

**Supporting the arts: fact, fiction or ideal**

by

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## Summary

This study explores the possible contribution of art, specifically of classical music as high art, to the constitutional ideal of creating a society based on freedom and dignity. Although the government publically exhibits a keen interest in the arts there seems to be no constitutional right to art or duty to financially support it in any way. This results in a lack of urgency from government's side to make good on undertakings to fund and financially assist the arts and consequently forces most western art forms into financial adversity.

Art and entertainment differ inherently from each other and require different financial contributions from government. Hannah Arendt proposes a two-fold test to ascertain what constitutes high art and what amounts to 'vulgamusik' as suggested by Theodore Adorno. Where low art wallows in the 'mundaneness' of everyday life, high art offers a promise of longevity and of transformation with every encounter.

Traditionally government support for high art is justified as contributing to an overall 'upliftment' of the general community, but as South Africa is already in the compromised position of not providing in the basic needs of its citizens funding for the arts needs to be re-visited. When exploring the nature of the fundamental rights to freedom and dignity it becomes apparent that the system of rights constitutes, similar to high art, a complex system and that exposure to complex systems will develop the imagination and a level of creativity when attempting to understand something of their intricate nature. In order to improve our perspective on what constitutes a better future an enhanced imagination is needed. The notion of complex systems and developing the imagination comes from an article by Mark Antaki and Paul Celliers and links with Arendt's notion of understanding also the other with an 'enlarged mentality'. It is through Drucilla Cornell's concept of the imaginary domain as a space wherein one is constantly conceptualizing the 'becoming' of a better self, a better world and better future that the right to freedom and dignity can be realized. The encounter with high art makes it possible to integrate and 'dream up' that which seemed impossible into becoming a reality.

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## CHAPTER 1 INTRODUCTION

### 1.1 Thesis statement

My aim in this thesis is to investigate the possible contribution of art, specifically of classical music as high art, to the constitutional ideal of creating a society based on freedom and dignity.

It seems to me ... that despite the logical, moral rigor music might appear to display; it belongs to a world of spirits, for whose absolute reliability in matter of human reason and dignity I would not exactly want to put my hand in the fire. That I am nevertheless devoted to it with all my heart is one of those contradictions which, whether a cause for joy or regret, are inseparable from human nature – Thomas Mann, *Doctor Faustus*.<sup>1</sup>

### 1.2 Background

In February of 1990 Albie Sachs published an article in the Weekly Mail asking whether South Africans were ready - not only for the new political dispensation, but also for the rich texture of a free and united South Africa.<sup>2</sup> He challenged his party and eventually the greater South African public to reflect and contemplate on whether we possessed enough cultural imagination to cope with the cultural tension that the new democratic order would bring. True to the nature and power of art he foresaw that the inevitable meeting of different art forms and cultures would result in a public exposé revealing the contradictions and hidden anxieties of a new order filled with complexities and inherent apprehensions. His article stimulated an unprecedented level of reactions and debates amongst cultural workers, practitioners, teachers, theorists and artists and created an open and free platform to publically air opinions and concerns unheard of for decades before.<sup>3</sup> Many comments reiterated the importance and capacity of the arts to assist a broken country on its road to transformation and unity as well as the ability of the arts to uniquely 'bring in' rather than exclude our cultural differences as a way of expressing

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1. See Ross A *The rest is noise* (2007).  
2. De Kok I & Press K (ed) *Spring is rebellious* (1990) 20.  
3. Ibid 9.

and understanding our different-but-alike humanities.<sup>4</sup> Oliver Tambo, an iconic figure in the liberation movement, expressed the political, educational and social importance of the arts in reconciliation and reconstruction as an instrument that serves not 'to preserve our culture in its antique forms but to build on it and let it grow to assume a national character - a people's possession rather than a simple means of tribal identification'.<sup>5</sup> Clearly the future government and its leaders were concerned with the place and standing of the arts as a whole and already debated these issues in anticipation of a new constitution and legal framework. They considered the widest spectrum of the arts not as an optional extra, but as an integral part of a new and democratic order and their contribution to it as a duty rather than a choice.

With the new democratic establishment great effort was made to celebrate the new found freedom for the people of the rainbow nation, joyously echoing the triumph of a constitution that many considered to be 'an outstanding example of a successful interplay between constitutional law, law in general and political morality'.<sup>6</sup> The government delivered on their initial promises and many events were hosted where artists from all the different genres got the opportunity to perform and contribute their talents. Educational projects across the spectrum were introduced and art festivals were established and supported by huge contributions from both the private sector as well as the government. In fact, the government encouraged private businesses and companies to invest in the arts by affording them tax rebates and deductions on various levels. On the surface the arts seem to flourish under the new dispensation and government

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4. Ibid 23.

5. See Kgositsile K 'Culture and Creativity as vectors for development' (2009) The Role of Culture in Post-Apartheid South Africa: an address delivered on behalf of Minister Pallo Jordan at the EU-ACP Colloquium in Brussels, April 2009  
Available from:<<http://www.dac.gov.za/speeches/minister/2009/Speech1Apr09.html> > [6 January 2013].

6. See Dworkin R M 'Keynote address' (2004) 1 Acta Juridica.

7. The Constitutional court and other venues of importance exhibit magnificent works of art, wonderful concerts and performances by only the best South African musicians are presented on days of national interest and as a nation we are constantly reminded of the importance of working together to create and conserve a national heritage.

upholds the impression that they have a deep understanding of and appreciation for the arts.<sup>7</sup>

### 1.3 Motivation

All of this creates the assumption that our government supports and promotes the arts in numerous ways. One nearly feels relieved and hopeful at the almost unwavering commitment to incorporate and financially support all the different art forms. Despite this, 2012 was a gloomy year for the arts in South Africa. The only two remaining dance companies in the country faced closure due to the sudden withdrawal of funding from the NAC in May 2012 and both the Johannesburg and Cape Town Philharmonic orchestras are currently under debt review and liquidation appears to be inevitable. The National Lottery was plagued by rumours of mismanagement and underhandedness and the allocation of funding and payment thereof is more than a year and a half behind schedule.<sup>8</sup> How do we then understand this meltdown of funding and the government's blatant failure to fulfill its duty to support the arts? Does there even exist a duty on the government to care or is it no more than empty verbal promises by its officials? Although the South African Constitution provides the right to participate and exercise in a cultural life of choice and the right to enjoy a culture and to form and associate in cultural communities, it never explicitly protects and encourages the arts in any manner.<sup>9</sup> There seems to be no explicit constitutional duty to financially provide for and support the arts or our local artists.

After setting out the initial challenge in his article 'Preparing ourselves for freedom', Sachs also makes the statement that the ANC members should be banned from considering and using culture merely as a weapon of struggle as it impoverishes not only the various art forms and their potential contribution, but also the struggle itself: 'culture is us, it is who we are, how we see ourselves and the vision we have of the

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8. *South African Labour News* 16 November 2012. Available from: <<http://www.salabournews.co.za/index.php/cpmonent/content/article/70-labour-news/7777-musicians-at-joburg-orchestra>> [6 May 2013].

9. S 30 and 31 of The Constitution of the Republic of South Africa Act 108 of 1996.

world'.<sup>10</sup> Sachs was not targeting political art simply because his political association and their 'culture of resistance' was about to become the culture of the leading party, but because he argued for a bigger project that begged for more than mere political articulation.<sup>11</sup> He suggested that, although political art has the duty and ability to liven up a political arena and to afford those in the struggle a sense of pride and self-affirmation, it had to mature into something of greater universal value, something more than the very restricted and context-specific character of political instruments.<sup>12</sup> He contended for art of quality that can challenge commercial cultural on merit and not simply because a ruling party deems it to be popular or good.<sup>13</sup> Culture should be unique and dynamic, full of flavour and character. It should be as diverse as possible and accessible to the greatest amount of people in order to determine for themselves how they wish to live. South African citizens have the right to be exposed, to enjoy and to be proud of all the cultures of their country.<sup>14</sup>

These diverse cultures then obviously include the traditional music and art of a tribe, of a language, a geographical area and of a particular race as everybody has the right to enjoy and participate in their particular cultural life if consistent with the Bill of Rights.<sup>15</sup> This kind of cultural participation is entrenched within a community and is often funded by the specific cultural organizations and private patrons who share a particular cultural heritage and focus.<sup>16</sup> But, as Sachs has argued, art cannot and should not be limited to the various culture specific or traditional art forms. There also exists a greater venture wherein art which is considered to be indicative of the immediate society or mass culture is pitted against the kind of high art or art from a western convention that has its roots in a European tradition and is usually associated with a more elitist culture. There is a distinct difference between what is called popular or mass culture which aims to please a particular need for easy entertainment versus art that is intellectually and

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10. De Kok I & Press K (ed) *Spring is rebellious* 20-23.

11. Ibid 30.

12. Ibid 23.

13. Ibid 32.

14. Ibid 27.

15. S 30 and 31 of The Constitution of the Republic of South Africa Act 108 of 1996.

16. An example is the ATKV who sponsors numerous Afrikaans cultural projects: from Volkspede to Afrikaans school debates and choir festivals.



emotionally more demanding, takes more time and effort to comprehend and challenges both the artist and the audience to invest in their creativity and critical reflection. Art music possesses an element of 'strangeness' which cannot be fathomed at first glance, but needs a commitment from the listener to explore and revisit it. It is this commitment to something complex and difficult that often proves to be quite costly and expensive in capitalistic terms. Where popular art supports itself by repeatedly giving the public more of the sameness and traditional art gets sponsored by those who feel very passionate about maintaining a specific culture, high art is labour intensive, complex and requires a slowness or reflection that results in a constant need of financial assistance.

Traditionally, most countries support the arts because it is deemed to be of some value for the individual citizens as well as for the greater well-being of the community. Due to its 'spill-over' effect it uplifts and challenges the intellectual environment of society and everybody exposed to it seems to benefit from it.<sup>17</sup> In the highly diverse South African society though, this approach seems oversimplistic. In a country of scarcities where most of its citizens live under the breadline it remains an issue to consider whether this 'spill-over' effect will reach the majority of people and ultimately, whether it is at all responsible of the government to support an already seemingly elitist culture. How can financial assistance to the arts then be justified, both socially and economically, where most of the citizens live in poverty and are victims to bad education, corruption and a total failure of service delivery? Along with freedom, democracy and equality, human dignity stands to be one of the founding principles of our Constitution but, due to their appalling physical circumstances, these citizens cannot enjoy the constitutional promises which include the right to be valued and reckoned worthwhile and the right to be free. It seems paramount to investigate what constitutes true dignity and freedom though and whether the realization of these rights can only be achieved through the actions of external sources like government.

Dworkin suggests that people are better off when the opportunities their culture provides are more complex and diverse.<sup>18</sup> Although it would be paternalistic to assume to know

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<sup>17.</sup> Dworkin R M 'Can a liberal State support the arts?' *A Matter of Principle* (1985) 222.

<sup>18.</sup> Ibid.

what people's needs are or to claim to know what would better people's lives it seems that broadening the scope of artistic possibilities will allow for a greater rather than a lesser scale of choices and of possibilities.<sup>19</sup> Paul Cilliers explains complex systems as something that can never be fully fathomed and that we need to 'limit' in order to understand something of it.<sup>20</sup> When confronted with a complex we need to 'fill-in' the gaps with 'creativity', meaning that we cannot be constrained by that which we don't understand right away but rather have to find new ways in which to challenge our understanding thereof.<sup>21</sup> This creative process has a lot to do with the imagination and with developing our capacity to critically reflect on our own world as well as the life-worlds of others. Both art music and the system of fundamental rights carry the inherent quality of complexity and in both instances we are forced to re-imagine the 'gaps': whether it is the gaps due to the fact that music is not a language and therefore incapable of stipulating the terms of an encounter with it or whether it is the system of rights that, precisely due to the restrictive character of language fail in providing and guaranteeing the opportunity for all to live a life of freedom and well-being.

When confronted with it, art music offers the participant the unique opportunity to have an unrestricted experience without any specific directions or constraints, it confronts the spectator with a layered journey of complexities and discoveries and it requires serious reflection on route. The encounter with high art obviously develops the spectator's imagination and capacity to think innovatively and critically and therefore has to impact on the engagement with other complex systems as well, like the complex system of rights. There seems to be some connection between the complex systems of rights and of high art in the way that they both incite a reflective engagement with the imagination.

#### **1.4 Problem statements and research questions**

In the light of the above mentioned I identify and propose the following problems:

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<sup>19.</sup> Ibid.

<sup>20.</sup> Celliers P 'Complexity, Deconstruction and Relativism' (2005) 22(5) *Theory, Culture and Society* 257-258.

<sup>21.</sup> Ibid 264.

1. That there is no constitutional duty on government to support the arts
2. That the different genres and levels of art and entertainment differ inherently from each other, that they require different financial contributions from government and that this situation demands some kind of test or method to determine what these differences are and how money should subsequently be awarded
3. That South Africa is already in a compromised position in terms of not providing the basic needs of its citizens and that funding for the arts seems irresponsible and superfluous
4. That both high art and fundamental rights have the characteristics associated with complex systems, but seem completely different and unrelated in substance

The research questions arising from my problem statements are as follows:

1. How has the art music landscape changed over the past 18 years, how is government currently manifesting its support and has the lack of a constitutional duty to protect the arts has any effect on the seeming deteriorating art and music scene?
2. What constitutes high art?
3. What are the traditional reasons for funding high art and is there an alternative justification involving the fundamental rights to freedom and dignity?
4. What is a complex system, what is the role of complex systems in developing the imagination and what is the role of the imagination in reflecting on a tentative link between high art, freedom and dignity?

## **1.5 The chapters**

After this introductory chapter I will work from the assumption that the government is committed and supportive of the widest spectrum of the arts, including Western art music. In chapter 2 I will investigate how the art music landscape has changed over the past 18 years from before the new democracy and during the transition era till today. I will examine how an over-controlling apartheid's regime suppressed the development

and performance of experimental and provocative material, smothered the artistic spirit of innovation and creativity and failed to develop new audiences. I will reflect on how the government is currently manifesting its support for the arts and whether the lack of a constitutional duty has any effect on the seeming deteriorating art and music scene. These questions are indeed appropriate and necessary to consider in terms of all art forms, but this particular study will focus mainly on Western art music and its affiliations.

