

Art in the Public Square: Democracy and the Associational Life of Culture in America

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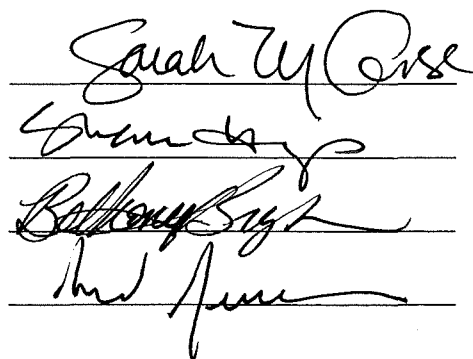
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Abstract: This dissertation examines government funding for the arts through the lens of democratic political philosophy. Recent scholarship has established an important relationship between participation in civic associations and the success of democratic political institutions. I use democratic theory to argue that artistic practices are an overlooked form of associational life that can make unique contributions to democratic effects at the levels of the individual, political institutions, and the public sphere. Specifically, I identify the positive democratic benefits of community arts and counter-hegemonic arts, in contrast to the anti-democratic effects of the elite arts. I then make use of the theory through an examination of the controversies that affected the American art world—especially the National Endowment for the Arts—in the late 1980s and early 1990s, finding that the points of controversy actually stem from the most democratic artistic practices. The theoretical approach used here stands as a counter-point to the work of Bourdieu and others who have focused their study of the arts solely on the elite arts and the role of the arts as mechanisms of hegemonic social reproduction. I provide a framework for recognizing the ways that art can actually function for anti-elite purposes and serve as a means of challenging hegemony.

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I suspect, further, that if we could come to appreciate the archetypal child whom we feel within ourselves, we might have a more open and appreciative relationship to actual children. For example, an eternal question about children is, how should we educate them? Politicians and educators consider more school days in a year, more science and math, the use of computers and other technology in the classroom, more exams and tests, more certifications for teachers, and less money for art. All of these responses come from the place where we want to make the child into the best adult possible, not in the ancient Greek sense of virtuous and wise, but in the sense of one who is an efficient part of the machinery of society. But on all these counts, soul is neglected. We want to prepare the ego for the struggle of survival, but we overlook the needs of the soul. –

Thomas Moore, *Care of the Soul* (1992, 52)

*It is said that Winston Churchill, during World War II, was asked to cut the arts budget of England. "God no," he replied. "What the hell have we been fighting for?" – Jane Alexander, *Command Performance* (2000, 124)*

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Introduction

When an artist creates a work of art, he not only makes a product that exists within the world, he makes a world itself. Within the space of the canvas (or the covers of a book, or the opening and closing of the theater curtain) lies a new universe, more or less complete. In some cases, this universe is very like our own. In other cases, it may seem fantastical, and pure invention. It has its own rules—psychologies, biologies, sociologies, physics, aesthetics—its own population (characters/subjects) and its own trajectory (plot, or the absence of plot).

Toni Morrison says that she writes to figure out what a particular experience is like. She heard once of a woman who killed her child rather than see her taken back into slavery. Morrison wanted to know what that experience was like—how did the woman arrive at such a position with such conclusions, and how did the killing affect her life afterwards?—and so she wrote *Beloved*. The book can be seen then as an experiment in psychology, sociology, and history that maps out a sliver of the difficult terrain of family, memory, and identity.

The author Dan Brown pulls together pieces of art history, mathematics, astrology, archaeology, and church history to form the back-story (the world in which his characters act) to *The Da Vinci Code*. The novel is a world that he invented, a world that stands as a commentary on the world we live in, illustrated by the negative portrait he paints of the Catholic Order *Opus Dei*. Andrés Serrano's photograph *Piss Christ* presents a visual world in which the crucifix—as both a religious icon and a popular commodity—is seen through the veil (or illumination) of yellow liquid.

But then, Serrano made other photographs, I wrote other poems, Brown and Morrison wrote additional novels. So the worlds that an artist makes can be viewed independently, or as conglomerations—curriculum vitae.

These worlds compete. Sometimes, but not always, they do so explicitly in their content. For instance, when the cabaret singer Nellie McKay released an album titled *Get Away From Me*, it was logically understood to be a critique of her peer Norah Jones's *Come Away With Me*.¹ When Philip Pullman released his fantastical children's novels, the *His Dark Materials* trilogy, in which God is depicted as a trickster angel who is killed by the protagonists, they were rightly seen as a counterpoint to CS Lewis's religious allegory in *The Chronicles of Narnia*.² At other times, the competition of invented worlds occurs in the structure and processes of cultural institutions—museum boards, curatorships, funding decisions, media discussions, and the like. The sociology of culture has focused on the issue of power, using concepts like hegemony and cultural capital to articulate the mechanisms by which some ideas have gained legitimacy while others have been marginalized, demonized, or outlawed.³

I enter this dissertation wondering if alternatives to this relationship between art and power are possible. One alternative that I find untenable is that we insist the arts—and the worlds they create—have no influence on us. This would require a denial of the power of culture to shape consciousness. In this path, censorship is pointless because the

¹ Nellie McKay, *Get Away from Me*, Sony (2004); Norah Jones, *Come Away with Me*, Blue Note Records (2002).

² See Pullman (1995; 1997; 2000) and Lewis (1950; 1951; 1952; 1953; 1954; 1955; 1956).

³ See Bourdieu (1984), DiMaggio (1982b), and Ostrower (2002).

censored works are powerless. This view is advocated whenever we defend violent video games and movies by saying that they have no effect. While the effects may be more limited than critics imagine, surely culture does influence our lives.

Democracy has given me a way to envision the incorporation of competing ideas without rendering them powerless. Put briefly, the democratization of culture brings artists to a discussion table (picture a table in the town square—i.e., the public sphere) to discuss their differences, defend their visions, and negotiate not just meaningful co-existence, but mutual influence. In this vision, the ideas embodied in the works of art are taken seriously and given a central place in society. But dissent is also taken seriously and accorded valued status. This is not the simplistic view of democracy by majority rule, but rather a broad philosophical approach that values participation, equality, debate, and compromise.

What I am seeking after is culture without elites, and beauty distanced from power. On the one hand, this is an idealized dreaming of utopia. I once heard the cultural theorist Wendy Brown lament that leftist scholars had given up on utopias and that we need to renew our discussions and debates about the world we would like to work towards.⁴ I took her seriously, and I see this project as my contribution to that end—a contribution that focuses on the role of the arts in a utopian vision.

On the other hand, this project and the effort to democratize culture have implications for the world we live in now. Indeed, when I look at many community arts

⁴ Brown was presenting a seminar on her book *States of Injury: Power and Freedom in Late Modernity* (1995) at the University of Virginia in 1999 as part of the Forum for Contemporary Thought.

programs, I see these democratic principles already at work and struggling to gain acceptance and legitimacy.

In what follows, my goals are threefold: 1) to justify the democratic approach in the context of the American art world through an analysis of the historical relationship between government and the arts, 2) to articulate how culture can be democratic (and how, at times, it is not) and the possible effects this may have on society, and 3) to illustrate the practical use of the democratic approach through an examination of the National Endowment for the Arts and the controversies it faced in the period 1989-1995. But first, some definitions need to be laid out for both art and democracy. Additionally, I will introduce the concept of arts controversies and their significance in understanding the democratic and anti-democratic forces at work in the American art world.

What is Art?

Defining art is never an easy task. During the course of my research, when I told friends and colleagues that I am studying the relationship between art and democracy, I was frequently asked, "What kind of art?" The easy answer is "all kinds." And when I am pressed about how I know something counts as art, my response is, "if society recognizes it as such." But that is more a way of dodging the question than answering it, so let me start with someone else's definition of art.

The sociologist of art Victoria D. Alexander argues that we can identify five characteristics that are common to *most* of the things that a society identifies as art.

Quoting from her text *Sociology of the Arts*, they are:

- There is an artistic *product*. It is tangible, visible, and/or audible. The product can be a physical object, like a book or a CD. Or it can be a performance, like a play or a concert.
- It *communicates* publicly. To be art, the cultural product must not only exist, it must be seen, heard, touched, or experienced by an audience, either in public or private settings. All art is communication. Of course, not all communication is art.
- It is experienced for *enjoyment*. “Enjoyment” can take many forms. Art might be consumed for aesthetic pleasure, for sociability and fun, for mental stimulation, or for escape. Sometimes, however, people are exposed to art because “it’s good for them,” as in a school trip to a museum.
- Art is an *expressive form*. When art relates to real life, it presents a fiction or an interpretation. Sometimes art claims to tell the “truth,” but if it takes this idea too literally, it moves into the area of documentary, non-fiction, or news.
- Art is defined by its *context*, both physical and social. What is art in a museum or theater may be just odd objects or strange behavior in other settings. When different groups view the same expressive product, they may disagree on whether or not it is art. (Alexander 2003, 3)

I find Alexander’s definition to be a helpful starting point, but we need to problematize some elements.

The tangibility of the *product* can be very limited. Some artistic performances, for instance, happen only once and cannot be reproduced. Some eco-artists produce works that blend into the natural environment, so that the line between the product and nature is difficult to distinguish. To the extent that art is an element of everyday life, as will be discussed in chapter 2, an individual or group may enter into an artistic practice without immediately identifying it as such. However, such ephemeral forms are at the edges of art, and in the discussion at hand we will generally be able to identify a product.

Contrary to Alexander's claim, not all art is communication. An individual may draw in the margins of a notepad, hum a tune in the shower, dance around the house alone, or scribble a poem in a private journal. In producing their works of art, the 'artist' often has no audience in mind. These sorts of artistic activities may be enormously important to the individual for psychological reasons. In my research, as a sociologist, I am not interested in these individual-level experiences, but I think they deserve to be recognized as art and that they may have an important relationship with the *social* production of art. So, although some art does not communicate publicly, the art that I am discussing here does seek an audience and does attempt to communicate.

To say that art is experienced for enjoyment is not to say that engaging art is always a pleasant experience. Watching *Schindler's List* can be quite painful, but the depth of the movie's sad story *appeals* to many viewers. It is this sense of appeal that Alexander invokes in using the term 'enjoyment'. And as enjoyment invokes the idea of pleasure, we do well to remember the old adage *one man's meat is another man's poison*. Pleasure varies widely across social space. The very fact that any given work may produce pleasure in some and ire in others is the source of many of the conflicts that are

discussed in chapters 5 and 6. In a democratic approach to the arts, such conflict is likely as the art world becomes more inclusive of a diverse array of practices and viewpoints—a diverse array of enjoyments.

The notion that art is expressive is a variation of my opening claim that every work contains a world. Art contains ideas, whether about the world in total or just about some miniscule component. These ideas are presented in a variety of ways, through the various media of art. American society privileges ideas that are communicated in words—spoken or textual. But many of the ideas expressed in art are not reducible to text. The imagery of painting or video, the aural qualities of song, and the kinetic movement of dance, are all expressive elements in and of themselves.

Also, in calling art expressive, I acknowledge the relationship between art and the soul. This is dangerous territory for a sociologist, but it needs recognition just the same. I cannot claim scientifically that art is a product of the human soul or that its appeal is soulful. But I can recognize sociologically that many people in many societies make this connection between art and soul. If I make the claim “I express myself through the clothes I wear,” I am indicating that fashion is an external signification of my internal self—my soul. Similarly, when I recognize that art is expressive, I acknowledge that it too is a signifier for the soul.

Finally, in saying that art is defined by its context, it is important to realize that the relationship between art and its social context is dynamic and mediated by practices. I will use the phrase ‘artistic practices’ throughout this analysis. Artistic practices include, but are not limited to: the production of a work, funding and display practices,

interpretive practices such as criticism, arts education, cultural policy, and legal protection for expression.

Of these five elements, the combination of expressive qualities and the presence of a product are the most important. While many non-artistic aspects of our lives have products, communicate, express, are defined by context, or are experienced for enjoyment, the combination of expression and a tangible product is nearly always going to yield something recognized socially as art.

Some further distinctions about art are important here. It is common to recognize divisions in the art world such as high art vs. low art, or commercial art vs. nonprofit art. The high/low distinction is of limited usefulness, as it is guarded most by those whose preferred cultural forms are deemed high. In other words, they guard the division because of the ways that it legitimizes their elite status. But the concept has a parallel in my work. In chapters 2 and 3, I will discuss distinctions between elite arts (high) on the one hand, and both counter-hegemonic and community arts (low) on the other. But my terms and discussion attempt to make explicit the relationship between art and power that is implicit in the high/low division. I hope that addressing the issue in this way will defuse, rather than legitimate, the power that is held by the elite arts.

Further, my discussion here focuses on the nonprofit arts, and not the commercial arts. The distinction, of course, is a function of funding. Commercial arts are funded by the market, whereas nonprofit arts are funded by nonprofit organizations, foundations, corporate awards, and government grants. Too often, the high/low divide is mapped onto the commercial/nonprofit divide, resulting in the assumption that nonprofit art is the domain of elites and commercial culture is the domain of the populace. But this

conflation obscures the fact that many makers of nonprofit art are not elites and not producing art for elite purposes. Similarly, within many commercial art forms, high/low distinctions can be found after careful analysis. For instance, art house cinemas often have a 'high' character, even though film is generally recognized as a commercial art form, and even though the 'art' movies may use the same actors as popular films and may be made by the same studios.

The line between high and low art, like the line between commercial and nonprofit art, is thin, fuzzy, and dynamic. In chapter 2, I discuss the importance of recognizing the interplay between these forms. In chapter 4, I have a brief discussion of commercial culture, as a sort of counterpoint, but the worthy effort of a full discussion of the relationship between democracy and commercial culture will have to come later.

In sum, the art discussed in these chapters is a set of expressive products, mediated by dynamic contextual practices, that produces enjoyment for some, attempts to communicate to an audience, may be found in either the high or low realms, and is largely isolated to the nonprofit sector. From one important yet nebulous concept to another, I turn now to the task of defining democracy.

Democracy: Beyond Majority Rule

As I mentioned earlier, democracy is more than just the generic idea of majority rule. Such a thin notion is actually quite anti-democratic and results in the problem that is commonly referred to as 'the tyranny of the majority'. Under a system of pure majority rule, the interests and values of minorities—racial, ideological, religious, and so

forth—are always selected against. Such a system is based more on voting and polling than authentic representation.

I advocate a thicker approach to democracy, one that is more closely aligned with classical democratic theory and current academic scholarship on democratic institutions.⁵

From this literature, a family of characteristics emerges, including:

- broad representation in decision-making processes,
- relative equality,
- non-biased, forthright procedures,
- deliberation and debate in the public sphere, and
- widespread participation in social processes.

The last item on this list invokes the notion that minority viewpoints are represented and incorporated into final decisions and subsequent actions—in contrast to majority rule.

Deliberation and debate is a principle I have taken largely from the work of Jurgen Habermas (1989). The idea is that social concerns are handled publicly, with due input from all interests, rather than being handled privately and unilaterally. Non-biased, forthright procedures are components of this public character. It means that all who are affected by social action know about and can explain the process by which action is taken. And none have reason to doubt that they were treated fairly.

Relative equality is harder to define—whether, for instance, it implies financial equality or equality of opportunity. But generally speaking, actions that exacerbate social

⁵ For examples, see Locke (1963); Tocqueville (1969); Habermas (1989 and 1984); Barber (1984); Putnam (1993 and 2000); Lipset (1981); Bellah et al. (1991); Sandel (1996); Almond and Verba (1963); Bowles and Gintis (1986); Rosenblum (1998).

stratification can be seen as anti-democratic. In this regard, the US has never been further from the democratic ideal. And just as inequality in practice is marked by the intersection of class, race, nationality, gender and other dynamics of identity, so relative equality in the democratic ideal accounts for these many dimensions. Finally, broad participation means that the average citizen is an active voter, follows political news, frequently contacts her representatives, runs for office or at least considers it, and is active in some of the many civic associations that carry the bulk of social actions.

Political philosopher Mark Warren, whose work on democratic theory undergirds my theoretical developments in chapters 3 and 4, argues that democracy provides the ideal balance of political and individual autonomy. In contrast, aristocracy tips the scales towards the political autonomy of the state, and anarchy favors autonomy of the individual. In Warren's conception of autonomy, "individuals—both individually and collectively—hold their interests with due consideration, and are able to provide reasons for holding them" (Warren 2001, 62). This notion of autonomy incorporates many items from our family of democratic principles. Due consideration requires participation and debate. The capacity to explain the interests we hold is an invocation of the ideals of non-biased and forthright procedures.

At the individual levels, Warren says:

"Autonomy... has nothing to do with separateness, anomie, individualism, or even self-sufficiency. Rather, it has to do with individuals' capacities to take part in critical examination of self and others, to participate in reasoning processes, and to arrive at judgments they can defend in public argument—capacities that

are, in the end, delicate and valuable social and political achievements.

(Warren 2001, 63)

A democratic citizen experiences autonomy through being politically informed and engaging in political processes. He has agency in the sociological sense of being an active sociological actor, and not just the object of social institutions. Regarding political autonomy, Warren stipulates:

The root idea is very much the same as that of individual autonomy: judgments are autonomous when they are held with due consideration and can be justified by the giving of reasons to others. The notion of political autonomy suggests that *collective* judgments ought to have these attributes as well: they should be the result of a process of public reasoning and justification. (Warren 2001, 65)

In other words, despite the autonomy of individuals, the political system is still viable.

Indeed, it depends upon the autonomy of its participants, as Warren clarifies:

[I]t is only when power arrangements enable and protect processes of argument and persuasion, and do so inclusively, that politics can be guided by the force of talk rather than by other kinds of force. It is only *this* mode of forcefulness that individuals will not experience as external to self-rule, but rather (as Rousseau was the first to grasp) as extensions of self-rule into the collectivity. This is why the ideal of political autonomy taps the strongest normative meanings of democracy. (Warren 2001, 67)

Put simply, democracy is a political approach to social cohesion that values and incorporates the ideal of individual freedom—not in the anomic sense of an individual

free from society, but in the sociological sense of an autonomous individual who enjoys agency within the structure of society.

