

Artistic Funding, Freedom, and Censorship

Should the government fund art? If so, what kind?

Discussions by Jesse Helms, Robert Hughes, Robert Samuelson, and Steven Durland

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Jesse Helms

Amendment 420: The NEA Should Not Fund Obscenity

U.S. Senate, July 26, 1989.

Mr. Jesse Helms is a United States senator from North Carolina. Helms was outraged to learn that taxpayer money was used to support the work of Andres Serrano, Robert Mapplethorpe, and others. Mr. Serrano, for example, had received a grant from the National Endowment for the Arts for a project that consisted of a crucifix placed in a bottle filled with his urine. The following is Helms's proposal to the U.S. Senate to eliminate government funding for art that is judged to be obscene or indecent.

AAmendment No. 420. (Purpose: To prohibit the use of appropriated funds for the dissemination, promotion, or production of obscene or indecent materials or materials denigrating a particular religion.)

MR. HELMS. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from North Carolina [Mr. Helms] proposes an amendment numbered 420.

MR. HELMS. Mr. President, I ask unanimous Consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On page 94, line 16, strike the period and insert the following: “provided that this section will become effective one day after the date of enactment.”

Sec. limitations.

None of the funds authorized to be appropriated pursuant to this Act may be used to promote, disseminate, or produce—

1. obscene or indecent materials, including but not limited to depictions of sadomasochism, homoeroticism, the exploitation of children, or individuals engaged in sex acts; or
2. material which denigrates the objects or beliefs of the adherents of a particular religion or nonreligion; or
3. material which denigrates, debases, or revues a person, group or class of citizens on the basis of race, creed, sex, handicap, age, or national origin.

Mr. HELMS. Mr. President, this amendment has been agreed to on both sides, I believe. I very much appreciate it.

Mr. President, I believe we are all aware of the controversy surrounding the use of Federal funds, via the National Endowment for the Arts [NEA], to support so-called works of art by Andres Serrano and Robert Mapplethorpe. My amendment would prevent the NEA from funding such immoral trash in the future. Specifically, my amendment prohibits the use of the NEA's funds to support obscene or indecent materials, or materials which denigrate the objects or beliefs of a particular religion.

I applaud the efforts of my distinguished colleagues from West Virginia, Mr. BYRD and from Idaho, Mr. McCLURE, to address this issue in both the Appropriations Subcommittee on the Interior, and the full Appropriations Committee. Cutting off funding to the Southeastern Center for Contemporary Art [SECCA] in Winston-Salem and the Institute for Contemporary Art in Philadelphia will certainly prevent them from misusing Federal funds for the next 5 years. However, as much as I agree with the measures, the committee's efforts do not go far enough because they will not prevent such blasphemous or immoral behavior by other institutions or artists with Government funds. That is why I have offered my amendment.

Frankly, Mr. President, I have fundamental questions about why the Federal Government is involved in supporting artists that taxpayers have refused to support in the marketplace. My concern in this regard is heightened when I hear the arts community and the media saying that any restriction at all on Federal funding would amount to censorship. What they seem to be saying is that we in Congress must choose between: First, absolutely no Federal presence in the arts; or second, granting artists the absolute

freedom to use tax dollars as they wish, regardless of how vulgar, blasphemous, or despicable their works may be.

If we indeed must make this choice, then the Federal Government should get out of the arts. However, I do not believe we are limited to those two choices and my amendment attempts to make a compromise between them. It simply provides for some common sense restrictions on what is and is not an appropriate use of Federal funding for the arts. It does not prevent the production or creation of vulgar works, it merely prevents the use of Federal funds to support them.

Mr. President, I remind my colleagues that the distinguished Senator from New York and I called attention to Mr. Serrano's so-called work of art which portrays Jesus Christ submerged in a bottle of the artist's urine, on May 18. We pointed out that the National Endowment for the Arts had not only supported a \$15,000 award honoring Mr. Serrano for it, but they also helped promote and exhibit the work as well.

Over 25 Senators—Democrats and Republicans—expressed their outrage that day by cosigning a letter to Hugh Southern, the Endowment's acting chairman, asking him to review their procedures and to determine what steps are needed to prevent such abuses from recurring in the future. Mr. Southern replied on June 6 that he too was personally offended by Mr. Serrano's so-called art, but that—as I have heard time after time on this issue—the Endowment is prevented by its authorizing language from promoting or suppressing particular points of view.