If we presume that the government needs to support the arts and specifically Western art music in order for it to survive and continue, should the government then financially assist all musical forms on an equal level or do some categories require more assistance than others? In assuming that Western art music is essentially different to the other musical genres and that it is exactly this quality of foreignness that makes it more beneficial to the wider public it is necessary to investigate what then constitutes 'high art' with specific reference to art music, popular music and music influenced and inspired by political ideals. In Chapter 3 I will engage with my second research question as to what high art comprises of by exploring the 'test' set out by Hannah Arendt in her article 'The crisis in culture'.<sup>22</sup> I will explore Adorno's view of 'vulgamusik' in which the focus of creativity is on making money out of a product rather than to be involved in a process which appeals to the individual mind and spirit and I will comment on his idea of any popular culture immediately constituting a 'culture for sale'.<sup>23</sup> I will explain why art music will always be dependent on funding from patrons, why low art seems to have achieved financial autonomy and indicate why artists focused on political art, rather than low art should receive some funding from the government.

In chapter 4 I will answer my third research question by investigating what the traditional reasons for funding high art are and will consider the possibility of an alternative justification. Both the lofty and economical approaches as suggested by Ronald Dworkin in his article 'Can a liberal State support the Arts?' will be discussed as well as the difficulties and shortcomings of these methods within a South African context.<sup>24</sup> I

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<sup>22.</sup> See Arendt H *Between past and future* (2006) 194-222.

<sup>23.</sup> Adorno T W *Essays on music* (2002) 44-45.

<sup>24.</sup> See Dworkin *A Matter of Principle* 221-233.

will work from the assumption that there is an alternative justification for funding art music involving the constitutional duties of freedom and dignity and will develop this reasoning by critically reflecting on them as complex concepts requiring a more multifaceted interpretation than what is initially assumed. To understand something of their multi-layered nature an engagement or commitment to self-reflection and critical thinking is required. High art possesses the quality of not exhibiting its full meaning all at once and requires a number of visits by the spectator in order to gradually discover and understand more of its complex material. This revisiting will result in an altered state of mind and will also open up the capacity to consider and investigate other complicated notions, like that of fundamental rights, and to revisit them in order to discover more of their concealed meaning and possibilities. I will argue that if government then financially supports high art it in part delivers on its constitutional duty to promote and protect the fundamental rights to freedom and dignity.

I will consider the possible connection between western art music as high art, the right to freedom and dignity and how the exposure to and knowledge of aesthetics as one of the basic goods in life is crucial in living a life of well-being and of value. In this chapter I will work from the assumption that there is a link between what music has to offer and how it can assist in obtaining these fundamental rights by being complex systems and consequently by opening up the faculty and capacity to imagine something of a better life and better future.

I will divide the research question and this chapter into a three part explanation of what a complex system in the first place comprises of and why they are of value to us, secondly what role it plays in developing the imagination and finally what the role of imagination is in linking the complex systems of high art and music.

I will describe the character of complex systems by referring to the work of Paul Cilliers and his suggestion that it constitutes something that cannot be reduced to a formulae or calculation, something that can never be completely fathomed.<sup>25</sup> I will examine both music and rights as complex systems and will investigate how exposure to complex

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<sup>25</sup>. See Cilliers 'Complexity, Deconstruction and Relativism' 254-267.

systems can assist in the development of a language of invention as well as of the faculty to make value judgments which in turn, improve not only the individual but also the community's level of well-being.

Both the faculties to differentiate as well as the ability to participate in a language of invention are embedded in the capacity to imagine. As there can never be a 'perfect knowledge' of a complex system it will always be accompanied by a degree of creativity: not a creativity that results in a free and random process but rather a responsible and careful development of the imagination.<sup>26</sup>

In his article 'The turn to Imagination in Legal Theory: the re-enchantment of the world?' Mark Antaki proposes that only the imagination can open the possibility of a re-enchantment with our over-rationalized world as the imagination offers us the opportunity to understand something of our own place in the world, as well as our connection to others. Similarly to Cilliers, he argues that this kind of imagination does not refer to daydreaming or an idle play of fancy but to the ability to reflect and create new solutions, possible situations and combine knowledge in innovative ways.<sup>27</sup> Without imagination it will be impossible to elaborate or develop new dimensions, new ideas and new possibilities, without imagination it will not be possible to dream beyond that which is popularly known and accepted. In order to dream of a better future, one needs to imagine better, thus in order to develop the language of invention and the ability to distinguish between different options and propositions one has to be challenged by something complex.<sup>28</sup>

The development of our imagination though does not only involve an individual exploration and reflection, but makes it possible to move beyond the own self and own needs to also consider the life-world of the other. Hannah Arendt considers the faculty of judgment as a living in this world but thinking without barriers, thus judging with imagination.<sup>29</sup> For Arendt this way of thinking with and in the place of others is only possible by virtue of the exercise of the imagination: 'To think with an enlarged mentality

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26. Cilliers 'Complexity, Deconstruction and Relativism' 264.

27. Blackburn S *Oxford Dictionary of Philosophy* (2008) 180.

28. Cilliers 'Complexity, Deconstruction and Relativism' 264.

29. Arendt H *The Life of the mind* (1971) (ed McCarthy M 1981) 256-259.

means that one trains one's imagination to go visiting.' This 'go visiting' enables us to make individual acts of judgment, but to also judge from the standpoint of everybody else.<sup>30</sup>

I will finally investigate how the faculty of the imagination links the complex systems of high art and fundamental rights by focusing on how an experience with high art can facilitate a level of unrestricted imagination which surpasses the limitations of language and opens up a new kaleidoscope of possibilities. I will draw on Drucilla Cornell's notion of an 'imaginary domain' or a 're-imagining who one is and who one seeks to become' as it is only through the capacity to imagine that there exists the slightest chance for fulfillment, where the dream of 'man-as-a-whole' can be realized.<sup>31</sup> The encounter with art music can lead the individual into an unrestricted realm of ideas where that which seemed impossible can be imagined to become real and possible. It is also through the imagination that it becomes possible for the individual to understand that a similar experience can occur in and for the other and that 'happiness' is only possible through sharing it in collectivity with others. By participating in something sublime that surpasses mere taste and transcends human understanding a musical encounter forces the individual to ultimately set aside egocentric and private concerns or interests and to judge from a common perspective, to recognize the humanity of the other and to value the other as a companions worthy of freedom and dignity.

In my conclusion I will reflect on the preceding chapters and provide a short overview of the various key aspects I pursued, suggestions that I made and finally draw my main arguments to a close.

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<sup>30.</sup> Ibid.

<sup>31.</sup> See Van Marle K "The capabilities approach', 'The imaginary domain', and 'Asymmetrical reciprocity': Feminist perspectives on equality and justice' (2003) 11 *Feminist Legal Studies and Cook Music, Imagination and culture* (1990) 88.

## CHAPTER 2 THE STATE THAT WE ARE IN

In the previous chapter I gave a short background to the place and significance of the arts in South Africa as a means to promote and establish a sense of nationhood, of transformation and of including rather than excluding diversity. I looked at the initial promises by government to support the arts, their failure to do so and the present state of the arts scene as experienced by many artists and musicians. The main problem areas of the current situation were highlighted as being the lack of a constitutional duty or a fundamental right to high art, the differentiation between the various levels of art and entertainment and their funding requirements, the seemingly superfluous character of high art in a poverty-stricken country like South Africa and the initially impossible connection between the unrelated notions of art and fundamental rights. I have stated the research questions arising from these problem areas and outlined how I intend to explore and investigate them in the following four chapters.

In this chapter I elaborate on my first research question as to how the art music landscape has changed over the past 18 years, how government is currently manifesting its support for the arts and whether the lack of a right to art or a constitutional duty to protect the arts has had any effect on the presently deteriorating art and music scene. In order to understand something of the current situation and challenges that the arts in South Africa are faced with it is necessary to shortly refer to the previous system under apartheid, to how funding was allocated and to the three main problems that the highly elitist system created. Subsequently, I illustrate how the transition between a mostly white and Western administration to a much more representative and diverse directive initially sparked a time and atmosphere filled with hope and anticipation for a much broader, more creative and more inclusive arts initiative to be developed. Finally, I examine the post-1996 situation, the current structures responsible for generating and awarding funding and the failure of these mandated organizations and councils to effectively support the art genres that need financial support most. I illustrate how the lack of a constitutional duty creates and sustains a tendency among government and its affiliates to be complacent and



negligent in their dealings with the arts and how this situation, if not urgently attended to, will result in particularly western art music very soon becoming extinct.

## **2.1 Pre 1994**

During the apartheid years the four provincial arts councils were in charge of most of the allocation and distribution of funds. The arts councils were seemingly well-oiled machines and western culture flourished with six full-time orchestras, four full-time ballet and opera companies and numerous other smaller art and music ventures. Theaters and projects that promoted specifically what was considered to be high culture and which was deemed to be part of the western and white 'national tradition' had very little financial concerns. Extravagant operas with costly wardrobes and elaborate orchestrations, foreign soloists and conductors and numerous extra players and singers were frequent occurrences and it seemed that no money was spared to create the illusion that South Africa was culturally on par with whatever Europe produced at that time. Almost all the noteworthy operas, symphony concerts, ballets and theater productions stood under the financial umbrellas of the various councils and therefore ticket prices were, regardless of the type of production or size of the cast, very affordable. All the companies were on constant rotation programs to tour and perform in not only the main centers, but also to visit and play in some of the less accessible areas in the country. The drama company would yearly present some literary excerpts from the white government school's matric curriculum and the symphony orchestra and ballet companies would travel the country with full-blown productions and educational programs.

The government subsidies created the opportunity for most of the white population during the apartheid era to experience and be exposed to the performing arts. Unfortunately though, this situation was greatly and fatally flawed. Other than the obvious problematic and unnatural favoring and promoting of only one specific culture in a highly diverse country, the over-controlling and almost over-subsidized councils stifled the artistic scene in various other ways as well. Except for the sometimes blatant waste

of State funding and ignorance around the financial aspects of running an endeavor of the sorts and guaranteeing its durability and sustainability, the situation also inhibited entrepreneurship, the development of local artistry and the expansion of new audiences across the board.

When the State provides in an almost unnatural manner for a very specific cultural ethos the recipient artists become complacent and lethargic as there is no room, no need and no incentive to explore and create new initiatives. A huge part of being an artist is to be on the front lines of what is happening in the world and immediate environment. Artists are known to and expected of to always push the boundaries of what is provided and considered to be acceptable. It is essential for the creative spirit to be constantly challenged into uncomfortable positions and entrepreneurship is essential to this as it inherently demands from the artists a level of independent thinking. Artists need to invent, to discover, to experiment and to test and try new ways of presenting their art. It not only keeps the art forms alive and interesting, but also forces the artists to commit and practice their skills. If the artists are not confrontational and thought provoking in some of their work it will reflect directly back on the spectators and create a complacent audience where no new ideas or vocabulary are stimulated. The artists will become lazy, falling into the rut of repetition and over time compromise their proficiency and competence. After 1996, the large increase in educational projects, freelance orchestras, new theatres and the huge interest in and support for many of the arts festivals are all testimony to the possibilities and opportunities that can emerge when funding is withdrawn and artists are put into an uncomfortable yet creatively challenging position.

During the reign of the arts councils the South African artist particularly interested in western art forms was not seen as promotable or worthwhile of investment. In addition to the fact that many talented performers could not afford to study abroad on their own accounts the country was also severely sanctioned and for many it was only after democracy in 1994 that they could begin to enjoy some international exposure. Huge amounts of money were spent on procuring expensive and internationally renowned artists for local productions. To this day the South African symphony orchestras are

living evidence of how local musicians were outsourced for their Bulgarian, Russian and Romanian counterparts. It left the music scene with a very limited legacy as the exceptional South African performers either left the country or moved into different fields of occupation. Consequently, there are very few performing role models left today who can embody to the young and upcoming talented performers something of the possibility of a career in the arts.

Another disappointing characteristic of the arts councils was the lack of interest and effort to investigate or examine the ever-changing popular culture of the time. Little money and time were spend to ascertain what the people who supported the arts wanted, how their life-worlds were transformed by technology and globalization ,what they found stimulating and exciting and how to adapt to a fast changing world and country. This is in no way to suggest that the quality and standard of work had to be lowered to accommodate 'lighter' genres, but the arts councils were in the majority of cases not interested in exploring new and modern ways in which to present the existing high art. One only thinks of the ground-breaking work of a William Kentridge, Yo-Yo Ma or Nigel Kennedy to imagine the effect that some degree of innovative thinking and contemplation could have had on the next generation of concert-goers. The possibilities and opportunities to package something of the old with a dash of invention and attract and incite new and young audiences to become involved and interested were rejected for much safer and cautious alternatives. It was necessary for the government as main and often only source of financial support to keep the arts within its safely weathered and restrictive paths in order to also keep an entire country and its nation repressed and restrained with no room for any notion of reflectivity or revolutionary thought. Consequently not only the next and younger generation was lost to a world of technology, of instant gratification and a completely different view of humanity, but the lack of innovative thinking also caused the estrangement of any new audiences due to the failure by the arts councils to engage with any relevant and fashionable material that supported and provoked a sense of progress and evolution.

## 2.2 The transition

After the first democratic government was established in 1994 the arts, culture and national heritage fell under the Department of Arts, Culture, Science and Technology.<sup>32</sup> After three years of being financially ‘tapered down’ the arts councils finally seized to exist leaving countless musicians, singers, dancers, theatre technicians and administrative personnel without jobs or prospects. During 1996 the White Paper on Arts, Culture and Heritage was adopted and seemed like an important milestone for the cultural world in a post-apartheid South Africa. It set out some of its primary concerns and objectives as among others: an interest in human rights in order to ensure that all persons, groups and communities have the right to equal opportunities to participate in the arts and culture, to conserve and develop the full diversity of the South African heritage, to encourage artistic creativity, experimentation and renewal, to ensure unhindered access to the means of artistic and cultural activity, information and enjoyment in both financial and geographical terms and to encourage self-sufficiency, sustainability and viability in the arts.<sup>33</sup>

These initial aspirations indicated a new epoch, an era in which the current government did not plan to substitute a predominantly white cultural legacy with a solely black and africanized one but rather a government concerned with diversity, with creativity, with access for all irrespective of socio-economic circumstances to the widest variety of cultural activities available. This was a time of radical transformation and change, of vigorous and assertive new ideas and legislations. Politically a country in the turmoil of a revolution often translates into economic trepidation and uncertainty but for the arts such a time can simultaneously hold anxiety and inspiration; it can be a time of despair but also of promise. In the early years of democracy one was reminded of Paris during

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<sup>32.</sup> Department of Arts and Culture 2006 *About Us*. Available from:<[http://www.dac.gov.za/white\\_paper.htm](http://www.dac.gov.za/white_paper.htm)> [6 January 2013].