What does democracy offer as an approach to the arts? I find democracy helpful because of its capacity to incorporate the multiple ideologies that are embodied in the arts. Rather than having to check their ideals at the door, artists in a democratized cultural system are encouraged to bring their conflicting perspectives to the discussion table. Given its encouragement of contestation and debate, democracy actually provides a normative framework that values these competing ideas. Further, democracy is relatively widely accepted in American society as an agreeable social goal. It is already an explicit interest that is invoked in the mission statements of many cultural organizations, including the National Endowment for the Arts. Democracy gives us a way to make and justify distinctions between different types of art and different artistic practices. For instance, in chapters 3 and 4, I will use the democratic ideals that I have outlined here to make sense of the differences between the elite arts, counter-hegemonic arts, and community arts. But as I stated earlier, the democratization of culture tends to stoke the fires of conflict.

On Controversy in Art

Controversies can be found along many lines of cleavage in the American art world.⁶ They stem from the competition of ideas that I discussed earlier, but not every

⁶ Given the number of controversies in American culture that stem from the representation of breasts, the pun here is obvious, but unintended.

competition yields a controversy. Controversies generally occur when one or more actors are viewed as illegitimate players in the competition of ideas. For instance, throughout the controversies that I discuss in chapters 5 and 6, religious conservatives express doubts about the legitimate claims of gays and lesbians to produce art, receive federal funds for their artistic productions, or display their art with the legal protections of free expression. While Jesse Helms—the conservative Republican senator from North Carolina who fought for years to destroy or cripple the National Endowment for the Arts—may have a problem generally with elite urbanites dominating arts funding awards, he directed his wrath only towards artists who could be linked (rightly or wrongly) to homosexuality, feminism, or anti-Christian ideas.

In terms of sociological methodology, then, we can understand controversy as a kind of ethnomethodology, *a la* Garfinkel (1967). Garfinkel developed intriguing methods for studying the most deeply seated norms of social life. For instance, his study of an ‘intersexed’ person named Agnes reveals a wealth of taken-for-granted information about gender and sexuality norms in American culture. Ethnomethodology is the scientific study of the taken-for-granted, and its primary method is to take ‘normal’ situations and make them strange. Arts controversies make strange such taken-for-granted issues as: what qualifies as art, how the arts should be funded, how excellence is determined in the arts, and the tension between free expression and government regulation. In day-to-day life, we rarely question the legitimacy of governmental regulation of certain social affairs, nor do we question the supremacy of free expression protections. Yet, in the face of an arts controversy that invokes government involvement,

these two norms enter into competition and preferences for one over the other are revealed.

The National Endowment for the Arts (NEA) experienced controversies from the moment of its inception in the 1960s. But these controversies gained broader attention and took on greater significance (in terms of policy and funding) in the late 1980s and early 1990s. I contend that despite a long history of theorizing about the role of the arts in democratic society, these controversies at the NEA indicate that the United States has yet to embrace a public philosophy of the arts. As a result, the arts are at continual risk for funding and curricular cuts, censorship, and other constrictive regulatory practices—despite the fact that public support for the arts and even the NEA are generally high (DiMaggio and Petit 1998; First Amendment Center 1999).

Further, these controversies reveal where exactly the fault lines are in American cultural conflict. Given that many artistic products and practices do not produce controversy, we should take particular note of the frequency of controversies that involve sex, sexual orientation, race, and religion. That these are hotspots for American political conflict is not surprising. But the wealth of resources invested in fighting over these issues within the American art world, as opposed to other perhaps more logical locations for political contestation, is surprising in important ways. It reveals the significance that is accorded to art in practice, even though our public discourse generally undervalues art. So studying arts controversies provides a unique way to examine taken-for-granted assumptions in the arts, and to more precisely locate cultural conflict.

Outline of the Argument

I use three key elements to hold together my analysis of the relationship between art and democracy: theory, history, and empirical case studies. The elements are woven throughout the chapters, but are most explicitly manifest in three chapter pairs. Chapters 1 and 2 emphasize historical analysis. In chapter 1, I explore the role of the arts in American politics, from the post-revolutionary period to the present. I particularly discuss the establishment of the NEA, and two precursors: the Federal Art Project and other arts programs of the Works Progress Administration (WPA), and the use of art for cultural diplomacy in the Cold War period. Principles of cultural democracy had a direct impact on the WPA programs and on the exportation of the arts as a means of defending democracy and fighting communism. In both cases, the use of these principles was often misguided, but it at least establishes an important precedent. Chapter 2 examines a history of ideas—ideas about the importance of art for American democracy. I discuss the work of Alexis de Tocqueville, Walt Whitman, and John Dewey, and then examine recent debates surrounding the idea of ‘public culture’ that stem from research into American cultural policy.

In chapters 3 and 4, I turn to the theoretical approach. Working out of the findings of Robert Putnam and other ‘neo-Tocquevillians’ who highlight the importance of civic associations for democratic life, I argue in chapter 3 that art is an oft-overlooked form of civic association that can make unique contributions to democracy. In chapter 4, I use democratic political philosophy to identify the democratic effects of counter-hegemonic art and of community art, as compared to the largely anti-democratic effects of the elite arts.

I put this theory to work in the empirical case studies of chapters 5 and 6. In chapter 5, I examine the outbreak of controversy over certain NEA projects in the late 1980s. The democratic theory of the earlier chapters allows for recognition that the funding practices in question were actually constitutive of the few moments when the NEA approximated the democratic ideal. Conversely, the NEA has avoided controversy for many of its programs by giving undue weight to the elite arts—precisely those art programs that offer the least democratic effects. In chapter 6, I turn my attention to the legal realm with an analysis of the ‘Mapplethorpe trials’ in Cincinnati in 1990—actually the trial of the Contemporary Arts Center and its curator Dennis Barrie who hosted a retrospective of works by the photographer Robert Mapplethorpe. The exhibit’s development had been partially supported by NEA funds, so there is a strong overlap between the issues at stake in each of these last two chapters. Finally, in my conclusion, I suggest how a democratic theory of the arts can contribute both to cultural policy and to social theories of the arts.

As I write this, a new round of cultural regulatory debates has begun, this time surrounding a different federal agency: the Federal Communications Commission (FCC). After recent congressional hearings about ‘indecentcy’ on television, the FCC is promising new investigations and steeper fines for those who transgress federal standards of decency—never mind the vagueness of such ‘standards’. Language, nudity, and general sexuality seem to be the primary targets, as illustrated by the uproar over Janet Jackson’s breast-baring incident at the 2004 Super Bowl Halftime Show. Nearly all of

the commentary regards the appearance of Jackson's breast, and not the seemingly violent way in which pop-singer Justin Timberlake committed the 'baring'.

Interestingly, in this newer scenario, we have a morality-based conservatism, embodied in the FCC, going head-to-head with a secular corporatist conservatism, embodied in Viacom and the small handful of companies that control commercial culture in America. The leftists are staying low and focusing on the protection of civil liberties as the battle is waged. I am not sure where my democratic theory would fall in this debate, except that it is likely to produce a thorough critique of both sides. Nevertheless, the new conflict makes clear more than ever that a public discourse about the centrality of the arts—all of the arts, not just the profitable ones—is desperately needed in order to stabilize American cultural life and the defense of free expression.

Chapter 1

Cultural Policy in American Political Development

Our national leaders must be informed that we want them to use our taxes to support street theatre in order to oppose street gangs. We should have a well-supported regional theatre in order to oppose regionalism and differences which keep us apart. We need nationally to support small, medium, and large art museums which show us images of ourselves, those we like and those we dislike. In some way, very important to us, we need to see those we dislike even more than those we like because somehow we get glancing visions of how we look 'as through a window, darkly'. – Maya Angelou, from the 1990 Nancy Hanks Lecture on Art and Public Policy in Washington, DC

Introduction

What is the relationship between political systems and art worlds? By 'political systems', I am referring to the varying philosophical approaches to social control and decision-making as they are disseminated throughout a society. These can include democracy, communism, aristocracy, and monarchy. However, because my research is focused on the United States, I am particularly interested in democracy as a political system and, to a lesser extent, the tensions that it has experienced with aristocracy.

Democracy, as a political system, emphasizes principles such as participation, relative egalitarianism, broad representation in decision-making, inclusivity, and debate. These principles are drawn from democratic political theory. The United States, when held against these standards, is not a democracy. But it may be properly seen as a democratic project in that many Americans and American institutions hold up democracy as an ideal that is worth pursuing.

Research projects that study the pursuit of democracy have focused on the law, morality, and economics, but little attention has been given to culture and its relationship with democratic ideals. I seek to draw attention to the important role of culture in the pursuit of democracy by focusing on the political effects of the arts. More specifically, I will demonstrate that the arts offer important mechanisms for fostering democratic ideals across society.

Such a project might focus on political messages as they are coded into the content of culture and then privileged by certain social practices—for instance, messages about American identity that are written into *The Adventures of Huckleberry Finn* and then legitimized through the book's position in educational curricula. Sarah Corse's *Nationalism and Literature* (1997) examines the content of American and Canadian novels and then explains their differences through a comparison of national political development. Her analysis links content to social dynamics. Although I certainly agree that content matters, I focus my attention on the social practices that surround the arts. These practices include the formation of aesthetics—frameworks for artistic interpretation—as well as the process of funding the arts.

But the arts are not a monolith. Art worlds—to use Howard Becker’s term for the many actors, institutions, and practices that participate in the production and distribution of art—are dynamic, contestatory, and variable. Given the heterogeneity of the arts, the relationship between art and democracy is likely to depend upon the kind of art in question. Again, I am not concerned with the content of the art, though of course it is a factor. Rather, I am interested in how the art functions within society. The controversy that erupted over some of Robert Mapplethorpe’s photographs in 1989 is sometimes described as a breakdown in the relationship between art and democracy. If Mapplethorpe’s photographs are viewed as a form of ‘official art’ that is imposed from above, through the mechanism of a government funding system controlled by elites, then they might fairly be labeled as anti-democratic. If Mapplethorpe’s controversial photographs are seen as an expression of a gay aesthetic, giving voice to a group that often goes unheard or under-heard in American society, then we can actually appreciate their democratic character—drawing another voice to the table of decision-making in American society. I demonstrate in chapter 6 that both of these formulations, and several others, are possible—with no variation in the artistic content. What matters is the aesthetic frame that situates our interpretation.

As my analysis unfolds, I make distinctions between art that functions as a symbol of elite status, art that functions as a mechanism for identity politics, and art that provides a symbol of common identity. My argument is that the most democratic formulations of art are those relating to identity politics and common identity. In contrast, art that crystallizes elite identity is very anti-democratic. Which function

applies to a given work depends upon the aesthetic framework that is being embraced.

Indeed, the same work can serve all three functions because variations in our interpretive frameworks generate variations in the social functions of the artwork in question.

Mapplethorpe's formal skills allow elites to claim his work as a symbol of the dominance of elite ideals, under the banner of formalism—the aesthetic framework that is most embraced by traditional elite arts institutions. The homoerotic themes of some Mapplethorpe photographs allow them to be used for the purpose of sexuality-based identity politics. And the fact that the display of his photographs was made possible, in part, by government funding create a space for categorizing these works as symbols of a common American identity—there is a sense in which 'we funded this', where the 'we' is made very inclusive by the fact that all Americans are accountable to the IRS, and their tax money makes possible the National Endowment for the Arts.

But what makes two of these functions of art very democratic, while the third detracts from democracy? True symbols of common identity defuse power and make relative egalitarianism possible. Aristocracy depends upon the concentration of power in a small elite that is easily distinguished from a relatively powerless mass. Aesthetic taste is often used as a marker that provides that easy distinction. When art symbolizes common identity, it legitimizes all tastes, not just those of an elite. Power, then, becomes diffuse as the necessary distinction falls away. Broader participation is then made more likely as taste can no longer be used to exclude the mass from the processes of decision-making.

But in many cases, the masses can be dissected into very different social groups, each holding their own interests and even their own aesthetic tastes.⁷ Identity politics is the process by which these unique groups compete for the representation of their concerns. Art that serves as a mechanism for identity politics provides a voice for these concerns. More broadly, art that is counter-hegemonic in character—aimed at the contestation of ‘legitimate’ power—brings the discreet interests of these many non-elite groups into national discourse and increases the possibility for their representation in the processes of decision-making. An example is feminist aesthetics. While many artists deliberately produce work with feminist content, feminist aesthetics offer an interpretive framework that can be applied to all of the arts—not just that made by feminists. Feminist aesthetics provide a voice for everyone who is interested in defusing the gender/power relationship. Through the imagery of the arts, which can powerfully influence consciousness, they infiltrate society with feminist ideals. Put another way, feminist aesthetics bring a voice of contestation and debate to the decision-making table.

In contrast, when art serves as a symbol of elite status—under artistic frameworks that legitimize only the taste of elites—is has the effect of legitimizing the aristocratic concentration of power. Arts institutions that participate in elite aesthetics tend to make their decisions with little social participation, often behind closed doors through processes that are anything but transparent. Moreover, they legitimize this form of

⁷ I am, of course, over-simplifying for the purposes of analysis. In reality, we can identify discreet interests and proximally associate them with particular groups, but the groups overlap and intersect enormously. They even overlap with elites. For instance, we can identify feminism as a counter-hegemonic force despite the fact that many feminists are from elite economic backgrounds.

decision-making across social institutions. They encourage, for instance, paternal governments that refuse to explain their military and economic policies. I conclude that the United States has largely emphasized elite aesthetic systems over and above aesthetic frameworks that treat art as either a symbol of commonality or a mechanism of identity politics. Does this make the US more of an aristocracy than a democracy? It certainly suggests the possibility, and any examination of economic inequality in the US confirms the conclusion. There is a glimmer of hope for a democratic art world that can be found in the heavy presence of identity-politics arts practices in the late 20th century, and in the pressures for publicly funded art that are strongest in the second half of the century. But this has also resulted in a deeper entrenchment of those who defend the elite character of the arts. The future of any aesthetic quest for democracy is uncertain at best.

Returning to my opening question about the relationship between political systems and art worlds, my argument is that art worlds are a powerful mechanism in the construction of the political system. More specifically, the way in which the arts are organized in American has bearing on our success in the pursuit of democracy. This is in keeping with recent work in the sociology of culture that demonstrates the powerful and constitutive character of culture.

Where to begin an exploration of the relationship between art and democracy? The most frequent locus of debate for this subject is government funding for the arts because there is an assumption that government-funded art is most accountable to principles upon which the society is based. In comparison, private funding for the arts and private experience with arts—whether in terms of private corporations or individuals

in their private lives—are seemingly less accountable. So I focus my analysis on government funding for the arts, and I begin with a detailed look at how the relationship has already played out in American history. The ground that I have to cover is wide. It includes early investments in culture, in a variety of forms, as well as major programs such as the Federal Art Project (part of the Works Progress Administration of the 1930s) and the formation of the National Endowment for the Arts. It even takes a surprising look at diplomacy, because culture has often been ‘deployed’ as an arm of international relations, and this deployment marks a significant investment in the arts by America.

Democratic political institutions have looked upon the arts with great suspicion, in part—or at least, at first—because of their association with European aristocracy. In the next chapter, I show that theorists of democracy have viewed the arts with great excitement and hope for what they might become within a democratic society. At the center of this hope is the possibility of dissociating the arts from aristocracy. Tocqueville offers associational life—or civic participation—as the democratic substitute for aristocratic rule. Recent theorists of democracy—in particular Robert Putnam and Mark Warren, who will be discussed later—have significantly refined our understanding of the role of associations in the public square of democracy. Students of art and cultural policy have refined our understanding of the ways that art can contribute to social life and that same public square. But the two efforts have not been brought together, since Tocqueville, into an understanding of the importance of art for American democracy. Viewing art as a form of associational practice provides a usable alternative to the elitist functions of art within an aristocracy. Those who wish to press the democratic envelope

in America, and reduce the hold of aristocratic tendencies, will find it useful to specify the ways by which art can contribute to one or the other, so that democracy might be privileged whenever we have such agency. Here, I outline the various views of the arts held by the American government in the nineteenth century, in the New Deal programs of the 1930s, in the unfolding of the Cold War, and in the formation of the National Endowments for the Arts and Humanities in the 1960s.

An Overview of American Cultural Policy

The religion professed by the first immigrants and bequeathed by them to their descendants was simple in its forms, austere and almost harsh in its principles, and hostile to eternal symbols and ceremonial pomp. It was therefore naturally unfavorable to the fine arts and only reluctantly made room for the pleasures of literature. – Alexis de Tocqueville, *Democracy in America* ([1848] 1969, 454)

Alexis de Tocqueville, in the quote above, points to religion as the variable that explains American ambivalence towards the arts. Another recent analysis suggests that American political leaders have shied away from investment in the arts because of their pursuit of ideal manhood, which would have nothing to do with the feminine endeavor of art-making (DeVereaux 2003). The most common explanation is that early American political leaders associated the arts with European aristocracy, and therefore saw it as imperative for American democracy that the arts take little hold in the US (Levy 1997). Whatever the explanation, it is widely agreed that the arts have held a peripheral place, if not in American society broadly, as some have claimed, then at least in American political ideology (Cummings 1991).

The story is often told comparatively, generally through comparisons to Canada (Pittman 1994; Cummings 1994) or Europe. As Judith Blau states, "Compared with European cultural funding practices, U.S. subsidization is modest in scope and also highly unco-ordinated" (Blau 1989, 77). America, unlike many European nations, has no ministry of culture. Government spending on the arts pales in comparison to that of other societies. Table 1.1 summarizes the findings of a report from the Arts Council of Ireland, which compares government expenditures on the arts for 1996. Such spending in the US amounts to only 0.019% of the gross domestic product (GDP). In comparison, Sweden, which ranked highest in this limited study in terms of public funding for the arts, spends 0.35% of its GDP on the arts and museums. A similar study, completed by the Research Division of the National Endowment for the Arts (NEA) examined more countries, although the data is more problematic since the years that were used vary by country (see Table 1.2). However, that study also finds that the US spends far less than Canada and selected European nations. The US spends only \$6 per person on the arts, compared to \$57 by Sweden and \$91 by Finland. Although spending on the arts in the US is high in terms of actual dollars, when we control for GDP or per capita spending, the US consistently falls to last place in comparison to other industrialized nations.⁸

⁸ Note that these figures do not account for indirect government spending in the form of tax incentives, which can actually account for a large, though widely variant, proportion of government expenditures towards the arts. Feld, O'Hare and Schuster (1983) offer a careful analysis of the role of taxes in providing revenue for museums, and find with a representative museum that when budgets are revised to account for revenue from the government's foregone taxes, the percentage of the museum's revenue coming from public sources increases from 9% to 31%. Tax incentives are particularly beneficial for the arts in the US

Table 1.1: Estimated public expenditure on the arts and museums of selected countries and regions, 1996 data.

