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It's Obscene To Call Such Stuff "Art"

*Testimony By Phyllis Schlafly
to the Subcommittee on Education, Arts, & Humanities
U.S. Senate Labor & Human Resources Committee
April 27, 1990*

Taxpaying citizens are shocked to discover what their money has been paying for through the National Endowment for the Arts (NEA). The real issue is responsibility about spending the taxpayers' money. It is unfortunate that the recipients of this money have misrepresented the issue as "censorship." As Congressman Dick Armey put it, "They can do what they want on their own time with their own dime." But when it comes to the taxpayers' money, we certainly have a right to say how it will be spent. Nobody has a "right" to receive unrestricted grants of the taxpayers' money.

What has brought the issue of NEA funding to the fore is the widespread publicity about NEA grants which have been spent to pay for products which are offensive to a tremendous number of Americans. These items of alleged "art" include materials which deliberately insult people of certain religions and the God they worship, or deliberately display obscenity and even child pornography.

Some have proposed that the Congress or the NEA should set up standards which would permit funding to continue to flow to "good" art, while barring it from offensive art. This solution is not practical because it requires a Federal Ministry of Culture (as they have in totalitarian states) to decide which art is worthy of taxpayers' grants and which is not.

The futility of this approach is shown by the Op-Ed page of *The New York Times* on April 24, wherein a prominent grant recipient objects even to the restriction that the money will not be spent for obscenity or child pornography. NEA chairman, John E. Frohnmayer, responds by practically apologizing for the restriction against obscenity.

Since obscenity (under the Supreme Court's *Miller v. California* decision) and child pornography are prosecutable offenses and have no protection under the First Amendment anyway, the notion that anyone should demand the right to spend the taxpayers' money to produce such materials shows how arrogant grant recipients have become, and how out of touch and irresponsible is the NEA. Chairman Frohnmayer's

own statements show that he is unwilling to exercise responsibility over the money that passes through his hands.

The whole idea that a federal agency should be in the business of deciding which artists may enjoy taxpayers' money, and which may not, is offensive to Americans. Every grant made by the NEA to one artist involves the rejection of applications by other artists. Every grant means a taxpayer subsidy to a favored artist and the censorship of others. Many fine artists were excluded from the flow of taxpayers' money when NEA grants were made for products that degraded Jesus Christ in unspeakable poses, that glorified aborted baby parts, that trampled on the American Flag, and that exploited children for pornography.

Just because American taxpayers have not been up in arms before now is no indication that they approve of what has been going on in the past. Most Americans had no idea that Congress was spending our money this way. But now, as a result of the above mentioned examples, American taxpayers have discovered the scam, and they don't like it.

Congress should not be misled by the wide access that recipients of offensive art have to the national media and their phony claims that this is a "First Amendment" issue. The grassroots can see through this deception, and it will not "play in Peoria."

Some would have us believe that, if we defund the NEA, art in America will cease to exist! That is rather ridiculous. Figures from 1987 indicate that the arts in America receive about \$6.4 billion a year from private contributions. NEA funding is minuscule by comparison. NEA has only been in existence for 25 years, and we had great art of all kinds in the United States before that — some might say we had greater art in pre-NEA years.

Since the National Endowment for the Arts receives its money from the U.S. Treasury as a result of appropriations passed by Congress, the taxpayers will not accept the argument that Congress cannot control what is done with the

money it spends. The day of passing the buck is over.

The NEA was born in the mid-1960s when unregulated handouts to targeted constituencies were the passion of the day. That era is over, and examples abound of a new voter sensitivity to unnecessary or controversial spending programs which unbalance the budget and contribute to pressure to raise taxes. These examples include the election of George Bush on the anti-tax slogan "read my lips," the political predicament today of Prime Minister Margaret Thatcher, and the numerous tax and bond-issue referenda in various states and school districts where the voters have turned thumbs down on apparently meritorious proposals.

Having proved its irresponsibility in spending the taxpayers' money, the National Endowment for the Arts should be completely defunded.

Must We Pay To Be Offended?

by James Kilpatrick

On March 5, a brand-new right popped into the news. This is a Right to be Offensive at Public Expense. It evolved in this fashion. John Frohnmayr, chairman of the National Endowment for the Arts, was in Los Angeles for a public hearing on reauthorization of endowment funding. Among the spectators was Rep. Pat Williams (D-Mont). Everything was going smoothly when Williams asked if the endowment should permit grants for the creation of "offensive" works of art.

Finally Frohnmayr responded: "I would say yes." He would not approve a grant for anything whose sole purpose is to be offensive, but he willingly would give the taxpayers' money to an artist who created "rough stuff."