Mr. Southern's letter goes on to endorse the Endowment's panel review system as a means of ensuring competence and integrity in grant decisions, and he states that the Endowment will review their processes to be sure they are effective and maintain the highest artistic integrity and quality.

However, Mr. President, shortly after receiving Mr. Southern's response, I became aware of yet another example of the competence, integrity and quality of the Endowment's panel review system. It is a federally supported exhibit entitled: "Robert Mapplethorpe: The Perfect Moment." The Corcoran Gallery of Art had planned to open the show here in Washington on July 1, but abruptly canceled it citing the danger the exhibit poses to future Federal funding for the arts. The Washington Project for the Arts subsequently agreed to make their facilities available and opened the show last Friday, July 21.

Mr. President, the Corcoran, and others in the arts community felt the Mapplethorpe exhibit endangered Federal funding for the arts because the patently offensive collection of homoerotic pornography and sexually explicit nudes of children was put together with the help of a \$30,000 grant from the Endowment. The exhibit was assembled by the University of Pennsylvania's Institute for Contemporary Art as a retrospective look at Mr. Mapplethorpe's work after his recent death from AIDS. It has already appeared in Philadelphia and Chicago with the Endowment's official endorsement.

I have a catalog of the show and Senators need to see it to believe it. However, the catalog is only a survey, not a complete inventory of what was in the Endowment's show. If Senators are interested, I have a list and description of the photographs appearing in the show but not the catalog because even the catalog's publishers knew they were too vulgar to be included—as sick as that book is.

Vanity Fair magazine ran an article on another collection of Mapplethorpe's works which appears at the Whitney Museum of Modern Art in New York. This collection included many of the photographs currently in the NEA funded exhibit. There are unspeakable portrayals which I cannot describe on the floor of the Senate.

Mr. President, this pornography is sick. But Mapplethorpe's sick art does not seem to be an isolated incident. Yet another artist exhibited some of this sickening obscenity in my own State. The Duke Museum of Art at Duke University had a show deceptively titled "Morality Tales: History Painting in the 1980's." One painting, entitled "First Sex," depicts a nude woman on her back, legs open, knees up, and a little boy leaning against her leg looking into her face while two sexually aroused older boys wait in the background. Another work shows a man urinating on a boy lying in a gutter. Other, more despicable, works were included as well.

I could go on and on, Mr. President, about the sick art that has been displayed around the country. These shows are outrageous. And, like Serrano's blasphemy, the most outrageous thing is that some of the shows like Mapplethorpe's are financed with our tax dollars. Again, I invite the Senators to see what taxpayers got for \$30,000 dollars.

Mr. President, how did the Endowment's vaunted panel review system approve a grant for this pornography? It was approved because the panel only received a description, provided by the Endowment's staff, which read as follows:

"To support a mid-career summary of the work of photographer Robert Mapplethorpe. Although all aspects of the artist's work—the still-lives, nudes, and portraits—will be included, the exhibition will focus on Mapplethorpe's unique pieces where photographic images interact with richly textured fabrics within carefully design frames."

Mr. President, what a useless and misleading description. No legitimate panel of experts would know from this description that the collection included explicit homoerotic pornography and child obscenity. Yet none of the descriptions for other projects funded by the Endowment at the time were any better. Indeed, Mr. Jack Neusner—who sat on the panel approving the Mapplethorpe exhibit—was mystified as to how he had approved a show of this character. He knows now that he was misled.

Mr. President, I was hopeful Washington would be spared this exhibit when the Corcoran canceled it. I only wish the Corcoran had canceled the show out of a sense of public decency and not as part of a calculated attempt to shield themselves and the Endowment from criticism in Congress.

Some accuse us of censorship because we threaten to cut off Federal funding, yet they are the ones who refuse to share the contents of their exhibits with the taxpayers' elected representatives. For example, the Southeastern Center for Contemporary Art in Winston-Salem refused to send me copies of requested works, despite their earlier promises to the contrary. If what such institutions promote and exhibit is legitimate art, then why are they afraid for the taxpayers and Congress to see what they do?

