

THE NATIONAL ENDOWMENT FOR THE ARTS: CONGRESS AVOIDS RESPONSIBILITY

Ignoring criticism over federal funding of obscene and anti-religious artworks, Congress late last month voted to give more money to the National Endowment for the Arts and make it easier for dubious projects to get federal subsidies. A few days after the vote, as if to demonstrate its disdain for the public's criticism of its actions, an NEA advisory council announced its approval of a grant to "performance artist" Karen Finley, known for smearing chocolate and tinsel on her nearly naked body while shouting four-letter words. The council also approved a grant to Holly Hughes, who specializes in lewd stage acts such as "The Well of Horniness." Both grants await final approval by NEA Chairman John Frohnmayer.

Congress's refusal to set even minimal standards for such "artists" demonstrates an unwillingness to accept responsibility for how taxpayers' money is being spent.

The 1991 NEA appropriation increases the agency's budget from \$171.3 million to \$175 million, removes content restrictions and does little to quell cronyism in the grant-awarding process. While the budget is for one year, Congress also passed a three-year agency reauthorization. Some lawmakers acknowledge that this was done so that the agency's very existence will not become an issue during an election year. "That'll help a lot," said Representative Pat Williams, the Montana Democrat and a supporter of no-strings-attached funding of NEA.

Abandoning Standards. Last year, Congress forbade the agency to fund "depictions of sadomasochism, homoeroticism, the sexual exploitation of children" and other works deemed "obscene" by the community standards definition established by the U.S. Supreme Court in 1973. The new bill abandons even these minimal standards. Now NEA will have no specific content guidelines. Nor will artists be required to pledge not to use the money for obscene purposes. The obscenity pledge was instituted by NEA Chairman Frohnmayer late last year after the NEA was severely criticized by Senator Jesse Helms, the North Carolina Republican, over the funding of an exhibit containing Andres Serrano's "Piss Christ" photograph and several other exhibits widely regarded as obscene or sacrilegious. After the recent congressional vote, Frohnmayer quietly dropped the obscenity pledge requirement. Before the bill went to the House-Senate conferees, Helms introduced an amendment barring funding of material "which denigrates the objects or beliefs of the adherents of a particular religion." The provision passed when the chamber was nearly empty, reports the *Washington Post*, and a voice vote "caught many senators off guard." Later, in the conference process, which is typically closed to the public, the amendment "disappeared without comment." As a result, grantees will need only consider "general standards of decency and respect for the diverse beliefs and values of the American public." This means that virtually any

theme or portrayal is allowed — except perhaps for traditional Christian, Jewish or Islamic art that is found “lacking in respect for the diverse beliefs” of atheists or sado-masochists. The new law does require the NEA to deny funding to artists convicted of obscenity. In practice, this will mean very little, given recent verdicts in two much-publicized cases involving the Robert Mapplethorpe photography exhibit in Cincinnati and the “rap” group Two Live Crew’s live performance in Fort Lauderdale. The cultural debate — as well as the debate surrounding NEA — has degenerated from determining what is obscene to whether anything can be considered obscene.

Shifting the Blame. If artists are actually convicted, they need not return NEA funds until after the case has gone through all of its appeals. NEA also must conduct a “hearing on the public record” to determine if the funds were used for obscene work. Here NEA easily can shift the blame. This is what happened this April in the case of “shock artist” Annie Sprinkle, who spread her legs onstage in a New York exhibition and asked audience members to view her vagina with a flashlight. In an unsigned defense of the grant, NEA stated: “Neither the Arts Endowment nor the New York State Council on the Arts supported the Annie Sprinkle presentation. An Endowment grant for seasonal support and the New York State Arts Council funds are received by the Kitchen, a multidisciplinary contemporary art space which presented this performance.” The Kitchen is the designated recipient for the latest Finley grant.

During the congressional debate over NEA, the meaning of “censorship” was transformed and trivialized. For most Americans, the word used to mean “suppression of free speech.” Now the cry of “censorship” is wielded against anyone reluctant to give taxpayers’ money to any alleged “artist” seeking a handout. When government subsidizes, of course, it legitimizes. NEA grants are sought partly because they confer considerable status. During one peer panel discussion, one participant objected to a request from Robert Mapplethorpe, noting that the successful artist did not need the money. But as *Spy* magazine reports, the skeptic was swayed by another panelist “who pointed out that Mapplethorpe’s income was irrelevant, that it was obvious he had applied because he wanted the validation of the photography community.” By securing an NEA grant, Mapplethorpe received a government seal of approval.

The peer review process itself is plagued by conflicts of interest, with artists voting to award each other grants. The new NEA bill makes a shallow attempt to address this problem by barring panelists from considering requests from the panelist’s own institution and by including on the panel a “layperson” who is “knowledgeable” in the arts. The bill also increases the NEA chairman’s role in choosing grants. But little has really been done to end the games of musical chairs and mutual favors that mark the process.

Avoiding Essential Questions. More important, the reforms do not answer the essential questions: What art should federal taxpayers fund, if any, and to what purpose? If the federal government is going to fund art with taxpayers’ money (itself a questionable premise) then the government has an obligation to set standards. When Lyndon B. Johnson in 1965 signed the National Foundation on the Arts and the Humanities Act establishing the NEA, he said: “Art is a nation’s most precious heritage. For it is in our works of art that we reveal to ourselves and to others the inner vision which guides us as a nation. And where there is no vision, the people perish.” In taxpayer-funded art, Congress has a responsibility to help define that “inner vision.”

Robert Knight
Senior Fellow for Cultural Policy Studies