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# Socio-cultural Degeneration and State Patronage of the Arts: Mapplethorpe, Cultural Crisis, and the NEA

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Professor Besteman

Socio-cultural Degeneration and State Patronage of the Arts:  
Mapplethorpe, Cultural Crisis, and the NEA

God forbid we ever have a government policy for the arts, per se. That would remind me of Nazi Germany, or something of that sort, where the government sets what the policy should be. It should not.

*- Senator Claiborne Pell, Chairman of the Subcommittee of Education, Arts and the Humanities of the Committee on Labor and Human Resources, June 26<sup>th</sup>, 1979; as quoted in (Henderson 2005: 29).*

If the Endowment is to survive, we will have to start making legislative distinctions between the preservation and dissemination of time-tested art treasures... and contemporary art still in the aesthetic laboratory, which will have to be supported by private foundations and patrons. If private aesthetics tastes run to fecal symbolism, public urination and the politics of contempt, so be it, but not with public funds. And if some arts leaders continue to show disdain for the hard, disciplined, compromise-filled work of sustaining a political consensus for the arts, and continue to act as if shouting "First Amendment!" at every opponent were a persuasive or powerful argument, the federal arts experiment will fade and fall. It will be a sad ending after a happy start, and a loss to the country.

*- Leonard Garment, arts advisor to President Richard Nixon and co-chair of the Independent Commission established by Public Law 101-121, in a 1992 Washington Post open editorial; as quoted in (Zeigler 1994: 150).*

**ABSTRACT:**

The goal of this paper is to investigate how the United States federal government, specifically through the National Endowment for the Arts, or NEA, has acted in the position of an arts patron in the past few decades. Specifically, this paper will focus on the past decade and a half since the 'arts crisis' of the late 1980s and the social and political backlash against the art community in the 1990s, which was only against 'offensive' art that was seen as morally and culturally corruptive. I explore the political, social, and economic forms the backlash took, particularly rooted in a perceived fear of

degenerative arts as a corruption of and a catalyst for the eventual collapse of American culture and values. Additionally, I analyse the role the federal government played in ‘ameliorating’ the situation. I investigate how state arts patronage has affected and continues to affect both the concepts behind and the manifestations of art, as well as who is encouraged, sanctioned, or neglected in the production of art. To accomplish this, I explore how and why the federal government employs the arts to define and redefine morality and culture, and how does it express/allow the expressions of these through art.

*WHAT IS THE NEA?:*

Since the late 18<sup>th</sup> century, politicians in and federal employees of the United States have acknowledged the importance of the arts as a cultural indicator of the degree of advancement of a society (Henderson 2005: 1-2). Although, in the past, a number of sections, bureaus, and departments were established, generally with the focus being the revitalization or decoration of architecture, it was not until 1935 that President Franklin D. Roosevelt’s “New Deal Program in the Works Progress Administration (WPA) was expanded to include artists” themselves (Henderson 2005: 2). Historically, the lack of any public arts patronage in this country was due to the commonly held belief that the arts were an elitist luxury – and thus undemocratic – rather than a necessity, and thus “undeserving of direct public support” (Zeigler 1994: 3). Since the late 18<sup>th</sup> century in the United States, “our political leaders have generally shied away from attempts to define an American public policy toward the arts” (Lowry 1984: vii).

In the late 1930s, the U.S. Congress passed a number of bills that paved the way for state arts patronage, culminating in President Kennedy’s 1963 “Executive Order that established the Advisory Council on the Arts,” and made permanent the position of

Special Advisor on the Arts to the President (Henderson 2005: 2; Zeigler 1994). A year late, under the guidance of President Lyndon B. Johnson in “1964, Congress established the National Council on the Arts to make recommendations on matters relating to the cultural development of the nation” (Henderson 2005: 3). President Johnson signed the Arts and Humanities Act on September 29<sup>th</sup>, 1965, “which provided for the creation of the National Endowment for the Arts,” and for the National Council on the Arts, or NCA, to serve as its advisory council (Henderson 2005: 3). Garrison Keillor, himself an NEA grant recipient, summarized the potential controversy at the time regarding public arts patronage: “Congress decided to boldly support the creators of art—support the creation itself—to encourage artists who are young and vital and unknown, very much alive and therefore dangerous” (Zeigler 1994: x).

Jerry Henderson describes the National Endowment for the Arts as “an agency of federal government that carries out programs of grants-in-aid to arts agencies of the U.S. jurisdiction, to nonprofit, tax exempt organizations, and to individuals of exceptional talent” (2005: 1). In order to continue as an independent federal agency, the NEA must have “congressional reauthorization every five years” (Giuffre 1997). The NEA’s website clearly states the agency’s “Mission: The National Endowment for the Arts is a public agency dedicated to supporting excellence in the arts, both new and established; bringing the arts to all Americans; and providing leadership in arts education,” as well as the agency’s “Vision: A nation in which artistic excellence is celebrated, supported, and available to all Americans” (2006). Since its conception, the NEA has been fairly proliferate, having “awarded more than 124,000 grants totaling more than \$3.9 billion” in the past forty years (National Endowment for the Arts 2006).

Every year, Congress must review and approve the NEA's budget for the next fiscal year (Giuffre 1997). Grant funds for the independent agency are appropriated by Congress and divided into three different categories: Program Funds (to organizations or artists, in fellowships or projects), Treasury Funds (to [state or local] institutions or organizations, special funds only available when a private gift is donated), and, later developed in 1976, the Challenge Grants Fund (to organizations, must match \$3 from other sources for every \$1 federal dollar awarded) (Henderson 2005: 3). For its inaugural fiscal year of operation, the Endowment was given a total budget of \$2.5 million, and presently has a budget of \$124,406,353<sup>1</sup>, having peaked in 1992 at \$175,954,680 (National Endowment for the Arts 2006). Within each of these Funding divided between eight program disciplines and five interdisciplinary programs (Henderson 2005: 6-13). Thirteen peer, or advisory, panels – one for each of the eight program discipline and five interdisciplinary program, review and compare applications for their medium. On top of agency guidelines, each discipline has its own specific criteria that must be met in order to be considered for grant funding (National Endowment for the Arts 2006). Up until the last decade, each of the thirteen panels had their own section of the NEA's budget to recommend grant awards to applicants in their discipline area. The peer panels are comprised of experts in that specific discipline or medium (Schuster 2001: 79). Following the reviewing process, the advisory panels

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<sup>1</sup> In order to maintain perspective, it is estimated that the NEA only provides less than 1% of all arts funding in the country, with the vast majority of support coming from the private sector, rendering the Endowment “a tiny player in the total funding mix” (Marquis 2004; Zeigler 1994: 62). One should note, however, that the growth of private sector giving to the arts has increased “more than 30-fold” since the inception of the NEA, as compared to the less than 3% growth in private sector arts support in the decade leading up to 1965 (Zeigler 1994: 61).

compile reports that make recommendations to the National Council on the Arts, or NCA, on whether or not the Council should advise the Chairperson to approve the grant<sup>2</sup>. Any grant from the NEA may be revoked if the NEA discovers after-the-fact that there their ““procedures were violated, [the Chairperson] will not hesitate to pull the grant,”” though this has occurred very rarely and only when the NEA made actual application processing mistakes (Schuster 2001: 83).