Mr. President, there is a fundamental difference between Government censorship—the preemption of publication or production—and governmental refusal to pay for such publication and production. Artists have a right, it is said, to express their feelings as they wish; only a philistine would suggest otherwise. Fair enough, but not an artist has a preemptive claim on the tax dollars of the American people; time for them, as President Reagan used to say, “to go out and test the magic of the marketplace.”

Congress attaches strings to Federal funds all the time. Churches must follow strict Federal guidelines in order to participate in Federal programs for the poor and needy—even when those guidelines violate their religious tenets. For example, a U.S. District Court in Alabama recently held that a practicing witch employed by the Salvation Army in a women's shelter could not be fired because the shelter was federally funded.

Mr. President, there have been instances where public outrage has forced artists to remove works from public display. For instance, shortly after Mayor Harold Washington's death, a work portraying him as a transvestite was forcibly removed from a show in Chicago. Another work on display at Richmond's airport was voluntarily removed after the night crew complained about a racial epithet which had been inscribed on it. There was little real protest from the arts community in these instances.

Mr. President, at a minimum, we need to prohibit the Endowment from using Federal dollars to fund filth like Mr. Serrano's and Mr. Mapplethorpe's. If it does not violate criminal statutes and the private sector is willing to pay for it, fine! However, if Federal funds are used then Congress needs to ensure the sensibilities of all groups—regardless of race, creed, sex, national origin, handicap, or age—are respected.

Federal funding for sadomasochism, homoeroticism, and child pornography is an insult to taxpayers. Americans for the most part are moral, decent people and they have the right not to be denigrated, offended or mocked with their own tax dollars. My amendment would protect that right.

Mr. President, if Senators want the Federal Government funding pornography, sadomasochism, or art for pedophiles, they should vote against my amendment. However, if they think most voters and taxpayers are offended by Federal support for such art, they should vote for my amendment.

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Robert Hughes

“A Loony Parody of Cultural Democracy”

Time, August 14, 1989

Robert Hughes is art critic for *Time* magazine. In the following article, Hughes argues against Jesse Helms's Amendment 420 and defends government funding for the arts.

Senator Jesse Helms, that noted paleo-conservative, has taken up the cudgels against that most distinguished and useful vehicle of patronage in American cultural life, the National Endowment for the Arts. Neoconservatives want to keep the NEA because they would like to run it. Paleos like Helms don't greatly care whether it exists or not; if attacking it can serve a larger agenda, fine.

Last year NEA money totaling \$45,000 was used by the Corcoran museum for an exhibition by the photographer Robert Mapplethorpe and by an Institution that gave an award to the artist Andres Serrano. One of Serrano's pieces was a photo of a plastic crucifix immersed in the artist's urine—a fairly conventional piece of postsurrealist blasphemy, which, though likely to have less effect on established religion than a horsefly on a tank, was bound to irk some people. Mapplethorpe's show was to contain some icy, polished and (to most straights and one surmises, at least a few Republican gays) deeply repulsive photos of S and M queens doing this and that to one another.

As soon as the dewlaps of Senator Helms' patriarchal wrath started shaking at its door, the Corcoran caved in and canceled Mapplethorpe's show. Unappeased, the ayatollah of North Carolina proposed a measure that would forbid the NEA to give money to “promote, disseminate or produce” anything “obscene or indecent” or derogatory of “the objects or beliefs of the adherents of a particular religion or non-religion” which, taken literally, comprises image or belief of any kind, religious or secular.

In effect, this would make the NEA hostage to every crank, ideologue and God botherer in America. A grant for an exhibition of Gothic ivories could be pulled on the grounds that the material was offensive to Jews (much medieval art is anti-Semitic), to Muslims, (what about those scenes of false prophets in hell with Muhammad?), or, for that matter, to atheists offended by the intrusion of religious propaganda into a museum. A radical feminist could plausibly argue that her “nonreligious” beliefs were offended by the sexism of Rubens' nudes or Picasso's *Vollard Suite*. Doubtless a fire worshiper would claim that the presence of extinguishers in a theater was repugnant to his god.