<i>Country/Region</i>	<i>Government Arts & Museums Expenditure as % of GDP</i>
Australia	0.19%
England	0.14%
Finland	0.27%
Ireland	0.09%
Northern Ireland	0.19%
Quebec	0.30%
Scotland	0.21%
Sweden	0.35%
USA	0.019%
Source: The Arts Council (Ireland) 2000.	

and the UK, where policies enacted during the administrations of Ronald Reagan and Margaret Thatcher respectively shifted public spending for the arts away from direct investments towards indirect subsidies (Wu 2002). Also note that these figures include all public spending on the arts—federal, state, and local—within the given country or region.

Table 1.2: Public expenditure on the arts and museums of selected countries, varying years.

<i>Country</i>	<i>Government Arts & Museums Expenditure as % of GDP</i>	<i>Per Capita Arts Spending (US dollars)</i>	<i>Total Government Arts Spending (millions of US dollars)</i>
Australia (1993/94)	0.14%	\$25	\$438
United Kingdom (1995/96)	0.14%	\$26	\$1,518
Finland (1994)	0.47%	\$91	\$460
Ireland (1995)	0.07%	\$9	\$33
Canada (1994/95)	0.21%	\$46	\$1,272
France (1993)	0.26%	\$57	\$3,275
Germany (1993)	0.36%	\$85	\$6,886
Netherlands (1994)	0.21%	\$46	\$714
Sweden (1993/94)	0.29%	\$57	\$496
USA (1995)	0.02%	\$6	\$1,530
Source: National Endowment for the Arts 2000.			

Early Political Approaches to the Arts

Why are the democratic political institutions of early America so reluctant to invest in the arts? Was there to be no role for the arts in this democratic project? Alan Howard Levy, in his historical analysis *Government and the Arts* (1997), takes issue with Tocqueville's explanation. Levy points out, wisely, that the Puritans were in fact "intensely interested in esthetics and quite sensitive to beauty" (Levy 1997, 1), and, therefore, their beliefs cannot explain why the US government is so uninvolved in the arts. Levy shifts the attention away from New England and Puritanism and towards the first leaders of the new Republic. Early proposals for a National University, suggested by James Madison and Charles Coatesworth Pinckney, were rejected by Congress, largely out of regionalist concerns. Where would such an institution stand? Who would attend? Most legislators feared that their state might lose out, or that the states in general would

decline in power, and therefore rejected as frequently as possible any movement towards a national cultural institution.

McWilliams (1982) designates three strands of thought in American cultural policy that he claims are still at work today: Puritanism, Enlightenment liberalism, and Jacksonianism. McWilliams agrees with Levy that the Puritans were indeed interested in aesthetic issues, but he also points out that their view of sin was also influential in their attitudes towards the arts. Sin's corrupting power has the effect of tainting human understandings of beauty, and therefore, "The governance of the arts, in turn, should be premised on a distrust of the eye and of the aesthetics of vision" (McWilliams 1982, 17). So despite Puritan appreciation for the arts, it may nevertheless have been their influence, in part, that prevented the development of American cultural policy and cultural investment. This attitude may be found today in those who are most critical of the National Endowment for the Arts, such as the Judeo-Christian (though mostly evangelical protestant) political organization, the American Family Association.⁹

The liberal strand of American cultural tradition focuses on art as a private good—privately created and privately enjoyed—where the government's role is simply to protect that privacy. By extension, the government should not sanction any particular form of the arts, positively or negatively. This strand of thought can be seen in many

⁹ Importantly, one recent study finds that this perspective, which tends to be very critical of secular art, is held by a minority of Americans, as compared to the large number that support both the arts and government funding for the arts. However, the same study also finds that this minority holds its views more strongly than those who support the arts, and anticipates that those with strong convictions are most likely to get involved in political debates on the issue (DiMaggio and Petit 1999).

locations today, but is strongest in the libertarian impulse to abolish government funding for the arts (Cowen 2002). However, it can also be found in art world insistence that government funding should never come with limitations or strings attached.

Finally, McWilliams identifies the Jacksonian approach to government support for the arts, which, he argues, emphasized artistic contributions to civil society. In contrast to the private character of art that is emphasized by the liberal tradition, the Jacksonian approach was most interested in art as a public good. McWilliams summarizes this attitude towards the arts, saying “Against the privatizing tendency of society, the arts are needed to draw individuals toward citizenship, combating private spirit by revealing the dignity and beauty possible in and through moral and political life” (McWilliams 1982, 28). This approach to art is found in contemporary efforts to revitalize American cultural policy, such those of the Center for Arts and Culture in Washington, DC, with publications like *The Public Life of the Arts in America* (Cherbo and Wyszomirski 2000). It is, of course, also embodied in my own research, presented here.

How strongly the Jacksonian era advocated for the arts is a subject of some disagreement. Levy reminds us that in this era the federal government actually accomplished very little in terms of support for art. Levy gives an example of an early arts controversy that occurred in 1817, when congress appropriated funds to develop the rotunda and other areas of the capitol with art works. Congress then voted 114 to 50 *against* using the funds for this purpose. Why the opposition? In part it was concern about spending money on such an area while debt from the war of 1812 was still unpaid.

In part it was a fear that the works would turn out poorly and prove a bad investment.

And in part it was a feeling that art was a poor use of federal funds, and always would be so.

The dream of a national cultural institution finally came to fruition later in the 19th century. The Smithsonian Institution was founded in the 1830s after James Smithson left over half a million dollars to the federal government for the purpose of creating a national cultural and educational center in DC. The appropriate use of the money was the subject of much debate in Congress. Eventually, the Smithsonian was founded as a “multi-faceted gallery” rather than a university. It took on the role of international cultural exchange programs in 1851, which strengthened its purpose of creating national identity (Levy 1997).

Throughout the nineteenth century, there was a great deal of debate about whether the U.S. needed a central shared culture or if regionalism should reign supreme (Levy 1997). To the extent that democracy entered the discussion, it was through the question of regionalism. Is it more democratic for decisions to be made at the local level, or does national democracy depend upon some centralization of purposes and values?

Incidentally, in the arts, the issue of regionalism still dominates, as the National Endowment for the Arts is continually pressured to pass more of its appropriations on to state and local arts agencies (DiMaggio 1991a).

But while there was much discussion about whether the arts constitute an appropriate investment for the US government, largely arriving at a negative answer, democracy was rarely invoked as a determining factor. Rather, the discussion focused

on, in addition to regionalism vs. federalism, a general distrust of art and artists and a sense that the arts were a poor investment for taxpayer monies.

The significance of government support for the arts in the 19th century is so slight that one cultural historian, in an article titled “Government Patronage: An Historical Overview” (Mankin 1982), makes no reference whatsoever to events prior to the 20th century. Instead, the article focuses on federal support for the arts under the New Deal. New Deal legislation marked a groundbreaking change in support for the arts, and that period will be discussed next.

New Deal Arts Projects: Organizational Predecessor to the National Endowments

When a stock market crash and economic depression generated mass poverty in the 1930s, it also opened the door to a new, more democratic, relationship between art and the American political system. Perhaps the collapse of a heavily aristocratic economic system left Americans ready to more fully explore the possibility of democracy. After more than a century and a half of cynicism towards the arts, the federal government changed its tune in the 1930s.

The New Deal marked the first large-scale government investment in the arts, encompassing numerous agencies and tens of millions of dollars (the Federal Art Project, the largest of Roosevelt’s art programs, spent an estimated total of \$35 million). These programs, in both their successes and their failures, set a tone for future involvement in the arts, most importantly for the National Endowment for the Arts, which was founded in 1965. Returning to my opening remarks about the functions of the arts within society, I think of the New Deal arts programs as a push towards generating art that symbolized

common American identity—a push that was largely unprecedented, as much of the ‘legitimate’ American art to this point served as a symbol of elite status.¹⁰

From where did this new willingness to spend public monies on the arts come? According to Helen Townsend (1985), the traditional explanation is two-fold. First, the government, and the American public, had developed some (limited) sensitivity to the plight of artists who were suffering as a result of the Great Depression. The number of Americans pursuing work in the arts had significantly increased in the 1920s, and now many of these artists found themselves without work. The editor of the official journal of the College Art Association, Audrey McMahan, had alerted the world in particular to the struggles of the great mass of artists in New York City (McMahan 1933). Second, the government held a “desire to spur an American renaissance” (Townsend 1985, 264). The artist George Biddle was using his influence over his friend Franklin Roosevelt to encourage the use of government funds in the production of mural and other public art works.

But Townsend adds a third variable to the explanation of this invigorated government attention to the arts: ideology. In 1933, The President’s Research Committee on Social Trends had recommended the development of a national ideology for the purposes of social cohesion. And, as Townsend points out, Biddle was most concerned

¹⁰ In using the term ‘legitimate’, I am invoking Bourdieu’s distinction between the arts broadly considered, and the institutionalized arts—those that receive the most public attention, are taught about schools, and generally celebrated at the national level (Bourdieu 1984). There were, of course, many artists prior to the 1930s whose works were not legitimized by this system but who, under a different reigning aesthetic, might have contributed to a more democratic art system.

that unfunded artists might use their ideological influence to trigger social unrest. The federal government had a vested interest in appropriating the ideological power of art for its own purposes. Of course, the coinciding of an economic downturn also matters, as it provided an available workforce for the construction of this national ideology. As relief administrator Olin Dows said at the time, "If it had not been for the Great Depression, it is unlikely that our government would have sponsored more art than it had in the past."¹¹ Whether a national ideology actually came of these federal programs is perhaps arguable, but certainly doubtful. More interesting is the institutional precedent that was created for government funding of the arts.

The first federal program for the arts was the Public Works of Art Project (PWAP), which opened in 1933 but closed less than a year later. PWAP primarily gave money to local political leaders and allowed them to choose the recipient artists and projects. Though short-lived organizationally, PWAP affixed the Roosevelt administration to the idea of funding arts projects.

Soon after PWAP closed, the Artists' Union published a sort of rallying cry in *Art Front*, presenting a list of demands for the government.

1. Permanent jobs for all unemployed artists. These were to include:
 - expansion of the former PWAP for all unemployed artists;
 - Regional Federal Art Museums and Lending Libraries to serve as a clearing house and exhibition center for all works produced under the

¹¹ Quoted in Mankin 1982, 118.

project for circulation among public institutions and the general public;

- mural painting and decoration in public buildings;
 - monumental and decorative sculpture in public buildings;
 - miscellaneous fine and commercial art work projects;
 - the teaching of arts and crafts;
 - and a permanent Federal Art Project
2. That no discrimination be shown artists of any derivations, influences, and trends in contemporary art today
 3. That wages and conditions be specified at \$30.50 per week for a 30-hour minimum and that artists be allowed complete freedom in conception and execution
 4. That there be representation of artists elected by artists to all art administrative bodies
 5. Adequate home relief until placement on jobs
 6. Passage of Workers Unemployment HR 7498
 7. The establishment of a Municipal Art Center by New York City¹²

Clearly, PWAP had convinced the American art world, as much as the American government, of the need for federal investments in art.

When the WPA began in 1935, it included five programs that were relevant to the arts: the Federal Theater Project (FTP), the Federal Writers Project (FWP), the Federal

¹²Quoted in Townsend 1985, 281, from *Art Front* 1934 (November), 4-5.

Art Project (FAP), the Federal Music Project (FMP), and the Federal History Project (FHP) (Mankin 1982).¹³ These programs were governed by the Professional and Service Projects Division, known informally as Federal One. Such programs are now credited for Alan Lomax's recordings of southern blues, and for the early writings of Zora Neale Hurston, Ralph Ellison, and Richard Wright. Other extensions of WPA produced Dorothea Lange's famous photographs of the rural poor. In general, the arts programs of the WPA were much more diverse in terms of race, gender, and class background than other arts organizations of the day. In fact, another federal program for the arts, the Treasury Section on Painting and Sculpture (Section, for short), was criticized for giving its money mostly to artists who were already financially successful and who engaged in the most traditional forms of the arts. The same criticism has been lobbed at the Treasury Relief Art Project (TRAP).

The director of the FAP, Holger Cahill, as a result of his reading of Dewey's *Art as Experience*, felt that the distinction between the fine and the practical arts was false and deliberately gave money to both categories. This was a populist move; in his own words: "Only that art which draws its inspiration from the body of the people can be good art and mean something to the people for whom it has been created" (Levy 1997, 77). Under Cahill's direction, FAP pursued a program of cultural democracy, seeking to produce 'art for the millions'. Although art historian Chin-tao Wu wisely points out that

¹³ The Federal History Project is less explicitly arts related, but it did employ many writers, like the Writers Project. However, because its relevance is less obvious, it has been less reviewed by arts policy historians.

such goals “are rather redolent of the patrician *noblesse oblige*,” (Wu 2002, 35) there was a sincere and admirable intent by the administrators of the FAP to wrest art from its elite domination. This meant a turn away from the focus on formal excellence, because, as Cahill put it, “The emphasis upon masterpieces is a nineteenth-century phenomenon” (Cahill [1936] 1968, 471).

The programs were not without their problems. Alan Howard Levy has sought to measure the influence of the FWP on American literature since World War II, with minimal results. “[T]he work under the [Federal Writers] Project does not appear to have served as any sort of backdrop either to the esthetic precepts or to the subject matter of key post-1945 writers like William Styron, Norman Mailer, James Michener, Philip Roth, Saul Bellow, or Gore Vidal” (Levy 1997, 64). The best products of the writers’ project, in Levy’s eyes, were the histories, folklore collections, and travel guides that were written by FWP staff.

Levy finds greater success in the theater and music projects, which held performances that were widely attended and rarely criticized. Levy credits the FAP with the development of acrylic paint, silkscreening, carborundum etching, and many advancements in lithography.

The downfall of the New Deal arts programs would undoubtedly be the links (many real, but often exaggerated) between the American art world and communism. Rather than giving the government a mechanism to reign in the ideological power of the arts, these programs appeared to many conservative politicians to symbolize communist appropriation of the federal government through the arts. As one critic said, “The plain

fact was that Communists were exceedingly active in the WPA Theater and Writers Projects; they did all they could to get their own people into it and to turn the whole enterprise into an agitprop machine.”¹⁴ According to Levy, the leftism of the New Deal arts was much less significant than either congressional or popular assumption, but every instance when a vaguely communist sentiment was expressed received a great deal of attention. Congressman Martin Dies formed a committee in 1938 to investigate these claims, with the hope of weakening Roosevelt’s political power. As a result, the Relief Bill of 1939-1940 closed the FTP, and decentralized the remaining projects while also drastically cutting their budgets. They would finally end altogether in 1943, after attention and federal monies had been directed away from economic concerns towards the escalating war.

Throughout Roosevelt’s art projects, democracy was a peripheral justification for government subsidies, but it was an important one. While the argument was rarely made that American *democracy* needs the arts, there was at least some discussion that American public life needed them, especially away from the large cities of the east coast. While the idea of democratizing the American art world was not widely discussed, the FAP certainly carried out such a project. Indeed, one historian has called it “the greatest experiment in democratic culture the world had ever seen.”¹⁵ These programs broadened participation in the arts, not only in terms of who was making art, but also in terms of who was featured in the arts and who the audience was.

¹⁴ Quoted in Mankin 1982, 126-127.

¹⁵ The historian is Oliver Larkin, and he is quoted in Selz 1968, 458-459.

Cultural Diplomacy: Ideological Predecessor to the National Endowments

While the U.S. government has been consistently reluctant to spend money on cultural activities at home, they have been somewhat more willing to invest in sending American culture abroad. Such activity is generally referred to as ‘cultural diplomacy’. As Milton Cummings, Jr. argues in his 2003 report for the Center for Art and Culture “Cultural Diplomacy and the United States Government: A Survey,” whenever and wherever cultural diplomacy is deployed, two goals co-exist that are often and easily confused. On the one hand, cultural diplomacy can serve as a two-way exchange that builds mutual respect and understanding between nations. On the other hand, it can serve as a one-way propaganda machine that seeks to win foreign support for a nation’s political goals. Charles Finkel, who would later become Assistant Secretary of State for Educational and Cultural Affairs, said in 1965:

The United States as a nation and a member of world civilization has an unquestionable interest in educational and cultural programs abroad. It has this interest in part because such programs contribute to a more favorable American ‘image’ and make it more likely that United States political policies will succeed.¹⁶

Kevin Mulcahy (1982a) reminds us that culture is politicized in both the propaganda circumstance and the exchange circumstance, but only in propaganda is culture *reduced* to politics and judged solely for its success at achieving political ends (losing sight, for instance, of aesthetic goals).

¹⁶ Quoted in Mulcahy 1982a, 293.

In the United States, cultural diplomacy has provided numerous opportunities for cultural exchange, but it has also been used for symbolic battles, first against Nazi Germany, then later against communism and the Soviet Union, and most recently against anti-American sentiment in the Middle East. The first significant cultural diplomacy in the United States began in response to a perception that Nazi Germany was gaining support from Latin America (Cummings 2003). One diplomat claimed that German influence in Latin America was “well-organized and well subsidized, and designed to counteract any U.S. cultural relationships with the Latin American countries and discredit U.S. motives and purposes in the area.”¹⁷ That claim is now believed to have been exaggerated, but the U.S. responded in 1936 by calling for a Convention for the Promotion of Inter-American Cultural Relations. The motion was unanimously passed at the Pan American Conference for the Maintenance of Peace, held in Buenos Aires.

Subsequently, two major offices for cultural diplomacy opened in Washington, DC. The first was the Division of Cultural Relations (DCR) at the State Department, which opened in 1938, and the second was the Office for the Coordination of Commercial and Cultural Relations between the American Republics (later named the Office of the Coordinator of Inter-American Affairs [OCIAA]), which opened in 1940 (Larson, 1983). Nelson Rockefeller was named the first Coordinator of this second office. The OCIAA lasted only until 1945, when Rockefeller was made an assistant secretary of state and the functions of the office transferred to the State Department. The

¹⁷ Quoted in Cummings 2003, 1.

Office of War Information also closed at this time, and its functions were likewise taken up by the State Department.