Appointed directly by the President and sworn in by a Justice of the United States Supreme Court, the Office of the Chairman<sup>3</sup> (along with his or her staff) heads the NEA (NEA “A Brief Chronology” 2006: 50). The Office of the Chairman has three assistant chairpersons: a direct assistant, a press assistant, and a minority affairs assistant (NEA “A Brief Chronology” 2006; Henderson 2005: 5-6). A Deputy Chairperson of the NEA is appointed by the National Council of the Arts, which is composed of the chairperson and fourteen<sup>4</sup> other board members. The NEA also communicates with the Federal Council

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<sup>2</sup> For a more in depth look at the application process, refer to Endnotes B, C, and D.

<sup>3</sup> Below is a list of the NEA Chairpersons, from 1965 through the present:

1. Roger L. Stevens, 1965–1969, appointed by Lyndon B. Johnson
  2. Nancy Hanks, 1969–1977, appointed by Richard M. Nixon
  3. Livingston L. Biddle, Jr. 1977–1981, appointed by Jimmy Carter
  4. Frank Hodsoll, 1981–1989, appointed by Ronald Reagan
  5. John E. Frohnmyer, 1989–1992, appointed by George H. W. Bush
  6. Jane Alexander, 1993–1997, appointed by Bill Clinton
  7. Bill Ivey, 1998–2001, appointed by Bill Clinton
  8. Michael P. Hammond, 2002, appointed by George W. Bush
  9. Dana Gioia, 2003–present, appointed by George W. Bush
- (National Endowment for the Arts 2006)

<sup>4</sup> Up until 1997, when “Congress enacted legislation that reduced the membership of the Council to 14 and required the appointment of an additional six members of Congress to serve in an ex officio, non-voting capacity for two-year terms,” the NCA was composed of 26 voting members, all of whom were citizens, and no Congressional members (National Endowment for the Arts 2006; NEA “A Brief Chronology” 2006: 58). According to the NEA’s website, members of Congress “are appointed in the following manner: two by the Speaker of the House, one by the Minority Leader of the House, two

on the Arts and Humanities (Henderson 2005: 14).

The Chairman of the NEA is appointed to office directly by the President of the United States, without any ‘balance and checks’ system such as an approval board. Similarly, the President has full and direct authority to remove the Chairperson from office without any check system (National Endowment for the Arts 2006). Likewise, it is the President who appoints members to – and has the authority to remove members from – the NCA. Following Presidential nomination, Council member appointment must then be “approved by the Senate for six-year, staggered terms” (National Endowment for the Arts” 2006). National Council on the Arts is under law required to advise the chairperson, who up until 1991 was granted full and final approval capability for each application, whether or not to approve grant applications (Harris 1970: 393). Congress enacted legislation in 1991 so that the Office of the NEA Chairperson possesses the “authority to approve all applications except those on which the Council makes a negative recommendation,” though it does not specify what a “negative” recommendation is or how many Council members must be opposed for the NCA to make a negative recommendation (NEA “A Brief Chronology” 2006: 47). The NCA also is charged with the tasks of “to advise the chairman of the National Endowment of the Arts on policies, programs, and procedures; to review applications for financial assistance; to recommend ways to maintain and increase cultural resources; to propose methods of encouraging private initiative in the arts; and to advise and consult with local, state, and federal departments and agencies on methods of coordinating existing resources and facilities and fostering new artistic and cultural endeavors” (Harris 1970:

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by the Majority Leader of the Senate, and one by the Minority Leader of the Senate” (2006).

387).

Harris' analysis of early NCA members, from 1965 through 1970, reveals a rather socio-economically and educationally privileged group; at least half of the NCA members he had studied attended private secondary schools; over half received university degrees; more than a fifth had received graduate degrees; and the majority were self-employed (Harris 1970: 389-90, 392). Additionally, the Council is composed of middle aged persons, with over a third being in their 50s, and everyone falling between 30-70 years old, and the majority of them are males. It seems little has changed in terms of the NCA's demographic make up since then. For instance, present Council members appear to be a rather socio-economically privileged group and over half hold masters or doctoral degrees; along with having arts community ties, many have previously served/currently serving as Vice-Presidents of energy companies, public affairs firms CEOs, Chiefs of Staff to United States Senators, Museum Directors, and for-profit organization board chairpersons (National Endowment for the Arts 2006).

The National Council on the Arts<sup>5</sup> is a fourteen-member board that meets three times a year to advise the NEA chairperson, who is also the chair of the Council, “on agency policies and programs... [and] reviews and makes recommendations to the Chairman on applications for grants, funding guidelines, and leadership initiatives” (National Endowment for the Arts 2006). So the chairperson does have ultimate authority in the end to approve or disprove grants. Each member is appointed by the President of the United States and serves a staggered six-year term, so that there is never an entirely new board.

“[E]stablished through the National Arts and Cultural Development Act of 1964,”

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<sup>5</sup> Current Council Members:

Dana Gioia	Chairman
James K. Ballinger	Museum Director, Phoenix, AZ
Don V. Cogman	Patron/Trustee, Scottsdale, AZ
Mary Costa	Opera Singer, Knoxville, TN
Katharine Cramer DeWitt	Patron/Trustee, Cincinnati, OH
Makoto Fujimura	Visual Artist, New York, NY
David H. Gelernter	Author/Critic/Educator, Woodbridge, CT
Mark Hofflund	Theater Administrator, Boise, ID
Teresa Lozano Long	Patron/Trustee, Austin, TX
Maribeth Walton McGinley	Art Director/Designer, Glendale, CA
Jerry Pinkney	Artist/Illustrator, Croton-on-Hudson, NY
Deedie Potter Rose	Patron/Trustee, Dallas, TX
Gerard Schwarz	Symphony Orchestra Conductor, Seattle, WA
Terry Teachout	Critic/Author, New York, NY
Dr. Karen Lias Wolff	Music Educator, Ann Arbor, MI

Ex-Officio, Non-Voting Members from the United States Congress:

House of Representatives:

Betty McCollum (D-MN)  
Howard "Buck" McKeon (R-CA)  
Pat Tiberi (R-OH) (Columbus)

Senate:

Robert Bennett (U.S. Senate, R-UT)  
Mike DeWine (U.S. Senate, R-OH)  
Patrick Leahy (U.S. Senate, D-VT)

(National Endowment for the Arts 2006)

the NCA was seen as a necessary forerunner to the creation of the NEA (National Endowment for the Arts 2006). According the NEA’s website, the primary role of these voting members of the NCA is providing recommendations to the Chairman on grant funding approval; on “guidelines outlining funding categories, objectives, and eligibility; leadership initiatives and partnership agreements with other agencies; agency budget levels, allocations, and funding priorities; policy directions involving Congressional legislation and other issues of importance to the arts nationally” (National Endowment for the Arts 2006).