In short, what the amendment proposes is a loony parody of cultural democracy in which everyone becomes his or her own Censor. Clearly, Jesse Helms has no doubt that the NEA he punished if it strays from what he fancies be the center line of American ethical belief. The truth, of course, that no such lone exists—not in a society as vast, various and eclectic as the real America. Helms' amendment might have played in Papua, where a

government spokesperson defended the banning of Martin Scorsese's *The Last Temptation of Christ* on the grounds that "our people traditionally set much store on dreams and hallucinations. But in the U.S., no.

The problem is compounded by the fact that the NEA is not a ministry of culture. It does not commission large works to reflect glory on the state, or set firm policy for other institutions. Its \$169 million budget is tiny—less than one-third the projected price of one Stealth bomber, or, to put it another way, only ten times the recent cost of a single painting by Jasper Johns. The French government spends three times the NEA's budget music theater and dance alone (\$560 million in 1989). German government spending on culture runs at around \$4.5 billion, repeat, billion, a year.

The extreme conservative view is that support of the contemporary arts is not the business of government. Never mind that quite a few people who were not exactly radicals, from Rameses II to Louis XIV and Urban VIII, thought otherwise and thus endowed the world with parts of the Egypt, the Paris and the Rome we have today. New culture is optional—slippery stuff, ambiguous in its meanings, uncertain in its returns. Away with it! Let the corporations underwrite it!

The fetish of supply-side culture was one of the worst legacies of the Reagan years. Though the Great Communicator was frustrated in his attempt to abolish the Endowment in 1981, he made sure that more government money went to military bands than to the entire budget of the NEA. Oom-pah-pah culture to fit a time of oom-pah-pah politics. After all, who could say that the arts needed support outside the marketplace at a time when star orchestra conductors were treated like sacred elephants and the art market was turning into a freakish potlatch for new money?

Conversely, why bother to support what market Darwinism seems to condemn to obscurity? "I have fundamental questions," Helms grated, "about why the federal government is supporting artists the taxpayers have refused to support in the marketplace."

But this was exactly what the NEA was created, in 1965, to do—and it was the wisest of decisions. Lots of admirable art does badly at first its rewards to the patron are not immediate and may never come. Hence the need for the NEA. It is there to help the self-realization of culture that is not immediately successful.

Corporate underwriting has produced some magnificent results for American libraries, museums, ballets, theaters and orchestras—for institutional culture, across the board. But today it is shrinking badly, and it requires a delicate balance with government funding to work well. Corporations' underwriting money comes out of their promotion budgets and—not unreasonably, since their goal is to make money—they want to be associated with popular, prestigious events. It's no trick to get Universal Widget to underwrite a Renoir show, or one of those PBS nature series (six hours of granola with bugs copulating to Mozart). But try them with newer, more controversial, or more demanding work and watch the faces in the boardroom drop. Corporate is nervous money; it needs the NEA

reassurance as a Good Housekeeping Seal of Approval. Our problem, despite conservative rant, is too little government support for the arts, not too much. Even if we had a ministry of culture to parade the roosters, we would still need the NEA to look after the eggs.

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Robert Samuelson

“Highbrow Pork Barrel”

Washington Post, August 16, 1989

Mr. Samuelson is a columnist who writes regularly for national publication. He is the author of *The Good Life and Its Discontents* (1996). In the following article, Samuelson argues that federal funding for the arts should be ended.

I once suggested that Congress consider creating a National Endowment for Rodeo. The proposal's point was to show that rodeo subsidies are as worthy as “art” subsidies. Going beyond the irony, I urged abolishing the National Endowment for the Arts (NEA). This prompted the usual fan mail. One reader speculated that my cultural tastes ran to watching women's mud wrestling. Suppose they did. Should government then subsidize what I consider art?

The recent furor over allegedly obscene art financed by the NEA has only confirmed the wisdom of my view. Genuine art is about self-expression. It flows from individual imagination, ingenuity, joy and rage. By definition, it is undefinable. Standards are always subjective. In a democratic society there is a permanent conflict between artistic freedom and political accountability for “art” supported by public money.