In his brief tenure as Coordinator, Rockefeller used the OCIAA to organize two-way cultural exchanges with many Latin American countries. Rockefeller focused on the press, radio, and film to achieve his goals. For instance, the OCIAA's film program subsidized the Hollywood production of films featuring Latin American characters and settings—among them, *The Life of Simon Bolivar*, *The Road to Rio*, and even Disney's *The Three Caballeros*. In exchange, the studios sent free copies to diplomatic offices in Central and South America. In 1941, Orson Welles was sent to Brazil by OCIAA to film *It's All True*, a movie about the labor disputes of a group of Brazilian fishermen. But the film was never finished due to political disputes between Welles and the OCIAA (over such issues as Welles's inclusion of many black Brazilian characters) and fears by RKO studios that the movie would be a commercial failure (Miller and Yudice 2002).

Meanwhile, the CDR at the State Department focused on centralizing the international work—largely exchanges—of several private cultural foundations. Cultural attachés had been appointed during the war and the office helped with the formation of UNESCO in 1946. The CDR took on particular significance after the war, when thousands of Americans, Germans, and Japanese participated in exchange programs sponsored by the U.S. government (National Arts Journalism Program 2003). When the OCIAA closed, its duties were coupled with the CDR to form the Office of International Information and Cultural Affairs, which was renamed in 1946 The Office of International Information and Educational Exchange. The exchange programs gained considerable

momentum with passage of the Fulbright Act in 1946, as well as the Smith-Mundt Act in 1948, and the Fulbright-Hays Act in 1961, all of which provided federal funds for the promotion and expansion of international cultural/educational exchanges. These exchanges hold the best claim, among all forms of cultural diplomacy, of being mutual and generally free of propaganda.

Also in the mid-1940s, the State Department (under its name changing cultural program,) organized two exhibitions of American art that toured abroad. These had the more propagandistic function of promoting a positive image of the U.S. The first exhibit was called "American Industry Sponsors Art," and featured selections from the collections of corporations like IBM, Standard Oil, and Pepsi. This was relatively well received abroad and looked upon favorably at home. It was an important exhibit because it contested foreign perceptions of America as an industrialized but cultureless society. The exhibit argued symbolically that American industry actually sustains a healthy art world. The second exhibit, "Advancing American Art," created a stir of controversy. The State Department had actually purchased the works for the show, and unlike the earlier exhibit, had given emphasis to abstract and experimental art. Many politicians, as well as more traditional artists, criticized these works and questioned their value as art. An article in *Look* magazine about the exhibit was titled "Your Money Bought These Paintings."¹⁸ "Advancing American Art," like the WPA art programs, was even accused of communist infiltration. In response to the criticism, the paintings were quickly sold. The State Department had gotten a bargain, purchasing 79 paintings at a cost of \$55,800.

¹⁸ Cited in Larson 1983, 28.

The collection was appraised at \$79,658.50, but was sold by the War Assets Administration for a mere \$5,526.68 (Larson 1983).

After passage of the Smith-Mundt Act in 1948, the State Department reorganized its cultural programs again, creating two offices. The Office of Educational Exchange administered took on the task of administering the Fulbright program and opened American libraries and cultural centers abroad. The Office of International Information focused on promoting America's image abroad. Effectively, this reorganization divided the propaganda programs from the legitimate exchanges. However, the comments of one Washington official about the Smith-Mundt Act highlight the continued conflicts of America's two-pronged cultural diplomacy: "The value of international cultural exchange is to win respect for the culture of our free society, when that respect is necessary to inspire cooperation with us in world affairs. In such a situation, cultural activities are an indispensable tool of propaganda."¹⁹

To these propagandistic ends, the 1950s saw a flurry of American cultural programs abroad. To support these programs, the United States Information Agency opened in 1953, taking all of the State Department's cultural programs, save the educational exchanges (and thereby maintaining a separation of propaganda from cultural exchange). In this phase of cultural diplomacy, the American Cold War with the Soviet Union set the tone, and fighting the spread of communism became the primary objective. It is, of course, ironic how the very occupational sphere so frequently accused of communism was, at the same moment, the chief weapon against communism.

¹⁹ Quoted in Larson 1985, 304.

Representative George Dondero had, only in 1949, given a speech before the House in which he argued that “disavowal of any relationship between communism and so-called modern art is so pat and so spontaneous a reply by advocates of the “isms” in art, from deep, Red Stalinist to pale pink publicist, as to identify it readily to the observant as the same old party-line practice.... [A]rt is considered a weapon of communism, and the Communist doctrinaire names the artist as a soldier of the revolution” (Dondero 1968, 496). Legislators in the 1950s were of two minds about cultural diplomacy—wanting to fight communism with every available weapon, but also terrified that embracing culture in any way might actually allow for a communist infiltration of the government. The WPA art programs and the accusations against them of communism were at the front of these legislator’s thoughts.

Despite this conflictedness, America maintained an interesting cultural diplomacy program, of which the most popular element was jazz. The USIA funded international tours by Louis Armstrong, Dizzy Gillespie, Duke Ellington, and hundreds of others. Jazz served two functions in cultural diplomacy. First, to European countries in particular, it stood as evidence that the U.S. had its own unique cultural forms and did not simply mime the culture of Europe. Second, by virtue of the fact that many of its performers were black, it helped to battle the widely-held image of America as a racist nation (National Arts Journalism Program 2003).

In the late 1950s, art exhibitions were held once again—first, at the Brussels World’s Fair in 1958, and then at the American National Exhibition in Moscow in 1959.

While these exhibitions faced some controversy, they fared better than those of the 1940s because the goal of fighting communism was more widely agreed upon (Larson 1985).

In the 1960s, the Central Intelligence Agency entered the realm of cultural diplomacy, becoming one of its most powerful (secret) agents. “[I]n the mid-1960s, CIA funding was involved in nearly half the grants in the field of international activities made by American Foundations other than the big three, Ford, Rockefeller and Carnegie. Some of these grants went to influence foreign, cultural and intellectual elites like Radio Free Europe, Radio Liberty and the Congress for Cultural Freedom,” says the CIA’s official historian Michael Warner (National Arts Journalism Program 2003, 29). But the CIA’s role in these programs was kept secret. Indeed, these CIA endeavors ended abruptly in 1967 after a leftist reporter exposed CIA funding of the National Student Association and subsequent reporters discovered numerous covert infiltrations of intellectual and cultural activities. In defense of these programs, diplomat George Keenan said, “This country has no Ministry of Culture. The CIA was obliged to do what it could to fill the gap.”²⁰

Even the formation of the National Cultural Center (later renamed the Kennedy Center) took on diplomatic purposes. To quote from the founding legislation, the purpose of the center is “to strengthen the ties which unite the United States with other nations and to assist in the further growth and development of friendly, sympathetic, and

²⁰ Quoted by Michael Warner in National Arts Journalism Program 2003, 30.

peaceful relations between the United States and other nations of the world.”²¹ Or, as Representative Frank Thompson said, to use culture as “one of the very best and most effective ways to answer the Russian lies.”²² The legislation that created the National Endowments for Arts and Humanities also took on diplomatic overtones, though that will be discussed in the next section.

The focus of cultural diplomacy in the 1970s and 1980s remained the war against communism, which Gary O. Larson calls “fighting culture with culture” (Larson 1985). In 1978, President Jimmy Carter moved the Office of Cultural Relations from the State Department to USIA, which he renamed the United States International Communication Agency. In 1982, Reagan’s appointed director changed the name back to USIA, while keeping the agency’s focus on pro-American propaganda (Cummings 2003).

As political dynamics transformed world polity at the end of the 1980s, the value of cultural diplomacy to the American government diminished. With no Cold War to fight, USIA closed American libraries and cultural centers abroad. It also reduced funding for many exchange programs, such that now the Fulbright exchanges with Germany and Japan are almost entirely funded by those countries, with little support from the U.S. Finally, the USIA closed altogether in 1999, and its remaining functions returned to the State Department (National Arts Journalism Program 2003).

Milton Cummings, Jr. argues that cultural diplomacy is generally motivated by perceived threats from abroad—rather than an abiding desire for mutual understanding

²¹ Quoted in Larson 1985, 294.

²² Quoted in Larson 1985, 295.

with other societies—and so it should come as no surprise that interest in cultural diplomacy has renewed since September 11, 2001. For instance, the office of International Information Programs at the State Department issued a publication in 2003 called *Writers on America*, a collection of essays by writers such as Robert Pinsky, Julia Alvarez, Mark Jacobs, and Naomi Shihab Nye that discuss the meaning of being an American. The publication was simultaneously issued in English and Arabic and was distributed in Arab countries as a way of promoting a positive image of America. And a meeting hosted in April 2003 by the National Arts Journalism Program, Arts International, and the Center for Art and Culture (portions of which have been cited above) explored the history and future of American cultural diplomacy, with many participants calling for the reopening of the USIA and for a renewed investment in cultural policy broadly.²³

How does cultural diplomacy relate to democracy? Although democratic societies do have to be concerned with national security, this concern is not unique to democracies. But addressing national security through culture can be more or less democratic. When cultural diplomacy functions as propaganda, distributing an officially produced version of American identity, it is not particularly democratic. When cultural diplomacy is organized as two-way cultural exchange, where the culture given and received is an authentic production of the society, then it has great democratic potential. Cultural diplomacy, like government funding for the arts, is a form of government

²³ The conference was called “Arts & Minds: Cultural Diplomacy Amid Global Tensions,” and was held at the Columbia University Graduate School of Journalism, April 14-15, 2003.

mediation of artistic production and it is premised on an understanding of the power of the arts. Democratic formulations of cultural diplomacy would allow diverse citizens to coordinate in sharing American culture with other societies, and receiving back a cultural experience. But as this section has shown, American cultural diplomacy has frequently strayed into propagandistic practices wherein Washington bureaucrats effectively construct an American culture that suits its political purposes. In the grand scheme of government funding for the arts in the US, cultural diplomacy is important for the large amount of money that it receives, despite holding minimal symbolic significance. Symbolic significance is dominated by a relatively under-funded agency—the National Endowment for the Arts.

The National Endowment for the Arts

Even before the closing of the WPA art programs, the art world and a few politicians considered the possibility of a permanent federal arts agency. However, legislators proved to be unreceptive to the idea overall. William Sirovich (R-NY), one of the few who fought for an arts agency, proposed in 1935 the formation of a department to govern “science, the beaux arts, and the arts utile.”²⁴ This call grew into the Coffee-Pepper Bill, named for its sponsoring senators John Coffee (D-WA) and Claude Pepper (D-FL). The bill called for a Bureau of Fine Arts in the Department of the Interior. After some battles about how members would be appointed to the Bureau, a revised Bill in 1938 gave appointment power to the president (dispelling some fears of control by artist unions). This may have set the stage for the NEA Chair and the National Council on the

²⁴ Quoted in Larson 1983, 42.

Arts to be presidential appointees. But the bill was rejected, like many similar bills that were to follow (Larson 1983).

The government's Commission on Fine Arts (CFA) published a report in 1953 called *Art and Government* which emphasized the overall importance of private funding for the arts but suggested that the government could support access to the arts by contributing to the sponsorship of arts events (exhibitions, tours, etc.). The CFA had been founded in the late 18th century and charged with the design and decoration of federal buildings. They governed arts *internal* to the federal government, as opposed to providing federal support for the arts nationwide. *Art and Government* largely protected the role of the CFA, for which it drew criticism and raised discussion that a new arts agency was needed (Larson 1983).

In the 1950s, an important divide forged between those who sought government support for artistic production and those who felt that support should be limited to preservation and education. Effectively, it was a divide between supporting the continued creation of art or merely supporting the protection of artistic history. This divide mapped onto disagreements about the value of modern and abstract art. Those who disdained modern art tended to insist that federal subsidies should only be spent on preservation of America's cultural heritage (Larson 1983).

Larson (1983) explains that as demand for a federal arts agency grew in the 1950s, a number of different justifications appeared. The first was economic necessity. Several reports indicated that arts organizations were struggling to get by financially and might not succeed without federal intervention. Also, new technologies, such as

recording in the musical arts, had slowed job growth in artistic fields by reducing the number of artists required for production. Studies in the early 1960s revealed large income disparities and increasing labor disputes in many arts fields.

The second justification involved the democratization of culture—increasing cultural access and participation to minorities, the working class and rural poor, and generally to those outside of the metropolitan areas. It was perceived, rightly, that elites in New York, Boston, Washington, and Chicago had a stronghold on American culture. As Larson states, “The drive to democratize the arts in America had been a constant thread running through the nation’s history from Jefferson’s educational scheme to Whitman’s poetic masses, and reached a fever pitch during the WPA years before finally becoming institutionalized in the Arts Endowments’ ‘Federal-State Partnership’ and its nervous preoccupation with geographic distribution” (Larson 1983, 75). This democracy argument for government arts support was the primary motivation that led the Committee on Education and Labor to pass a bill in 1952 that provided for college arts groups to perform in Washington, DC.

A third reason discussed for federal funding was the perception that the American arts were experiencing a renaissance, and that the federal government would do well to contribute. This appealed arts leaders, who preferred that the drive for federal funds include a celebration of the current state of the arts in America, which the economic argument tended to work against (by arguing that the arts were under-performing and struggling to survive). But it also opened the door to arguments that a thriving art world had no need for government support.

The fourth justification given for public arts subsidy harkens back to the history of cultural diplomacy. Many began to view the use of culture in fighting communism as lacking a necessary domestic component. If the arts were to be a principle diplomatic export, it might be important to invest in their production at home. An arts agency, it was believed, could strengthen democracy at home as diplomacy fought communism abroad.

The fifth and final reason given for creating a federal arts agency was a perceived expansion of American leisure time. This may have been true for a growing educated elite, but it is a dubious claim to make of the average American. However, the thought was that the arts could provide fruitful diversion during this new free time.

Hearings in 1954 regarding HR 9111, the American National Arts Act, helped to maintain the momentum for a federal arts agency. The act would have given the secretary of Health, Education, and Welfare certain powers in funding the arts. The bill was rejected in subcommittee, but the support generated by the bill may have motivated arts related comments by President Dwight Eisenhower in his 1955 State of the Union Address:

In the advancement of the various activities which will make our civilization endure and flourish, the Federal government should do more to give official recognition to the importance of the arts and other cultural activities. I shall recommend the establishment of a Federal Advisory Commission on the Arts within the Department of Health, Education, and Welfare, to advise the Federal government on ways to encourage artistic endeavor and appreciation.²⁵

²⁵ *Ibid*, 98.

An advisory commission would eventually be created, but not for nearly a decade.

Proposals in the early 1960s to create an advisory council on the arts through legislation, such as the National Arts and Cultural Development Act, were repeatedly stalled. President Kennedy issued Executive Order 11112 to create a council, as a way of bypassing Congress, in 1963. But he never acted upon it by appointing members. Kennedy's administration worked at first with particular vigor, if also a certain lack of direction, to develop a federal arts agency. In his campaign against Richard Nixon in 1961, Kennedy was somewhat ambiguous about his cultural intentions, until he issued this quote for an article in *Equity Magazine*:

I am in full sympathy with the proposal for a federally-supported foundation to provide encouragement and opportunity to nonprofit, private and civic groups in the performing arts. When so many other nations officially recognize and support the performing arts as a part of their national cultural heritage, it seems to me unfortunate that the United States has been so slow in coming to a similar recognition.²⁶

Kennedy outlined a more nuanced cultural policy in a letter to the editor of *Musical America*, saying: "The climate in which art thrives is a delicate climate. It must foster individual work by sensitive persons. And it is of real importance that the government not disturb this climate by meddlesome incursions or limitations on the free play of the

²⁶ Quoted in Cummings 1982, 143. Cummings suggests reading these words with caution, as they were likely written by an aide, in haste, and are not likely to reflect Kennedy's actual agenda at that time.

Nevertheless, the sentiments expressed did play out in his activities after taking office.

mind.”²⁷ The idea that the government could not intervene in the content of culture may have been an assurance to conservatives that the US government would not get into the business of commissioning paintings other than those meant for its own buildings. But it was also an assurance to liberal artists that radical work could not be negatively sanctioned by the government. In the same letter, Kennedy made clear his desire for a government agency: “If the government must not interfere, it can give a lead. There is a connection, hard to explain logically but easy to feel, between achievement in public life and progress in the arts.... The New Frontier for which I campaign in public life can also be a frontier for American Art.”²⁸ The precise distinction between giving a lead and meddlesome incursions is not clear, and that tension eventually gave rise to the NEA’s reliance on expert panels in making its grant awards, lest political goals in congress or the administration hold sway.

After Kennedy’s election, he illustrated his support for the arts and for intellectual endeavors by inviting 168 leaders in the arts, humanities, and sciences to his inauguration. 58 of the invitees attended, including Mark Rothko, Robert Lowell, and John Steinbeck. Robert Frost spoke at the inauguration. The heavy cultural presence received positive publicity, both in the mass media and in the art world.

Several arts advocates held positions in the new administration. Arthur Schlesinger, Jr., Special Assistant to the President, was chief among them. According to Schlesinger, the key function of establishing an arts agency was to “strengthen the

²⁷ Quoted in Larson 1983, 149.

²⁸ *Ibid*, 149-150.

connections between the administration and the intellectual community.”²⁹ Other major advocates were Secretary of State for Educational and Cultural Affairs, Philip Coombs; Secretary of Labor, Arthur Goldberg; and Assistant Secretary of Labor, Daniel Patrick Moynihan. Coombs assistant Max Isenberg drafted a paper in 1961 called “A Strategy for Cultural Advancement,” which justified an arts agency by saying:

[A] serious effort to improve the quality of American cultural life would be a boost to national morale. It would inevitably be more. It would confirm that in the endless striving for peace and material well-being, we have not lost sight of why we want them. And if it resulted, as thoughtfully and energetically carried out it surely could, in restoring the pursuit of happiness to the place it had in American thought and faith at the time of the Declaration of Independence, it would do no less than transform the national character and open, for the whole world to see, an exhilarating new chapter in the American Revolution for the nineteen sixties.³⁰

But this is not actually a justification for an arts agency. It is, rather, the language of political rhetoric. Isenberg offers no evidence that the pursuit of happiness has been lost, or that federal funding for the arts will restore it. In comparison to arguments about democratizing culture and addressing economic concerns, or even arguments about an American renaissance and fighting communism, Isenberg’s ideas are pretty thinly drawn. But, of course, this is the language that works best in American politics.

²⁹ Quoted in Miller and Yudice 2002, 48.

³⁰ Quoted in Larson 1983, 155.

