

Cultural Diversity and the Law

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Law should serve for the diversification of cultural expressions (hereinafter, "cultural diversity") in society. In order to achieve this goal, it is important to stabilize the economic foundation of the creators, intermediaries and other relevant stakeholders. We should bear in mind that states can take several possible policy measures, and considerations based on such an overarching framework of "cultural policy" are becoming more and more important.

Possible policy choices taken by states are roughly categorized into three types. First there is a "direct subsidy" coming from the government, namely funding for culture. Second, there is private/corporate philanthropy for art-related sectors. The Third option is to rely on intellectual property including copyright, industrial design, etc. The above-mentioned three choices are not exhaustive. Governments and philanthropic organizations sometimes issue *post-hoc* "prizes" or "rewards" to persons or organizations that provide cultural expressions.

In the real world, a states' cultural policy consists of a combination of these "portfolios". In practice, the key issue, therefore, is to identify the optimum mix of the above-mentioned different approaches.

In this presentation, I would like to analyze the normative institutional framework to achieve cultural diversity in the society.