Senator Jesse Helms, Republican of North Carolina, is correct when he says taxpayers shouldn't have to pay for art that most Americans find offensive or indecent. (The current cause célèbre: a picture of a crucifix floating in urine, funded by an NEA grant.) But Helms's critics are also correct when they decry censorship and warn against government imposing standards of conformity and respectability. There's an easy escape from this impasse. Get government out of the arts. Then artists could create without fear, and congressmen would have no cause for complaint.

Now I was not born yesterday. I know that the chance of Congress erasing the NEA is about one in 25,000. But we can at least see it for what it is—highbrow pork barrel. By this I mean that the NEA spends public monies to pay for what are basically private pleasures and pursuits. I do not mean that no good comes from these grants. But the good goes primarily to the individual artists and art groups that receive the grants and to their relatively small audiences. Public benefits are meager.

There's a serious issue here, as political scientist Edward Banfield has argued. What are the legitimate uses of national government? Our federal government is the mechanism by which we tax ourselves to meet collective national needs. Subsidizing "art" fails this elementary test. It does not meet an important national need. Neither do subsidies for "good" television or the "humanities.": the missions of the Corporation for Public Broadcasting and the National Endowment for the Humanities.

Suppose someone actually proposed a National Endowment for Rodeo with a \$169 million budget, which is the 1989 budget for the NEA. Grants would go to individual rodeo riders ("to foster riding skills") and to rodeo shows ("to make rodeos more available to public"). Questions would arise. Why do rodeo riders and fans merit special treatment? Do they create some public benefit?

It's considered uncouth to ask similar questions of public support for opera, sculpture, painting or television. But, of course, the questions apply. Grants from the NEA go mainly to individual artists or arts organizations. In 1998 the New York Philharmonic received \$286,000; the San Francisco Opera got \$330,000; the Denver Center for Performing Arts got \$75,000. There were grants of about \$10,000 each to 55 small literary magazines, and 89 sculptors got grants of about \$5,000 apiece.

What justifies the subsidies? The idea that our artistic future depends on federal handouts to free artists from commercial pressures falters on two counts. It overlooks the complexity of creative motivation and ignores the corrupting influences of government grantsmanship. Herman Melville did not need an NEA grant to write; Winslow Homer did not need an NEA grant to paint. Art consumers benefit from the NEA, because their ticket prices are indirectly subsidized. But these are mainly higher-income people who deserve no subsidy. In 1987 only a quarter of the public attended opera or musical theater, reports pollster Louis Harris. But half of those with incomes exceeding \$50,000 attended. Museum and theater attendance reflect similar income patterns.

Public-television subsidies are also highbrow pork barrel. On average, public TV draws about 4 percent of prime-time viewers. The "MacNeil/Lehrer NewsHour" receives the largest grant from the Corporation for Public Broadcasting (CPB), \$4.3 million in 1989. It's a superb program, but what public purpose does it serve? Can anyone claim there isn't enough news? My guess is that its audience consists heavily of news junkies, who read newspapers and magazines, and watch CNN. The program doesn't inform the uniformed but better informs the well-informed.

No great (or even minor) national harm would occur if Congress axed these cultural agencies. Museums wouldn't vanish; the NEA provides a tiny share of their funds. Neither would public television stations; they rely on the CPB for only about 11 percent of their money. The CPB's children's programs with distinct instructional value could be moved to the Department of Education. In any case, "Sesame Street" would survive. Oscar the Grouch and his pals are a tiny industry appearing on toys and clothes.

Some arts groups would retrench, and others would die. Many would find new funding sources; in 1987 private giving for cultural activities totaled \$6.4 billion. The great undercurrents of American art would continue undisturbed, because they're driven by forces—the search to understand self and society, the passion of individual artists—far more powerful than the U.S. Treasury. And the \$550 million spent by the three main cultural agencies could be used for more legitimate public needs: for example, reducing the budget deficit or improving Medicaid.

As I said, this won't happen. The obscenity tempest probably won't even provoke a serious examination of government and the arts. Arts and public-broadcasting advocates case any questioning of federal financing as an assault on the Temples of Culture by the Huns. Like all groups feeding at the federal trough, they've created a rhetoric equating their self-interest with the national interest.

Most congressmen accept these fictitious claims because Congress enjoys the power and, on occasion, finds the agencies useful whipping boys. It's a marriage of convenience that, however dishonest, seems fated to endure.

