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Obscenity: Andres Serrano Controversy (1989): Report 06

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Museum Program

Without discussion the Council voted its recommendation of all proposed grants and rejections, except the grant to Friends of Photography and those with which members were affiliated. With the affiliated member absent from the room, the following grants and rejections were recommended in separate votes:

Metropolitan Museum of Art (two grants) - Douglas Dillon
 Wendy Luers
 Pierpont Morgan Library - Douglas Dillon
 Williams College - Roger Mandle
 American Federation of Arts (rejection) - Roger Mandle
 Clark Art Institute (rejection) - Roger Mandle
 Metropolitan Museum of Art (rejection) - Douglas Dillon
 Wendy Luers
 Toledo Museum of Art (rejection) - Roger Mandle

Mr. Kingston inquired whether the staff had data demonstrating the relative frequency of 5 to 3 votes, thus indicating their value in judging the proposed grant.

Assistant Program Director Nancy Pressly had not been present during most of the panel meeting, but described 5 to 3 as a weak recommendation generally. If cuts had to be made, such recommendations were candidates for rejection. She could not provide the percentage of this panel's votes that were 5 to 3.

Mr. Lichtenstein sided with Mr. Kingston. If not for the content of Serrano's work, the Acting Chairman would not have called special attention to this proposal. The Council did not routinely examine grants recommended on 5 to 3 votes. He believed such discussion to be inappropriate.

Ms. Curtin shared that opinion. Other exhibitions recommended for Endowment funding could face the same circumstances without the Council's being aware of them. She was not sure the reasons advanced for rejection were the proper ones.

The fundamental issue, Mr. Mandle said, was knowledge of the artist's work. The Council, lacking such familiarity, was opposing a panel that had looked at Serrano's photographs. He also agreed with Mr. Kingston.

Mr. Southern did not deem the question of subject matter to be appropriate because it turned the Council into the panel. Mr. Lichtenstein had been right about what spurred his request for their special consideration of this application. He had to be "assured beyond the shadow of a doubt" of its artistic merit, because without that ground it would be impossible to explain to the Congress.

The Council was not equipped to make that judgment since members did not know the work, Mr. Lichtenstein commented. He had to back up the panel system.

But the Council did not have to act as if panels were always correct, Mr. Southern rejoined. The content of Serrano's work was so sensitive that it was not responsible to award the grant unless the aesthetic basis was very well-established, and the case had not been made. The Endowment rejected applicants all the time through the competitive process and it was not seen as an infringement on the free expression of applicants who failed.

Ms. Berney said she needed to see the work to judge it. Mr. Southern repeated his statement that the Council could not substitute for the panel.

One could not judge Serrano's work without having seen it, and if one saw it, one was usurping the panel, Ms. Luers observed, likening the situation to "Here We Go 'Round the Mulberry Bush."

Analogizing the panel review to tenure committee review, Mr. Garfias said that what the Council would be doing was interpreting the panel's recommendation, which in this instance was not a strong one. This was the hard part of discharging their responsibilities as Council members.

The Council could not have it both ways, Mr. Kingston insisted, standing for artistic freedom, and then subverting the panel process. He understood the political problems; however, if one adhered to principle, one had a better case.

Mr. Lichtenstein moved that the Council recommend the proposed grant to Friends of Photography. The motion passed 6 to 4, with three abstentions. Voting in favor were members Berney, Curtin, Harris, Kingston, Lichtenstein, and Mandle. Opponents of the motion were Ms. Straus and Messrs. Dillon, Garfias, and Johnson. Mesdames Bliss, Hillis, and Luers abstained.

Mr. Mandle pointed out the parallel between the offense devout Moslems took from Rushdie's book and that felt by fundamentalist Christians about Serrano's photograph. These reactions posed a danger to artistic freedom, to which the antidote was art of high quality.

Ms. Luers had abstained because she was not certain of her role as member of an advisory council in this context. She was unable to judge artistic merit because she had not served as a panelist.

In reply to Mr. Mandle, Mr. Dillon differentiated between the grant that had caused the public controversy in the Southeast and this one. In the former instance, the Endowment had made