

Rather than proceeding immediately into a discussion of the individual bills under consideration, I think it might be helpful to begin with a general statement of our views regarding the problem of the relationship of the Federal Government to the arts, and more particularly literature and the printed word generally. It is from this general philosophy that our views have developed on the individual measures under consideration. Let me say that these remarks do not apply to the separate subject of the relationship of State and local governments to the arts, which in some ways presents quite a different problem.

There are in general two ways in which the activities of the Federal Government may affect literature and the arts. The first is what might be called the direct way—deliberate measures of encouragement or discouragement. Examples may be found in the practice of many European countries: a ministry or bureau of fine arts; prizes, medals, awards and honors; financial encouragement in the form of stipends or pensions; Government financial support for theaters, opera companies and orchestras. The second is what might be called the indirect method—the shaping of legislation, governmental policy and administrative activities which are directed to other major purposes so as to help or to hinder the development of literature and the arts. Examples are the tax laws, the postal system, foreign trade regulations, and copyright. These indirect influences are frequently overlooked in discussions of Government and the arts, but they are very important in their total effect.

In the United States our historical philosophy and practice has been to keep the Federal Government out of the field of direct influences on the arts. So far as indirect influences are concerned, there has been a general disposition and willingness to shape legislation and administrative action so as to help rather than hinder the development and enjoyment of the arts, and in many ways our record has been better in this respect than that of many other countries. This record has not been entirely consistent, although it has by and large been more favorable in recent years than in some earlier periods. A few specific examples may help to illustrate this point.

In the area of copyright, which is basic to the development of literature, the theater and music, the Constitution itself provided that Congress should have the power to enact legislation "to promote the progress of science and useful arts, by securing for a limited time to authors and inventors the exclusive right to all respective writings and discoveries." Despite this constitutional provision, throughout most of our national life we tended to lag somewhat behind European governments in our copyright legislation, especially in the important area of securing protection of the copyrighted works of Americans abroad by means of reciprocal international arrangements. Fortunately this era came to a close with the ratification of the Universal Copyright Convention by the United States in 1954. A number of important domestic copyright problems are, however, still outstanding. On postal laws—and the postal system is an indispensable means of distributing books, periodicals, and music—we have in some ways provided more encouragement within our boundaries than many European countries. Our international postal rates on published materials, including music, have on the other hand been distinctly less favorable; but this discrepancy, too, is in process of being reduced.