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Aug. 7, 1989

Banning U.S. Aid for 'Obscene' Art Is Sure to Stifle Freedom of Expression

THE FIRST WAVE in the current assault against artistic freedom and the basic freedom of expression came with George Bush's call for a constitutional amendment to prohibit desecration of the American flag. This was prompted in part by a Chicago art student's installation of a U.S. flag on the floor where people could walk on it.

The second wave came in mid-July, when the U.S. House of Representatives decided to take on the role of both art critic and censor. The controversy that provoked this focused on the work of two contemporary photographers, the late Robert Mapplethorpe and Andres Serrano.

The third wave came in late July, when the Senate, not to be out-moralized by the House, proposed and passed, by a fainthearted voice vote, what could be the broadest censorship guidelines that the U.S. has seen outside times of war.

The two latest assaults on basic freedom are not yet law. They will have to be dealt with in a House-Senate conference committee to iron out differences in the two versions before a compromise goes to the Congress for a final vote.

Academics need to call and write their Senators and Representatives and urge them to oppose all the newly proposed restrictions on funds for the National Endowment for the Arts. Our legislators must understand that they have constituents who highly value the freedom of expression.

Although the proposed constitutional amendment on the flag poses a less immediate threat to artistic expression, we should raise our voices on that issue, too, for some of the same principles are involved.

It is certainly understandable why President Bush undertook the seemingly risk-free venture of defending the flag. Patriotism can explain both the President's proposal to protect the flag and the support it has received from so many Americans. But the flag is not freedom; the flag is a symbol. Here lies the essence of the misunderstanding. Bush and his many supporters do not seem to be able to distinguish symbol from substance. By attempting to prohibit the manipulation of the symbol, they are in reality undermining the freedom that it is supposed to represent.

For decades, artists have been using the flag or representations of the flag in their work for a variety of expressive purposes. In a recent project of mine critical of American intervention in the third world, I have a sculptural representation of the 1979 sacking and burning of the U.S. Embassy in Islamabad, Pakistan. As part of that depiction, a small U.S. flag is shown ablaze on top of the burning embassy. Is my creation a desecration of the flag? Or is destroying a symbol of the symbol not a felony? Will we need to be very careful tearing our stamps apart at the post office? Yes, this is beginning to sound absurd. But that is not surprising when you are dealing with a situation in which people cannot tell the difference between symbol and substance. By itself, the flag issue would be a serious attack on the freedom of expression, but it has proved to be but a sample of what was coming.

The reasons for the objections in Congress to the Mapplethorpe and Serrano exhibitions are not hard to discern, either.

The homoerotic images included in an exhibition of Mapplethorpe's work definitely are offensive to many people. But they are also beautifully crafted and are usually displayed in tall cases in such a way that an adult has to make an effort to view the pieces. It is rarely mentioned that sexually explicit images make up only a small portion of the exhibition, which contains some of Mapplethorpe's most accomplished works.

Serrano's controversial work is also a photograph, an image of a plastic crucifix immersed in urine—again, most assuredly, offensive to many if not most people. Intended as statement against commercialized Christianity, it is probably interpreted in many other ways.

What brought Congress into action on these works was that National Endowment for the Arts funds were used in supporting their exhibition. As with the flag issue, it was a topic that would play well back home for the Congressmen and was safe—how many homoerotic promoters and supporters of plastic crucifixes immersed in urine were going to oppose them in debate?

At first, conservatives wanted to punish the N.E.A. across the board with a 10-per-cent budget cut. Compromise prevailed and a milder sentence was imposed when \$45,000—the amount used to support the art in question—was cut from the \$171-million N.E.A. budget. (Note that the entire N.E.A. budget is equal to approximately one-third the cost of one B2 bomber—I consider that obscene.) At first glance, the \$45,000 cut seems such a small amount that it would hardly be noticeable, but it is not the monetary cut that will have an impact. The message sent to the N.E.A. is clear: If you support art or the exhibition of art the Congress doesn't approve of, it will take the money away next time—very simple and very effective.

In granting money next year, every N.E.A. panel will have to consider what the Congressional reaction will be. Every arts organization and institution will have to weigh Congressional aesthetics before submitting a proposal to the N.E.A. or any organization or institution receiving N.E.A. funds. Every individual artist seeking public money—which is nearly all tied to the N.E.A. in one way or another—will have to consider the pleasure or displeasure of Congress in the type of work they seek the money for. The impact on artistic freedom cannot be overstated. This would not be a small step in the direction of government control of the arts; it would be a giant leap. But almost unbelievably it is just another spoke in the censorship wheel that is being designed.

