

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 back ground. 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 different 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 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.

* * *