In September of 1961, Kennedy's cabinet began considering the appointment of a Special Assistant for Culture to advise the president. Schlesinger successfully recommended, instead, the appointment of a part-time outside consultant on the arts. He arranged for August Hecksher, then director of the Twentieth Century Fund, to get the position. Hecksher's goals, as he came to Washington, were to institutionalize the position, develop a Federal Advisory Council on the Arts, and comprise a thorough report on the American art world. That report, *The Arts and the National Government*, came out in 1963 and recommended *both* a Federal Advisory Council *and* a Federal Arts Foundation that would provide subsidies (Cummings 1982). Heckscher used a 4-prong justification for federal involvement in the arts: 1) art's enhancement of life, 2) economic concerns, 3) historical precedents (the federal government had, after all, invested significantly in the arts without having a central agency), and 4) the possibility of making Washington, DC, into a cultural center for the nation and the world (Larson 1983). The first justification is a philosophical approach to 'the good life', the second is, of course, an economic approach, the third is a historical approach, and the last is a variation of cultural diplomacy.

The executive order to form a 30-member council was issued on June 12th, 1963, but never acted upon. The council's size was increased to 40 in October of that year, but still no appointments were made. As Kennedy left for Dallas in November, he made assurances that he would appoint a council upon his return. Heckscher's successor was formally announced in the press on the morning of November 22, just hours before Kennedy's assassination.

The task of forming an arts council and an arts foundation fell then to Lyndon Johnson, who did not have as overt of a relationship with the art world. The National Cultural Center that Eisenhower had proposed in 1958 was finally under construction, and Johnson pressed for its name to be changed to the John F. Kennedy Center. Johnson also appointed a panel of political and artistic leaders to begin forming a new arts policy. In January of 1964, that panel recommended the creation of a 9-member advisory council, with a representative from each of 9 cultural sectors: architecture, music, literature, theater, dance, visual arts, television, motion pictures, and international activities. It also called for a new nonprofit art corporation, privately funded but directed by the advisory council. But none of these recommendations came to fruition in 1964 (Larson 1983).

After years of failed legislative and executive attempts to create an arts council and even, at times, an arts foundation, an important corner was turned in 1964, thanks to the humanities. A Commission on the Humanities that had been formed by the American Council of Graduate Schools issued a report in 1964 that called for federal funding of the humanities. The chief complaint was that federal support for intellectual endeavors was too heavily weighted towards the sciences, citing the National Science Foundation (NSF) as evidence. When the humanities first entered the federal funding fray, they were riding on the backs of the arts. But that situation quickly reversed as concerns for the humanities gained legislative momentum. The humanities campaigns succeeded where the arts had failed because of their emphasis on both education and, as indicated in this quote from the report, moral rhetoric: "We speak, in truth, for what is being defended—

our beliefs, our ideals, our highest achievements.”³¹ In August of 1964, thanks to a new fervor for cultural legislation generated by the humanities appeal, the National Council on the Arts (NCA) was finally created through legislative measures. The bill was signed on September 3rd, 1964. But no provision was made for an arts foundation.

1965 opened with a State of the Union address by Johnson—his first post-election address—part of which called for an arts foundation. In March of 1965, Johnson proposed that Congress form a National Foundation on the Arts and Humanities (NFAH) that would consist of separate endowments for each. The foundation would focus on supporting projects by nonprofit arts organizations, so long as they emphasized American artistic achievement.

The NCA was finally appointed in February 1965, and the NFAH legislation passed the Senate in June. To celebrate the legislation, Johnson hosted a cultural festival at the White House. Several of those invited took public stances against Johnson’s policies in Vietnam and the Dominican Republic. Some refused to attend and others Johnson tried to ban. But the event did boost support for the new legislation. The House of Representatives did not pass the NFAH until September, but it was quickly signed into law thereafter. The legislation made appropriations for the National Endowment for the Arts and the National Endowment for the Humanities to begin operations in 1966. The starting budget: less than \$3 million (see Appendix 1 for Public Law 89-209, the founding legislation of the NFAH).

³¹ *Ibid*, 189.

The Structure of the NEA

The federal government used two models in its design of the National Endowment for the Arts. The first was the Ford Foundation (Miller and Yudice 2002), which had long focused on building partnerships with corporations and other foundations to fund the arts. The Ford Foundation also invented the use of matching grants to expand the value of every contribution. The NEA has relied heavily on the matching grant system. The other model used in the design of the NEA was the National Science Foundation (NSF). It was envisioned that the NEA and NEH would provide the arts and humanities equivalents of the NSF. The main contribution of the NSF model was the use of peer review panels to make grant decisions. These are panels of artists who review applications to make funding determinations. The point of the peer review panel system is that it prevents politicians—and, in theory, political concerns—from directing NEA actions.

The NEA is an independent government agency that reports to the executive branch. The NEA has been reauthorized by Congress every few years since its inception. Reauthorization occurred every 2 years in the beginning, was set at 3-year intervals in 1970, and at 5-year intervals in 1980 (Wyszomirski 1994). Re-authorization periods have been less regular since 1990. The NEA Chair is a presidential appointee who must be confirmed by the senate and serves in 4-year terms (see Table 1.3 for a list of NEA Chairs). The NEA Chair reports to the National Council on the Arts (NCA), the members of which are also presidential appointees. NCA members are, since 1976, confirmed by the Senate and serve in staggered 6-year terms (Mulcahy 1985; Swaim

1982). The size of the NCA was reduced by Congress in 1998 from 26 members to 20, including 6 non-voting members of Congress (NEA 2000b). Famous members over the years have included Leonard Bernstein, Van Cliburn, Duke Ellington, Ralph Ellison, Helen Hayes, Charlton Heston, James Earl Jones, I.M. Pei, John Steinbeck, and Eudora Welty.

The subject-area panels that make funding decisions are appointed by the NEA Chair. In fact, it is better to refer to their actions as recommendations. These recommendations must be reviewed by the NCA and final approval is given by the Chair. The official criteria for NEA grants are both artistic merit and community contribution. Merit in particular is difficult to define, but the review panel is presumed to have the skill to roughly identify it. Naming a review panel for the arts is quite problematic because expert status is difficult to determine. In the sciences and humanities, expert status is conferred through receipt of a PhD in a relevant field and confirmed through publications, positions, honors and awards. In the arts, it is much more nebulous.³² Although there are Master of Fine Arts degrees and PhDs in Art History, there are many successful artists who avoid higher education altogether. But within this complex and dynamic art world, the NEA Chair is presumed to be able to identify the varieties of experts who can serve on panels, and these panels are trusted to identify artistic merit.

An important limiting factor in this system is time, as Mulcahy (1985) points out. At the time Mulcahy wrote, he estimated that the panels met for 11 days each year and

³² This point was raised to me by Paul DiMaggio, in a personal conversation on September 25th, 2002.

reviewed about 1000 applications during that time. As a result, these panels rely heavily on guidance from NEA staff members to identify worthwhile applications.

The NEA gives three forms of subsidy, which have varied in terms of relative spending as policies have changed. The first form is fellowships for individual artists. As a result of the controversies that the NEA faced in the late 1980s and early 1990s, many of these fellowships were eliminated, leaving only the literary fellowships. The second form of NEA funding is the matching grant for nonprofit organizations. It is the matching grant that led to the controversies, although the individual fellowships bore the consequences. The third form of funding is for state and local arts agencies. For much of the NEA's history, 20% of its budget was redistributed to these agencies, although the NEA has some influence over how the funds are used. In the 1990s, Congress began increasing the minimum level of funds to be designated for the states, and the minimum is now set at just over 40%.³³

The founding legislation of the NEA designated the arts as "...music (instrumental and vocal), dance, drama, folk arts, creative writing, architecture and allied fields, painting, sculpture, photography, graphic and craft arts, industrial design, costume and fashion design, motion pictures, television, radio, tape and song recording, the arts related to the presentation, execution, and exhibition of such major art forms, and the study and application of the arts to human environment."³⁴ These areas were originally grouped into 8 fields for panel review. By 1980, there were 14 program areas (Swaim

³³ According to the NEA Website, www.nea.gov.

³⁴ Quoted in Mulcahy 1985, 318.

1982). Since the controversies of the arts culture wars, the structure has shifted to thematic concerns. In 2003, these concerns were listed on the NEA Website as: 1) Artistic Creativity and Preservation, 2) Challenge America: Access to the Arts, 3) Learning in the Arts for Children and Youth, 4) Fellowships and Awards,³⁵ 5) State and Regional Partnerships, and 6) Leadership Initiatives. Additionally, the NEA invests in showcasing American art overseas, in policy analysis and arts research, and in increasing physical accessibility to the arts for individuals with disabilities.

³⁵ In addition to literary fellowships, the NEA also governs the Jazz Masters, National Heritage, National Medal of Arts, and Presidential Awards.

Table 1.3. President, NEA Chair, and NEA Budget, 1965-2003

<i>Year</i>	<i>President</i>	<i>NEA Chair</i>	<i>NEA Budget (in millions of dollars)</i>
1965	Johnson	Roger Stevens	No appropriations yet
1966			2.90
1967			8.48
1968			7.77
1969	Nixon	Nancy Hanks	8.46
1970			9.06
1971			16.42
1972			31.48
1973			40.86
1974			64.01
1975			80.14
1976	Ford (starting late 74)		87.46
1977	Carter	Livingston Biddle	99.87
1978			123.85
1979			149.59
1980			154.61
1981	Reagan	Frank Hodsoll	158.80
1982			143.46
1983			143.88
1984			162.22
1985			163.66
1986			158.82
1987			165.28
1988			167.73
1989	Bush	John Frohnmayer	169.09
1990			171.26
1991			174.08
1992			175.95
1993	Clinton	Jane Alexander	174.46
1994			175.95
1995			162.31
1996			99.47
1997			99.49
1998		Bill Ivey	98.00
1999			97.97
2000			97.63
2001	Bush		104.77
2002		Dana Gioia	115.23
2003		(Michael Hammond served for one week in January 2002, but died suddenly)	115.73
2004			120.97

Source: National Endowment for the Arts.

The budget for the NEA has varied widely (see Table 1.3). After beginning at less than \$3 million and remaining under \$10 million for half a decade, the budget rose sharply during the Nixon years under the leadership of Nancy Hanks (see Table 1.3 for NEA Chairs and for the President for each year since 1965). This was surprising considering Nixon's attitude towards the arts, illustrated in a comment he made to his chief of staff H.R. Haldeman: "The arts are not our people. We should dump the whole culture business."³⁶

The budget, and the agency itself, were threatened in 1981 when President Ronald Reagan sought to phase out the NEA, and the Office of Management and Budget recommended unsuccessfully to cut the NEA budget in half. The difficulties faced by the NEA in this period are reflected in the budget cuts of 1981, which were maintained for 1982. Thereafter, the budget overall rose, but at a much slower rate than seen in the 1970s. Threats came again after the controversies, with small drops in the early 1990s followed by massive cuts for the 1996 budget. Harkening back to the Reagan era, the 1994 Republican Contract with America called for the elimination of the NEA. In 1997, Republicans in the House tried unsuccessfully to reduce the NEA budget to just \$10 million, and that just to facilitate closing the agency. But the budget actually grew in the years since 2001 (see Table 1.3). The staff of the agency began at 28 in 1965, with some additional staff shared with the NEH. The sharing of staff between the two agencies ended in 1978. The staff size of the NEA reached 245 in 1980 (Swaim 1982) and 279 in 1996 (NEA 2000b). Then, restructuring and budget cuts reduced the staff to 148.

³⁶ Quoted in Miller and Yudice 2002, 48.

Despite occasional controversies, the NEA has registered numerous successes in its history. It has funded many artists who have gone on to become very successful, including Martha Graham, Alice Walker, William Wegman, Laurie Anderson, Raymond Carver, Annie Dillard, Dizzy Gillespie, Bobby Ann Mason, Denise Levertov, and Wallace Stegner. It has also created, or helped to create, the American Film Institute, the Vietnam Veterans Memorial, the annual Cowboy Poetry Gathering, and the Mayors Institute on Civic Design (NEA 2000b). The achievements of the NEA are best summarized in this comment by cultural policy scholars Toby Miller and George Yudice:

The NEA generated enormous growth. In thirty-five years, the US went from having one hundred orchestras and dance, theater and opera companies to eight hundred. Six hundred local arts agencies turned into 3,800, and the number of state arts *bureaux* increased from six to fifty-six³⁷ In the first twenty years of the Endowment, professional arts organizations grew by 700%.... Today it is estimated that each dollar of NEA money provides a twenty-fold return in contracts, services and jobs. (Miller and Yudice 2002, 50)

Numerous criticisms are available as well. The NEA has, despite goals to the contrary, heavily funded arts projects in major metropolitan areas that already have a high concentration of successful art programs. They have disproportionately funded traditional forms of art and the decision-making process has been dominated by whites (Miller and Yudice 2002). And there have been the controversies, which will be treated

³⁷ This is including the agencies of 6 US controlled territories. The NEA treats these six agencies on the same level as the state arts agencies.

at length later in this analysis. But to put these controversies in perspective, we must recognize with the 1989 House of Representatives Committee on Appropriations that:

During its existence, NEA has approved approximately 85,000 grants to arts organizations and to individuals, of which less than 20 have been charged with violating public interest because of frivolity, indecency, or ethnic disparagement. In other words, less than one-tenth of one percent of the total number of grants aroused protest.³⁸

But the problem of justifying a federal arts agency remains. Although many rationales have been offered, no one justification has been taken up as the purpose for the NEA, or for public support for the arts broadly. And none of the justifications that have been offered have been presented to the American public or held up for public debate. So the question of the public interest in federal spending for the arts remains unanswered.

Conclusion

This has been a long and detailed tour of the various cultural investments and experiments by the American government. I have shown that democracy has often been invoked both as a justification for avoiding the arts, and as a rationale for funding the arts. The arts programs of the WPA were explicitly oriented towards the pursuit of democratic culture. But democracy was also a key component of the formation of the National Endowment for the Arts. This history gives an overview of the political practices that are located at the meeting of aesthetics and politics—funding, regulation, diplomacy, etc. I turn next to an overview of the major theorists of the art/democracy

³⁸ Quoted in Jacobs 1992, 104.

relationship, to get a sense of how this question has been explored already.

Chapter 2

Democracy and Public Culture in America

Introduction

If American political institutions have spent much of their histories avoiding culture, several prominent theorists of culture have nevertheless directed their attention to examining the question of democracy and the arts. This analysis begins with the writings of Alexis de Tocqueville, who is credited with identifying the strong tie between American civic associations and American democracy. That connection is central to the theory presented in chapters 3 and 4. Tocqueville also made many related comments about the arts in American life—public and private. Two other important theorists of the relationship between art and democracy—Walt Whitman and John Dewey—will also be examined before an analysis of recent debates that fall under the label of ‘public culture’—debates that are rooted in the work of the earlier theorists.

Tocqueville’s Observations on American Cultural Practices

Alexis de Tocqueville’s early 19th century travel-based expositions on American political life (Tocqueville 1969) contribute two important sets of observations to the present concerns. The first set are his various statements about art, literature, theater, and other cultural forms, which note democracy’s general incapacity to nourish the arts, while

also positing a hope for the unique offerings of the democratic arts. The second relevant discussion from Tocqueville is less obvious for being less explicitly tied to art, but for my purposes it is much more important. This is his observation that Americans are particularly drawn towards associations. I will begin with Tocqueville's discussion of art in America, and then suggest how associational life relates to the arts.

Tocqueville begins from the assumption that the arts thrive in aristocracies, as contrasted with democracies, because aristocracies have the wealth and leisure that is required to make the finest art. When Tocqueville uses the term democracy, he invokes such characteristics as general equality, high circulation of wealth (though not equal distribution), widespread primary education (though he also laments the paucity of higher education), and the determination of a leader's legitimacy through 'intellectual power' and virtue, rather than family name. Aristocracy, in contrast, is hierarchical, with those on top hoarding wealth, enjoying high levels of education, and maintaining their status through inheritance. Although it is the aristocrats who are the source of fine art in such a society, Tocqueville claims that all classes come to an appreciation of true beauty thanks to its cultivation by elites.

We have reason to be cynical about Tocqueville's faith in elites and the ability of all classes to enjoy the culture of elites. But, putting aside for a moment Tocqueville's problematic assumptions, I want to focus on his claims about the arts in America. He is concerned that, in a democracy, artisans compromise quality in order to achieve the widest possible audience. This is driven by the market. In a democracy, the craftsman "sees that he can now get rich quicker by selling cheaply to all" (466). He or she does

this by searching for innovations that will allow for faster and cheaper production and/or reducing quality. The net effect is both innovation, which Tocqueville is very excited about, and a reduction of standards, which he disdains. In literature, Tocqueville warns that “formal qualities will be neglected or actually despised” (474) due to an American preference for books that can be quickly and easily digested. However, this loss of quality is a logical cost for the benefits that democracy provides.

Further compromising the arts is a tendency of the American spirit to favor use over beauty. Though he does not go so far as to say that Americans have no appreciation for beauty, he does suggest that Americans invariably will choose the practical over and above aesthetic considerations. Similarly, he notes that when it comes to philosophizing about art, Americans prefer not to, being more concerned with application than theory.

However, Tocqueville does not accuse either America or democracy of being entirely uncultured. The supposed lack of culture in America, he says repeatedly, is due to the American sense that England is really its cultural extension. The shared history and language between the (Anglo) Americans and the English make it very easy for Americans to rely on England for their culture. Besides, Tocqueville argues, the English with their aristocracy have the leisure to produce culture, where the Americans have none.

He goes on to discuss the unique qualities of democratic culture, which prevent it from being recognized as such. This discussion becomes particularly insightful as he turns his attention to poetry. Whereas poets in an aristocracy explore the loftiest realms of the imagination, in a democracy poetic concerns are much more terrestrial. “When

skepticism had depopulated heaven, and equality had cut each man to a smaller and better known size, the poets, wondering what to substitute for the great themes lost with the aristocracy, first turned their eyes to inanimate nature. Gods and heroes gone, they began painting rivers and mountains” (484). But the democratic poets ultimately settle, not on the landscape, but on the human as their finest subject matter, and especially on the exploration of the human soul.