This is how the system works. Every year the endowment announces it will give 50 fellowships of \$20,000 each in, say, the field of poetry. Hundreds of hopeful poets submit samples of their work. A panel of professional poets then winnows the entries and names the happy winners. But hold. In any such competition (I have judged a few), the difference between No. 50 and No. 51 is minute. It is all a matter of the panel's taste. But the upshot is that No. 50 gets \$20,000 of the taxpayers' money, and No. 51 gets nothing.

Well, you say, that is how the world is. Some win, some lose. This is true enough in the private sector, but it ought not to be true in the public sector. Our government has no business creating winners and losers with public money. It is this elementary distinction between public funds and private rights that has been so blurred in the endowment controversy. Every would-be artist has a right to create offensive work. But there is no right whatever to be offensive at public expense.

In common with every other writer, I live by the First Amendment. Freedom of the press and freedom of speech are precious to me. At the top of my lungs I will defend the right of any poet to write whatever he pleases. Censorship — actual, formal censorship — is abhorrent. But federal grants to individuals are equally abhorrent. This alleged ROPE — this supposed Right to be Offensive at Public Expense — ought to be exposed as the lie that it is.

Excerpted from Syndicated Column, March 11, 1990.

Stop Taxpayer-Funded Trash by Congressman Dana Rohrabacher

The National Endowment for the Arts may well be evolving into the USA's Ministry of Culture, with all the elitism and unaccountability that designation implies.

Contrary to their protests, NEA peer review panels already make content-based decisions, often excluding entire classes of art and, at times, channeling our tax dollars to projects that offend our moral and religious values. It's time to ask, why is government directly involved in art decisions at all? If there is a role for government in the arts, it should be to provide tax incentives so that Americans will be encouraged to support art of their own choosing.

However, if Congress can't keep from taxing dollars out of our pockets in order to make art decisions for us, at the very least guidelines should be established to prevent our tax dollars from being spent on projects that are obscene, indecent or sacrilegious.

This debate is not about artistic nudes. Besides Robert Mapplethorpe's photos of graphic homosexual sex acts and naked children which may have been prosecutable under child pornography laws, the National Endowment for the Arts has directly or indirectly helped fund:

- \$15,000 for an art show at Illinois State University that included drawings of Jesus Christ shooting heroin, drawings of acts of bestiality, and hysterical written attacks on the Catholic Church filled with four-letter words.

- Live sex shows performed by porn star Annie Sprinkle. After playing with her "sex toys," Sprinkle proudly announced, "I usually get paid a lot of money for this, but tonight it's government-funded." The show was called "Annie Sprinkle: Post Porn Modernist" and was funded by the NEA through an intermediary.

- \$5,000 to a series of events put on by Southern Exposure/Project Artaud. A show called "Modern Primitives," funded partly by this grant, included videos of "genital piercing" and live performances featuring masturbation and sado-masochistic rituals.

- Through a subgrantee, \$15,000 of NEA money went to Andres Serrano, who then gave us the now infamous "Piss Christ."

These are just some of the offensive projects that have come to light. If the effort to defund the NEA fails, I will propose that the same peer review panels making these decisions about what art to fund take into account the anti-religious and sexually graphic aspects of the applications.

On Friday, President Bush said, "I am deeply offended by some of the filth that I see and to which federal money has gone and some of the sacrilegious, blasphemous depictions that are portrayed by some to be art." He added that this material "has no business of getting one cent of taxpayers' money." I and millions of taxpayers agree.

Reprinted from USA Today, March 27, 1990.

The Issue Is Sponsorship, Not Censorship

Some Quotations From The Press

"On June 12 Washington's Corcoran Gallery of Art abruptly canceled an exhibit of Robert Mapplethorpe's work, which included sadomasochistic and homoerotic photographs. . . . The National Endowment for the Arts partly subsidized the Mapplethorpe show with a \$30,000 grant. The NEA was already enmeshed in controversy over an earlier grant of \$15,000 to photographer Andres Serrano, among whose works is a picture titled *Piss Christ*, depicting a crucifix submerged in the artist's urine. Mapplethorpe, who died of AIDS in March, produced equally provocative work: his oeuvre includes pictures of nude children in erotic poses, a man urinating into another's mouth, and other violent and homosexually explicit poses. . . .

"The other side holds that Mapplethorpe's work is pornography posing as art. His works, this faction contends, should be shown privately, preferably in a redlight district. In fact, some of Mapplethorpe's work is so graphic that if authorities had chosen to do so, they could have prosecuted him for child pornography, which has no First Amendment protection."

Time, July 3, 1989, p. 21.