<sup>33.</sup> National Arts Council of South Africa 1997 *White Paper on Arts, Culture and Heritage, 4 June 1996*. Available from:<<http://nac.org.za/about-us/policies/white-paper-on-arts-culture-and-heritage>>. [6 January 2013].

the 1880's when art could not be defined by any single definition; a time of impetuous innovation and near cultural anarchy but which resulted in one of the most prosperous and innovative times for national and international art.<sup>34</sup>

After the initial shock the South African cultural scene began to show promising signs of recovery and with the focus on entrepreneurship performers across the board started to collaborate in cross-over projects, multi-cultural performing alliances were formed, disadvantaged children suddenly got the opportunity to become part of high standard teaching initiatives and theatres and venues from a previously elitists culture staged some of the most innovative and daring undertakings yet. Artists reinvented their craft and skills to become relevant again and to make a contribution, not only to a small and exclusive audience, but art beneficial to a wider and uniquely diverse public in a post-apartheid South Africa.

### 2.3 The current state of affairs

Currently the financial well-being of the arts in South Africa is divided amongst the National Arts Council as an initiative mandated in 1997 by the Department of Arts and Culture and the National Lottery.<sup>35</sup> Established out of a broad and intensive consultative process with other cultural figures that was part of the larger democratic evolution of the 1990s, the NAC was intended to provide support for the arts beyond political considerations and to take up some of the space left by the closure of the previous four provincial performing arts councils.<sup>36</sup> The NAC was also supposed to have a degree of independence and sufficient funding to provide essential support to new and innovative

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<sup>34.</sup> See Parisian Art and the French Salon (1880's) Available from: [www.visual-art-cork.com/history-of-art/post-impressionist-painting.htm](http://www.visual-art-cork.com/history-of-art/post-impressionist-painting.htm). In 1880 the Marquis de Chennevieres remarked at one of the *Salon Paris*'s exhibitions 'What a chaotic collection of useless artists!', but in 1881 the *Salon* was renamed as the *Societe de Artiste Francais* and by 1884 this seemingly chaotic era gave birth to an organized and totally transformed art scene. Art dealers took control and went from being mere picture handlers to exhibition organizers, the number of independent exhibiting bodies multiplied, commercial galleries increased their exhibitions of cosmopolitan and international works and advertisements and exhibitions space were provided by the rising number of small literary publications which showed a growing interest in the visual arts.

<sup>35.</sup> Department of Arts and Culture 2006 *Recommendations*. Available from:<[www.dac.gov.za/publications/reports/.../section8recommendations.pdf](http://www.dac.gov.za/publications/reports/.../section8recommendations.pdf)> [6 January 2013].

<sup>36.</sup> National Arts Council Act no 56 of 1997.

art, as well as assistance to the more established but clearly not profitable arts and cultural organizations and initiatives.<sup>37</sup> Their vision today includes the promotion of free expression of South African cultures through the arts and the development of excellence in the arts.<sup>38</sup>

Receiving funding from the NAC though has evolved into quite a lengthy and complicated process over the past 15 years, somewhat riddled by loop-holes and opportunities to push individual political agendas. The NAC invites certain applicants to submit proposals for bursaries and funding once per annum which then gets reviewed by an independent panel of experts in each of the seven arts disciplines.<sup>39</sup> This independent panel eventually makes recommendations to the council who has the final say as to who gets awarded the money.<sup>40</sup> The guidelines on how these decisions are taken, who sits on the panels and how the money gets awarded are not clearly stated and borders on being contradictory and bias. Although the Act specifies that the representatives shall not hold office in any political party and shall be someone with special knowledge or experience in the arts, it also makes provision for members who have no special skills in the arts to be able to serve on the council.<sup>41</sup> While it claims to value a broad representation of gender, language and community composition and therefore require nine representatives from the various provinces on the council, the minister appoints the members of the independent panels himself and also remunerate the members of the council as and when he deems fit.<sup>42</sup> The minister also seems to have the power to distribute the funding and yearly budget of the NAC.<sup>43</sup>

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<sup>37.</sup> In their manifesto the main task of the NAC is stipulated as distributing public funds to artists, cultural organizations, NGO's and CBO's.

<sup>38.</sup> Brooks-Spector J in *The Daily Maverick* 8 March 2010 10:58: <[http://dailymaverick.co.za/article/2010-03-08-analysis-dark-times-for-South\\_african-arts-and-culture](http://dailymaverick.co.za/article/2010-03-08-analysis-dark-times-for-South_african-arts-and-culture) >and <<http://www.nac.org.za>>[7 January 2013].

<sup>39.</sup> The seven disciplines referred to are: Dance and Choreography, Literature, Music and Opera, Theatre and musicals, Multi-disciplines, Theatre and the Visual Arts.

<sup>40.</sup> Section 6 of the National Arts Council Act no 56 of 1997 states that the functions of the council include: that they may render support and determine which field should get preference, investigate and determine the need for funding, conduct research, make bursaries, grants and funding available as they may see fit.

<sup>41.</sup> See Sections 4 and 5 of Act 56 of 1997.

<sup>42.</sup> See Sections 4 and 5 of Act no 56 of 1997.

<sup>43.</sup> Brooks-Spector J in *The Daily Maverick* 8 March 2010 10:58: <[http://dailymaverick.co.za/article/2010-03-08-analysis-dark-times-for-South\\_african-arts-and-culture](http://dailymaverick.co.za/article/2010-03-08-analysis-dark-times-for-South_african-arts-and-culture) >

In 2012, R55 million was awarded to the arts and most of the funds went into training and development programs. Initially it seems like money well spent, but at further investigation the decision to rather support training programs than fully fledged performing art institutions becomes highly problematic as development has a limited impact and result if there is no established organization or future program which can accommodate any of those skills learned. When one compares the meager 30 cents per day, per person (the average arts and culture budget translates into) to for example the \$26 for each resident in Vancouver, the \$26 when you live in Montreal or \$33 for New Yorkers, the South African citizens are the victims of a sad and serious lack of financial and resource commitment to arts and culture.<sup>44</sup>

The third leg of government support for the arts in this country, the Lottery Distribution Trust, actually has considerable money it could disburse but its own bureaucratic complexities have hindered and delayed payments to various organizations with over a year. By the end of 2012 the Lotto distributed less than a third of its available funds and by the middle of 2012 there were various reports of serious corruption and underhandedness in the media. Due to a disorganized system and miscommunication, arcane application systems and politically loaded procedures arts organizations are often observed going round and round from the NAC to the Department to the Lottery in an increasingly desperate effort to find enough funding simply to stay afloat. Increasingly, the country's most innovative and challenging artists are forced to move or work elsewhere where their talents may be better appreciated and supported.

Although a recent survey by Business Arts South Africa (Basa) showed that overall, corporate sponsorship had grown over the past decade big sustained sponsorships for

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culture> and Blackman M in *The Mail & Guardian* 18 April 2012: <<http://mg.co.za/article/2012-04-18-departement-mum-om-venice-biennale-exhibition>>.

44. Brooks-Spector J in *The Daily Maverick* 8 March 2010 10:58: <[http://dailymaverick.co.za/article/2010-03-08-analysis-dark-times-for-South\\_african-arts-and-culture](http://dailymaverick.co.za/article/2010-03-08-analysis-dark-times-for-South_african-arts-and-culture)> and Blackman M in *The Mail & Guardian* 18 April 2012: <<http://mg.co.za/article/2012-04-18-departement-mum-om-venice-biennale-exhibition>>: In 2012 minister Paul Mashatile decided to dedicate over R10 million from an already stricken budget to a single and private art exhibition (the Venice Biennale) and the NAC budget was allegedly left with only R14 million in grant funds to assist and support every art form in the entire country.

edgy and challenging art seem to be fading.<sup>45</sup> FNB recently announced it will after two decades no longer support the country's most important annual dance showcase and after 12 years the Johannesburg Philharmonic as well as the Cape Town Philharmonic Orchestras are both on the brink of liquidation.<sup>46</sup>

## 2.4 No constitutional duty

In their policy statements, both the DAC and the NAC refer to sections 16, 30 and 31 of the South African Constitution in an attempt to formulate a constitutional duty on government to support the arts. The Constitution supports the right to freedom of artistic creativity, academic and scientific research, of press and media, to receive information, to culturally associate by choice and to participate in cultural activities but there is no right to art or duty to provide it. There does not exist any specific constitutional obligation on either the government, on private businesses or on any individual to protect the arts in any way, no rights are awarded to artists to secure financial assistance and no one is directly responsible for ensuring all the art forms survive and endure for generations to come.

The acquisition of a right has proven to be no guarantee of any sorts as many poor South Africans stand victim on a daily basis to government's failure to deliver on their constitutional duties to provide housing, clean water, education and safety.<sup>47</sup> But maybe the main difference between at least having a right and having no rights at all lies in the way it can empower and advance the position of those who have it. When one has a fundamental right that is constitutionally guaranteed like the right to freedom and dignity, it creates a responsibility on government to perform and deliver on its duty to make these rights possible. If they fail to do so we hold them responsible or liable. One can argue that if art was specifically protected by the Constitution it would have provided

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<sup>45.</sup> Brooks-Spector J in *The Daily Maverick* 8 March 2010 10:58: <[http://dailymaverick.co.za/article/2010-03-08-analysis-dark-times-for-South\\_african-arts-and-culture](http://dailymaverick.co.za/article/2010-03-08-analysis-dark-times-for-South_african-arts-and-culture)>.

<sup>46.</sup> *South African Labour News* 16 November 2012. Available from: <<http://www.salabournews.co.za/index.php/cpmonent/content/article/70-labour-news/7777-musicians-at-joburg-orchestra>> [6 May 2013].

<sup>47.</sup> Sections 12,26,27 and 29 of the Constitution of the Republic of South Africa Act 108 of 1996.



both the artists and the art organisations employing the artists some form of recourse or remedy to exploit when faced with difficulties around payments, the awarding of funding, application processes and expenditures. If there was an explicit and constitutional right to art there would also be prescribed procedures in place to express grievances and alert the rest of government to suspicious, incompetent and fraudulent behaviour.

Currently, no one is accepting responsibility for the murky mess that especially the western art forms seem to be in and the bucket gets passed between government, the DAC, the NAC, the Lotto, influential political figures and any private organization willing to commit itself to a seemingly sinking ship. Due to the lack of a constitutional duty the government and its affiliations are simply not prioritizing the dire situation of many art forms in South Africa as matters of urgency and therefore no immediate effort is made to deal with the financial disarray and real threat of dissolution that many art organizations are faced with.

The reality is that if this situation persists and is not immediately investigated and managed a big contingent of the South African artists will be forced to throw in the towel due to a lack of funding and support. They will once again fall victim to not being valued. This time however, it will not be because of government's short sighted beliefs that everything from abroad is automatically of a higher quality, but through the sheer short sightedness of a bureaucratic system that refuses to actively take responsibility and prioritize art as the instrument of nation building that it is held up to be. In a couple of years South Africa will be left with only a vague reminiscent of a western high culture that once existed and will surely be impoverish on many levels due to the lack thereof.

In this chapter I have looked at the development of the arts since the apartheid regime and during the short window of transition till democracy today.

## CHAPTER 3 HIGH ART

In Chapter two numerous references were made to western art or high art and to the fact that there seems to be no constitutional right to art, no duty to ensure the supply thereof or to guarantee any financial assistance by government or its affiliations. The development of the arts from before 1994 was addressed and I illustrated how the apartheid's regime over-controlled the creative landscape and stifled artistic growth. I highlighted the transition era between 1994 and 1996 as a financially challenging but creatively stimulating era wherein government seemed fully committed to further and invest in the widest spectrum of the arts including western high art. I also investigated the current situation and the present structures and councils responsible for the arts and for its funding. I illustrated how the absence of a constitutional duty on these organizations have resulted in a failure to actively and urgently take responsibility for the survival of the arts and to support the numerous institutions and organizations mainly concerned with a western art tradition currently hanging over the fiscal cliff. I suggested that without immediate and urgent action this genre will disappear from our cultural scene.

In the following chapter I explore the concept of high art, what it signifies and comprises of while concentrating specifically on western art music. I dissect the second problem statement as to how the different levels of art and entertainment are inherently different from each other, what method or theory we can deploy to differentiate between them and how these differences then relate into funding requirements.

I firstly draw a distinction between high art and low art or mass culture by referring to the historical background and evolution of the concept of culture and illustrate how society has changed from using art for self-improvement to currently only being interested in entertainment. I subsequently address the second research question on what constitutes high art by referring to Hannah Arendt's test for a great work of art as something that grasps the spectator over centuries and elaborate on the two-fold requirement that this test gives rise to namely a promise of longevity and a change or

transformation when exposed to it.<sup>48</sup> I draw on Theodor Adorno's explanation of how it is the embedded complexities of the artistic creation that alters the experience of the spectator and will illustrate how it lies precisely in this commitment to engage with the difficult process of the assembly of details that contributes to high art's failure to become financially viable. Lastly, I examine political art as an 'in-between' genre because although it carries a level of complexity it does not possess a promise of longevity.

### 3.1 History

Firstly, one should distinguish between the ideas of high art and that of low art or mass culture.<sup>49</sup> Arendt indicates that the phrase 'mass culture' is clearly derived from the term 'mass society', but raises the question as to whether what is 'true for mass society, is true for mass culture also'.<sup>50</sup> Does mass society inevitably dictate what the culture will entail and does this culture then inescapably include and belong to all members of mass society?

The idea of mass society was preceded by a historical development of society as such. The 'good society' of the 18<sup>th</sup> and 19<sup>th</sup> centuries probably had its origins in the European courts of especially Louis XIV who reduced French nobility into courtiers who entertained each other at his continuous parties in Versailles with endless gossip about social events and their frivolous intrigues.<sup>51</sup> They disposed not only of wealth, but also of free time to engage with culture which presupposed a certain level of education and the necessary financial means to achieve that. These societies were restricted to specific classes of the population and inclusion was a matter of birth or marriage.