The drive in the Senate was spearheaded by Jesse Helms of North Carolina, who has now done more to promote the work of Robert Mapplethorpe than any art dealer could have ever dreamed. The Senate perceived the elimination of \$45,000 as insufficient punishment and decided to penalize the two institutions that granted funds for the denounced art by barring them from receiving N.E.A. funds for the next five years. The Senators have put all the art world on notice that they will personally punish any artist whose taste does not coincide with theirs.

The damage did not stop there. Mr. Helms added to the bill a proposal that would prohibit N.E.A. support for:

“... obscene or indecent materials, including but not limited to depictions of sado-masochism, homoeroticism, the exploitation of children, or individuals engaged in sex acts; or material which denigrates the objects or beliefs of the adherents of a particular religion or non-religion; or material which denigrates, debases, or reviles a person on the basis of race, creed, sex, handicap, age, or national origin.”

WHILE IT MIGHT BE COMMON to find such phrasing in the legislation of totalitarian countries around the world, to have this proposed to become U.S. law is a threat to every citizen. Artists who have produced work that could be censored under such a law are Rubens, Rembrandt, Leonardo, Titian, Courbet, Goya, Daumier, Bosch, Correggio, Bernini, Gauguin, Munch, Rodin, Picasso, Bacon, Lichtenstein, Sherman—the list could go on and on.

And there is one more artist of much smaller renown but of great personal interest: me. As mentioned earlier, a recent project of mine is highly critical of U.S. foreign policy. Could it be regarded as “denigration of beliefs of a non-religion”? I'm not sure; but the wording of the proposed legislation is broad enough that it could be interpreted as such. I am sure that my work denigrates the beliefs of Jesse Helms, and that may be enough under the pending law to bring dire results.

Fortunately, or unfortunately for me at the time, no N.E.A. funds were used in the production of the work; but since its completion it has been shown at four institutions that receive N.E.A. funds, and it is scheduled to be shown at others that receive federal money. Do these institutions need to be concerned? Could they have their funding cut for five years because they have shown “undesirable art”?

THE PROJECT I am currently working on deals with the evolution of economic thought and is extremely critical of many elements in both capitalism and socialism; denigrating either could be an offense under Helms's rules. This work has received N.E.A. funds. Are agencies that support my work at risk? Will I be able to find institutions willing to jeopardize their funding by presenting the work? A month ago I would never have thought to ask myself these questions. Now they are real concerns for me and for many artists, institutions, and organizations all across the country.

Many people will argue that such a law would merely prohibit the use of public money to support “offensive” art, and that artists could still use private funds to produce such work. That sounds logical, but in reality is nearly impossible. Private sources of funding for experimental, controversial, political, and non-commercial art are very, very scarce. Under the proposed legislation, even if an artist does manage to scrape together the funds needed to produce a work, the exhibition of such work will be nearly impossible due to the threat against non-commercial exhibition sites. That is the crippling threat of five-year financing bans if they should present work deemed offensive by Congress.

As bleak as all this seems, there is yet another dimension to be considered: If this legislation is passed, how will it affect my teaching? At the very core of the education of artists is freedom of expression. If Mr. Helms's wording becomes law, teachers across the country will have to modify how and even what they teach. Students will need to realize the “safe” boundaries, and understand the ramifications if they step outside.

In my teaching, I firmly believe that students need to be taught that artists also have a social responsibility—that they are not ethically or morally free to do whatever they wish on a whim. If I had a student who wanted to exhibit a crucifix in a jar of urine, I would definitely want to discuss the implications of doing so. What is the student trying to communicate to viewers? If it is the student's own perception of the commercialization of Christianity, is that message coming across or will the work be viewed as the defilement of a sacred image? Is the student failing to make the intended point and unnecessarily offending people? If so, the student has the (voluntary) social obligation to modify the design to make the message more accessible. However, if the student still felt strongly about exhibiting the work, I believe he should have the right to do so.

I also feel that the viewer should be free not to view the work. I believe art that segments of the public find objectionable should be presented in such a way that only those people who want to see or experience the work are exposed to it. That is not difficult to do.

I am convinced that the government should not directly or indirectly keep any work from being produced or shown that doesn't physically harm or lead to the physical harm of the public.

If the proposed restrictions on the N.E.A. become law, they will most assuredly have an enormous impact on the creative life throughout the arts in this country. They will stifle experimental and ground-breaking work as effectively as burning the canvases or closing the theaters.

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