The NCA only meets three times a year for one day each in March, July, and November and usually on a Friday (National Endowment for the Arts 2006). Every meeting is open to the public, meeting agendas posted in advance on the NEA’s website, and each meeting is only three hours long<sup>6</sup> (2006). During these three-hour meeting, only fifteen minutes are dedicated to application review and voting, and another fifteen minutes for guidelines and policy review and voting (2006). Perhaps the most shocking aspect of the degree to which the decision-making personnel are removed from the

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<sup>6</sup> National Council on the Arts - 157th Meeting

Agenda - Open Session on March 24, 2006

9:00-9:15 a.m.	Chairman's opening remarks
9:15-9:30 a.m.	Congressional/White House updates
9:30-10:00 a.m.	Presentation: 40 years of NEA support for Design
10:00-10:30 a.m.	Presentation: 40 years of NEA support for Music & Opera
10:15-10:30 a.m.	BREAK (w/ anniversary cake and coffee)
11:00-11:30 a.m.	Presentation: The Big Read [national initiative to encourage literary reading by asking communities to come together to read and discuss one book.]
11:30-11:45 a.m.	Report: National Governors Association briefing papers
11:45 am-12:00 p.m.	Application Review/Voting
12:00- 12:15 p.m.	Guidelines Review/Voting
12:15-12:30 p.m.	General Discussion
12:00- 12:15 pm	ADJOURN

(National Endowment for the Arts 2006)

selection and application process is that it is only on the day immediately before each NCA meeting, in “informational sessions [that] are closed to the public,” Council “members are briefed by staff about the pending grant applications that they will consider, as well as the deliberations of the advisory panels that reviewed them” (2006).

*THE “GOLDEN YEARS”:*

The National Endowment for the Arts is an (independent) agency of the Federal government, and is thus intrinsically involved in the world of politics and is a politicized body. Throughout its history, the Endowment has often been accused of trying to culturally ‘white wash’ the nation while they attempt “‘to nourish and strengthen America’s cultural resources’” (Eddy 1970: 401). One such criticism came from African-American Congresswoman Shirley Anita St. Hill Chisholm in 1976, for having “programs at the NEA from which blacks and other minorities receive absolutely no support for their activities” (Henderson 2005: 39). Henderson claims that, “The Endowment has been irresponsible in its obligation to enforce civil rights requirements” (2005: 39).

In 1968, the agency offered matching grants to go towards new urban youth summer programs in sixteen American cities. Instead of promoting existing arts programs, the Endowment established new ones that were “a kind of loosely organized exposure of poor youngsters (mainly nonwhite) to enriching experiences from the Western middle-class cultural tradition, intended to compensate for presumed deprivation in their own lives and backgrounds” (Eddy 1970: 400). The agency often seems to assume a philanthropic position of “bringing ‘culture’ to the people of the ghettos,” rural areas, and the ‘culturally deprived,’ with an emphasis always on reaching the youth in

these regions (Eddy 1970: 401).

Under President Jimmy Carter, a perceived need for changes in funding allocations to combat what was seen as inherent racism, class-ism, and ethnocentrism in the NEA's staffing and, consequently, its grant awards arose (Henderson 2005: 19-20). Carter's appointment of Livingstone Biddle, Jr., to the Office of the Chairman in 1977 after Nancy Hanks – who was appointed by President Richard M. Nixon in 1969 – resigned, secured this emphasis on racial minority programming: “In Biddle's first full year, funding of minority projects rose nearly 40 percent, from \$8 million to \$11 million” (Zeigler 1994: 40). This, of course, furthers Eddy's argument of an extended cultural ‘white washing’ (1970).

The President's decision to appoint Biddle to Chairperson of the Endowment over the much more highly qualified and experienced Peggy Cooper was seen as a pure political move, one that would ensure that the Chairperson would do the bidding of Carter's Administration. Biddle, who was a “boyhood” friend (Henderson 2005: 20) of and congressional aide to Senator Claiborne Pell (D-RI), who was widely considered the authority on arts policy in Washington at the time, brought NEA appointments to a significantly greater level of politicization (Marquis 2005: 692). Even though we was a Democrat, President Carter's decision to appoint Biddle over the more qualified Cooper was commonly seen as a reaffirmation of the Endowment's focus on “‘big art’ – old, established organizations” in NEA funding (Henderson 2005: 20). A number of journalists “confirm[ed] some of Ms. Cooper's contentions by pointing out that ‘several people who direct large organizations [who feared a decrease in funds allotment] voiced negative views about Ms. Cooper's candidacy’” (Henderson 2005: 21). Despite his

increase in the NEA's funding of racial minorities, President Carter, under bureaucratic influence, was able to maintain the NEA's preference of "big art" and perpetuated an ancillary focus on community based and localized arts programs and expanding arts programs to incorporate more Americans in to arts programs and to increase the presence of the arts in the lives of Americans. This elitist tradition was earlier perpetuated by President Reagan, noted journalist John Hayes, who said that while Reagan was in office, "internally[,] the agency was torn between 'populism,' which stressed the works of street-level artists and community access, and 'elitism,' which emphasized the Western classical arts" (2004).

The politicization of The NEA is well documented. In February of 2000 at Harvard University, for the thirty-fifth anniversary of the National Endowment for the Arts, then-Chairman Bill Ivey gathered with four former Chairpersons: "Jane Alexander (1993-1997); John Frohnmayer (1989-92); Frank Hodsoll (1981-1989); and Livingston Biddle (1977-1981). All agreed that federal investment in the arts had become, in Ivey's words, 'a battleground for ideological conflicts'" (Harvard Magazine 2005). Frohnmayer, who in 1989 was appointed by and in 1992 fired by former President George H. W. Bush, and "Several panelists pointed to Frohnmayer's experience... as an example of the NEA's vulnerability to political pressure" (Harvard Magazine 2005). Frank Hodsoll stated that, would he have had the opportunity to redo his NEA Chairmanship, "he would have specifically avoided *that* project [Mapplethorpe's *XYZ Portfolios*] [sic] to avoid destroying the endowment" (Harvard Magazine 2005). Hodsoll acknowledges that his approval for NEA funding Mapplethorpe's *X Portfolios* – a series that included 1978's *Self-Portrait*, a photograph showing the artist inserting a bullwhip into his own anus – to

be exhibited in museums across the country directly led to his removal from his post by the President of the United States, who replaced him with John Frohnmayer in 1989.

Appointed by President Ronald Reagan in 1981, Hodsoll “took the pragmatic view that the money funding the NEA belongs to taxpayers” (Harvard Magazine 2005). This, however, is not an accurate statement; the vast majority of NEA funds come from private donations from organizations and individuals, and relatively little of their monies for awarding grants come from the government (Marquis 2005: 692). Regardless, Hodsoll believed that, as a federally funded (though only partially) institution, “the NEA chairman is [thus] obliged not to offend the people's elected officials. ‘You have to pay attention to who is in charge,’ he said, asserting that to be true of any human institution” (Harvard Magazine 2005). These NEA Chairpersons are inaccurately looking at their position as executive head of a federal program through the lens of personal political gain. They are following the standards establish by the Presidents who appointed them, rather than focusing on what is best for the art community in the country; in other words, they assume the mission statements of the NEA are best interpreted by the President of the United States, rather by themselves as active representatives of the NEA, who are

by law, ...selected for their widely recognized knowledge of the arts or their expertise or profound interest in the arts... [, and] have records of distinguished service or achieved eminence in the arts and are appointed so as to represent equitably all geographical areas of the country.  
(National Endowment for the Arts 2006)

Of course, the politicization of the Endowment is not entirely one-sided. Biddle remembered how, as Chair, he and actor Gregory Peck, who was on of the first members of the NCA appointed by President Johnson, “had traded on the actor's [Peck’s] star power and his autograph to secure a crucial vote for the NEA from a formerly hostile Republican member of Congress” (Harvard Magazine 2005). Although the vast majority

of political influence operates in a top-down manner, there are sometimes opportunities for the NEA to affect change on a large, federally legislative level.