Protest against this way of life came from workers and proletarians, those who due to the necessity to labour could not be part of or belong to 'society'. The true forerunner of the modern man as discovered by Rousseau and John Stuart Mill was not the

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<sup>48.</sup> Arendt *Between past and future* 199.

<sup>49.</sup> Arendt *Between past and future* 194. Arendt refers to high art and mass culture, while Adorno uses the term popular, light and common (Vulgarmusik) music to refer to a commercial version of music.

<sup>50.</sup> Ibid.

<sup>51.</sup> Ibid 196.

picaresque knight or noble adventurer as depicted by the romantic poets but in fact precisely this individual who stood opposed to the fickle society of the day.<sup>52</sup> The revolutions of the 18<sup>th</sup> and 19<sup>th</sup> centuries were not so much directed against states and governments, but at the flamboyant and hypocritical society of the time, a rebellion against everything that made a mockery out of the good, hardworking lower class.

When faced with the aristocracy's contempt for vulgarity and profitability the up-coming middle classes of Europe employed culture to further and educate themselves. Culture became a social weapon used to furnish and elevate rich laborers into an affluent domain filled with beauty and removed from 'worker worldliness'. For society, culture remained something outside the self, something that needed to be studied in order to become part of an elite group, objective knowledge that could ensure and better one's position within society.<sup>53</sup> Although society began to monopolize culture for its own purpose as a means of education and self-development, it still retained its objective character; there still remained a degree of distance between the work of art and the spectator.<sup>54</sup>

The difference however, between society then and society today lies in the all-encompassing character of our current mass society. Where previously the individual could escape into non-societal realms to discover and find those traits of humanity lost in society, the individual today has nowhere to go.<sup>55</sup> It is no longer only the 'good society' that possesses wealth and is liberated from exhausting labour but also the mass population that have enough leisure time and money to engage with culture. Within a mass society which is automatically inclusive in character the nature of leisure time has changed immensely as there is no need to work towards acceptance any longer - acceptance becomes inevitable, everybody already belongs and therefore

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<sup>52.</sup> Ibid.

<sup>53.</sup> Ibid 198-199: Prior to the rise of mass society, the modern art movement demonstrated disgust in precisely this attitude: that art can assist in the 'pursuit of perfection' as they refused to be reduced to an aid for social and individual refinement. They resisted against becoming part of a polite society wherein culture was seen as gateway to achieving social status and reputation.

<sup>54.</sup> Ibid 198.

<sup>55.</sup> Ibid 196-197.

culture now also belongs to all.<sup>56</sup> The leisure time of the 'society' involved an evaluation and devaluation of cultural things into social commodities, a use and abuse for own selfish purposes, but this leisure time was never vacant time.<sup>57</sup> It presupposed time away from work and never implied empty or unoccupied time. Leisure time cannot be used to 'while away time' but rather to be free from the necessities of life in order to be free for the world and what it has to offer in terms of what there is to learn, encounter and experience.<sup>58</sup>

The mass man and mass society however have become more than the 18<sup>th</sup> and 19<sup>th</sup> century's users and abusers; they have turned out to be consumers in desperate need to 'while away' their time through entertainment. As consumers are forever looking for goods for sale, culture is far too challenging to spend money or time on. It is not expendable and will not serve the life processes of the moment. Arendt suggests that, like labour and sleep, entertainment forms part of the biological life process which is always a 'metabolism feeding on things by devouring them'.<sup>59</sup> Entertainment does not involve a promise of longevity wherein things are valued for their ability to withstand centuries of life processes but rather an article of trade which success will be measured by its instant usefulness and gratification. Where society blatantly used art in a pursuit for self-perfection, mass society wants to consume for the purpose of entertainment only.

It thus becomes clear that the change in the nature of free time and the fact that it is now readily available to all has resulted in a dramatic change of attitude towards the purpose and use of culture and art. Due to the fact that mass society no longer wants to spend time improving themselves but rather wants to pass the time with feeble entertainment, consequently results in having to distinguish between that which can be called art and which has the ability to improve and challenge whoever is exposed to it

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<sup>56.</sup> Ibid 195: Interestingly all the characteristics of the current day so-called 'mass man' already appeared in these 'good societies' of the 18th and 19th centuries: the omnipresent loneliness amidst inclusion into a selected group, the lack of standards and easy excitability, the inability to judge and a precarious egocentricity and inexhaustible capacity for consumption.

<sup>57.</sup> Ibid 202.

<sup>58.</sup> Ibid.

<sup>59.</sup> Ibid.

versus entertainment that simply fills the extra time of the majority of society with instant gratification.

### **3.2 Great art moves or grasp the spectator over centuries**

#### **3.2.1 Longevity: a revolutionary autonomy**

Hannah Arendt proposes that a great work of art has to move or grasp the spectator over the centuries.<sup>60</sup> In order to be considered 'real art' there thus needs to be two things present: a promise of longevity or immortality and an action or reaction, which entails a change or adjustment when encountering these works of art.

Composers like Bach, Mozart, Beethoven, Tchaikovsky and even Schönberg and Messiaen are widely accepted and understood to have stood the test of time. After centuries their music continues to be played and enjoyed, to be recorded and reproduced, to be studied and analyzed as examples of great works of art. They do not need to be tested or examined to establish their validity and authority and are universally acknowledged as authors of high art, as creators of sublime compositions that carry a promise of infinity. One is left with the distinct impression that these works of art music have endured for centuries before and will do so for centuries to come.

This idea of art surviving or outliving however seems easy to ascertain in hindsight and nearly impossible to predict or to forecast. Should one then only consider the age-old music of the classical composers as pieces of high art or is it possible to at least suspect some of the current day compositions to have the potential of fulfilling a promise of longevity?

Commercial music is often labeled as low art due to its simplicity, its rigid structures and its enormous popularity. But popular music does not instantaneously constitute a form of low art because it is simple and not complex or because it adheres to a rigorous form or formula. There is no stricter structural form than the organ or piano fugues by Bach or

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<sup>60</sup>. Ibid 199.

simpler melodies to be found than those from the famous slow movements in Mozart's *Clarinet Quartet*, Dvorak's *New World Symphony* or Beethoven's *Seventh Symphony*.

The fact that it is popular and attained some economical success can neither be the reason for its classification.<sup>61</sup> Adorno refers to a 'culture for sale' wherein music has regressed into a realm of economical advertising where social structures are invented and set-up to achieve the maximum economical possibility.<sup>62</sup> The process becomes a product and culture a business which requires good administration to keep it running smoothly. Although many great composers suffered tremendously and lived in poverty for most of their lives it was often not caused by the unpopularity of their work, but due to a lack of administrative and personal skills.<sup>63</sup> Celebrated composers like Händel and Wagner achieved enormous financial success during their lifetime and not only made a lot of money but also enjoyed substantial fame and support from the public. Their works were well-known and can even be described as 'hits' of the time. The value of their contributions however, does not lie in the relevance or popularity of a *Così fan tutte* or a *Choral Symphony* but in their incredibly advanced thinking which were unknown and totally unheard of at the time. Although many of their compositions were enjoyed by the general public most of what they composed was revolutionary. Their music possessed not only what was fashionable and reflective of society at the time but also an element of foreignness, a quality of something extraordinary not from this world. With this ability to transcend the average, high art elevates the standard and value of everything that comes into contact with it and helps to delimit the narrow understanding and expectation of the world the spectator might have. By being revolutionary, high art presents a promise of what is yet to come: it suggests the possibility of a better future.

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<sup>61.</sup> Adorno *Essays on music* 45. Adorno immediately considers art that has achieved some economical success as low art or belonging to mass culture.

<sup>62.</sup> Ibid.

<sup>63.</sup> Wolfgang Amadeus Mozart for example is not only famous for his highly successful operas like *The magic Flute*, *Così fan tutte* and *Don Giovanni* but to this day also notorious for his atrocious spending and drinking habits. The fact that he died in utter poverty and was buried in a mass grave was not due to him suffering for his art, but rather his inability to manage his fame and fortune.

So in order to possess this quality of longevity high art needs to have some radical and ground-breaking features which set it apart from the well-known or the ordinary and precisely because it does not have a resemblance to the familiar it is not considered to be functional, it is 'fabricated not for men, but for the world which is meant to outlast the life-span of mortals'.<sup>64</sup> Where entertainment needs to relate to 'people and is a phenomenon of life'; art relates to 'objects and is a phenomenon of the world' and is therefore free from the prescribed content and normative criteria of the now.<sup>65</sup> This means that the kind of durability that an art work promises has also something to do with it being autonomous, of it being 'for itself' and not variable or changeable as its sole purpose lies in its ability just to be, to appear.<sup>66</sup> Where consumer goods are used up by life's necessities, art possesses a universal quality of beauty autonomous to the mundaneness of everyday life and therefore immediately demands a certain distance between it and ourselves. In order to appreciate and 'experience' the object of beauty, one needs to 'forget' the self and all the 'cares, interests and urges' of life.<sup>67</sup> High art will remain an object of beauty, irrespective of personal taste or fashion and in its beauty will transcend all the needs and wants of ordinary life. High art therefore represents that which is separate from the everyday; that which is so extraordinary that it is 'strange' to the commonplace and that which is so beautiful that it transcends the need for human validation or taste.

The promise of longevity therefore consists of two requirements: firstly, its substance must be extraordinary, innovative and revolutionary in order to set itself apart from the everyday ordinaryities and secondly, it must possess a level of autonomy in order to distance itself from a specific context and taste.

### 3.2.2 Move you through complexity

Adorno suggests that 'light' music responds only to the here and the now and that it represents something of a commodified daydream.<sup>68</sup> He refers to the listener as living in a *quasi* perfect world as presented to him, not through his own thought processes,

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<sup>64.</sup> Arendt *Between past and future* 206.

<sup>65.</sup> Ibid 204.

<sup>66.</sup> Adorno *Essays on music* 241 and Arendt *Between past and future* 207.

<sup>67.</sup> Arendt *Between past and future* 207.

<sup>68.</sup> Ibid.



but rather enforced and glamorized by the industry. In other words, through exposure to light music the listener is brainwashed to desire and aspire to whatever the industry dictates for that specific moment. Music of this sort has become a process of industrialized production where the markets prescribe and competition inhabits any new thought, where it degrades the listener's individuality and replaces it with a false collective.<sup>69</sup>

Writing light or popular music for a mass culture has very little to do with individual creative thought and much more with a predetermined formula. It requires a strict adherence to a very specific and cold-blooded process carried out according to a standardized pattern which is based on previous successes. The form, range, harmonies and even subjects are limited to a proved and set pattern and the competitive nature of the commercial market does not allow for any kind of deviation from this.<sup>70</sup> The popular song will lead back to a guaranteed familiar experience every time wherein the specific position of a theme, contextual details and expressive indicators are of little to no importance.

Already in 1939 Abner Silver and Robert Bruce wrote a book on *How to write and sell a hit song* followed by a hugely successful sequel a few years later namely, *How to write a hit song and sell it*. The opening paragraph of the book arrogantly states that: 'Writing a song is, in many ways, like baking a cake. Almost anyone can do it'.<sup>71</sup> The authors then lay out ten cardinal rules as the perfect formula for a successful song which includes having a dance tempo, a short and easy theme simple enough to be sung, played and remembered almost instantaneously by the average person, a compulsory conformity to one of several pre-set patterns and only one mood throughout.<sup>72</sup> This can be illustrated by the numerous popular songs today that not only reminds one of the other but actually sound a lot like the other. Whether the song is *Generaal Generaal*, *Delarey Delarey* or *Staan op, Staan op* the beginnings of these catchy choruses are replaceable by the beginnings of countless other choruses, the tempo's will not deviate

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<sup>69.</sup> Adorno *Essays on music* 336.

<sup>70.</sup> Ibid 438.

<sup>71.</sup> Ibid 337.

<sup>72.</sup> Ibid 338.

much from 120 per crotchet, the melodies will stay within a range of five to seven notes and the harmonies will not explore any wild possibilities beyond chords I, IV and V of the specific key signature, which will rarely not be in a major key.

Art music undeniably evokes emotions and moves the listener but most musicians and music lovers will claim that they find more in great music than mere pleasure, that they are moved by the music in more ways than pure enjoyment and are elevated in some manner by the display of great musical mastery. From the point of view of both performers and listeners some pieces of music are richer than others, they are less predictable, more intricate to play and to analyse and all parties involved are forced to spend more time and effort on and with it.

The difference between a Beethoven Symphony and a simple melody like *Amazing Grace* lies in part in the complexity of the music. A Beethoven Symphony has a scope and scale far beyond that of an average popular song. Each piece of music is essentially a construction of variables – harmony, melody, form, rhythm, specific instrumentation to create particular timbres and textures, and the great composer will unite these in such a way that it becomes complex enough to require and allow both analysis and understanding.<sup>73</sup> A highly sophisticated piece of music is worth listening to because it is beautiful and gives us a feeling of pleasure, but it also requires listening to over and over. This is not only because it is enjoyable to hear it yet again, but because with every experience thereof one discovers more in it. It allows for a number of interpretations and with every performance the listener is challenged to discover with the musicians a variety of possible results. Music is not merely undifferentiated sounds that may or may not please. Great music exploits structural, melodic and rhythmical possibilities to a degree that puts it far beyond a simple melody that merely pleases every time in the same manner. Clearly this element of complexity in a piece of music does not necessarily result in an immediate pleasurable experience on the side of the listener as it demands additional concentration and a greater involvement in terms of time and attention. The idea that the listener is also confronted by a certain standard of intellectual complexity and forced to listen again in order to discover more is a clear

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<sup>73</sup>. Graham G *Philosophy of the arts* (2005) 78.

indication of the notion that the value of music cannot only be determined by the number of people that enjoy it, but rather by the way in which it provides ‘material for our minds’.<sup>74</sup>

When looking at the compositions of geniuses like Mozart, Bach and Rachmaninoff one is always amazed at the level of interconnectedness, thus the way in which every detail is carefully and meticulously chosen and composed to fit into a very specific place, bar, key and meter. Wherein popular music every detail is substitutable, no melody, harmony or instrumentation in classical music can be replaced or changed without losing the thread that will eventually accumulate these details into the whole of a masterpiece. And therein lays the main difference between popular and serious music and the answer to whether it will change those who come in contact with it for centuries to come: classical music requires of the listener an engagement with the process of the assembly of detail. It forces the listener and the performer alike to invest in a journey where understanding will only be possible through commitment to the journey. High art music will, although it might be enjoyable at first encounter, never fully expose all it has to offer at first glance. It will retain that quality of ‘strangeness’ that keeps the listener coming back for more. We can listen, study and play the works of the great masters over and over, but with every encounter there will be something new and extraordinary that can be discovered. It is in this quality of not revealing all at once, of not delivering the expected or predictable, of forever concealing something yet to be discovered that the promise of durability and change can be found. The reward for participation in and commitment to the journey is not amusement or diversion from the difficulties of life, but a life changing encounter.

