



Finnish Arts Policy and Argumentation on Fundamental Rights



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When reading recent official Finnish arts policy documents one inevitably comes across argumentation that refers to different types of rights. Often argumentation on rights revolves around a single notion: that of fundamental rights.



Fundamental rights discourse made its real breakthrough at 2002 when TAO committee's proposal for a Government cultural policy programme called *Art is possibilities* declared art to be a fundamental right. In a recent trend, the foundation of arts policy has, to an increasing degree, been derived directly from fundamental rights. As a result, not only does the fundamental rights discourse support the importance of arts policy but is also becoming its main justification





Fundamental rights argumentation on arts policy has an instrumental undertone. The rhetoric on fundamental rights does not seem to be tied to value of art as such or to expanding tolerance of different forms of expression, but is rather used to justify state's right to influence art world through fiscal means, guidance and politics.



Though argumentation on fundamental rights in arts policy opens up to the legal community and legal dogmatics it seems that argumentation on fundamental rights play no role in recent art-related acts, legal writings concerning art legislation and court decision related to arts. So it seems that legal audience is not familiar with it or does not care about it.



The future: whether an arts policy that has awoken to fundamental rights will focus on developing the content of fundamental rights or whether it will demand legal regulation to establish the legal ideals included in the rights.