*THE ARTS CRISIS:*

Mixed media artist and devout Catholic Andres Serrano employs art as a medium through which to explore his personal relationship with and become closer to Jesus Christ. The NEA-funded annual Awards in the Visual Arts competition at the Southeastern Center for Contemporary Arts, or SECCA, in Richmond was an exhibition featuring several young and promising artists. Serrano's most famous work, 1987's *Piss Christ*, a close-up photograph of a plastic crucifix in a clear glass jar of the artist's own urine, was in this federally-funded exhibit and was awarded one of the prizes, for the amount of \$15,000 (Hayes 2004). The American Family Association, a Christian Right organization lead by Reverend Donald Wildmon, caused the initial controversy that sparked the opposition movement against 'degenerative' art, which revealed a 'degenerate' aspect of society. Critics of *Piss Christ*, including then President George H. W. Bush, called the piece unclean, despicable, a disgrace, deplorable, a piece of filth, and indecent (*Damned in the U.S.A.* 1994).

Wildmon sent copies of Serrano's photographs, including *Piss Christ* and his *Cum Shot Series* (photographs of his semen ejaculating across the room) to sympathetic senators, in particular Al D'Amato (R-NY) and Jesse Helms (R-NC) (*Damned in the U.S.A.* 1994). Serrano's work made him "the whipping boy of the right," and provoked "Sen. Jesse Helms to argue that tax money shouldn't be invested in art that is patently offensive to many taxpayers" (Hayes 2004). Meanwhile, the AFA, along with other Christian Right organizations, started scouring the arts community for more "filth;"

Wildmon said they realized “there’s a lot of bad art” which was no in fact art at all but rather a social “sickness masquerading as art” (*Damned in the U.S.A.* 1994). The Christian Right rallied around this idea of a sick and degenerative pathology that is potentially harmful to American society. Wildmon said:

What we are up against is not dirty words and dirty pictures. It is a philosophy of life which seeks to remove the influence of Christians and Christianity from our society. Pornography is not a disease, but merely a visible symptom. It springs from a moral cancer in our society, and it will lead us to destruction if we are unable to stop it. (Zeigler 1994: 76)

In 1989, after the AFA’s picture campaign against Serrano to Congress, Congress established an “Independent Commission to review the process by which the Endowment distributes grants.” Although lacking any legal authority, a House-Senate conference committee recommends the NEA ban “funding of art that is ‘obscene,’ as defined by the Supreme Court’s 1973 *Miller vs. Sullivan* decision” (NEA “A Brief Chronology” 2006: 45). In this case, the U.S. Supreme Court

defined obscene art as works: (1) an average person, applying community standards, finds appealing to prurient interests; (2) depict or describe sexual conduct in a patently offensive way; or (3) taken as a whole, lack serious literary, artistic, political, or scientific value. (Zeigler 1994: 81)

The obvious implications by this ruling imply that a piece of art that is sexually charged or explicit is, by nature, not truly art and be deficient of any socially beneficial worth.

In 1988, a retrospective of Robert Mapplethorpe’s<sup>7</sup> life’s work, titled “The Perfect Moment,”<sup>8</sup> was prepared by the Institute for Contemporary Art (ICA), an institution

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<sup>7</sup> Born in New York in 1946, Robert Mapplethorpe was an American photographer, sculptor and collagist and a graduate of the Pratt University of Art (Fontanella 2006). Mapplethorpe is best known for the frequent juxtaposition of “shock value and intensity of the subject-matter” with an elegant, “formal emphasis” accentuated by “strong lighting and sharp focus to achieve rich tonal contrasts” (Fontanella 2006). Mapplethorpe died of AIDS in Boston in March of 1989, before the ‘arts crisis’ controversy erupted.

<sup>8</sup> It is interesting to note that, while researching the photographs of Robert Mapplethorpe, the vast majority of reproductions of his photographs I found, either in art books in the

which received Endowment grant money to prepare exhibits, at the University of Pennsylvania (Pohl 2002). Following “successful and well-attended showings in Philadelphia and then Chicago, the exhibition was scheduled to appear at the Corcoran Museum in Washington, D.C on July 1<sup>st</sup>, 1990 (Pohl 2002: 513). However, protest, mostly from politicians on Capitol Hill, convinced the Corcoran’s Director to cancel the show, though the exhibition was quickly picked up by and relocated to the Washington Project for the Arts (Pohl 2002: 513-4).

Up through this point, the Christian Right organizations, now including Pat Robertson’s Christian Coalition and Focus on the Family among others, had strategically held their tongues about the Mapplethorpe exhibition, knowing they would be fighting an uphill battle in the comparatively liberal cities of Philadelphia, Chicago, and Washington, D.C (Zeigler 1994; *Damned in the U.S.A.* 1994). It was not until the exhibition next moved to the Contemporary Arts Center in Cincinnati, a relatively politically moderate urban area, that groups such as the fundamentalist Christian organization the American Family Association, which had fought the funding and exhibition of Andres Serrano’s work, come out in full-force opposition to “The Perfect Moment.” The protests began before the exhibition even opened to the public, and Museum Director Dennis Barrie noted that he had kept watch on the protestors, and later stated that the “complaints only came from those who haven’t seen the exhibit,” rather than from anyone who actually

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library or in museums’ online collections and art catalog websites, were not the ‘controversial’ images for which I was searching. To view these ‘controversial’ images, such as those banned from public exhibition for depicting blatant homoerotic or sadomasochistic content, I often had to access private individuals’ personal webpages, many of which belong to gay men. For example, to find a copy of Mapplethorpe’s photo of man-to-man anal fisting, titled *Helmut and Brooks '78*, I eventually found an ‘artistically erotic’ but not ‘pornographic’ site called *Johan’s World of Beautiful Men* ([http://home-2.worldonline.nl/~cb002147/gal\\_Art\\_RM.html](http://home-2.worldonline.nl/~cb002147/gal_Art_RM.html)).

attended the exhibition (*Damned in the U.S.A.* 1994). While on trial for obscenity charges against the City of Cincinnati in September and October 1990, Barrie also noted that all of the complaints made against the exhibit came “before the show even opened;” prejudice against certain images, rather than the individual pieces of art themselves and showed that the variations in the manifestation of the art works were inconsequential (*Damned in the U.S.A.* 1994). This hints at the cause of opposition was not simply founded on half a dozen specific Mapplethorpe photographs, but on a larger sense of fear of the denigration of the arts and thus of society. The local police raided the exhibit and sought indictment against Barrie on obscenity charges, and a grand jury granted the indictment. Barrie went to trial, but was acquitted on all charges, but the stigma that was attached to so-called “obscene” and “indecent” art fueled the arts crisis fire for years to come, and would ultimately almost reach the point of dissolving the Endowment.

The arts crisis of the late 1980s and early 1990s escalated to greater level with the case of the “NEA Four” in June of 1990 (Zeigler 1994). “The “NEA Four”, Karen Finley, Tim Miller, John Fleck, and Holly Hughes, were avant-garde performance artists, three of which were homosexual, whose grant proposals to the Endowment, after successfully passing the peer advisory panel, were deferred by the NCA on grounds of obscenity, since, to quote one of the Council members, was due to a “fear of challenging Congress” (Zeigler 1994: 111). Chairman Frohnmayer soon after vetoed the pending applications, a decision that “pleased” Congress (Zeigler 1994: 106). Frohnmayer, after all, had promised when he took office that “on his watch things like Mapplethorpe and Serrano will not happen again” (Zeigler 1994: 106). The NEA Four took the Endowment to court and, in 1993, were awarded the equivalent of the public funding for which they

had each applied.