Although Tocqueville marks the turn from the heavens to the humans as a radical departure from poetic tradition, he does not grieve the change—not entirely. Though he is bothered by the compromise of quality, he is genuinely excited by the new possibilities of democratic culture. He concludes, “Equality, then, does not destroy all the subjects of poetry. It makes them fewer but more vast” (487). Fewer, in that attention is focused on the physical world, and notably the human. More vast, in that democratic culture broadens the possibilities for being human by giving greater significance to individuals and greater attention to the soul.

One form of artistic production that Tocqueville says Americans engage in both frequently and successfully is the construction of public monuments. He says of the erection of monuments, “At any time when any power is able to concentrate the efforts of a whole people on a single undertaking, it will be able, with little skill but lots of time, to make something huge from their accumulated efforts” (470). It is a difficult section because Tocqueville’s opinion of these monuments is not entirely clear. He does call them “very grand” but he also suggests that they may not be indicators of particularly

great societies. But I want to focus on the claim that democratic citizens have a particular interest in monuments and in collecting together for their erection.

As with monuments, so also with associations. Indeed, the monument building described here *is* a form of association. Americans are “forever forming association” (513) as these associations are, he argues, the primary means of achieving social and individual goals. “Apart from permanent associations such as townships, cities, and countries created by law, there are a quantity of others whose existence and growth are solely due to the initiative of individuals” (189). Among these associational forms are those devoted to politics, civil society, religion, morality, security, and industry. The association replaces the aristocracy as the primary medium of social cohesion. Though it has the appearance of voluntarism, the American commitment to associations is self-serving, rather than sacrificial because Americans understand that their individual self-interest is bound up with the interests of the community.

Although these associations draw Americans into the social order, Tocqueville warns of their potentially fractious tendencies. Americans, he feared, would tend towards small and exclusive groups. “The Americans, who mix so easily in the sphere of law and politics are, on the contrary, very careful to break up into small and very distinct groups to taste the pleasures of private life. Each freely recognizes every other citizen as equal, but he only accepts a very small number as his friends or guests” (604). Tocqueville worries that Americans go too far in forming such cliques—a worry that foreshadows contemporary market manipulation of niche groups, the political reliance on lobbying and Political Action Committees, and the cultural centrality of identity politics.

But this is precisely where I must take Tocqueville to task. He overstates the equality of early America and the success of American democracy by ignoring those who are excluded. Although he claims fascination with a certain (qualified) American equality of the sexes, he nevertheless fails to mention that the universal suffrage that he praises does not include women. Nor does it include many men. Although he does have a chapter on “The Three Races That Inhabit the Territory of the United States”—in which he prophesizes the decimation of Native Americans, and suggests that the future of blacks and whites are inextricably linked—he never lets the plight of non-whites taint his vision of American democracy. Further, we must acknowledge that early America *was* an aristocracy—and is so even more today, when the discrepancy between the rich and the poor is greater than ever. I conclude then that Tocqueville’s ideal distinctions between aristocracy and democracy are purely ideal and we should shift our analysis of American democracy from the study of a completed project to the study of a work-in-progress.

On this point, Robert Pinsky, a recent Poet Laureate Consultant in Poetry to the Library of Congress, has picked up where Tocqueville left off. Pinsky used the Favorite Poem Project, which occupied most of his work as Laureate, to explore democratic culture in a way that accounts for the great diversity of Americans. He argues against Tocqueville’s assumption that poetry is best within an aristocracy, saying “Though poetry’s history may link it to hierarchical, pre-democratic societies, the bodily nature of poetry links it to the democratic idea of individual dignity” (Pinsky 2002, 17). The Favorite Poem Project asked visitors to Washington, DC, to read their favorite poems for an audio recording and to comment on why they are so loved. This developed into a

video project that taped participants in their homes or workplaces, and an anthology of Americans writing about their selected poems. Pinsky tells the story of Pov Chin, who participated in both the video and the anthology. Chin, a California high school student whose parents emigrated from Cambodia to escape the Khmer Rouge, selected as her favorite poem “Minstrel Man” by Langston Hughes:

Minstrel Man

Because my mouth

Is wide with laughter

And my throat

Is deep with song,

You do not think

I suffer after

I have held my pain

So long?

Because my mouth

Is wide with laughter,

You do not hear

My inner cry?

Because my feet

Are gay with dancing,

You do not know

I die?³⁹

In the Anthology, Chin explains her feelings about the poem, which I extract from Pinsky's analysis of the project in his book *Democracy, Culture and the Voice of Poetry* (2002):

My interpretation of this poem written by Langston Hughes may not be the same as his. But a poem is what I choose to make of it and this one is a description of me. It explains how I feel about life. (65)

I am not free. I am a female Cambodian growing up in America but I am raised in the old-fashioned Cambodian ways. Asian tradition for daughters is very strict. It is so hard for me to see my friends having a sleep-over and the only person missing is me. I walk around school with a big smile on my face but inside I am a caged bird just waiting to be free. (69-70)

This story allows Pinsky to further the analysis of democratic culture in a way that is much less exclusive than Tocqueville. Both "Minstrel Man" and Chin's engagement with it are evidence for Tocqueville's claim that democratic poetry is a vast exploration of the human—from the social meaning of human identity to the interiors of the soul. Yet neither Langston Hughes nor Pov Chin would be counted in Tocqueville's analysis. Perhaps it is unfair to place Tocqueville's eyes in a contemporary context and then critique them for what they do not see. But it may be enough to say that Tocqueville had to close those eyes to many Americans in order to see such hope in American democracy. For the democratic project in culture—and the cultural project in democracy—to truly

³⁹ Quoted in Pinsky (2002, 67-68).

succeed, it will need to engage every citizen in that democracy. Indeed, it will need to pay particular and deliberate attention to those who are often ignored.

Whitman: Poetry and Democracy

Tocqueville's proclamation about the innovations of democratic poetry found fulfillment a few decades later in Walt Whitman's publication of *Leaves of Grass* (Whitman 1983). Whitman published the book himself in 1855 and republished it several times until the seventh and final "deathbed" edition in 1892. Whitman viewed himself as democracy's poet, and his work has been influential not only on poets in the twentieth century, but also on theorists of democracy.

Whitman raises the subject of democracy in no fewer than ten poems in *Leaves of Grass*. In most cases, he goes so far as to capitalize the word, which has two effects. The first is to anthropomorphize the concept, often directly addressing it, as in "stride on, Democracy!" which he says in the poem "Rise O Days from your Fathomless Deeps" (236). The second effect is to treat democracy as a virtue, which he does in the tenth section of "Starting from Paumanok" when he says "share with me two greatnesses, and a third one rising inclusive and more resplendent, The greatness of Love and Democracy, and the greatness of Religion" (16).

Whitman's most direct address of democracy comes in the short poem "For You O Democracy," which I quote in full:

Come, I will make the continent indissoluble,
I will make the most splendid race the sun ever shone upon,
I will make divine magnetic lands,

With the love of comrades,

With the life-long love of comrades.

I will plant companionship thick as trees along all the rivers of America, and
along the shores of the great lakes, and all over the prairies,

I will make inseparable cities with their arms about each other's necks,

By the love of comrades,

By the manly love of comrades.

For you these from me, O Democracy, to serve you me femme!

For you, I am trilling these songs. (95-96)

This poem appears early in the "Calamus" series which, while complex in its subject matter, most consistently addresses romantic love between men. Whitman never explicitly draws a link between democracy and sexuality, but he does encourage a level of sexual openness, and the placement of this poem in the "Calamus" series at least implies that democracy will (or must) engage and celebrate sexual freedom. This may be hinted at in the reference to "the manly love of comrades." However, the most striking implication of this poem is that Whitman is offering his poetry in service to democracy, as seen in the closing couplet. Again, he is presenting himself as the poetic standard bearer of democracy. Similarly, in "To Foreign Lands," Whitman suggests his own poetry as the best demonstration of American democracy that might be sent out to the world (3).

Two messages about democracy emerge from Whitman's poetry—one spatial, the other temporal. Spatially, he feels that America is the home of democracy, even though he insists Americans have no monopoly on it. In section fourteen of "Starting from Paumanok," he calls the United States "Democracy's lands" (18), and says in "Our Old Feuillage" that America is "always the continent of Democracy" (139). This claim bears directly on Whitman's use of poetry to celebrate the individual states, as well as specific cities and regions of the U.S. His democracy is both national and local—always both at once.

Temporally, Whitman takes the teleological view that democracy has been the chief goal of human history. In "By Blue Ontario's Shore," he invokes "Democracy, the destin'd conqueror" (273), and calls it "the purpose and aim of all the past" (311). He also calls democracy the "result of centuries" (158) in "Song of the Broad-Axe."

Whitman agrees with Tocqueville that the poetry of democracy will be new and radically unlike that of Europe. In section twelve of "By Blue Ontario's Shore," he calls out for American poets who have "left all feudal processes and poems behind them and assumed the poems and processes of Democracy" (280). But what would such poetry look like? How is it new? Here again, Whitman echoes Tocqueville. In "Song of the Exposition" he rejects both war and romance as subject matter for poetry and calls on poets to turn to "the present and the real, To teach the average man the glory of his daily walk and trade" (163). This suggests that democratic poetry cannot be status based, cannot be the property of elites. And as Tocqueville anticipated that the chief subject matter of democratic poetry would be humanity, so Whitman explains in "A Song of the

Rolling Earth” that human bodies are the words of poetry. Whitman was a poet of pluralism (“I am large, I contain multitudes” [72]) and of gender equality. Neither of these is directly tied to democracy in Whitman’s poetry, but as with sexuality, their prominence in *Leaves of Grass* certainly gives them an important proximity to democracy.

Whitman anticipates my arguments here by providing a model for how culture can escape status systems. While he sought to unify all Americans through his poetry—regardless of race, religion, gender, or sexual practices—his poetry did not undermine or obfuscate differences in identity. In celebrating differences, he sought to provide an American language that could bridge differences, in a sense saying, “we all agree that our differences are wonderful.” At the heart of this language was democracy itself.

But Whitman was not well received in his lifetime, except, ironically, in Europe. *Leaves of Grass* received few positive reviews except the ones that Whitman wrote pseudonymously. Printers and sellers of the books were frequently threatened with criminal prosecution due to the sexual content, particularly the homosexual content. In the twentieth century, *Leaves of Grass* has moved from being ignored to being made the centerpiece of the American canon (usually alongside Dickinson). Whitman might cringe even more at this than he did at the earlier indifference, because his poems are now incorporated into the American system of cultural capital whereby knowledge and experience of the fine arts is used to legitimate elite status. So the democratic possibilities of Whitman’s poetry have not seen their due.

Dewey's Vision for the Arts in America

John Dewey broadens our artistic considerations to all of the arts, but, at least in *Art as Experience* ([1934] 1958), does not directly address democracy. However, his aesthetic theories do pave the way for a new approach to the arts and they do have democratic implications. The thrust of Dewey's arguments is that art is both an action and a product of an action—a practice and its output. For art, the action in question is one that particularly engages perception. Such an action Dewey calls an experience. All humans have these experiences and every experience—because it engages our sense—has an aesthetic dimension.

Of course, not every experience as such ends in the production of art. Art, Dewey claims, results when the meaning of an experience is scattered or difficult to pin down. So we make art as part of the process of figuring out the meaning of the experience: “the esthetic is no intruder in experience from without, whether by way of idle luxury or transcendent ideality, but... it is the clarified and intensified development of traits that belong to every normally complete experience” (48). Art is a way of making sense of a difficult or confusing situation. “The work of art has a unique *quality*... it is that of clarifying and concentrating meanings contained in scattered and weakened ways in the material of other experiences” (84). Although Dewey is a little inconsistent here in terms of whether art is internal to the experience or a new experience that results from some amalgam of previous experiences, he is nevertheless clear in his connection of art to experience, and thus to the common and the everyday.

The difficulties of the experience produce certain emotions that then, according to Dewey, select the media by which they are best expressed. This, as he says, is no agreement with Wordsworth's famous claim that "art is emotion recollected in tranquility." Rather, Dewey would say that art is emotion, produced in the normal course of an experience, that literally expresses (in the sense of expulsion) itself into or onto the media (canvas, marble, paper, etc.). He argues that art that offends us is likely to be art that is made without the presence of a strong emotion (68).⁴⁰

How is this relevant to democracy? Dewey's assertion that art is experience wrests art away from the monopolization of elites. Experiences are everyday; they happen continually. No person in society is forbidden from having experiences, and to that end, everyone is capable of making and appreciating the arts.

Dewey's theory embodies an implicit critique of the distinction of the sacred from the profane, à la Emile Durkheim. Dewey wants to restore art to the common, the everyday. But he also has a higher view of everyday life than that which is held in the sacred/profane distinction. "Why is life thought of as an affair of low appetite, or at its best a thing of gross sensation, and ready to sink from its best to the level of lust and harsh cruelty?" (20). If art is—or can be made to be—an element of everyday life, then its creation and its messages cannot be the exclusive domain of any sort of elite. This is democratic in the sense that democracy envisions relative equality and broad

⁴⁰ We could interpret this stance to suggest that whenever we are offended by art, strong emotion was absent from its production *or* that we should be especially offended when we engage art that seems bereft of emotion. I tend to favor the second interpretation, but from Dewey's language, the first may have been the intention.

participation. Under Dewey's view, to measure participation in the arts, I would need to look beyond the entryways of the museums and galleries.

This challenge to elitism in art also occurs in Dewey's critique of formalism and other dominant aesthetics. He disdains the tendency to isolate the various elements that constitute art and the failure to discuss the work as a whole, within a particular context. "Theories which isolate art and its appreciation by placing them in a realm of their own, disconnected from other modes of experiencing, are not inherent in the subject-matter but arise because of specifiable extraneous conditions" (10). Dewey points to industrialization and the increasing centrality of the market as the primary factors that have led to this false sense that art is distinct from other forms of human experience. Dewey favors instead the Greek conception of art as a reflection of society because it treats artists and the process of art-making as integral components of society, and not as marginal or anti-social elements.⁴¹ "The sum of the whole discussion is that theories which separate matter and form, theories that strive to find a special locus in experience for each are, in spite of their oppositions to one another, cases of the same fundamental fallacy. They rest upon separation of the live creation from the environment in which it lives" (130-131). The live creature is the creation of art and the environment is the experience that is expressed. He concludes that such a theory "impoverishes perception" (205).

⁴¹ Dewey's use of the word 'reflection' should not be confused with discussions from the sociology of art about whether art is reflective or constitutive of social life. For Dewey, reflection invokes the notion of integral, in opposition to marginal, and stands as a critique of the formalist notion of art for art's sake, which acknowledges no relationship between art and other social institutions.

Dewey also rejects the distinctions of artist from audience and art production from art reception. Both making and enjoying art rely upon perception and both are components of an experience. Just as making art is a way of clarifying a confusing experience, so enjoying art (by which I mean viewing, listening, reading, etc.) allows us to make meaning out of confusion, because engagement with a work of art is a meaning-making endeavor. Indeed, the artist and the art consumer (if I may be forgiven for upholding the distinction for a moment) are brought into a shared experience through the medium of the work itself. The audience member is a perceiver of art and “the artist embodies in himself the attitude of the perceiver while he works” (48).

This shared experience encapsulates the social quality of art. Aesthetic experiences are not reserved for private individuals, but also occur at the social level—that is, a community may have an experience. Dewey concludes, in anticipation of the argument I will develop later, that art is the most important form of associational practice. Whereas Tocqueville’s discussion of associational life in America encompassed a wide variety of forms, Dewey is most interested in association that brings citizens together in the process of making meaning.

Men associate in many ways. But the only form of association that is truly human, and not a gregarious gathering for warmth and protection, or a mere device for efficiency in outer action, is the participation in meanings and goods that is effected by communication. The expressions that constitute art are communication in its pure and undefiled form. Art breaks through barriers that divide human beings, which are impermeable in ordinary association. (244)

Art not only brings persons together, as any association might, but brings together people who may otherwise have no association whatsoever and bonds them at the deepest level—the level of meaning. It is, then, an important mechanism for the social cohesion of a pluralist democracy:

Expression strikes below the barriers that separate human beings from one another. Since art is the most universal form of language, since it is constituted, even apart from literature, by the common qualities of the public world, it is the most universal and freest form of communication. Every intense experience of friendship and affection completes itself artistically. The sense of communion generated by a work of art may take on a definitely religious quality. The union of men with one another is the source of the rites that from the time of archaic man to the present have commemorated the crises of birth, death, and marriage. Art is the extension of the power of rites and ceremonies to unite men, through a shared celebration, to all incidents and scenes of life. This office is the reward and seal of art. That art weds man and nature is a familiar fact. Art also renders men aware of their union with one another in origin and destiny. (271)

In the context of American democracy, art has the potential and the symbolic power to forge an American identity that bridges, but does not necessarily supersede, other identity differences. Importantly, this power is most evident when artistic practices serve as a form of civic association.

The Arts and Public Culture

Since roughly the early 1980s, discussion of the public role of culture in American social life has been reinvigorated, largely as a response to ongoing battles to save the NEA. The Reagan administration, from the beginning, sought to cut funding for the NEA and even to shut it down. As a result, arts administrators in state and local arts agencies and in the many nonprofit organizations that receive NEA monies had to travel frequently to Washington, DC to testify in defense of public arts funding. This brought these administrators into new ties with each other, focused on one goal—protecting the NEA (Arian 1992; Campbell 2000). Unwittingly, Reagan may have revived an arts advocacy network that had lain dormant since the creation of the NEA. Since the early 1980s, these advocacy groups have become institutionalized through organizations, conferences, publications, and research agenda. Examples include the Center for Art and Culture, a policy analysis group in Washington, DC; the *Journal of Arts Management, Law, and Society*; and the Cultural Policy and the Arts National Data Archive (CPANDA), developed by the Princeton Center for Arts and Cultural Policy Studies. In 2003, when the governor of New Jersey attempted to eliminate all funding for the arts—ostensibly in retaliation for the misbehavior of New Jersey Poet Laureate Amiri Baraka, but more likely as a distraction from unrelated fiscal mismanagement—he found himself confronted with an army of arts advocates who were well-funded and sitting at the helm of an elaborate communication and lobbying network. The governor backed down.

The most important organizing principle for these arts advocates is a new discourse about ‘public culture’. While the concept of public culture was built-in to the

founding of the National Foundation for the Arts and Humanities, and thus into the NEA and the NEH, it was not thoroughly articulated, at least at the level of public policy and policy research, until the NEA seemed particularly threatened in the 1980s.