### **3.3 Not possible without a patron**

Where art music strives to always present something new and innovative, popular music must contain the conventional and material formulas that the public is accustomed to and which are regarded as inherent to what the majority knows and can

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<sup>74.</sup> Ibid 79.

relate to.<sup>75</sup> Popular music is what Adorno describes as ‘pre-digested’: no effort in listening is required as existing models have already prepared the listener for it.<sup>76</sup> Where art music creates a space for the individual to explore and investigate new intellectual territory, popular music undermines possibility by producing a reduced system of subjective projections and conventional notions which portrays a thin answer to cultural need. Popular music does not enlighten but anesthetizes the listener with its easiness, its pleasantness and its immediate and instant enjoyment.<sup>77</sup>

Art music or high art presupposes thus a measure or degree of effort. As previously discussed, the current society is not one concerned with spending its time off from work on anything but quick fixes, fast foods, immediate answers and express services. This attitude already puts any form of high art that provides something different than instant gratification and requires more from its spectators than mere contentment into a niche market. A niche market immediately translates into less audience members, less money in ticket sales, less concerts of elaborate stature, less job opportunities for performers, less prospective students and learners and eventually less to no performances by the artists of this genre. Without patrons investing money in art well knowing and not expecting any financial dividends, these art forms and specifically Western art music will become extinct in South Africa.

Most of the successful entertainers from the popular art genre are signed by well-established record companies who ensure that both the label and the artist will benefit greatly from their collaboration. They have well planned business and marketing proposals in place and seem to captivate huge numbers of admirers and audiences country-wide. Unfortunately very little of the money accumulated from exploiting the consumer mindset of the majority is used to further or better the specific genre. In fact, it seems that the surplus of income is invested in more of the sameness, thus more of the same thoughtless and unchallenging pleasures the consumer society so adores. At no point does it challenge or confront the listener to participate or engage, but merely

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75. Adorno *Essays on music* 444.

76. Ibid 442.

77. Ibid 338.

supports and promotes the attitude of consumption that 'spells ruin to everything it touches'.<sup>78</sup>

### 3.4 Political art

During political turmoil there are always those performers who have the courage of their conviction to, through their art, inspire change. They are prepared to risk the future and financial consequences of their careers in order to convey an often uncomfortable message and to reflect something of the reality and the broader issues that affects a particular society directly. The objective of these forms of art comprises of far more than mere entertainment or amusement in order to distract a community in distress. In fact, the nature of political art constitutes precisely the opposite of complacency or diversion as it attempts to, either by its shocking disposition or intense emotional impact, expose something of the severe injustices that is taking place in a specific context. This kind of art has a powerful bearing on society as it can strengthen and reinforce the capacity of the individual to resist tyranny by inciting the spectator to reflect and reconsider his own position and the circumstances of those around him.

Although political or resistance art brings about change in a society it has no promise of longevity as is the case with high art. This is not to suggest that all political art lacks a level of complexity and must therefore automatically be classified as low art as often the art inspired by political ideologies is art 'in spite of politics'.<sup>79</sup> These artists have exploited the contradictory nature of something like Apartheid and turned it into intricate and powerful art so that, although it might appear simple, those outside the specific political context can recognise the process by which it is realised as complex.<sup>80</sup> But political art without this quality will become redundant and lose its impact as soon as the situation changes or the context becomes irrelevant. As it is riddled with pressing and immediate political comments, most political art does not possess a transcendental quality as it is perforated with the 'normalities' of everyday life. Even if the everyday

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<sup>78.</sup> Arendt *Between past and future* 208.

<sup>79.</sup> De Kok I & Press K (ed) *Spring is Rebellious* 38.

<sup>80.</sup> Ibid.

situation is in some way 'abnormal', political art can never be just 'for itself' as it is closely connected and involved with the individual's immediate situation and state of mind.

Many of these artists though, make a huge contribution to their country and fellow citizens but unfortunately have short-lived careers due to the public's association with their craft and their outspoken political views. It is complicated and difficult to expect of a government to support these artists directly as it would imply something of a partiality or bias towards a specific political dispensation. It is not only those artists who commented favourably on the struggle that should get assistance, as it is also vital to the art of satire and political commentary to present the other and less favourable sides of the coin.

In this particular category it would possibly be more beneficial to a greater amount of performers and artists if the government could set up and contribute to a retirement fund concentrating specifically on those artists who don't have any provident funds or insurance or even up the SAMRO amounts payable for original compositions.

It is clear that there is a distinct difference between high art, political art and low art and that the financial assistance needed in each of these categories is inherently different. Without patronage high art will eventually cease to exist, low art will continue to thrive irrespective of government support and the creators of political art needs to be protected and financially supported in order to maintain a culture of critical reflection and awareness. Because low art is easy to understand, pleasant to experience and offers an escape from any intellectual demands it can relatively effortlessly generate enough money by merely increasing the number of repeated performances and the quantity of mindless outputs. The absence of functionality in high art, its unique character and the complicated creative processes involved in bringing it 'to life' will make it virtually impossible for the artists alone to ever generate enough support to sustain this. Political art has the tendency to generate a very loyal support base eager to financially support it and its artists, but due to the context-specific nature thereof this support is short lived.

In this chapter I have explored what constitutes high art by referring to Arendt's suggestion of high art as something that can move the spectator over the centuries.

It is precisely due to the intrinsic qualities of high art and its demand for a higher level of commitment from the listener and from the performer that it cannot compete with the easy and uncomplicated character of low art and its ability to generate money easily. I argued that government should support political artists as they have truly made a substantial contribution in exposing the injustices of an oppressive system and have, through their art irrefutably changed the political landscape of the country.

## CHAPTER 4 APPROACHING THE UNAPPROACHABLE

In the previous chapter the question as to what constitutes 'high art' was explained by using Hannah Arendt's suggestion of something that carries a promise of permanence and that requires a level of engagement that will ultimately result in an altered or changed state of mind. The differences between high art and low art were described as mainly revolving around the ability to be of a revolutionary character, to be removed from the everyday functionalities, to be complex and to challenge the spectator to a higher level of engagement. I suggested that it is part of the inherent nature of high art to demand a level of commitment and time to explore its intricacies and that these qualities do not translate well in terms of profitability and cost-effective money-making. Other than low art that can generate excessive amounts of money due to its easily reproducible character, high art will always be financially dependent on the assistance of patrons and the government as it constitutes a project much more complicated and time-consuming in nature. I referred to political art as another art form in need of some kind of government support as it provokes within a specific time and context an intense engagement with the material but does not have a promise of endurance or sustainability like high art.

In this chapter I investigate the traditional reasons for funding high art as set out by Ronald Dworkin.<sup>81</sup> The economical and lofty approaches suggested by him are discussed as well as how these approaches may be feasible or not within a South African context.

I start off by explaining how the economical approach is primarily concerned with what the public wants and which art genres they are willing to pay for. I show how this approach will almost immediately result in the total disappearance of high art in South Africa due to art's inherent nature of slowness and complexity combined with economic

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<sup>81</sup>. See Dworkin *A Matter of Principle* 221-233.



restraints on the public's ability to have the luxury of choices. The lofty approach however is much more focused on how the community and its general well-being will benefit from high art. I explore Dworkin's suggestions of high art as a national treasury, of its possible spill-over effects to the general society and the problematic consequences of this approach in a diverse country like South Africa.

My third research question deals with the possibility of a third alternative or justification to the two traditional approaches involving the fundamental rights to freedom and dignity. I investigate the concepts of dignity and freedom and show how they are far more complex and profound than what they initially seem to be; how they require something of an individual participation by challenging our capacity to think independently, unrestricted by the current failure of external systems like government to improve our physical circumstances and conditions. I illustrate how an exposure to high art sets a similar challenge to the spectator and reiterate that it carries the promise of an altered state of mind when exposed to it. Lastly, I argue that by supporting high art the government is in part delivering on its constitutional promise to promote and protect the human dignity and freedom of all its citizens.

#### **4.1 The Economical approach: what you pay is what you get**

The economic approach dictates that there should be very little or no governmental support for the arts as the community prescribes what kind of art they wish to support at the price they are prepared to pay for it. If the market is then considered to be the most effective barometer of the kind of art the people should be exposed to places like libraries, museums, opera houses and public heritage sites will soon become extinct.

When art and music lovers have to start paying for the opportunity to listen to a Mahler Symphony or to see the great *Nagwaak* without any state subsidies, the cost of having to privately maintain the theatre or museum, pay the insurance on the instruments and paintings, the taxes on the properties, the administrative, marketing and backstage personal, the artists, conductors and performers to name but a few, the full and real price of it all will simply become too overwhelming. The mere nature of high art is one

which commands a certain level of slowness, of extremities, of taking precarious risks, of making radical decisions and often, of labour intensive hours which does not translate well into business requisites or economical formulae. The reality and consequences of art not 'making sense' in capitalistic terms are that within a few years these art forms will surely vanish and become nothing more than a distant memory of an earlier era captured on a few CD's and DVD recordings. Because this kind of high art does not have the same public support these recordings will also never top the charts and become famous sing-along tunes, they will be considered as not profitable as they will sell only a handful of copies. Their absence will leave behind an impoverished musical world of open stages at yearly musical festivals infested by popular and mass-produced sameness.

What complicates matters even further in a country like South Africa is the connection between prices and public preference. To argue that only a market uncontaminated by state subsidies can resemble the true inclination of how the public perceives State funds to be spent is simply too naïve and one-dimensional. What someone is willing to spend is closely related to how much someone is able to spend. In an environment where wealth is unequally distributed it becomes highly complicated to decipher from mere economical operations what exactly the communities within their acute diversity, value more or less.

#### **4.2 The Lofty approach: a treasure spilling over**

The lofty approach on the other hand is much less concerned with what the public wants, but rather with what the public needs. Where the economical approach seems almost obsessed with numbers and statistics the lofty approach considers the arts as not only an integral part of the nation's identity but also as something that, due to its 'spill-over' effect, elevates the general standard of well-being of all the people of that country in their everyday lives.

Some governments regard the arts as a positive force in national life, a vital feature to the national culture and are therefore willing to make financial sacrifices in order to

preserve and encourage its development as a matter of national interest.<sup>82</sup> They support the arts as part of a national or public treasury where art is seen as part of the ‘public goods’ and therefore not something exclusive that can only be available to only those who can and want to pay for it.<sup>83</sup> Goods of public interest are those activities and treasures which production cannot effectively be left to the market to decide as it is impossible to prevent those who do not pay for it to share in the benefit.<sup>84</sup> When an individual who has the means and interest supports the arts other people who do not engage in these transactions still benefit to a large degree from the extrinsic profits resulting from this deal.<sup>85</sup> Public treasures by nature are thus benefits sponsored for the nation and its future generations, by the government. It carries a sense of immediacy in that it needs to be immediately beneficial whether directly or indirectly and requires a certain proximity or closeness to the particular country and its citizens as it needs to be available and accessible to all.

There are mainly two problems one encounters though when arguing that art needs to be supported by governments solely because it contributes to the general standard of being a nation. Firstly, one can never be sure of the precise moment when those who pay for art as a public good can and will be able to reap the benefits of it. Other than with military activities or clean air the impact that a steady support of the art has, may be delayed so that the main beneficiaries belong to a different generation.<sup>86</sup> This should rather be seen as a ‘continuing program of contribution’ in which each generation invests in ensuring the benefits for those to come. Something similar to environmental

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<sup>82.</sup> Dworkin *A Matter of Principle* 222.

<sup>83.</sup> Ibid 223.

<sup>84.</sup> Ibid. Dworkin uses the two examples of the military and clean air. If protection by the military forces of a country was something to privately subscribe to there would be very little incentive for everybody to do so. Even if I don't pay for any services and my neighbor does I will simultaneously be protected when the army protects my neighbor. When my neighbours invest money and effort to beautify the pavement in front of their house I will reap the benefits of their actions simultaneously by the overall increase of property prices in the area.

<sup>85.</sup> For example South Africans who never visit or use Soccer City or The Voortrekkermonument indirectly benefit financially when tourists come to the city to visit and spend their money on South African turf.

<sup>86.</sup> The investment in development such as a music or art school will only deliver results in a few years when those attending become qualified performers or artists.

issues in which we now have to act vigilantly in order to save the environment for future generations.<sup>87</sup>

The second problem with this argument deals with the issue of indeterminacy: is it ever possible to predict precisely what impact high art will have on the lives of future generations and what will it take to enhance and improve the general standard of well-being? It is highly patronizing to assume what constitutes 'good' or something worth of being a 'national treasure' and that it indeed is and will be 'good' for the citizens to come. It seems impossible to justify in precise and accurate numbers how much needs to be spent in order to ensure and secure the public-good for all and what the price is on a sustained feeling of national pride and interest. The appeal to justify the existence of high art only as a public good actually demeans the contribution and value of art for the public as a whole.

Other than art being a national treasury necessary to preserve for generations to come, Dworkin also refers to an intrinsic human sense or awareness that art makes a general contribution to the community. This contribution is not extrinsic to individual aesthetics and intellectual experiences but contributes to the general intellectual environment in which we live.<sup>88</sup> This general environment includes both high and popular art but although popular art seems to be much better at supporting itself than high art, it actually needs the 'spillover' benefits that high art brings.<sup>89</sup> High culture supplies popular culture with mainly three influences: it provides form, reference and resonance.<sup>90</sup> Many TV thrillers or musical comedies exploit genres or forms initially developed in novels and operas and break it down to be more easily accessible.<sup>91</sup> High art provides popular culture with reference and resonance in that a great deal of the community's working vocabulary is saturated with references to famous classical works which not only invoke

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<sup>87.</sup> Dworkin *A Matter of Principle* 226.