"Mr. Serrano's color photograph of a crucifix in his own urine brought a storm of protest last May when members of the House and Senate learned that it had been included in a 10-city touring exhibit organized by the Southeastern Center for Contemporary Art. The center had received \$75,000 from the National Endowment for the Arts, or about one quarter of the funds needed for the show. Each of the 10 artists exhibited, including Mr. Serrano, received an award of \$15,000."

The New York Times, August 16, 1989, p. C13.

"Upset over the recent ban on federal funding for art considered offensive, some artists are protesting the law by deliberately creating and displaying obscene work — at government expense. 'It's very fashionable to do degenerate work,' said Renny Molenaar, a founder and director of Black and White in Color, a New York art center. 'Some prominent artists are doing work that purposely offends. They want to show they have the freedom to do what they want.' . . .

"In perhaps the most striking example to date, the Black and White in Color gallery recently played host to the Helms Degenerate Art Show, a satirical swipe at Sen. Jesse Helms, who sponsored the original legislation. The show featured 'Alchemy Cabinet' by Shawn Eichman, a cabinet containing a dildo and a coat hanger next to a vial of fetal tissue from the artist's abortion. Also on display was Dread Scott's 'What is the Proper Way to Display a U.S. Flag,' which invites viewers to walk across an American flag spread on the floor. The show was funded in part by a \$250 subgrant from New York Artists Space, which receives \$70,000 annually from the NEA, said Artists Space spokeswoman Roberta Sklar. . . .

"Another show, 'David Wojnarowicz: Tongues of Flame,' at Illinois State University in Normal, Ill., features a catalog with an essay in which the artist calls Cardinal John

O'Connor of New York 'that creep in black skirts.' Mr. Wojnarowicz also says he fantasizes about dousing Mr. Helms in gasoline and setting him afire. The catalog and show, which runs until March 4, were funded with a \$15,000 grant from the NEA. In November the agency refused to fund the same catalog at a show in New York, but it has decided not to intervene in the Illinois show, a spokesman said."

The Washington Times, February 15, 1990.

"A Phoenix art center spent funds from the National Endowment for the Arts to display a photograph of Sen. Jesse Helms immersed in urine. . . . The MARS Artspace, a non-profit alternative or 'non-traditional' art center, featured the so-called 'Piss Helms' in an August exhibit funded by several sources, including the NEA, the Arizona Commission on the Arts, the Phoenix Arts Commission and private donations, MARS artistic director Jason Sikes said yesterday."

The Washington Times, February 14, 1990.

"The NEA has in the past funded what many taxpayers would consider vulgar, obscene, and sheer perversity. In 1977, the NEA helped fund the Gay Sunshine Press which published sexually explicit pictures. The funding continued through 1984 to the tune of \$40,000. I don't care if it's explicit heterosexual literature. Our taxpayers shouldn't be subsidizing these kind of questionable projects. What private citizens choose to finance or purchase is their business."

Remarks by Congressman Dana Rohrabacher,
Congressional Record, July 12, 1989, p. H3637.

"Frameline official Michael Lumpkin said NEA approved a \$10,000 grant for the 1989 Gay film festival and a \$6,300 grant for the 1988 festival. The festivals, which include films with Gay themes as well as some homoerotic scenes, are held in two theatres in San Francisco's Castro section."

The Washington Blade, December 1, 1989.

"At Home with Themselves: Gay and Lesbian Couples by Sage Sohler presented in association with Inklings and LOBO, January 5-February 4, 1990. Reception: Friday, January 5, 6-8 pm. . . . The Houston Center for Photography is supported in part by grants from the National Endowment for the Arts, the Texas Commission on the Arts, and the Cultural Arts Council of Houston."

*From a flier mailed by the
Houston Center For Photography.*

"Sen. Jesse Helms' worst nightmares will be on display at a South Bronx art gallery through Jan. 3 — with the help of a grant from a National Endowment for the Arts-funded organization. 'Degenerate with a capital D' is artist Shawn Eichman's description of the Helms' Degenerate Art Show/Protest, which begins its run at the Black and White in Color Gallery on East 149th Street today. . . .

"Among the pieces that will be on display are Dread Scott's infamous 'Proper Way to Display a U.S. Flag,' which encourages gallery-goers to walk all over Old Glory. Then there is a crucifix photograph — 'Fallen Christ' — by Andres Serrano. This is the man who put a photograph of a crucifix in a jar of urine and called it art. That work helped spark the move in Congress, led by Helms, to bar the National Endowment from funding art deemed obscene.

"Also on display is Eichman's own 'Alchemy Cabinet,' a china cabinet that contains, among other items, a coat hanger placed next to a vial containing fetal tissue — from an abortion that she underwent. Even the posters that advertise the exhibit aren't for the faint-hearted. They depict Helms nailed to the cross. Eichman told PAGE SIX'S Frank DiGiacomo that several copies of the poster were sent to the Senator's North Carolina home."