*“CORRECTIVE” MEASURES:*

During the summer and early autumn of 1989, Senator Jesse Helms pushed forth The Helms Amendment, which would to ban indecent and obscene art, ban funding to the two offending institutions (SECCA and the ICA) for five years, and cut the NEA’s yearly budget by \$45,000, supposedly the total amount SECCA and the ICA spent on Serrano’s part of and Mapplethorpe’s exhibitions; although all three motions passed the Senate, only the \$45,000 budget cut was approved by the House and was put into affect (Dubin 1992: 100). Additionally, Congress required that any future grant awarded to either SECCA or to the Philadelphia ICA receive direct approval from Congress. In October of 1989, Senator Helms, unperturbed and stalwart in his position, guided Congress into passed Public Law 101-121, in which Helms was able to have his ban on the public funding of obscene art – but not indecent art – approved by Congress (Dubin 1992: 180-181; Zeigler 1994). In summary, Public Law 101-121 specifically forbade

materials which in the judgment of the National Endowment for the Arts... may be considered obscene, including but not limited to, depictions of sadomasochism, homoeroticism, the sexual exploitation of children, or individuals engaged in sex acts and which, when taken on a whole, do not have serious literary, artistic, political or scientific value. (Zeigler 1994: 106)

Frohnmayr inserted a clause containing Public Law 101-121 into each NEA grant application, so that an applicant was forced to sign and agree to these terms; this “loyalty oath [was a] pledge not to create obscene work” (Zeigler 1994: 105). ”The arts community, along with civil liberties advocacy organizations, strongly cautioned against ruling upon “any ‘aesthetic criterion,’” which, as Emmanuel Decaux reminds us, is easier said than done, since art often amalgamates morality, culture, and aesthetics all into one

finally product (1998: 33). The Helms Amendment established “a new grant-evaluation formula,” in which Congress demanded of the NEA to henceforth “take into account ‘general standards of decency and respect for the diverse beliefs and values of the American Public’” (O’Neil 1990: 187). As Lowry points out, in the United States, “Despite a mass of legislation, there is no single policy about energy, the environment, conservation, surface transportation, or public housing” (1984: 22). One must then wonder why does anyone even feel the need to define a federal policy for the arts.

While in the process of reviewing and approving the NEA’s budget for the 1996 fiscal year<sup>9</sup>, in response to the events of the past few years with the NEA Four, Congress passes motion that forbade the NEA to grants to individual artists, which was in affect a way of distancing the federal government from any potentially “transgressive” art (NEA “A Brief Chronology” 2006: 54). With this new law in place, it would restrict any circumstance in which an artist could receive public money without the federal government being in full knowledge of the transaction. Congress hoped that this would provide a tighter leash on who produces art with public funding and would help increase government accountability by eliminating the situations which would warrant the government being accountable.

Additionally during the FY 1996 review, Congress prohibited the NEA from providing seasonal or general operating support grants to arts institutions and organizations (NEA “A Brief Chronology” 2006: 54). The limiting public money only to permanent, ongoing exhibitions, performances, and projects and the revoking of

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<sup>9</sup> All of the legal and budgetary “changes mandated by Congress and [administrative and grant application changes] planned by the Endowment’s administration” during the 1996 fiscal year go into affect at the beginning of the 1997 fiscal year, on the 1<sup>st</sup> of October, 1996 (“A Brief Chronology” 2006: 56).

operating funding meant that any arts centers that could not provide for upkeep from its own income (generally not the arts education and non-profit arts sectors, which tend to encourage lay involvement in the arts) were at risk of closure. Additionally, the sole focus on permanent collections, performance, and exhibitions tended to not harm only the larger, for-profit arts sectors, which, one can argue, advanced a trend toward further commercialization of the arts.

Another of the 1996 laws Congress passed standardized and limited the number of grants one can apply for, so that an organization or institution can only apply for a grant once a year and in only one grant discipline or program. Consequently, the NEA has since been forced to focus on “amassing... government funds in blockbuster exhibits or performances so that the sheer numbers in the audience take precedence over what is shown or the contributions of the artists” (Lowry 1984: 176). The National Endowment for the Arts no longer has the legal or economic ability to have the affects of its grants reach the majority of the American people since it cannot distribute its funds adequately. In effect, Congress forced many of the arts institutions and organizations receiving annual grants from the NEA to each choose the single most lucrative aspect of its institution to continue to receive funding, while they were forced to let their other federally funded programs fair without. The reason behind this lies in the fact that many of these arts centers are first and foremost businesses – such as museums and theaters – and event the non-profit arts sector still relies on income to maintain them. Former Endowment Chairman Bill Ivey acknowledged “...every arts leader is basically engaged in the same juggling act, simultaneously pursuing artistry, financial success, and some sense of the public interest” (Ivey 2005: 6). Ivey continues by asking: “What value do

we place on maintaining citizen access to art that is simultaneously cultural heritage and corporate asset?” (2005: 6).

Augmenting the effect of funding depletion, in perhaps the most altering and limiting change of the 1996 legislation, Congress slashed the NEA budget by 39% to \$99.5 million, down from \$162,311,000 the previous fiscal year<sup>10</sup> (NEA “A Brief Chronology” 2006: 52, 54). From late 1995 through 1996, the NEA had been engaged in a “budget battle with the President, which include[d] two Federal government shutdowns” of the NEA, and “Congress votes to phase out [all] funding for the agency over a two-year period” (NEA “A Brief Chronology” 2006: 54). This culminated in the House “announc[ing] a plan to eliminate the Endowment” (NEA “A Brief Chronology” 2006: 54). In response to these various Congressional threats, the NEA, in order to stay afloat, was forced to cut its staff by 47%, from 279 employees to 148 (NEA “A Brief Chronology” 2006: 54). Additionally, the Endowment reorganizes its grant applications process, reducing over a dozen discipline programs and interdisciplinary programs to “four categories: 1) Creation & Presentation; 2) Heritage and Preservation; 3) Education and Access; 4) Planning and Stabilization” (NEA “A Brief Chronology” 2006: 54).

It is significant to note here that, despite budget loss and application restrictions on who can apply and how frequently, the total number of applications the agency received has been steadily increasing for the past fifteen or so years (Zeigler 1994; NEA

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<sup>10</sup> Many analysts, both “critics and supporters alike[,] attribute the dramatic cuts in arts funding during the 1990s to a conservative momentum traced to [the] Reagan” Administration (Hayes 2004). The NEA budget, which had been steadily increasing at a rate greater than what inflation would account for since 1965, peaked at \$175, 954, 680 for the 1992 fiscal year and decreased from the year before by \$1 million, \$4 million, and \$8 million in the 1993, 1994, and 1995 fiscal years, respectively (NEA “A Brief Chronology” 2006).

“Strategic Plan” 2003: 35). This yielded a greater strain on the remaining NEA personnel, who were handling even more applications than they were used to, and processing them now with two-fifth’s less labor. One can conclude that the applications the agency received from the FY 1997 onwards were not as thoroughly reviewed as those applications from previous decades. To help curb the extra job responsibilities taken on by its remaining staff, the NEA had little choice but to “adjust [the] eligibility requirements – with the intent of reducing the number of applications received and grants awarded commensurate with the available financial and human resources” (NEA “Strategic Plan” 2003: 35. The NEA thus managed to fight complete closure, but at great personnel and budget losses.