<sup>88.</sup> Ibid 225.

<sup>89.</sup> Ibid 226.

<sup>90.</sup> Ibid.

<sup>91.</sup> For example Mozart's *Così fan tutte* with its intricate 'fiancée swopping', dressing up as maids and down as men, indiscretions due to states of pretended hallucinations, disguises, double weddings and fickle women reminds one very much of the current soap operas.

a very specific set of ideas but which are precisely valuable because they are identified and considered to be high art and therefore have a distinct aesthetic value.<sup>92</sup>

### 4.3 A different approach: dignity and freedom

In South Africa the need for this kind of general contributions to a state of well-being for the broad-spectrum citizens is even more accentuated and necessary. In a country where the constitutional promises to fundamental rights have not yet been delivered and many citizens live in constant distress due to crime, poverty, corrupt leaders, ineffective government services and an unproductive and insufficient schooling system the rights to freedom and dignity often seem only a far-off ideal, a dream of an utopia that will and can never be obtained. It is precisely here where high art and specifically high art music can assist in bringing this utopia closer to a greater amount of people, in making the constitutional dream more of a possibility to all.<sup>93</sup>

Section 1 of the Bill of Rights states that the Republic of South Africa is founded on the values of human dignity, on equality and on the advancement of human rights and freedoms for all its citizens.<sup>94</sup> One immediately associates these values with a kind of existence liberated from physical constraints and with the individual quality of being worthy or esteemed. To have freedom and dignity seems to be almost instinctive features that require very little from the person that it automatically attaches to, it reminds one of 'prepolitical' rights that human beings have and that cannot be alienated.

While ordinary thought might consider dignity as something unqualified that belongs to everybody and undignified moments as mere embarrassing occasions that will come and go, the moral philosophical understanding of it is far more complex and profound.<sup>95</sup> Dignity is considered a universal attribute which does belong to all but is also an

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<sup>92.</sup> Dworkin *A Matter of Principle* 225. For example the Old Spice advertisement that uses the powerful O fortuna theme from Carmina Burana by Carl Orff, the frozen pizza advertisement selling the product as upmarket and truly Italian with Puccini's Nessun Dorma in the background, or frozen peas that have never looked so fresh as when picked on the beat of Mozart's Elvira Madigan (Piano Concerto no.21).

<sup>93.</sup> The link between high art, dignity and freedom will be discussed in Chapter 5.

<sup>94.</sup> Section 1 of The Constitution of the Republic of South Africa Act 108 of 1996.

<sup>95.</sup> Blackburn *Oxford Dictionary of Philosophy* 100.

'offshoot' or derived from the individual capacity for self-consciousness and practical reason.<sup>96</sup> Being worthy or having self-respect thus comes from the ability and the capacity to be mindful or aware of the self, but also to recognize that it is closely connected to the worth of others. Dignity therefore requires the faculty of thinking and reflection as well as an understanding of one's place within a community and in relation to others.

Already in the 1970's Steven Biko described the nature of freedom as not only a state of living but also a state of mind.<sup>97</sup> He explained that the precondition to a successful struggle was first and foremost the liberation of the mind and that freedom was only possible through an intellectual transformation. Freedom, similar to dignity, is clearly an equally multifaceted concept, one that cannot be limited to a physical state but that again involves a meaningful engagement with the life of the mind and with the greater or common good of all.

In the pursuit of freedom and dignity one often feels disheartened by the lack of commitment from our 'external guardians' thereto. Because government seems unable to relief pressing socio-economic matters the majority of citizens cannot yet experience something of the physical possibilities that freedom and dignity signify. They remain shackled to their difficult living conditions without much hope for a better future and especially, without experiencing much of the goodness that self-respect or dignity entails. If one accepts the notion though that both dignity and freedom substantially comprise of much more than the mere physical situation then all hope is not lost. By accepting this option one can begin to fathom the prospect of being free and dignified through one's own commitment to self-reflection and by employing a metaphysical world of ideas and thoughts. The challenge here will no longer be to try and cope with difficult living circumstances, but how to access this world of ideas and thoughts in order to escape into a place where one can begin to dream and imagine a better future.

In chapter three I have described how high art can challenge the spectator to engage with the complexities and the difficulties that this kind of art has to offer. If one submits

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<sup>96.</sup> Ibid.

<sup>97.</sup> See Biko *I write what I like: a selection of his writings* (1971-1978) (ed. Stubbs A 2004).

to the possibility that high art can move or grasp you there is a guaranteed change or transformation that will take effect in the mind of the spectator when exposed to it. One will not immediately grasp the full meaning and possibilities of the intricate material and therefore has to revisit constantly in order to discover and understand more of it with every encounter. High art challenges the mind or intellectual capacity of the spectator by being complex and multi-faceted. Like rights, it offers an opportunity to those willing to delve into its intricate character to obtain a much deeper understanding of the complex material and to constantly discover new possibilities from it. It seems thus that both art and the notion of rights, if considered to be more than the promise of improving only a physical state of being, have something in common. They both carry an inherent possibility of altering the present state of mind by an engagement with the realm of self-reflection, of thinking or in other words, of an intellectual revolution as Biko suggested. If the government supports high art it makes it possible for all citizens to enjoy an encounter with it without having to pay in order to reap the benefits of the so-called 'spill-over' effect or 'national good' that lifts the well-being of the whole community. More importantly though, by financially assisting the maintenance and survival of high art it offers its citizens the opportunity to engage with thinking and incites those who have been exposed to high art to also critically dissect various other concepts and intellectual notions that on further investigation consist of more than what initially meets the eye. By having the encounter with art and by experiencing how its complex nature grasps and moves you over a period of time it changes the spectator to be more receptive to the possibility of other complex systems providing a similar effect and experience.

In this chapter I explored the two conventional approaches to justify financial support for high art critically. I argued for a third alternative by dissecting the complex nature of freedom and dignity as constitutional duties.

## CHAPTER 5 IMAGINING THE IMPOSSIBLE POSSIBLE

In the previous chapter I examined the two traditional approaches to funding the arts as suggested by Ronald Dworkin. I considered both the lofty and the economical approaches as feasible possibilities in a South African environment and highlighted their constructive and problematic qualities. I illustrated how these approaches remain lacking in sufficiently justifying why the South African government should financially support the arts seeing that the majority of its citizens are still caught up in the clutches of poverty and the limitations of a low socio-economic environment. I then suggested a third possibility involving an investigation into the multi-layered and complex nature of the fundamental rights to freedom and dignity. This approach demands a commitment from the individual to no longer be reliant on external sources to fulfill these rights but to realize them through an intellectual engagement or a revolution of the mind. I reiterated how the encounter with high art demands a revisiting by the spectator and how this journey will also bring about an altered state of mind or an intellectual change. I finally connected the exposure to high art and the intellectual transformation that an encounter with it will bring with the capacity of the individual to then also reflect on other complex systems like the system of rights and to be receptive to investigating their multifaceted qualities as well. If government thus funds the arts and makes it financially accessible to all because experiencing high art will challenge its citizens to re-think the meaning of their fundamental rights, they are indirectly delivering on their constitutional duty to promote and protect the fundamental rights of dignity and freedom for all its citizens.

This chapter mainly deals with the three-fold research question as to what complex systems are, what their role is in developing the imaginary realm and how the imagination can play a part in the tentative link between arts and rights. I continue to address the possible connection as suggested in the previous chapter between high art and the system of rights and investigate how the inherent character of high art can benefit and advance the quality of the fundamental rights to freedom and dignity. I address my fourth problem statement regarding the seemingly unrelated nature of high



art to that of fundamental rights and discover how art can ‘speak’ to rights and explore what it has to ‘say’ or to offer.

I explain my three-part research question by firstly investigating what the characteristics of complex systems are by mostly drawing on the work of Paul Cilliers.<sup>98</sup> As both high art and fundamental rights constitute complex systems and I examine why complex systems and the exposure to them are valuable by illustrating how the encounter with a complex system and the subsequent attempt to understand something of its complicated nature will develop the capacity to make value judgments as well as the ability to know and exercise the language of innovation.

Secondly, I address the role of complex systems on the imagination and explain how the development of the faculty of the imagination does not only help the individual to understand his place in the world but also his relation to others. I investigate how the emphasis on reason and rationality has stripped the world from imagination; how it has become a disenchanted place wherein some of its ‘strangeness’ and magic has been lost to logic and universality and how we have not only succeeded in turning art into a consumable, but also the world and its beauty.<sup>99</sup> The possibility of imagination as the only way back to a re-enchanted existence is discussed as well as the importance of creativity as a means of improving and enhancing this imagination.<sup>100</sup> It seems that by improving the imagination the individual might also develop his capacity to critically reflect on the world and to understand something of the life of the other. By judging with imagination or thinking without barriers the individual can leave some of his self-interest behind and imagine himself in the ‘shoes of the other’ so as to think of what the world must be in order to be a better place.<sup>101</sup>

Lastly, I explore imagination as the link between the two complex systems of high art and rights and explain how the exposure to high art can incite an experience in which the spectators’ imagination is unrestricted by language or the need for explanations. I

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<sup>98.</sup> See Cilliers ‘Complexity, Deconstruction and Relativism’ 254-267.

<sup>99.</sup> See Antaki ‘The turn to imagination in Legal Theory: the Re-Enchantment of the world?’ 1-20.

<sup>100.</sup> Cilliers ‘Complexity, Deconstruction and Relativism’ 254-267.

<sup>101.</sup> See Snyman J “‘The residues of freedom,[...] tendencies towards true humanism’: thoughts on the role of the humanities at the beginning of the twenty-first century’ (2006) 71 *Kroes* 195-211.

highlight how the ability to ‘fill-in’ the ‘gaps’ left by the inherent nature of music can stimulate the spectator to consider the possibility that reason and language can be overcome and that rights, without the constrictions of language carry an inherent promise of something better to come.

Due to art’s distance from ordinary life it can offer the spectator a reunion of his spirit and senses, a moment in which everything can become integrated and possible, a happiness that is not dependant on any external forces or the physical environment. I explore Drucilla Cornell’s notion of the imaginary domain as a realm wherein the individual can still become all he/she dreams of being, a space or journey wherein he/she is not yet finished or ‘fulfilled’.<sup>102</sup> I highlight how this almost transcendental ‘happiness’ cannot exist in isolation, but needs the presence of companions to be fully realized and that by witnessing something of the artistic brilliance in the others, one can begin to comprehend the other as a companion, possibly as a friend and consequently as an esteemed subject that is worthy of being respected and valued.

## 5.1 It is a complex matter

### 5.1.1 What is a complex system?

In his article ‘Complexity, Deconstruction and Relativism’ Paul Cilliers suggests a number of characteristics in order to describe complex systems including that they are open systems operating under conditions and not at equilibrium, that they consist of many components of which their output is a function of their input, that they are multi-layered and non-linear and that interactions are characterized by actual input-output relations and are dynamic.<sup>103</sup> Different descriptions of a complex system are possible and therefore decompose the system differently as the knowledge gained by the description is always relative to the perspective from which the description is made.<sup>104</sup>

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<sup>102.</sup> See Van Marle K “The capabilities approach’, The imaginary domain’, and ‘Asymmetrical reciprocity’: Feminist perspectives on equality and justice’ 260-263.

<sup>103.</sup> Celliers ‘Complexity, Deconstruction and Relativism’ 257.

<sup>104.</sup> Ibid 258.

For us to understand something of a complex system it is necessary to put limited constraints in place because limiting frameworks makes it possible to ‘reduce’ the complexity and obtain some knowledge of it.<sup>105</sup> There will always be components ‘left out’ due to our incapacity to grasp the full complexity all at once and due to our inability to fully describe the extent and nature of the complex system. Luckily, the structural limits of a complex system are not externally given, but develop in response to the changing conditions of its history. They are therefore resilient and robust and able to change over time to enable the system to respond to different circumstances.<sup>106</sup> Clearly the response (output) of a complex system is linked to a level of participation (input) and because we cannot know its full extent completely there will be new input-output outcomes with every revisit thus, with every encounter new knowledge will be discovered.<sup>107</sup>

In chapter three high art was compared to low art and it became evident that the biggest difference between them vested in the level of revolutionary thought or complexity that it offers the listener. Pieces of high art are constructed with the utmost precision and attention to detail and leave the listener perplexed and intrigued, rather than pleased and complacent. It is multi-layered consisting of many meticulously created components, it is highly problematic to describe the extent and impact it has on both the artists and the spectators and it offers the promise that with every revisit something new will be presented and discovered. It is clear that high art, or high art music, indeed constitutes a complex system.

The nature of the fundamental rights to freedom and dignity was discussed in chapter four and I explored the possibility of these rights being much more complex and perplex than what is understood at first glance. There seems to be not only an external duty on outside forces to assist in fulfilling them, but also a responsibility on the bearer of these rights to participate in the ongoing realization process through an inner reflection and intellectual involvement. One has to accept the probability that these rights cannot have an exact and universal substantive meaning true for all in exactly the same manner. The

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<sup>105.</sup> Ibid 258.

<sup>106.</sup> Ibid 264.

<sup>107.</sup> Ibid.

essence of a concept like dignity or freedom will fundamentally entail something different for each individual and his community. There is no perfect and all encompassing description available to express their significance and their value will always depend on the specific context and perspective from which they are approached. With the notion of rights we are once again confronted by a complex system which is essentially an open one, constructed from many different non-linear components, multi-layered and dynamic wherein the input-output relations will be diverse and with the capacity to accommodate change.

### 5.1.2 Why do we need them?

It seems that it is better for people to have a life that is multi-layered and complex and that they are better off with more opportunities and choices than without it. This assumption may initially seem paternalistic but Dworkin explains that paternalism is intrinsically concerned with the notion of those in power forcing in a more or lesser manner, certain preferences onto those that they govern.<sup>108</sup> Whether it is a primitive paternalism where those in charge ‘act in defiance’ of the inclinations of the citizens in order to force them into what is reckoned to be beneficial for them or a sophisticated paternalism wherein preferences are not directly opposed but rather subtly avoided and replaced by more desirable ones.<sup>109</sup> Allowing and affording people rather more than fewer choices, richer experiences and various diverse opportunities can therefore not be paternalistic.<sup>110</sup>

The encounter with complex systems has an immediate effect on those who come into contact with it. Firstly, there is the moment of possible confusion and uncertainty which instantaneously challenges the spectator to think about the incident. Within this initial moment there is both a meeting and a forced contemplation with something new, strange or diverse. In actively trying to grasp something of this experience the observer automatically becomes a participant in his own ‘life of mind’ and busy himself with new ideas and reflections on his recent experience.