***New York Post*, December 9, 1989, p. 6.**

"Three lesbian writers 'known for the homoerotic content in some of their works' were awarded \$20,000 NEA Creative Writing Fellowships for 1990 in January, according to *The Washington Blade*."

***The Washington Times*, February 6, 1990, p. A6.**

"The NEA has had some rough moments on Capitol Hill since its founding in 1965, but "this is the first time that the endowment has been shaken to its roots by something like this," says DiNapoli. . . . Some that made Congress angry:

- "The Living Stage theater company, underwritten by \$50,000 in NEA money, put on a show for children in Baltimore in 1971 in which the children were instructed to shout 'bull---' if they didn't like what they saw. Parents were kept within earshot but out of sight, and some complained. Some members of Congress were angry, but the controversy eventually faded away.

- "Author Erica Jong was one of 80 writers to win an NEA fellowship grant in 1972; she was at work on her novel *Fear of Flying*, which eventually became a huge best-seller. When the frankly sexual book was published, Jong duly acknowledged the NEA grant on the first page. It created a stir that drew the ire of, among others, first-term Sen. Helms, who wondered why the NEA had funded the 'reportedly filthy, obscene book.' Helms eventually dropped the matter.

- "Anti-object artist La Ann Wilchusky used a \$6,025 NEA grant in 1977 to drop crepe-paper streamers from a small plane, explaining that she was 'sculpting in space' and calling attention to 'the higher spirit of mankind.' "

***Congressional Quarterly*, August 19, 1989.**

"A Cincinnati art museum filed suit March 27 asking a local court to rule on whether an exhibit of Robert Mapplethorpe photographs is pornographic under Ohio laws. . . . The dispute in Cincinnati focuses on the sexually explicit nature of the pictures — some of which are homoerotic or show nude children — and not the fact that the show was funded by the National Endowment for the Arts. . . . Hamilton County Sheriff Simon Leis, a former county prosecutor known for his aggressive anti-pornography stance, has said he believes the Mapplethorpe pictures to be 'criminally obscene.'"

***Washington Post*, March 28, 1990, p. D1.**

"National Endowment for the Arts Chairman John Frohnmayer has personally authorized granting sizable 1990 federal subsidies to many of the same art groups whose exhibits sparked so much controversy last year. Among the many art groups that Frohnmayer personally authorized to receive new grants, despite their seedy track records, are Artists Space, Southern Exposure, and the San Francisco International Lesbian and Gay Film Festival. Artists Space, a New York City gallery, displayed the graphically homoerotic 'Witnesses: Against Our Vanishing' exhibit last November. It will receive \$50,000 in 1990 tax dollars. . . .

"Frohnmayer did deny NEA funding for the Artists Space catalog of essays that accompanied 'Witnesses.' But by January 1990, he permitted \$15,000 worth of funding for an Illinois State exhibit — the notorious 'Tongues of Flame' show — displaying some of the same Artists Space catalog essays that he had earlier deemed inappropriate. In one essay, artist David Wojnarowicz fantasizes about pouring gasoline on Sen. Jesse Helms (R-NC) and setting him afire and also about throwing Rep. William Dannemeyer (R-Calif.) off the Empire State Building. Wojnarowicz refers to Cardinal John O'Connor as 'that fat cannibal in black skirts' and denounces the Catholic Church as 'a house of walking swastikas.'

"Last year several lawmakers objected bitterly when the NEA gave \$5,000 to Southern Exposure for the production of such sadomasochistic shows as 'Re/Search Modern Primitives.' Frohnmayer has chosen to authorize an *increase* in Southern Exposure's 1990 NEA grant to \$7,000. Southern Exposure itself described 'Re/Search Modern Primitives' as 'A presentation of literary sources in S&M culture'; extolling 'the illuminative benefits of radical body modification,' wounding and cuttings by women as a healthy response to a sick society; body modification and erotic practices by non-Western civilizations.'

"Southern Exposure's show prominently featured 'genital-piercing.' The final performance, entitled 'NAILED! a performance not for the faint-hearted,' concluded, according to Southern Exposure's bill of fare, with 'an emotionally charged presentation of his [artist Bob F.] ingenious autoerotic scaffold.'

"For sheer perverted zaniness, however, it's hard to top the San Francisco International Lesbian and Gay Film festival, unless you want to count the perverted zaniness of awarding it \$9,000 in federal funds. This is precisely what John Frohnmayer has done. Describing some of last year's 'art' at the festival, the San Francisco *Sentinel* noted, 'Johanna d'Arc of Mongolia' is a lesbian fantasy about travelers kidnapped by the Mongolian equivalent of Amazons."

***Human Events*, May 5, 1990, p. 1.**

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