After reviewing the laws passed, the budget cuts, and the restrictions posed by Congress in the early and mid 1990s, it becomes rather obvious that Congress did not want to get rid of the National Endowment for the Arts, they simply wanted to have tighter control over how it operates and distributes public funds. The question that immediately arises is what is it about arts patronage that the federal government is so invested in that it still desires to maintain the NEA when it is fearful of the future production of “transgressive” images with public funds?

It seems that, despite its occasional “troubles,” the state’s patronage of the arts is worthwhile for two primary reasons. The first is that public arts patronage generates an enormous profit on local, state, and federal levels especially when one takes into consideration the comparatively diminutive amount of funding it invests in arts programs. The NEA’s total budget for the 2006 fiscal year is only \$124, 406, 353, but the NEA’s analysts estimate that, “Nationally, the nonprofit arts alone contribute an estimated \$37

billion to the economy every year,” with the for-profit arts sectors contributing much more than this (National Endowment for the Arts 2006). In 1994, the “National Assembly of Local Arts Agencies estimate[d] that the nonprofit arts industry annually generates 1.3 million jobs, \$36.8 billion in expenditures, \$790 million in local government tax revenues, \$1.2 billion in state government tax revenues, and \$3.4 billion in Federal tax revenues” (NEA “A Brief Chronology” 2006: 50).

According to the National Endowment for the Arts, cultural tourists are a “Growing Segment of the Travel Market” (2006). The 1998 Travel Industry Association of America *National Travel Survey* found that “46 percent of the 199.8 million U.S. adult travelers included a cultural, arts, heritage or historic activity while on a one-way trip of 50 miles or more during the previous year” (National Endowment for the Arts 2006). Additionally, the national survey found that 29 percent of or 26.7 million domestic travelers in the United States “added extra time to their trip because of a cultural activity or event, pumping more dollars into local economies” (National Endowment for the Arts 2006). Another study revealed that, “compared to all United States travelers, those who participate in a cultural event while on holiday are more likely to “spend more money” and “are more likely to spend over \$1,000;” they are also “more likely to stay at a hotel, motel or bed and breakfast; travel for longer periods of time; and are more likely to have a graduate degree” than the average United States traveler who does not participate in a cultural event while on vacation (National Endowment for the Arts 2006).

It becomes obvious that it is not just artists and art enthusiasts who hold interests in to seeing the cultural and arts communities flourish; the entire tourism industry holds a vested interest as well. Cultural tourism “further[s] the missions of cultural

organizations, expand[s] the travel industry, and offer[s] sustainable economic and social development strategies for areas in need of new business opportunities” (National Endowment for the Arts 2006). State patronage of the arts therefore becomes not only a domestic issue, but also a national issue on an international scale, since it affects our domestic and international economies.

The federal government remains an arts patron for another reason, one arguably more influential in the Legislative and Executive branches’ desire to maintain a state-funded arts program. Art can and is employed to forward certain political agendas by those who control its resources. Art is commonly seen as a measuring tool for how ‘advanced’ a society’s culture and intellectual capacity is. Art can and is used to promote and maintain ideals of citizenship and nationality.

Applying the theories proposed by David I. Kertzer (1988), it is possible to see how, human beings can socially construct ritual and symbolic significance they hold for ideas and objects, we can bestow upon art symbolic importance on a moral level. Jean-François Chevrier, a professor at the ‘Ecole des Beaux-Arts in Paris, said political ““authorities are increasingly asking the artist to engage in “social work”, to deal through the imagination with problems they themselves are unable to resolve through political action. Artists are being invited to create social bonds”” (Decaux 1998: 40). Chevrier proposes that the modern state views the artist primarily as a political pawn. A ““harmonizing’ legal approach adopted in the name of ‘progress in human affairs’, in which the national margin of appreciation is used somewhat hypocritically to screen a Victorian Puritanism that dare not speak its name. The debate too often seems to be reduced to a confrontation between the art of the twenty-first century and the law of the

nineteenth” (1998: 40). As Decaux expresses, the art that is produced today, now in the post-modern era, is involved much more with questions of identity formation and exploring the intrinsic aestheticism of art than it is involved with playing puppet to the agendas of a higher-up patron. This is what Anthony Julius argued for explaining why the American arts community arrived at what he called “the transgressive as an aesthetic” (2003: 51). Serrano’s “Piss Christ” and Mapplethorpe’s homoerotic and sadomasochistic photographs, claims Julius, are “among the final works of the transgressive period” and depict the most ‘subversive’ expression to date (2003: 51).

President George W. Bush stated in 2002 that the arts “are essential to preserving and celebrating our democratic way of life” (NEA “Strategic Plan” 2003: 2). Submitted to Congress in February of 2003, the NEA’s five-year Strategic Plan emphasizes “creative imaginations and artistic curiosity” are “life-enhancing building block[s],” describing how a life enriched in the arts is key to a child’s development as a successful citizen in our American democracy (14). The NEA’s Strategic Plan for FY 2003-2008 “regards lifelong learning in the arts as extremely important to the cultural and economic vitality of the Nation,” and extensively outlines the importance of life-long arts education and exposure beginning in early childhood (2003: 14). By providing access to resources in the form of funding and infrastructure, the state, to a degree, can control who produces art, and increase access to art by increasing programs. Art is thus a malleable medium through which it is possible script a certain ideal and image of the society that conceived it; the federal government, in other words, needs the NEA so as to help foster a specific images of beauty and progress in our nation.

*CONCLUSIONS:*

Issues surrounding the nature of art and the artist, who and what defines art, and the role – if any – a government should play in providing resources have loomed over the federal government’s head since the Endowment’s conception. J. Mark Schuster acknowledges that if “there is a societal benefit associated with the arts that goes beyond the enjoyment of private individual consumers, then there is an argument for some communal involvement in the provision of those extra benefits, and resources are therefore needed” (2001: 74). But how, as Decaux poses, “can legal limits be set on artistic freedom, which, by its very vocation, implies novelty, inventiveness, transgression of limits and personal adventure?” (1998: 23).

Decaux later elaborates: “By the very fact of being exercised, creative freedom passes from the absolute sphere of art to the field of legal relativism, where artistic freedom puts down its roots and comes up against its limits” (1998: 25). Within the context of contemporary American society, it is impossible to separate art and law (creativity/inventiveness and the legal system – everything must be approved, like FDA or patent, and risks being stolen and copied – commerce and economy). The extreme ends of art, as a perceived freedom, will always be debated at a legal and judicial level. Art falls under the broad canopy of freedoms the state must ensure to all of its citizens, such as freedoms of speech, the press, religion, and assembly, as outlined under the First Amendment to the United States Constitution, part of the Bill of Rights, since art is commonly held as being a vehicle for personal expression and agenda.

Before any federal arts policies were enacted, when the arts patronage “system exclude[d] all state interference, it... [left] artistic expression at the mercy of private and public censorship” (Decaux 1998: 38). The lack of an arts policy rendered the social and

political atmosphere in America so that “threats to the freedom of the artist” began by coming “from groups [rather] than from the state. ‘Horizontal’ attacks on this freedom are replacing ‘vertical’ violations,” such as in the case of the 1989 Mapplethorpe controversy at the Cincinnati CAC (Decaux 1998: 38). Art censorship, whether by a governing or religious body or by the artist him or herself, is in no way a new concept; it has arguably been in existence as long as art itself.