The idea of public culture embodies a number of related principles. The first, and most important, is that art and other forms of culture can be experienced in a public way, and are not simply arbiters of private experience. Romantic ideology has fostered the notion that artists create in isolation from the social world (Cheatwood 1982). This obscures the many social connections that are required for artistic production (Becker 1984). An extension of this ideology suggests that art is consumed in privacy; that the individual has her own engagement with cultural forms that are mediated more by psychological factors than sociological ones. The tension between this 'private muse' ideology and the highly social reality of the arts has been exacerbated, argues Mary Schmidt Campbell (2000), by the post-WWII triumph of an individualistic and subversive modernist ethos. This ethos encourages the production of art that strives for inaccessibility for its own sake. Against these beliefs about the private character of culture, the 'public culture' discourse identifies uniquely public and social functions of culture.

Similarly, this discourse assumes the existence of public interests—goals that are shared across society—and posits that, in some scenarios, some artistic practices can achieve these interests. The principle is that if we—or most of us—can agree that *X* is a worthy pursuit, and if scholarship shows that art can produce or contribute to *X*, then we have a common interest in investing in the arts.

A lesser but recurring principle in the public discourse is that government funding (often called *public* funding) and public policy are necessary ingredients in the formation of public culture. Enter cultural policy. The two major branches of cultural policy are regulation and subsidy (Lewis 2000). Examples of regulation include copyright laws and the Federal Communications Commission's rules about the proportion of educational content on network television (the airwaves are considered a public good). Subsidy occurs most obviously through local, state and federal arts agencies.

Arts advocates and scholars have produced a number of frameworks for the justification of public culture. I will review these thematically, but Table 2.1 summarizes each author's argument. The question 'Art for the Sake of What?' has long loomed over the cultural realm. In the face of modernism's answer *l'art pour l'art*—art for its own sake—Kevin Mulcahy suggests that public culture yields art for the sake of the public—public access, public participation, and public interests. Even before I specify what such interests might be, I recognize Mulcahy's formulation as a crude rationale in itself. If private culture serves private interests, then we should support public culture for the sake of public interests (Mulcahy 1992).

One public interest that I have touched on already is national security. Cultural diplomacy addresses this public interest by utilizing culture for the purposes of peace-building (as in Fulbright and other exchanges) and propaganda (as in Radio Free Europe) (Wyszomirski 2000).

A very different, but frequently invoked, justification for public culture is embodied in the concept of merit. This rather uncritical approach suggests that some things are just good, in and of themselves, and should therefore qualify for protection. David Cwi suggests that the merit of artistic goods can only be determined subjectively, by whether they produce aesthetic experiences. But the potential for such experiences allows the arts to be treated as a merit good that qualifies for government subsidy. However, he adds that subsidization of merit goods should only occur in the event of market failure—the inability for production to survive through the market alone (Cwi 1982).

The moral arguments for public culture are only slightly more critical than the merit argument. As Mulcahy explains, moral arguments distinguish high culture from other forms (popular, commercial), privileging the ‘high’ arts for their moral worth and suggesting that only they should qualify for public support. Where merit arguments suggest that culture is a public interest, moral arguments suggest that only high culture is a public interest. Obviously, the terms ‘merit’ and ‘moral’ might easily be switched, but I apply these categories as they are used by the theorists of public culture. Mulcahy dismisses the moral approach for its reliance on elitist language, its elitist consequences, and its failure to justify the privileging of high art over other cultural forms (Mulcahy 1982c).

Arguments about the ‘good life’ that is engendered by the arts have a moral tinge, but they emphasize the experience that individuals have with art, rather than the substance of the art itself. Wyszomirski (2000) argues that culture improves the quality

of life. The American Assembly's 1997 (2000) report "The Arts and Public Purpose" lists culture's capacity to improve the lives of individuals among several rationales for public culture and specifies that art fosters creativity and provides opportunity for entertainment and relaxation. Edward Arian (1992) bases his arguments for public culture on three premises that relate to the role of culture in the lives of individuals: 1) art is constitutive of the good life, 2) all citizens of all backgrounds have a right to participate in the arts, and 3) people of all backgrounds respond positively to the arts. The good life approach bridges the public/private divide by suggesting that the life-quality of individuals is actually a broadly shared public interest.

The economic interests that are addressed by public culture provided the basis of funding for the New Deal arts programs and one of the justifications for the NFAH. I have already mentioned Cwi's sentiment that despite potential merit, the arts should not receive public support unless they fail to survive on the market. Cwi's own analysis suggests that the arts can easily survive on the market, citing the ever-growing number of arts organizations. He also suggests that private sponsorship of the arts has shown no sign of decline and that art institutions have room to increase ticket prices to cover greater costs. However, the bulk of the evidence indicates otherwise. Further, Cwi assumes that government-funded and market-funded culture will be qualitatively the same. But there is evidence that funding sources have an impact on the substance of culture (Alexander 1996, Wu 2002).

Mulcahy (1982c) outlines the economic difficulties that culture faces on the market, stating that culture is almost always a money-losing venture. Mulcahy discounts

the notion that ticket prices for cultural events and institutions can be increased and insists that reasonable ticket prices can never pay the full costs of cultural production. Indeed, the larger and more reputable the institution, the more trouble it has staying afloat—the Metropolitan Opera in New York being a frequently cited example. Why do the arts struggle economically? The answers vary across cultural forms, as does the degree of economic difficulty, but the two major concerns are labor costs and the production process. Artistic productions are often very labor intensive, and the cultural labor force has become increasingly organized throughout the twentieth century. This has driven up wages and protected jobs where downsizing might otherwise have occurred. On the production side, outside of the commercial culture realm, the arts suffer economically from a lack of standardization (which many would argue is an aesthetic benefit) and little impetus for technical innovation. In response to these economic concerns, Mulcahy insists that public funding is a necessary and worthy investment. He states: “Public subsidy has softened some of the economic realities of artistic production while making our cultural heritage more widely available” (37), linking economic benefits to positive results for participation in the arts. A report from the President’s Committee on the Arts and Humanities (2000) places culture on par with education as a worthwhile public investment. Just as tuition at public universities never fully covers the cost of education, the report argues, so ticket sales never fully pay for cultural events. And so, just as the government subsidizes education as a public interest, it should also subsidize culture.

The economic rationale for public culture is not limited to the subsidization of a sector that cannot survive on the market. It also highlights the economic prosperity that culture engenders (Wyszomirski 2000). The American Assembly (2000) report that I cited earlier suggests that cultural institutions improve communities and thereby better the local economy. The report also reminds us that culture is one of America's chief exports. Cherbo and Wyszomirski provide more concrete details with regard to the nonprofit arts, stating in 2000 that such cultural forms:

- produce \$36.8 billion per year in economic activity
- provide or contribute to 1.3 million jobs, and
- generate \$3.4 billion in federal tax monies, \$1.2 billion in state taxes, and \$790 million in local taxes. (Cherbo and Wyszomirski 2000b)

Finally, Justin Lewis (2000) articulates the economic value to consumers of public arts subsidy with an example from television. When a corporation sponsors a television program, the citizen as consumer pays doubly by covering production costs for both the television program and the advertisement. When television is subsidized with public funds, as in the case of the Public Broadcasting System (PBS), which receives support from the federally funded Corporation for Public Broadcasting (CPB), the citizen as taxpayer pays only for the cost of the program itself. So public culture provides economic benefits for individuals, arts organizations, and communities.

Turning from economic arguments to political ones, Mulcahy (1982c) argues that heavy public support for the arts—indicated through public opinion polls—justifies public investment in the arts. According to this line of reasoning, if public opinion

regarding art took a negative turn, then a withdrawal of funding would be justified, along with removal, literal and figurative, of art from the public square. The argument holds that politicians and other arbiters of the public square are accountable to the views of the public and it equates public interest with public opinion.

Another approach emphasizes the educational benefits of culture. The American Assembly Report (2000) suggests that public culture produces good citizens by providing individuals with educational and occupational skills. And Mulcahy (1982c) argues that participation in the arts leads to expanded educational opportunities for the disadvantaged.⁴²

Many arguments for public culture are rooted in principles of democracy. Wyszomirski (2000) says that, for pursuing democracy, the arts are important for two reasons: building social capital and symbolically illustrating democratic principles. The issue of social capital derives from the work of Tocqueville, Putnam and others who highlight the importance of civic associations within a democracy. The illustration of democratic principles suggests that the political system is reflected in artistic content (or at least, that it can and should be reflected). I would expect, then, that the art of a pluralistic democracy would be diverse in its themes and media, diverse in its producers, and reflective of the interests and concerns of a broad array of Americans (and not just of an artistic or economic elite). A 1991 report from the American Assembly insists that a healthy art world is in the best interests of democratic society because it contributes to a strong national identity and it promotes both education and happiness. But certainly art

⁴² See, for example, DiMaggio (1982a).

has thrived in non-democratic societies. How do I specify the conditions that generate a democratic art world? I will address that question in more detail in later chapters, but here I will briefly summarize some relevant principles from the current debates. Many of the advocates for public culture have expressed particular support for the NEA and other forms of federal arts subsidy. While all are critical of specific NEA practices, they nevertheless insist that a reformed NEA is the core of democratizing the arts. As Mulcahy says, “[f]or all its shortcomings, the present system of public culture—essentially public support of private institutions and individual undertakings—has offered the best hope for a democratic and autonomous art world” (Mulcahy 1982b, 310). Other scholars emphasize the need for an American cultural policy and suggest that the lack of an official policy on culture indicates a failure to develop an American public culture. Lewis (2000) argues that America’s *de facto* cultural policy has been to leave culture to the free market, with effectively no federal involvement. He compares this to the European system, where culture is centralized and regulated by state ministries. He describes both of these approaches as “neither democratic nor dynamic” (80), and insists that a middle way is possible and needs to be pursued. In this middle way, the government would invest heavily in culture but would not be allowed to intervene too heavily in the production process. The underlying principle would be that free expression and free inquiry are worthy not only of legal protection, but even of subsidy. While many suggest that government has the right to make demands of the artists that it supports, Lewis insists that is in the government’s best interest not to do so. Lewis exaggerates both the American and the European models. America does invest in culture

through the federal government in ways that go far beyond the miniscule budget of the NEA. And European governments do not by any means maintain tight control over all or even most cultural production. But the key point is that America lacks a cultural policy that might guide decision-making in the areas of subsidy and regulation. One of the main reasons for avoiding such a policy is the fear of creating an 'official culture' that is dictated by the state. But Lewis's middle way is meant to provide a model for investing in culture while avoiding a tyrannical official culture.

Edward Arian also bemoans the absence of an American cultural policy and offers the concept of 'cultural democracy' as a possible foundation upon which to build cultural policy. Cultural democracy is rooted in Arian's beliefs, described earlier, that all Americans respond positively to culture and have the right to cultural participation (Arian 1992). Arian describes three cultural spheres in America. The first is a 'performance culture' that consists of elite art institutions and small wealthy audiences. The second is a 'creative culture', a set of artists and writers who are actively writing and are responsible for most contemporary culture. This creative culture is largely autonomous from the major arts institutions. The third group is a 'community arts culture' that works with local communities to generate art and arts events through small local organizations. Arian argues that cultural democracy must be founded in the creative culture—the artists—and the community arts culture. But instead, Americans generally and the American art world specifically have privileged the performance culture. We have thus failed to bring cultural democracy into the public sphere.

For all our failures to fully achieve democracy, cultural and otherwise, the concept is nevertheless an enormous component of American identity. The American Assembly's 1997 report (2000) lists defining American identity as one of the public purposes of the arts. The arts provide the visual and symbolic material that can crystallize national identity. Further, the diversity of the arts in the United States highlights our cultural pluralism. It is this capacity for art to symbolize a nation that is invoked in the activities of cultural diplomacy.

Beyond national identity, art can serve in other ways to build shared identity. Such commonality is the root of Durkheim's (1984) concept of social solidarity. Solidarity provides the sense of trust that allows a society to cohere. As one American Assembly report states: "The arts encourage association, and provide us with opportunities for shared creativity and shared enterprise. They help us experience community, and invite us to focus together on ideas, issues, and emotions. In doing so, they sustain and deepen the dialogue about the American experiment and democratic values" (American Assembly 2000, 66). Wyszomirski (2000) invokes E.D. Hirsch's notion of 'cultural literacy' to argue for a stronger public culture in the United States.⁴³ Public culture, she argues, is the only culture that bridges individual and group differences in America. The report from the President's Committee on the Arts and Humanities (2000) echoes this sentiment, but focuses on local communities. The report argues that culture provides the imaginative experience that builds a shared vision for what a community is about and where it is heading.

⁴³ See Hirsch (1987).

That report also emphasizes the complexity and diversity of American culture:

“both Pueblo Dancers and the New York City Ballet; the local historical society as well as the history department of Harvard University; the church choir and the St. Paul Chamber Orchestra; the lone scholar in her cubicle and the citizen debate in a town hall” (President’s Committee on the Arts and Humanities 2000, 72). The report discusses ‘border culture’—emerging cultural forms that generate from the interactions between cultural groups.⁴⁴ Examples include jazz, rock & roll, and musical theater. The emergence of border culture depends upon the vitality not just of culture, but also of cultural diversity. How do we foster cultural diversity? Lewis (2000), who argues that the keywords for cultural policy are diversity and innovation, suggests that the best way to protect cultural diversity is through government regulation. As an example, I think of contemporary debates about the ownership of media corporations which have considered the possibility that government deregulation may destroy the diversity of the American media.

Innovation, on the other hand, is best promoted through government subsidy. The US government promotes scientific innovation through the awards given by the NSF. Academic advances in the humanities are encouraged through awards from the National Endowment for the Humanities. Similarly, Lewis argues, the National Endowment for the Arts is an appropriate way to promote innovation in the arts.

By my count, that is 13 justifications for public culture, summarized in Table 2.2. Democracy, in this discussion, has been one among several justifications, but it also

⁴⁴ Also see Cowen (2002).

provides an overarching framework for all of them. Art for the sake of the public is a democratic equation, just as democracy is, in principle, government for the sake of the public. National security is always an interest and a dilemma for democratic societies. Merit, as discussed above, may have little to do with democracy, but it has also largely been discounted by the theorists. Democracy certainly has a moral component and it defines the good life in terms of equality, diversity, and participation. Economic success is perhaps the most important domestic concern for democratic governments. Broadly available education has often been cited as foundational for democracy. The solidification of American identity is, in part, the solidification of a democratic identity. The social cohesion provided by shared identity and shared symbols stands in place of military and economic forms of social cohesion as the most democratic alternative. The importance of diversity for democracy has already been mentioned, but what about innovation? Tocqueville raised the concern that culture under democracy might suffer in terms of quality. Using public culture to stimulate innovation is one way of addressing Tocqueville's fear, which also provides a rich way of addressing the issue of merit. The question of public culture is, then, a democratic question.

Table 2.1: Justifications for Public Culture, by Author

1. Cwi (1982)	Emphasis on justifying government subsidy. Subsidy is appropriately available for <i>merit goods</i> that suffer from <i>market failure</i> . Art qualifies as a merit good, but has not suffered from market failure.
2. Mulcahy (1982b)	Public culture is the best route to a democratized art world.
3. Mulcahy (1982c)	Emphasizes economic, educational and political justifications. Discounts moral justifications.
4. American Assembly (1991)	Public culture is a democratic interest that contributes to national identity, education, and happiness.
5. Mulcahy (1992)	Art for the sake of the public.
6. Arian (1992)	Art and public culture in the interest of cultural democracy.
7. Lewis (2000)	Need to find the democratic middle path between non-involvement and creating an official culture. State support is a democratic alternative to the tyranny of commercial culture. Cultural policy needs to engage the culture that Americans engage. Emphasis on diversity and innovation.
8. President's Committee on the Arts and Humanities	Art is a public good that provides important imaginative capacities. Focuses on the diversity of American culture.
9. American Assembly (2000)	Art defines American identity, promotes prosperity, socializes citizens, and improves the lives of individuals; and is therefore in the public interest.
10. Wyszomirski (2000)	Public culture provides shared symbols of identity. Art promotes democracy. Art is a source of economic prosperity for communities. Public culture is in the interest of national security.

Table 2.2: Justifications for Public Culture, By Topic	
1. Art for public's sake	Mulcahy (1992)
2. National Security	Wyszomirski (2000); also see the literature on cultural diplomacy described in chapter 1
3. Merit	Cwi (1982)
4. Morality	Mulcahy (1982) rejects this approach
5. Good life	Arian (1992), Wyszomirski (2000), (American Assembly (2000)
6. Economics (support economically troubled cultural institutions <i>and</i> promote prosperity in general	Mulcahy (1982c), Cwi (1982), Lewis (2000), President's Committee on the Arts and Humanities (2000), Wyszomirski (2000), American Assembly (2000)
7. Politics (politicians' responsiveness to their constituents)	Mulcahy (1982c)
8. Education	Mulcahy (1982c), American Assembly (2000)
9. Democracy	Mulcahy (1982b), American Assembly (1991), Arian 1992, Lewis (2000), Wyszomirski (2000)
10. American identity	American Assembly (2000)
11. Shared Symbols	Wyszomirski (2000), President's Committee on the Arts and Humanities (2000), American Assembly (2000)
12. Diversity	Lewis (2000), President's Committee on the Arts and Humanities (2000), American Assembly (2000)
13. Innovation	Lewis (2000), American Assembly 2000)

Public Culture and the NEA

The NEA, of course, is not the only organization where this question must be considered. However, the NEA does play an important symbolic role in the art world of the United States. To many artists and arts administrators, the NEA marks a victory in a lengthy battle to win an American commitment to the arts and to public culture (Mulcahy 1982a). In terms of organizational purposes, the NEA is the only federal agency that is focused on generating public culture through the arts. The National Endowment for the Humanities, of course, was also created by the NFAH legislation in 1965, and should also be seen as an agency of public culture. Because of its close relationship with academia, including the channeling of its funds to university faculty, it has sidestepped the kind of symbolic role that the NEA holds. In other words, the NEH has chosen to 'piggy-back' its foci and concerns on the American university system, whereas the NEA stands on its own as a leader for public culture in America. How the NEH has taken this alternate path, and what its consequences are for American public culture, are subjects worthy of further analysis, especially since the NEH has largely avoided both public and academic scrutiny.