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Steven Durland

“Censorship, Multiculturalism, and Symbols”

High Performance (Fall 1989)

Steven Durland is editor of *High Performance* magazine. In this selection, Durland hypothesizes that the controversy over NEA funding is at root an attack on members of minority groups by racist, homophobic, and sexist white males who dominate American society.

Eventually you will have to ask: who is doing the art that's getting censored? Mapplethorpe was gay, Serrano is Hispanic. Scott Tyler is black. The San Diego billboard group is multicultural, promoting a black cause. While this censorship crisis may be a surprise to many, any multicultural, gay, or feminist artist can give you a litany of examples. Were I to make the charge that these acts of censorship were motivated by racism, homophobia or sexism, I'm sure most of the perpetrators would argue vehemently that such was not the case. And I think they'd honestly believe it when they say it. So what gives?

What gives is that the voice of the dominant, culture has never understood what it actually means when it so graciously legislates racial, sexual and gender equality. Subconsciously, they think they're giving everyone a chance to be just like them. A chance live like white men. A chance to make art in the great Euro-Western tradition. They've failed to realize that few want to be like them. Rather, they want the freedom to be

themselves, living their religions, and their own histories, and their own cultures. Just like it says in the Constitution. And that is definitely a threat to a country that, in spite of its “Bill of Rights,” imagines itself to be white, Christian, heterosexual and male.

There are some overriding art world ironies here. For years national, state and local funding agencies have made it a priority assure that at least token funding go to representatives of these groups. You seldom hear of a peer panel review any more doesn't make a point of noting sex and ethnicity in the distribution of money. What the people at the top have failed to realize, though, is that when you give a voice to people who've been denied for long, what you're going to find out is that these people are pissed* (pun intended) off. No “Thank you, massa” here. They immediately take the opportunity to point out racist governments and sexist religions and Christian hypocrisy. Sure it may be raw. But it's exercising the same right, used with a much greater sense of real “American” morality, that the dominant culture has used for so long to keep women in the home, blacks in their place, and gays on their death beds.

It's a fact that only ten percent of the families in the U.S. are representative of “male provider, woman in the home with the kids.” Perhaps these men with their “women in the homes” have more time to write letters, and that's why this small population is dominating our cultural debate. I don't know. They've certainly managed a voice that vastly outnumbers their membership. Perhaps, in this particular instance, the art world is to blame for its own problems. Any elected official would recognize in an instant that no matter how much artists protest, when it's time to go to the polls, Wildmon's* supporters are going to make their wives go out and vote, while the poorly networked and apolitical members of the art world are deconstructing sitcoms. A sad thought when you consider that the art world potentially has much more clout. ... [*A reference to Donald Wildmon of Mississippi, a social activist and leader of the American Family Association. Mr. Wildmon has been active in opposing works of art deemed obscene or irreligious.]

The final, overriding irony in all this is that all parties involved—the artists, the conservative right, the Congress—are in the position of not being able to do anything about the things that are really upsetting them. To compensate, each group, in their own way, is attacking what is perceived to be a symbol of its antagonism. For the artists, those symbols may be the crucifixes of religious zealots, the flags of racist governments, or the sexual mores of oppressive cults. (Excuse me, but why aren't fanatic Christians who give lots of money to dubious ministers considered cultists? Where are the de-programmers when you need them?) For the conservative right, the art they attack is, for them, symbolic of a general breakdown in moral fiber. For Congress, this is their Grenada: a symbolic show of power directed toward a tiny, defenseless agency in a government over which they've lost control.

For the artists, working with symbols is the stock in trade. For the others, it's a cop out. The artists have done their job. They've called attention to some of our social, cultural and political failings. If Helms or Wildmon wants to “kill the messenger,” they're just not doing their job.

To quote Hilton Kramer, “What we’re being asked to support and embrace in the name of art is an attitude toward life.” He’s right. But unlike Mr. Kramer, I would see it as very positive to support an attitude—even a government supported policy—that champions freedom of expression. Especially when we’re faced with the alternatives—the ones we generally associate with such names as Hitler, Stalin, Khomeini and Deng Xiaoping. Need we add Helms to that list?

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