State patronage of artistic or creative expression can ultimately be divided into two categories: unlimited and unquestioning patronage, and situational or favouritive patronage. The former refuses to employ immediate, hierarchical, and often subjective judgment when comparing two works or analysing individual creativity and inventiveness. In other words, by funding some artists, organizations, and institutions, the state must necessarily invade a highly subjective culturally realm and define what is considered art and, more importantly, what is not considered art. Of course, the state arguably operates, on a most fundamental level, on subjective cultural realms all the time anyway, such as in the cases of abortion, adoption, or capital punishment versus homicide issues? The primary difference is that taking human life or having a child are generally not seen as issues of free speech and expression. The former option of unlimited and undeniable state patronage of all artists, organizations, and institutions, like many theories, sounds peachy on paper, but lacks practicality due to its actual brevity of existence. Although most everyone agrees that the state should make an effort to provide monetary support to the creation of art, in practice, equal patronage does not occur. Therefore, those who provide the funds must decide who is most needing or deserving of funds, yielding a situation in which certain demographics that produce art the state wants

to see produced are often favoured. This is in no way “official [state] propaganda;” it is, however, a method through which the state can encourage the production of certain materials and images that are beneficial to the state’s agenda (Decaux 1998: 25).

On the Endowment’s website, on a page entitled “NEA At A Glance,” one of the agency’s slogans reads in large bold writing at the top: “A Great Nation Deserves Great Art” (National Endowment for the Arts 2006). This immediately raises the question what defines “*great art*,” and even the more fundamental question what is art. As Decaux interjects, “can art really be constructed outside society, let alone against society? According to the romantic image, art must needs be [sic] subversive if it is to be worthy of the name” (Decaux 1998: 23). When all is done and said, art is arguably simply a product of its society, regardless of an artist’s intentions to reproduce or to transgress from dominant images, systems, or theme. Art, whether or not it transgresses from dominant cultural norms, is, by definition, a cultural window through which to view some aspect of its native society. Former CAC Museum Director David Barrie stated concisely “art intentionally challenges values” (*Damned in the U.S.A.* 1994).

The NEA is a highly politicised body, reflecting the desires of the American political elite. As head of the Executive branch of the Federal government, the President has a considerable amount of power in determining who are the key players in the NEA; the President is granted the authority to appoint and remove the Chairperson and the entire 14 member Council, and the Chairperson has final say over who/what receives grant funding. The Legislative branch of the Federal government is charged with reviewing and approving the Endowment’s budget on an annual basis, and reapproving the agency’s existence every five years. Congress also is free to pass laws restricting or

prohibiting NEA funding from going toward certain agendas, programs, or even to individuals.

The NEA has a politicised nature because the state uses the Endowment to project a certain and specific kind of art. For example, it appears that the federal government would generally want a Mozart symphony performed not by the Bangor Symphony Orchestra but by a big-name, big-budget orchestras in New York or Philadelphia, even though the NEA desires to bring the arts to all geographic regions of the country. According to Bill Ivey, the NEA “try[s] to collectively influence the cultural landscape,” (2005: 6), so that, in affect, every American ideally has similar exposure to similar arts. This ensures all citizens are on the same cultural ‘page.’ Consequently, most all Americans will have similar exposure to images and materials that promote and reproduce certain and specific value systems – namely, the white “Western middle-class cultural tradition” (Eddy 1970: 400) – while at the same time we all lack exposure to certain other “detestable images” that promote non-dominant value systems.

An early 1990s National Research Opinion Center poll of Americans “found that an overwhelming majority of respondents agreed with the statement, ‘Artistic excellence can be found in popular and folk culture just as much as in the fine arts’” (Ivey 2005: 6). Thus, Ivey concludes, “we can’t make policy by assuming any part of the arts system has a monopoly on quality; excellence is where you find it.” (2005: 6). The Endowment, however, *does* place a strong emphasis on what Ivey terms the “refined arts” (2005: 6).

It is significant to note that the terms ‘artistic’ and ‘cultural’ are frequently employed interchangeably both by the NEA itself and by those who analyze – either positively or negatively – the NEA. This further reveals how deeply ingrained this belief

is; that arts are a manifestation of their cultural context – and thus the better the art, the better the culture – remains entirely uncontested. The significance of arts in a modern society is not being debated by any of the above-mentioned parties. This, to me, was one of the most startling revelations, since it reveals a common understanding of the arts as a social indicator of the state of advancement and cultural and economic prosperity. The underlying argument, then, is situated in who and what defines what is an advanced and prosperous society.

ENDNOTE A:

National Endowment for the Arts Appropriations History

<b>Year</b>	<b>Appropriation</b>
1966	\$ 2,898,308
1967	\$ 8,475,692
1968	\$ 7,774,291
1969	\$ 8,456,875
1970	\$ 9,055,000
1971	\$ 16,420,000
1972	\$ 31,480,000
1973	\$ 40,857,000
1974	\$ 64,025,000
1975	\$ 80,142,000
1976T*	\$ 87,455,000
1976	\$ 35,301,000
1977	\$ 99,872,000
1978	\$ 123,850,000
1979	\$ 149,585,000
1980	\$ 154,610,000
1981	\$ 158,795,000
1982	\$ 143,456,000
1983	\$ 143,875,000
1984	\$ 162,223,000
1985	\$ 163,660,000
1986	\$ 158,822,240
1987	\$ 165,281,000
1988	\$ 167,731,000
1989	\$ 169,090,000
1990	\$ 171,255,000
1991	\$ 174,080,737

1992	\$ 175,954,680
1993	\$ 174,459,382
1994	\$ 170,228,000
1995	\$ 162,311,000
1996	\$ 99,470,000
1997	\$ 99,494,000
1998	\$ 98,000,000
1999 <sup>−</sup>	\$ 97,966,000
2000 <sup>π</sup>	\$ 97,627,600
2001 <sup>Ω</sup>	\$104,769,000
2002	\$115,220,000
2003 <sup>†</sup>	\$115,731,000
2004 <sup>√</sup>	\$120,971,000
2005 <sup>∫</sup>	\$121,263,000
2006 <sup>Δ</sup>	\$124,406,353

- \* In 1976, the Federal government changed the beginning of the fiscal year from July 1 to October 1, hence the 1976 Transition (T) Quarter.
- − In FY 1999, a \$34,000 rescission was enacted by Congress.
- π In FY 2000, a 0.38% rescission was enacted by Congress.
- Ω In FY 2001, a 0.22% rescission was enacted by Congress.
- † In FY 2003, a 0.65% rescission was enacted by Congress.
- √ In FY 2004, rescissions of \$791,221 and an additional 0.59% were enacted by Congress.
- ∫ In FY 2005, rescissions of .594% and .8% were enacted by Congress.
- Δ In FY 2006, rescissions of .476% and 1% were enacted by Congress.  
(National Endowment for the Arts 2006)

ENDNOTE B:

National Endowment for the Arts Grant Application Process:

Submit application: Staff checks whether the application met the deadline and, if so, assigns an application number and returns the completed Application Acknowledgment to the applicant. Applications are forwarded to Program staff.

Staff review: Staff reviews applications for completeness and eligibility and may contact an applicant for clarification and additional information. Panel books with application materials are sent to panelists several weeks before the panel meeting. Work samples may be distributed in advance or may be held for review at the panel.

Panel review: (the panel is a group of people from a discipline area) Panels generally meet from one to five days, depending on application load. Each panel is made up of experts with knowledge and experience in the area under review. Each application is reviewed and rated in accordance with the published review criteria.