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<sup>108</sup>. Dworkin *A Matter of Principle* 228-233.

<sup>109</sup>. Ibid 230. He refers to the examples of where certain unorthodox sexual behavior is reckoned unlawful in spite of the individual tastes or preferences versus censorship instituted by a government in order to morally protect its citizens.

<sup>110</sup>. Ibid.

Secondly, the participant has now added a new dimension to his previous understanding of life, the universe and everything which in time, culminates into a much broader approach to problems and deeper comprehension of the possibilities available. It develops the capacity to explore and expand existing structures and to be creative around discovering new ways in which to communicate with each other.

By having more options available it becomes possible to understand and recognize the difference between value and quality on the one hand and complacency and insignificance on the other. One can only understand what constitutes a great book if there are less great books available or judge a piece of music to be mundane and utterly conventional if one has experienced revolutionary and innovative compositions and performances. Judgment becomes better 'informed' and less restrictive, less structured and more encompassing of other possibilities. The prospect of a wider spectrum of perceptions and reasoning around what constitutes value and worth is opened up and the frameworks used to apprehend the world change considerably.<sup>111</sup>

Another result of the exposure to a complex experience is the development of a language of invention. If one is constantly only confronted with that which one understands immediately there is no challenge to try and make sense of it or institute, although forever lacking, an individual process of reflection. Dworkin suggests that this language of invention is seated in a tradition *of* innovation, thus that there is a history of invention available and that there exists the possibility to continue this history *through* innovation, or that this history can be developed through the continuance of creative thinking.<sup>112</sup> The language of innovation needs to emanate from existing structures which will in turn create the platform or the possibility to continue this tradition by creating new material and inventions.

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<sup>111.</sup> Cilliers 'Complexity, Deconstruction and Relativism' 264.

<sup>112.</sup> Dworkin *A Matter of Principle* 232.

## 5.2 To imagine

All encompassing to both the language of innovation and the ability to make value based judgments attained through the stimulating encounter with complexity, is the notion of opening up the imagination. The capacity to judge and to be creative is both embedded not in the external world, but in the realms of the imagination. The concept of imagination is explained as the ability to create images in the mind's eye, to foresee the possibility of something, to combine knowledge in unusual ways and to 'invent thought experiments'.<sup>113</sup>

In asking what the role of complex systems are in developing the imagination it is necessary to firstly look at the way in which the world has become stripped from imagination; a landscape ruled by reason and rationality, by positivism and certainty. Mark Antaki describes the 'fate of our times' as an overly rationalized, intellectualized and disenchanting world in which reason has become purely instrumental, nihilism has left 'no historic value standing' and 'God and law have died'.<sup>114</sup> Part of our disenchantment stems from an obsession with articulating and understanding reason as the only way in which everything comes into existence: *nihil est sine ratione* or 'nothing is without reason'.<sup>115</sup> It is as if we have lost interest in anything that is not represented and foregone by an object and pride ourselves in the rational triumph of a world with laws that center on commands, rules, rights and duties.<sup>116</sup> In a disenchanting world there is far too much certainty and far too little magic, far too much faith in rational human beings, power of the government and infallibility of the law and far too little hope in human capabilities, transformation and invention. Reason has stripped our world of its marvel and quality of longevity: the world has become something that can be explained and consumed, that can be utilized to its fullest. We have not only succeeded in turning culture into an object for mass consumption, but also denied the world its ability to just

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<sup>113</sup>. Blackburn *Oxford Dictionary of Philosophy* 180.

<sup>114</sup>. Antaki 'The turn to imagination in Legal Theory: the Re-Enchantment of the world?' 2.

<sup>115</sup>. Ibid 3.

<sup>116</sup>. Ibid 2 and 6. Bentham, echoing the nominalist and empirical philosophies of both Hobbes and Locke, refers to the task of the jurist to 'subject myth to the light of reason'. In other words, to counter uncertainty and inconsistency of application and understanding, it is paramount to steer clear of 'fictions', words or ideas that are only known to the senses and rather focus on 'purifying' law through codification as it is only through 'shared definitions' that political stability can be guaranteed.

be 'for itself'. By our efforts to rationalize everything, everything becomes diminished and in trying to justify, control and rationally describe the complexity of our world the wonder of it is lost. Antaki suggests that if rationality then belongs to a disenchanting world, the human faculty of imagination may be the counterforce to it, the only way in which to restore something of the 'poetic and propositional', to re-establish the need for and access to the faculty of inventing 'thought experiments'.<sup>117</sup>

Cilliers states complex systems cannot be objectively calculated or rationally formulated and it is precisely within these unfathomable 'openings' or 'gaps' that complex systems speak to the imagination. Due to our inability to grasp the full meaning and significance of such a system, it will always involve a degree of creativity on our side in an attempt to understand something of what is yet to be discovered.<sup>118</sup> Creativity here does not refer to an 'idle play of fancy', but rather to a notion of a disciplined, creative, 'careful and responsible' development of the imagination.<sup>119</sup> In order to be able to imagine better we need better instruments to imagine with, meaning that in order to project whether a scenario is possible one needs to be able to rehearse different approaches to a problem and the nature of this rehearsal will be a 'functionality of the quality of the imagination'.<sup>120</sup> So clearly imagination seems to be the only option to restore something of the world just being 'for itself' but this imagination will have to be accompanied by a measure of creativity which will, if used in a focused and careful way, enhance the imagination needed for a re-enchantment of the world.

This disenchantment and fascination with reason has not only affected our world view but also the manner in which we live with those around us and measure, judge and associate with them. In a capitalistic world the other very quickly becomes merely another object which one has to manage and administer in order to achieve optimum results. Imagining the other's potential and hope, his dreams and capabilities, will

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<sup>117</sup>. Antaki 'The turn to imagination in Legal Theory: the Re-Enchantment of the world?' 7 and Blackburn *Oxford Dictionary of Philosophy* 180.

<sup>118</sup>. Celliers 'Complexity, Deconstruction and Relativism' 264.

<sup>119</sup>. Blackburn *Oxford Dictionary of Philosophy* 180 and Celliers 'Complexity, Deconstruction and Relativism' 264.

<sup>120</sup>. Ibid.

require some form of individual reflection which is simply not always rational or cost-effective.

In her lectures on Kant's Political Philosophy, Hannah Arendt refers to the Kantian notion of an 'enlargement of the mind' which can only be accomplished by comparing one's own judgment with the possible, not actual, judgment of others: by putting oneself in the 'place of any other man'.<sup>121</sup> This does not entail an 'enormously enlarged empathy' through which the thoughts of the other can be understood or known as Kant understood the notion of thinking to be *Selbstdenken* or 'to think for oneself' which is the 'maxim of a never passive reason'.<sup>122</sup> This 'never-passive' reason is liberated from prejudice and by merely accepting the viewpoint of others one is simply substituting own prejudice with the other's prejudice and this still does not constitute 'enlarged thought'.<sup>123</sup> It is only through the process or faculty of imagination that one can accomplish an enlarged mentality. By training the imagination to 'go visiting' one is discarding something of the self-interest that limits the individual in order to understand something of the larger realm in which the other moves as well.<sup>124</sup> The larger the space in which the enlightened individual moves between different standpoints, the more general one is able to be and this generality does not refer to a vagueness but rather to a more encompassing viewpoint from which one can reflect upon human affairs.<sup>125</sup> Critical thinking is therefore only possible when the standpoints of all are 'open to inspection' and this is made possible through the faculty of imagination as it is through the imagination that others can be 'present' and a space can be imagined that is open 'to all sides'.<sup>126</sup> For Arendt, judging with imagination therefore opens up the possibility for the individual to grow and extend his/her own barriers of interpretation in the imaginary presence of others, it affords the individual the opportunity to grasp something of the position of the other, to put himself/herself in the shoes of the other

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<sup>121.</sup> Arendt *The Life of the mind* 257.

<sup>122.</sup> Ibid 258.

<sup>123.</sup> Ibid.

<sup>124.</sup> Ibid 257.

<sup>125.</sup> Ibid 258.

<sup>126.</sup> Ibid 257.



and to open up a critical dialogue not only with oneself, but also with one another about our 'mutual vulnerability'.<sup>127</sup>

Imagination challenges an overly rational perspective on the world and law and re-establishes a sense of wonder and re-enchantment. Imagination facilitates a genuine consideration of and engagement with not only the life of mind of the individual but also with the other and opens up the possibility to grasp something of the position of the other. As complex systems are not fully comprehensible it will always involve a degree of focused creativity which in turn will also improve the quality of the imagination. The importance of such an 'improved' imagination is of course situated in the ability to understand the difference between what constitutes worth or value as well as the ability to use the language of innovation. The better the imagination, the more advanced and innovative the projected suppositions, approaches to problems and integration of knowledge. The better the imagination, the better the dream of a better future.

### **5.3 How does art then speak to rights?**

Finally, it is important to tie the two complex systems of rights and high art music together and investigate what the role of the imagination is in reflecting on a tentative link between high art, freedom and dignity. How does high art challenge the perceptions around fundamental rights in order to open up new avenues of innovative and critical thinking?

There are mainly two prospects that the exposure to high art can facilitate, namely an opportunity to surpass the constraints and limitations of language by freely imagining that which is only implied by high art and the chance to experience a nearly transcendental happiness with oneself and with others as companions. When one becomes aware of how the 'in-between' moments in music is automatically filled by the imagination it becomes possible to also venture into 'filling the gaps' left by the inability of language to fully encompass the ideals and meaning of fundamental rights. This

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<sup>127</sup>. Snyman "The residues of freedom,[...] tendencies towards true humanism": thoughts on the role of the humanities at the beginning of the twenty-first century' 199.

capacity to imagine beyond constraints results in the integration of what at first seemed impossible and hopeless in the world with new ways of reflecting and thinking. Where certain goals and ideals seemed hopeless before, it is now possible to 'fill the gaps' and to amalgamate the impossible into the possible. This of course will give way to a happiness that is hopeful of a better future. This happiness is not isolated from others though, but exists in a collective space of friendship and companionship.

### 5.3.1 Available to all

One wonders whether high art or specifically art music can be, except for the financial and creative implications making it more expensive and less accessible, available to everybody. Does it require a specialized background and knowledge of the genre in order to have any kind of impact on the spectator or does its capacity to grasp or move the listener apply to everybody?

Music is an essentially indiscriminating art form. The great Bach interpreter, Glenn Gould actually maintained that the musical experience for the untrained listener has an 'intuitive edge' over those whose training somewhat rationalized their intuition.<sup>128</sup> Although there are obviously differences in what the trained ear will understand of the particular performance and piece, it seems that music on the whole renders the difference between the layman and the connoisseur less important. The musical encounter thus holds a similar promise for all exposed to it: by merely listening to it the realm of imagination will be activated irrespective of your knowledge of music, your level of intelligence or financial capabilities.

### 5.3.2 Imagining without constraints

Rights are sets of signs which assist in underpinning the identity of subjects and their relationship with the world and therefore they have to be constructed in such a way that the 'world' can acknowledge and understand them.<sup>129</sup> In order for political powers to recognize and enforce them they have to be defined, described and depicted in and with a specific context and the language used needs to be the empirical language of legislation and codification. It creates the false impression that there can be an eventual

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<sup>128.</sup> Cook *Music, Imagination and culture 2*.

<sup>129.</sup> Douzinas C *The end of human rights* (2000) 312.

triumph if only all the demands of human dignity and liberty are fully enforced by law. This is based on an imaginary role of rights as rights are essentially flawed at the core. It carries an intrinsic dualistic character of on the one hand a promise of what can be, but on the other hand of limitation due to their legal constraints, of that which was lost in an effort to give societal weight and importance to individual wishes.<sup>130</sup>

Although music is similar to language music is not language. Music relates to language in numerous ways and resembles and shares many characteristics with the art of words, but music poses a riddle unlike language: it says something that the listener understands but yet does not quite grasp; it speaks directly or immediately but at the same time escapes and eludes any form of absoluteness.<sup>131</sup> Music gestures but refuses to explain, it speaks but yet cannot be pinned down.<sup>132</sup> Much like rights discourse it promises meaning but loses its enigmatic character the moment one forces clarification through the use of primal words.

As previously mentioned, the moment a complex system is defined something is lost or 'left out' which obviously diminishes the power and degree of complexity and in turn the 'output' it will have. Although there seems to be some degree of certainty and generalization necessary in the description of rights, music is not limited by it, in fact the listener or participant moves beyond the restrictions of language to a realm of pure ideals. Expressiveness in art enhances human awareness as it deals not with a prescribed experience or an encounter that can or needs to be formulated in words, but rather with an elevated state beyond emotions. In any musical encounter there will always be the 'in-between' moments, those moments and meanings one has to and does imagine by oneself. That which the music does not say is left up to the listener to create and because the listener is not caught up in the impossibility of language which will always remind one of what is not yet realized, the listener is free to create and imagine possibilities beyond any constraints.<sup>133</sup>

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<sup>130.</sup> Douzinas *The end of human rights* 335-337.

<sup>131.</sup> Adorno *Essays on Music* 122.

<sup>132.</sup> Ibid 122.

<sup>133.</sup> Graham *Philosophy of the Arts* 83.

In experiencing something of this unrestrained freedom to imagine, one can also begin to realize that the restrictions of reason and language can be overcome and that the uncertainty that it brings will in fact provide the gateway to new avenues and options. The exposure to the freedom of a musical experience may incite the individual to courageously wander into the realms of uncertainty as it is only in the certainty of uncertainty that truly unique possibilities can be explored. Only in the acceptance of the constraints of rights do they begin to resemble the fragments of an ideal that holds a promise for humanity. It is when one moves past that which needs to be enforced into the imaginary sphere of creativity, uncertainty and opportunities that rights can contain the idea of hope: hope that the promise which anticipates humanity is still to come.<sup>134</sup>

### 5.3.3 Happiness

What is it then about the realm of the imagination that makes it possible to see ourselves and the future as 'becoming' better? What is it about the imagination, except for its unrestrictive character, that facilitates and creates the space to envision a positive change and a hopeful outcome?

