<th>Year</th>
<th>Appropriations</th>
<th>&quot;Not Disbursed Funds&quot;</th>
</tr>
</thead>
<tbody>
<tr>
<td>1945/46</td>
<td>30.1</td>
<td>102.3</td>
</tr>
<tr>
<td>1950/51</td>
<td>48.0</td>
<td>77.2</td>
</tr>
<tr>
<td>1955/56</td>
<td>30.9</td>
<td>71.8</td>
</tr>
<tr>
<td>1960/61</td>
<td>53.2</td>
<td>86.5</td>
</tr>
<tr>
<td>1965</td>
<td>55.0</td>
<td>75.7</td>
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<tr>
<td>1970</td>
<td>40.6</td>
<td>51.1</td>
</tr>
<tr>
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<tr>
<td>1981</td>
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<td>66.0</td>
</tr>
<tr>
<td>1982</td>
<td>46.3</td>
<td>56.9</td>
</tr>
<tr>
<td>Mean</td>
<td>46.5</td>
<td>68.9</td>
</tr>
</tbody>
</table>
CONCLUSION

Traditional Arts

Structural changes in administrative organization concerned with the arts that were not preceded by fundamental changes in the basic system of regulation of the artistic patrimony have had little effect. The legal measures for the guardianship of the cultural material patrimony provided in 1939 have proven useful in saving the vast Italian patrimony. Nevertheless, the complete absence of any program of subsidy for contemporary artists must be emphasized.

Representative Arts

Ill-conceived reforms are especially illustrated by the consolidation of responsibility for entertainment with responsibility for tourism and sports in a single Ministry: entertainment primarily involves the expression of artistic impulses, and cannot properly be considered as merely another form of recreation. Legal provisions do exist for the support of artists, although even these should be substantially improved. For example: a) the enormous discretionary power over the theater left to the bureaucracy must be considered unfair; b) the criteria specified by the law for the distribution of funds to "operatic, orchestral, and ballet productions" do not seem attuned to the stated aim of the law itself: "to promote the musical, cultural and social development of the national collectivity"; c) for cinema, the system of so-called "awards for quality", which are the only tools in this sector for the pursuit of artistic cultural goals, are inadequate and, moreover, have not kept pace with the times.

Expenditures

There has been no global planning of State intervention in the artistic field, the only goal being to respond to changing circumstances. It would be possible to conclude that it seems almost that in Italy in the arts field, rather than following a well conceived policy, the State behaves extemporaneously -one could say in an "artistic" way- almost as if the "spontaneity" of the subject makes itself felt in its public administration as well.
APPENDIX

Articles of the Italian Constitution recalled in the paper:

Art. 9: "The Republic promotes the development of culture and science and technical research. It safeguards the natural beauties and the historical and artistic patrimony of the Nation."

Art. 33: "The art and science are free as is their teaching. [...]"

Art. 117 "Within the limits of the fundamental principles established by the laws of the State, the Region legislates in regard to the following matters, provided that such legislation is not in contrast with the interests of the Nation or of the other Regions: [...] Museums and libraries of local entities; Urban planning; Tourism and hotel industry; [...] Other matters indicated by constitutional laws. The laws of Republic may delegate power to the Region to issue norms for their enforcement."