National Council on the Arts/NEA Chairperson review: The staff reconciles the panel recommendations with available funds and forwards them to the National Council on the Arts, where they are reviewed in open session. The Council makes recommendations on

which applications to fund and which applications to reject. Fast-Track Review Grants receive an expedited review. Following panel and staff review, recommendations are forwarded to the Chairman.

Notification: A letter is sent to applicants not recommended for funding. Applicants recommended may be contacted first for revisions to the project. Fast-Track Grant applicants will receive a preliminary letter of notification. Grantees later receive an official grant award notification with information about legal and reporting requirements. (National Endowment for the Arts 2006)

#### ENDNOTE C:

National Endowment for the Arts Grant Program Description:

##### We Fund

Under these guidelines, funding is available for projects only.

- \* A project may consist of one or more specific events or activities; it may be a part of an applicant's regular season or activities. Organizations that undertake a single short-term project in a year - a ten-day jazz festival, for example - could apply for that event, or they could identify certain components (such as the presentation of a key artist and the associated activities) as their project. Describe the activities for which Arts Endowment support is requested, and provide specific information on the artists, productions, venues, distribution plans, etc., that will be involved.

- \* Organizations may apply for any or all phases of a project, from its planning through its implementation.

- \* A project does not have to be new. Excellent existing projects can be just as competitive as new activities.

- \* Projects do not need to be large. The Arts Endowment welcomes small projects that can make a difference in a community or field.

- \* For Challenge America Fast-Track Review Grants, projects are limited to the examples that are provided under the Challenge America: Fast-Track Review Grants expanded description.

##### We Do Not Fund

Under these guidelines, funding is not available for:

- \* General operating or seasonal support.

- \* Costs for the creation of new organizations.

- \* Direct grants to individuals. (The Arts Endowment encourages applicant organizations to involve individual artists in all possible ways.)

- \* Individual elementary or secondary schools - charter, private, or public - directly. Local education agencies (school districts) and state and regional education agencies are eligible. Schools may participate as partners in projects for which another eligible organization applies.

- \* Construction, purchase, or renovation of facilities. (Predevelopment, design fees, and community planning are eligible. However, no Arts Endowment or matching funds may be directed to the costs of physical construction or renovation or toward the purchase costs of facilities or land.)

- \* Commercial (for-profit) enterprises or activities.
  - \* Cash reserves and endowments.
  - \* Subgranting or regranting, except for state arts agencies, regional arts organizations, or local arts agencies that are designated to operate on behalf of their local governments or are operating units of city or county government. [See more information on subgranting.]
    - \* Awards to individuals or organizations to honor or recognize achievement.
    - \* Generally, professional training in degree-granting institutions.
    - \* Work toward academic degrees and the pursuit of academic careers.
    - \* Activities that are designed to supplant existing in-school arts instruction.
    - \* Literary publishing that does not focus on contemporary literature and/or writers.
    - \* Generally, publication of books or exhibition of works by the applicant organization's staff, board members, faculty, or trustees.
    - \* Exhibitions of, and other projects that primarily involve, single, individually-owned, private collections.
    - \* Projects for which the selection of artists or artworks is based upon criteria other than artistic excellence and merit. Examples include festivals, exhibits, or publications for which no jury/editorial judgment has been applied.
    - \* Expenditures that are related to compensation to foreign nationals and artists traveling to or from foreign countries when those expenditures are not in compliance with regulations issued by the U.S. Treasury Department Office of Foreign Asset Control. For further information, see <http://www.treas.gov/offices/eotffc/ofac/index.html> or contact the Arts Endowment's Grants & Contracts Office at [grants@arts.endow.gov](mailto:grants@arts.endow.gov).
    - \* Project costs that are supported by any other federal funds or their match.
- (National Endowment for the Arts 2006)

#### ENDNOTE D:

Frequently Asked Questions on Application Process:

*The "We Do Not Fund" section says that subgranting is not allowed. What is subgranting?*

Subgranting is defined as regranting funds to an individual or organization for activities that are conducted independently of your organization and for the benefit of the subgrantee's own program objectives. A subgrantee is not directly employed by or affiliated with your organization.

Examples of subgranting include:

- \* Awards and prizes.
- \* Payment to an individual or organization to obtain technical assistance for their own benefit with little or no involvement from your organization. (Allowable technical assistance would include services that are offered or coordinated by your organization such as making your facilities available, conducting workshops or conferences, or providing hands-on assistance. These activities also should be monitored and evaluated by your organization.)
- \* Production funds awarded to an individual or organization through a competitive review process with little or no subsequent involvement from your organization.

Most organizations cannot apply to the Arts Endowment to subgrant federal funds to individuals or organizations. Congress has prohibited the Arts Endowment from making grants for subgranting activity, with exceptions only for awards to state arts agencies, regional arts organizations, and designated local arts agencies.

*How will my application be judged?*

Congress specified in our authorizing legislation that "artistic excellence and artistic merit" are the criteria by which applications must be judged.

*What do you mean by "artistic excellence and artistic merit"?*

Artistic excellence refers to the quality of the art that is made or presented. Is it of a sufficient standard to deserve support in a national competition? Note that the Arts Endowment recognizes that there are various approaches to excellence among different cultures, media, styles, periods, etc., but that all have their standards.

We get many questions about "artistic merit." It is a term that the Congress included in our legislation as a basis for funding, or, in its absence, not funding applications. We interpret "artistic merit" to include a range of factors that go beyond the technical proficiency or standards of a work. Artistic merit might include, for example, the potential influences or effects of a project, the ability to carry out the project, the degree to which a project preserves an important cultural tradition, or the fact that a project reaches an artistically underserved community.

For more detailed information about how the artistic excellence and artistic merit of applications will be judged, see the "Review Criteria" for your category in the guidelines. Make sure you address all of the review criteria in your application material.

*Who will review my application?*

Access to Artistic Excellence and Learning in the Arts for Children and Youth applications are reviewed by advisory panels. Each panel is composed of a diverse group of arts experts and other individuals, including at least one knowledgeable layperson, with broad knowledge of the types of projects coming before it. Composition of the panels changes every year.

For the Access to Artistic Excellence category, panels are convened by field or discipline. For example, if you apply under Literature your application will be reviewed by an advisory panel that is made up predominantly of literature experts.

Learning in the Arts panels include educators and others who work with children and youth as well as artists and other field/discipline experts. The panelists will look at the artistic quality and merit of the proposed arts learning experience.

After Access to Artistic Excellence and Learning in the Arts applications are reviewed by advisory panels, the panel recommendations are reconciled with available funds by the staff. These recommendations then go to the National Council on the Arts. After the Council meets, the Chairman of the National Endowment for the Arts reviews the Council's recommendations and makes the final decision on all grant awards.

Challenge America Fast-Track Review Grants receive an expedited review. After review by staff and a diverse group of individuals with expertise and broad knowledge

related to the specific types of projects under review, recommendations are reconciled with available funds and then go directly to the Chairman for final decision.

*Do you ever transfer applications to a different panel?*

Sometimes the Arts Endowment staff transfers an Access to Artistic Excellence application to a field/discipline other than the one the applicant selected to ensure appropriate panel review. If this happens to your application, we will notify you and give you the opportunity to submit any additional work samples and/or other material that may be required. However, choose your field/discipline carefully as we cannot guarantee that an application will be transferred in all cases where this might be desirable. The Arts Endowment will not transfer applications between categories (e.g., from Access to Artistic Excellence to Learning in the Arts for Children and Youth). (National Endowment for the Arts 2006)

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