The answer to this lies in the power of the imagination to integrate what seems impossible into becoming a real possibility as well as in the fact that the imagination, like high art, is not confined to a validation or acknowledgement from external sources. Reaching a place of true happiness wherein all possibilities have become a promising reality can provide one with an almost transcendental happiness that is not dependent on actions or decisions from outside but that is embedded in the ability to imagine it.

Where in real life one is forever torn between different viewpoints and opinions as to what exactly the right to freedom or dignity may entail, the imagination makes it possible for all the different aspects to coincide with each other. In the world one will frequently be confronted by the incompatibilities of ideals versus reason, process versus substance and even the individual versus the majority, but in the imagination the smooth integration of these into an experienced whole is possible.<sup>135</sup> This explains why something in the imagination can appear complete and whole; why we can imagine

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<sup>134.</sup> Douzinas *The end of human rights* 181.

<sup>135.</sup> Cook *Music, Imagination and culture* 88.

what is lacking to be there. In the imagination the impossible can become possible and that which is broken can be repaired.

Neither the state nor the law can provide or guarantee the right to successfully live a life of well-being. The language of rights as positive law constantly fails to define the true needs of those contingents of citizens that are powerless and marginalized and leave the majority of them in dire poverty and without hope of things ever getting better. The law of a disenchanted world also fails to fully describe the individuals who are part of these marginalized contingents. Positive law will attempt to define the fundamental rights of human dignity and freedom attached to every individual with a degree of universality and likeliness due to its inherently violent nature and want for rationality and clarity. In the process both the individual and the group remain untouched by the possibilities and ideals that surround these rights.

Drucilla Cornell suggests a different approach. She proposes the notion of an ‘imaginary domain’, a space wherein one can re-imagine and renew one’s imagination in order to understand something of ‘who one is and who one seeks to become’.<sup>136</sup> In the imaginary domain a person cannot be assumed as ‘a given’, but rather as a constant ‘project of becoming’, as a ‘possibility’ or an ‘aspiration’.<sup>137</sup> By accessing the faculty of the imagination the individual does not have to be what the language of rights limits him to be but can surpass that in order to dream of how rights can in fact serve to better his life and future. It is in the imaginary domain where the idea of dignity as an ‘intrinsic worth’ can be fathomed and freedom as an intellectual revolution can be considered. In the imagination the possibility of rights offering a better future that is yet to come can be conceived.<sup>138</sup>

How can one then access this ‘imaginary domain’ and ensure the journey of ‘becoming’ without feeling shackled due to dire physical circumstances or a challenging environment?

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<sup>136.</sup> Van Marle ‘The capabilities approach’, ‘The imaginary domain’, and ‘Asymmetrical reciprocity’: Feminist perspectives on equality and justice’ 260.

<sup>137.</sup> Ibid.

<sup>138.</sup> Ibid 261.

In the previous chapters I have explored the notion of high art possessing a quality of strangeness, of being simply ‘for itself’. Where low art is uncomplicated and highly functional, high art possesses an inner meaning, a realm wherein society’s take on it or interpretation of it is really irrelevant. According to Adorno it is only in this distant place wherein some promise of happiness can be found as for him, happiness is that of a sensual experience fulfilled by the spirit with the ‘entire suspect instincts annulled’.<sup>139</sup> Because art in itself is separated from the actual life-processes of society or ‘very rejection of the guilt of a life which blindly and callously reproduce itself’ there is an implicit promise of happiness, a possibility of a realm wherein one’s ideals can be integrated and realized.<sup>140</sup> Art gestures towards the happiness of a genuine metaphysical experience: a happiness that is not from this world; that is not qualified and has no connection with being in this world, with being functional or rational.<sup>141</sup>

The experience with the kind of transcendental happiness that high art can evoke provides the individual with a space wherein he/she is no longer dependant on external factors or the physical involvement of others to realize his/her happiness and dreams. The encounter with high art or art music unlocks an opportunity to feel complete in a way that is not tied to physical circumstances, worldly functionality or positive law, but to the freedom to imagine a better world wherein one is still ‘becoming’ more fulfilled and happy. Music unlocks the possibility of ‘who one seeks to become’ by offering a happiness or a delight from having an unrestricted experience wherein one can ‘become’ all he dreams to be.<sup>142</sup>

High art demands a high level of commitment and engagement with intricate material. It requires a degree of personal reflection and critical thinking that will simultaneously result in an overall higher level of consciousness about not only the self, but also about the connection with and to others. The way that I as an individual decide to live my life is always connected to the lives of others and because of the capacity to imagine I can now begin to imagine that the other might have similar experiences to mine. By

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<sup>139.</sup> Ibid 20.

<sup>140.</sup> Cook *Music, Imagination and culture* 17.

<sup>141.</sup> Huhn (ed) *The Cambridge companion to Adorno* 140-141.

<sup>142.</sup> Reference is once again made to Van Marle’s description and understanding of Cornell’s imaginary domain.

comprehending and imagining the possibilities of a better future in my 'imaginary domain' for myself, I must be able to concede to the possibility of the other also imagining a better future for himself/herself in his/her 'imaginary domain'. Because the individual opens his/her intellectual realm to the limitless possibilities that the imagination can bring, he/she must also be able to understand that a similar revelation could have taken place in the other. It is through the imagination, as Arendt suggests, that I can put myself in the position of the other and can begin to recognize the other as for the other, thus not merely as means but as a subject with the capability to imagine, to judge and to invent.<sup>143</sup>

Once again, the exposure to high art can assist in understanding and grasping something of the other's life-world and ability to imagine. The power of high art is not specific to an individual or a time, but rather inclusive and available to all whom comes into contact with it. Although the specific changes that high art effects in various individuals are different, a transformation of some sort is guaranteed. In understanding that the other had a similar though varied experience with art the individual can now begin to also relate to instances of humanity outside his/her immediate experiences.<sup>144</sup> Because the other is also a spectator that was exposed to high art he/she becomes a subject of experiences, of skills and of imagination just like the self.

Lastly, the participation of the other in art opens up a very unique and almost transcendental experience for the individual. As mere mortals who are intrinsically part of the ordinary natural world we can dwell in the realms of the imagination and grasp something of our own and of each other's promise to 'become' better, happier and fulfilled. But for some, imagination and the ability to think innovatively enable them to actually participate in the making of a transcendental world by creating and producing objects of longevity and beauty. To see the possibility of others in the way that they display talent and create or recreate something of subliminal value where they exceed the mere causal nature of the world and participate in something transcendental affords

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<sup>143.</sup> Arendt 199.

<sup>144.</sup> Ibid 202.

us the opportunity to see a glimpse of how the world can or ought to be.<sup>145</sup> To be able to witness the wonder of inspiration and artistry in the other constructs the understanding in the self of the possibility of being extraordinary in a world wherein promise can become reality. It can contribute to the notion of understanding other human beings as valued and free companions with whom one can experience something of the unqualified encounters that high art offer, with whom one can imagine, although differently, something of a better future and with whom one can share a level of happiness, unfathomable by reason or rationale.<sup>146</sup>

In this chapter I have investigated the nature and characteristics of complex systems and have shown that both high art and fundamental rights belong to this category. I have explored the merit and value of complex systems as confronting and expanding the capacity to make value based judgments and to develop a language of innovation as essentials tools in the creation and invention process. I have shown that both these faculties originate from the capacity to imagine and investigated how both our world view and view of others became stripped of imagination. Lastly, the connection between the exposure to high art and fundamental rights was explained as something that has a direct impact on the ability to imagine the possibilities of rights without being restricted by language or a highly reason-focused world, and the opportunity that an encounter with high art offers in obtaining a level of independent happiness.

Sometimes, we also get the chance to witness something transcendental and magical in the creative abilities of those around us who participate in re-enchanting the world by means of their pure originality and artistry. In understanding the other then not only as someone who can imagine but also someone who can create, we cannot but engage with them as subjects worthy of being dignified and free. In understanding that the other has also had a unique encounter with high art, can create high art and can share in the transformation that high art guarantees, help us in understanding the other, not as an object, but as a subject with creativity, with intellectual capabilities, with the faculty of imagination and possibly as a worthy companion on the road to a better future.

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<sup>145.</sup> Ibid 202.

<sup>146.</sup> Ibid 195.



## CONCLUSION

In this thesis my main aim was to investigate the possible contribution of art and specifically of classical music as high art, to the constitutional ideal of creating a society based on freedom and dignity.

I have illustrated how an overly controlling environment during the pre-1994 era promoted only one line of art and eventually resulted in an almost complacent and lazy artistic scene wherein most artists had no need or incentives to venture out of the traditional borders. The apartheid era did not encourage or promote its own local talent and showed no interest in or support for provocative or innovative projects resulting in the absence of serious and successful role models practicing their art in South Africa and in the lack of present day audiences.

During the transition period government went to great lengths to promise and commit their support to the widest spectrum of art forms. This proved to be a time in which artists suddenly 'came alive' and engaged in many new and innovative projects, elevating art to its rightful purpose and nature of rather including diversity than excluding it, of experimenting with rather than regurgitating material and of building cultural bridges rather than burning them.

I have investigated the current day supportive structures available as being the DAC, its mandated council the NAC and the National Lottery and have shown how that the application, awarding and payment of funding have become seriously lacking and ineffective. Though there are many policies and legitimate acts in place the financial support of the arts remains a risky business, largely dependent on the goodwill of councils and members of committees.

Lastly, I have shown how, due to the lack of a constitutional duty on government, liability for the present situation is evaded and undertakings to fund and financially assist the arts remain empty promises. For those concerned with the western art forms there seems to be no recourse available to resolve the current dire situation and as they will

not be able to endure the lack of support for much longer western high art will rapidly vanish from the South African art landscape.

I have dealt with the development of the concept of culture as being an instrument of self-improvement in the 18<sup>th</sup> and 19<sup>th</sup> centuries to being an object of pure entertainment, a consumable ready for our current mass society to devour. I have unpacked the two-fold meaning of Arendt's suggestion by firstly addressing the promise of longevity that high art possesses and secondly, its ability to change or move the spectator that is exposed to it.

The quality of longevity was explained by focusing on the innovative and radical nature of the material used in creating an object of high art and by exploring its ability to be autonomous or simply 'for itself', separated from the mundane and ordinary life-functions and needs. I investigated how the degree of complexity in high art versus low art contributes to the level of the experience for the spectator. It became evident that high art demands a much more intense commitment from the listener in order to discover new meaning and significance in the material and that this engagement with complexities will result in an internal change or transformation. The spectator will be moved, not in an easy or comfortable way, but in a challenging and intricate manner that will incite the listener to keep revisiting. Where low art uses the same uncomplicated material repeatedly, high art presents something unique every time and cannot be imitated as it constitutes a project that requires more skill, more time to practice and a greater and deeper engagement with the material.

I finally discussed the characteristics of political art and its possible space in-between that of low and high art. I illustrated that although political art is indeed complex and challenges the listener to reflect and engage with the content it is fundamentally seated in its specific context and therefore it is impossible to be autonomous and to be categorized as high art.

I investigated the traditional reasons for funding the arts and highlighted their inadequacies in a country as diverse as South Africa. I suggested a third approach concerned with the meaning of the fundamental rights to dignity and freedom.

I looked at both these rights as being embedded in the 'life of the mind' and that an understanding of the true possibilities that they have to offer is first and foremost seated in the intellectual realm.<sup>147</sup> I illustrated that the attainment of both these concepts are not exclusively possible through the actions of external sources, but can exist and develop intrinsically by a commitment to self-reflection, reasoning and critical thinking. It is also only through this engagement with reflection and critical thinking that it becomes evident that freedom and dignity does not only belong to the isolated individual but that there is an important interplay between the self and his position in the world and in relation to others. Through an engagement with the life of the mind the fundamental rights of dignity and freedom may be realized.

I lastly reflected on the guarantee that high art offers that by being exposed to it the spectator will experience a change or a transformation and that this change originates ultimately in the intellectual sphere where the listener is challenged with the complexities of the art or creation. The arts clearly offer an upliftment and beneficial 'spill-over' effect, but it also makes an impact on the intellectual capacity of the individual. The need to revisit the intricate substance of high art objects in order to discover more options and meanings also incites a commitment to investigate other multi-faceted concepts like those offered by the notion of rights and more specifically the fundamental rights to dignity and freedom. By financially supporting the arts and making the benefits it has available to all government is indirectly delivering on its constitutional duty to support dignity and freedom.

Finally I dissected complex systems and highlighted some of their characteristics. I showed how both high art and the system of fundamental rights constitute a complex system and focused on the main benefits of being exposed to it.

Subsequently, I dealt with the second part of the research question on the role of complex systems in developing the imagination and examined the fact that complex systems will always require a level of creativity when attempting to understand something of their intricate nature. This creativity however does not refer to a random

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<sup>147</sup>. See Arendt *The Life of the mind*.

and free play of thoughts but rather to a responsible and careful development of the imagination.

I have illustrated how a better imagination can also better our perspective on what constitutes a better future. Imagination offers a way back to a re-enchantment with a disenchanted world which not includes an enchantment with the possibilities of the individual and his world but also of his place amongst others. I drew on the work of Hannah Arendt in explaining something of the 'enlarged mentality' that enables the individual to shed some of his/her selfish interests in order to truly understand the position of the other, to be in his/her shoes and to live connected to each other.

This independence does not come from external sources or from a government that promises to deliver on its constitutional duties, but from having challenged the imagination in such a way that that which seemed impossible at first can be integrated and 'dreamed' up to become a reality. I referred to Drucilla Cornell's notion of the imaginary domain as a space wherein one is not yet 'done' or 'finished' but constantly busy working and conceptualizing the 'becoming' of a better self, a better world and a better future.

High art offers a truly unique and indiscriminative experience to all who come into contact with it. Without serious investment in western high art it will disappear from our cultural landscape in the very immediate future. But, if government can support and maintain high art it may just save itself and its citizens in a rare and radical way. By creating the opportunity for everybody to come into contact with high art the government will uplift the general intellectual standard of the greater society and create a space or realm wherein even the poorest of the poor now has access to the faculty of his own imagination. It is truly only in the imagination that the possibility of a better future can be dreamed where 'there shall be no darkness nor dazzling, but one equal light, no noise nor silence, but one equal music, no foes nor friends, but one equal communion and identity, no end nor beginnings, but one equal eternity'.<sup>148</sup>

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<sup>148</sup>. Vikram S *An equal Music* (1999).

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