It is often suggested that the value of the NEA is entirely symbolic, because its budget has been too miniscule to make a substantive difference. Lewis (2000) points out that, in 1990, Pentagon spending on military bands exceeded the entire NEA budget. The NEA budget is certainly small in comparison to other areas of government spending and in comparison to other sources of funding for the arts. But it has, nevertheless, transformed the American art world since its creation by stimulating the growth of state

and local arts agencies, by encouraging the flourishing of nonprofit arts organizations, and by subsidizing many non-traditional artists.

However, critics have raised many concerns about the overall success of the NEA in generating democratic public culture. Although the NEA embodies an American commitment to culture, it is often described as an insufficient commitment. Arts administrators complain about their constant need to defend the NEA (Campbell 2000). And they complain that they are often forced to withhold constructive criticism of the NEA for fear that their suggestions will be used as a weapon to destroy the agency (Arian 1992).

The struggle to defend the NEA is due in part to the NEA's failure to articulate a public mission. Mulcahy (1992) argues that, although there are many public interests that can be met by the NEA, the agency has never presented these interests to the public, nor have they settled on any particular set of interests as their organizing principle. Similarly, Cwi (1982) points out that the NEA has done very little to develop measures for self-evaluation. Not only does the NEA lack defined goals, but also, if they had such goals they would be unable to know if they had met them. Wyszomirski (2000) suggests that the public interests in public culture need to be made a topic of ongoing public debate.

Mulcahy (1982) and Campbell (2000) both raise strong critiques of the decision-making processes within the NEA. The biggest source of critique is the panel review process, which was envisioned as a protection against the politicization of the NEA. Mulcahy suggests that this process has, in practice, been very political and that the decisions reflect the ideological leanings of the panels. Mulcahy suggested in 1992 that

discipline-based panels be abandoned, and indeed, this change has occurred since.

However, the new focus on thematic areas of interest still retains the peer review process as the chief form of making awards decisions. Mulcahy advises shifting to broadly representative advisory panels that might include individuals drawn from the arts public. Such a change might address Campbell's suggestion that the NEA focus less on artistic production and more on artistic consumption. That is, the NEA needs to be more concerned with the interests and needs of the arts public. She argues for greater diversity in the review panels, such that the panels might be representative of the American public, and not of specific arts interests. She also advises making the NEA Chair a cabinet post, thereby raising the profile of the agency.

Mulcahy feels that the NEA chair should demonstrate her accountability to the public by rejecting more of the panels' recommendations. For most of the NEA's history, with an exception during the culture wars period, the Chair has consistently deferred to the decisions of the panels. Mulcahy argues that the NEA has thus failed to hold itself accountable to the American public. Instead, they have largely been accountable to the American art world. Lewis (2000) agrees and insists that the NEA needs to engage the culture that Americans engage, rather than whatever is favored in the art world. He warns that this may require greater consideration of commercial culture.

Several critics of the NEA argue that the agency needs to address the issue of cultural diversity more deliberately and more carefully. Yoshitomi (1991) insists that American cultural diversity needs protection and subsidy. The American Assembly (1991) asserts that diversity is our cultural heritage and greatest resource. Campbell

credits the NEA with recognizing and pursuing diversity, but critiques the agency for failing to generate and disseminate a defense of cultural diversity. After studying the trials of Robert Mapplethorpe's photography, I wonder if such a defense might have prevented much of the arts culture wars.

Those who feel the NEA has not done enough to nurture diversity argue that the agency has, instead, simply legitimated elite culture and elite interests. Mulcahy argued against this claim in the 80s (1982b), but by 1992 he had reversed his opinion and claimed that the NEA had been too hands-off in formulating policy and making decisions. As a result, the powerful hold that elite culture has across American society has also infiltrated the NEA. Similarly, Arian argues that American emphasis on the 'performance culture' of elite arts institutions, over and above the 'creative culture' of artists and the 'community arts culture', has also been the rule of thumb at the NEA. These critics cite diversity as one of the great successes of the NEA, but nevertheless feel that it has been insufficiently pursued.

Moving the unit of analysis beyond the specific location of the NEA, to American society broadly, these theorists/advocates/critics of public culture have raised a number of important concerns. Mulcahy (1982b) voices the concern that arts agencies at any level will disproportionately suffer from budget cuts and public attacks because of their visibility and symbolic power. Although DiMaggio (1991a) argues that state arts agencies face less controversy than the NEA, recent debates about arts funding in New Jersey, California, and other states indicate that DiMaggio's observation may no longer be true. Mulcahy (1992) raises other concerns, such as the increase in private funding for

public culture. What are the implications of this development? What is the best organizational structure for nurturing public culture? How can the public interest in public culture be determined? How can public culture be made accountable to US citizens?

The American Assembly reports make a number of suggestions for developing a stronger public culture in America. They insist that the government must deliberately support new and 'risky' art—art that may offend and challenge its audience (1991). They insist that freedom of expression must be protected and that no artistic work may be compromised by the interests of its funders, even when the government is the sponsor (1991). They call on artists to examine their own responsibilities to the public and to public culture (1991). They call on artists to examine their own responsibilities to the public and to public culture (1991). They call on the American art world to work collaboratively in addressing public purposes (2000). They ask for greater attentiveness to the financial concerns of the arts (2000). And they call for a strengthening of access, preservation, education, research, and policy formation in the arts (2000).

Garfias (1991) calls for greater demographic diversity in arts management. Solomon (1994) suggests that cultural diversity actually lies at the heart of American fears of government support for culture. Such support raises the question of 'whose culture will dominate?' Whose culture will benefit, and whose will suffer?

The "Creative America" report from the President's Committee on the Arts and Humanities (2000) expresses concerns about the fragility of nonprofit organizations, due to the frequency with which they fold. Other areas of concern are: the heavy loss of

cultural heritage, the under-support of some art forms, the absence of arts education and the weakening of humanities education in many schools, stresses on arts funding, stresses on American leisure time, a loss of participation in the arts by civil society, a general under-valuation of culture in America, and an intolerance directed towards difficult and challenging work. Finally, Cherbo and Wyszomirski (2000b) recommend a systems approach to cultural policy that can account for the interplay of governmental, commercial, and nonprofit organizations in sustaining the arts.

Conclusions

The next two chapters develop a theoretical approach to public culture that I believe addresses many of these concerns. It rests upon four principles drawn from this analysis of existing approaches to public culture.

1. Public culture and democracy are mutually constitutive.

Theorist after theorist cites the important contributions that public culture can make to democracy. But they also call for democratic reforms within the institutions of public culture. As Wyszomirski says, “[D]emocracy in procedure reflects and legitimates democracy in principle on a day-to-day basis” (Wyszomirski 2000, 75). The democratic effects that the arts can contribute to society are dependent upon a democratized art world. Such an art world will reflect the principles listed below. In addition, it will be characterized by broad participation in the arts across society—participation that is evenly distributed across geographic locations, across social classes, across racial backgrounds, across religious and ideological commitments, across sexual identities, and across other important social identity characteristics. This art world will be relatively

non-hierarchical and is likely to be very fragmented.⁴⁵ How will such an art world avoid collapse? The next two chapters will suggest that a commitment to democracy, combined with a vigorous civil society involvement in the arts, may provide the necessary framework for cohesion.

2. Elite culture, when socially framed as such, is detrimental to democracy.

That is not to say that opera, for instance, is inherently anti-democratic. But scholars of cultural history have demonstrated that opera and other forms of culture have been carefully constructed to legitimate and protect the interests of elites (DiMaggio 1982, Levine 1988). Within this context, elite culture tends to lower participation because of its exclusionary tendencies. It has already been presented to society as the exclusive domain of elites. Reconstruction of these cultural forms is possible and is actively attempted by many nonprofit arts organizations. However, when they are pursued without reconstructive efforts to disentangle them from elite interests, then anti-democratic effects such as hierarchy and low participation will result.

3. The deliberate pursuit of diversity is a democratic endeavor.

Democratic societies and democratic institutions make decisions through open debate and consensus building. Such deliberation depends upon the participation of diverse perspectives. As the NEA has found, diversity often leads to controversy. Art that reflects feminist ideas, that addresses racial issues, that explores difficult religious issues or examines human sexuality is often highly contentious. But in its few moments of controversy, the NEA may also have been at its most democratic. While issues of

⁴⁵ See DiMaggio (1987) on the structural variables of the art world, including hierarchy and fragmentation.

diversity were frequently discussed during the arts culture wars, the democratic character of diversity was largely unacknowledged.

4. In addition to reflecting differences, culture can also bridge differences.

Culture that is shared across society provides symbols of shared identity. Such symbols hold together a highly diverse and pluralistic society. They act as a form of social cohesion by providing a sense of social solidarity. This character of public culture was mentioned less often and overall it is under-theorized. But it makes a logical counterpart to the pursuit of diversity.

Working from these four principles, I will now outline a theoretical approach to culture that emphasizes the democratic effects of the arts. I have developed this framework out of the literature on democracy, specifically on the democratic effects of civil society. It illustrates how and why the building of public culture must move away from elite cultural forms and towards both diversity and broadly shared public culture.

Chapter 3

The Associational Life of the Arts

Introduction

This chapter presents a theoretical framework for thinking about art from the perspective of its positive contributions to democracy. The framework may serve as a guide for cultural policy makers, who often include democracy among their organizational goals, and it may offer a new socio-theoretical approach to the arts. The framework that I offer provides a means of determining whether funding decisions and other cultural policies ultimately contribute to improving democracy.

Specifically, I am operating out of the literature on democracy and association, generally credited most to the work of Robert Putnam. Putnam's work shows that democratic political institutions operate best—with the most success and efficiency—when their participants (citizens) are highly integrated into civic associations. This is especially true when there exists a long-standing tradition of such participation. The conclusion from Putnam's work is that associational life makes positive contributions to democracy.

My goal is to demonstrate that artistic practices are an overlooked form of associational life and to specify the types of contributions that art can make to democracy. Of course, to call art a form of associational practice flies in the face of romantic notions of the lone artist who creates in isolation. The sociology of art has long

labored to dispel such myths, and to demonstrate that art is the product of social engagement and network integration. So beginning from there, I hope to show how art, under certain conditions, can contribute to improving democracy at the broadest social levels.

Romantic Ideology and the Arts

A dominant idea that shapes how contemporary Americans think about art is the romantic notion that art is a product of individual expression, and is created in moments of isolation. In this view, art is autonomous from the society in which it is produced; the artist is one who rebels against or hides from that society. The reception of art by an audience is treated as an intensely personal experience, unhampered by social, political, or economic dynamics. Interpretation—the process of making meaning from an encounter with art—is purely individual.

Janet Wolff's *The Social Production of Art* (1981) suggests that capitalism has further contributed to and encouraged this idea about art. Capitalism, she argues, excludes the artist from the dynamics of commodity production. So the artist is treated as a non-economic being. While the laborer is alienated from the creative dimension of her work, the artist is similarly alienated from the productive and economic dimension of art-making.

Challenges from the Sociology of Art

Recent work in the sociology of art has produced important challenges to the romantic conception of artistic production and reception. For instance, Howard Becker's

Art Worlds (1982) explains that art is actually produced by social networks, with the artist functioning at the nexus of the network. Becker's work illuminates the artistic significance of a host of actors and organizations who shape the art of a society, from the producers of artistic materials—like paint, canvas, and frames—to the groups who carry out the distribution, allocation, collection, and criticism of art.

Further, the work cited above by Wolff reveals the socially situated character of the romantic notion of art. It is particular to certain groups in certain countries in a capitalist era. In other words, this approach to art is neither universal nor inherent in artistic practice. And this romantic ideology is only partially correct in describing the artists who are in these social contexts. While it has informed practice, it has also been exaggerated when that practice is described. For, many artists do engage the market as economic beings engaged in commodity production.

Further work has addressed the experience of audiences and the role of social characteristics in shaping the production of meaning. Janice Radway (1984) has documented the importance of a network of romance readers in guiding the selection of a romance novel and the determination that a purchased novel is 'good'. Jo Ellen Shively's (1992) study of Native American and Caucasian American interpretation of Western films reveals that different social groups can have radically different interpretations of the same cultural object.

The implication of these studies is that neither artistic production nor artistic reception happens in isolation; neither is autonomous from social forces. Rather, art in

every instance is bound up in the society in which it is produced. Networks are key to its production and reception, and everything that might happen before, between, or after.

Art and Social Outcomes

Studies from the sociology of art, as well as multi-disciplinary work in cultural policy studies, have specifically identified linkages between participation in the arts and certain democratic outcomes. These outcomes range from the individual level, such as learning the skills of democratic citizenry, to the social level, such as participation in civil society. For the most part, these are empirical studies that aim to identify the positive effects of arts participation and generally fall into seven categories.⁴⁶ First, several studies indicate that arts participation produces physical and/or psychological benefits for the participant. For instance, music-making has been found to strengthen the brain, by providing the simultaneous use of thinking skills, the senses, and the muscles. “Brain scans taken during musical performances show that virtually the entire cerebral cortex is active while musicians are playing,” (Weinberger 1998). In terms of psychological benefits, consider this story:

Within 30 minutes of the attack on the World Trade Center, students at Montclair (N.J.) High School were making art. Using crayons, markers and paper provided by school counselors, students turned the anxiety and fear of those tense hours into artwork. For the next week, dozens of students continued to come to the library to write poems, compose lyrics and draw pictures—which included images of planes crashing into skyscrapers. “The kids were looking for a way to have some meaningful posture here in this

⁴⁶ Most of the studies cited in this section are summarized in *Americans for the Arts* (2001).

moment of madness,” said Bob Goger, a Montclair High School counselor. “This gave them the moment to do that.” (Bleiberg 2002, 88)

The frequent use of art in emotional therapy programs is illustrative of the link between arts participation and happiness.

Second, the arts have been negatively linked to crime. Arts education has been shown to have a deterrent effect on youth who participate in after school and summer arts programs. A study by Heath (1998) compared a sample of over 100 young participants in non-school, community arts programs (ARTS) to a national sample from the National Educational Longitudinal Survey (NELS). Although the ARTS students were more likely to have lived on welfare, to have attended a school with a high level of violence, and to live with parents who had lost their jobs within the previous two years, they were also more likely spend their leisure time pursuing educational and cultural opportunities—even beyond those provided by the community arts organization. So these students who are otherwise considered at ‘high risk’ for committing crime, are actually *less* likely to commit crimes thanks—at least in part—to their arts participation. The US Department of Justice has come to similar conclusions through the YouthARTS Development Project (Clawson and Coolbaugh 2001). Working with youth who had histories of delinquency, they found in San Antonio that participants in arts programs demonstrated a decrease in “delinquent behavior” by 16.4%, as compared to 3.4% in a non-arts control group.⁴⁷ In Atlanta, program participants experienced a reduction in court referrals. Why does art have this effect on behavior? According to a report from

⁴⁷ The control group participated in non-arts programs aimed at reducing juvenile delinquency.

the National Research Center on the Gifted and Talented (Oreck et al 1999), underprivileged students who participate in the arts are observed to have a high capacity for self-regulation:

Because the pursuit of the arts was so intrinsically rewarding for these students, hard work was embraced eagerly. They acknowledged that they were pushed physically and mentally, learning their limits and testing their responses to hard work. As the students moved through the stages of talent development, they became increasingly able to apply their successful self-regulatory behaviors to other areas of their personal and academic lives. For the most part, these students achieved in school, set goals for their future, and assumed responsibility for their actions. (70)

This self-regulation may give these students a greater sense of efficacy—of having alternatives to delinquent behavior.

Third, arts education has been positively correlated with success in other academic areas. According to Heath's study, students who spend at least three hours per week engaged in art for one full year are 4 times more likely to win an award for essay-writing or poetry-writing, 4 times more likely to enter a math or science fair, 3 times more likely to be recognized for school attendance, and 4 times more likely to be awarded for academic achievement (Heath 1998). Further, music has been linked to positive outcomes in both reading (Weinberger 1998) and math (American Education Partnership 1999). A study of students from low socioeconomic status (SES) backgrounds revealed that theater participation improves reading proficiency (Catterall et al 1999). The same study analyzed NELS data and found that students who are involved

in the arts receive higher academic test scores than those who are not involved in the arts, regardless of SES level. The participants in the YouthARTS Development Project in Portland improved in their attitudes toward school by 31.6%, as compared to the 7.7% of participants in non-arts, anti-delinquency programs (Clawson and Coolbaugh 2001). A report from Teachers College at Columbia University found that students who have high levels of arts education also demonstrate high scores in measures of their creative thinking skills (Burton et al 1999). In an era when the arts are often the first programs to be cut under budget strains, we are discovering that the arts may be our most valuable academic program.

Fourth, arts participation has been shown to reduce certain inequalities. The studies discussed in the paragraph above not only indicate that participation in the arts is important for academic success; they also counter the argument that the real issue is income and not arts. The assumption is that students who are involved in the arts are likely to be from high-income families and their success is really attributable to their SES backgrounds. But the results are consistent even when SES is controlled for. As DiMaggio (1982) found, participation in cultural activities is often more important for those from lower status backgrounds who are seeking social mobility.⁴⁸ The lesson is

⁴⁸ We must be careful on this point to distinguish between status culture and cultural forms that are less status based, or less associated with elites. When students from low SES backgrounds participate in 'high culture' they protect themselves from the negative (socially reproductive) consequences of the cultural capital system (Bourdieu 1977) but they affirm that system at the same moment (see Hays 1994 on socially reproductive agency). If cultural capital is a mechanism of stratification and social reproduction, then, in

that culture matters for all students, and we should not assume that its positive effects are limited to those of high SES. Another study shows that among students from the lowest SES categories, those who participate in the arts are closer in academic achievement to the highest SES students than those who do not participate in the arts (American Education Partnership 1999). This is also true for dropout rates. Arts participants who are low SES have similar drop out rates to low-arts, high SES students (American Education Partnership 1999).

Fifth, art is shown to have positive economic benefits for participants. These claims come in two forms. One is the found in the sociological literature on 'cultural capital' that stems largely from the work of Pierre Bourdieu (1977). This work, which will be discussed later in relation to democracy, shows that cultural knowledge is a mechanism of class reproduction. Individuals steeped in culture have greater educational and occupational possibilities. The second way in which art is linked to economic benefits comes from the recent literature on the 'creative class.' As the importance of industry for the contemporary American economy has declined, a new sector has risen in its place—one that is based on creative work. Alan Greenspan calls this the 'economy of ideas'.⁴⁹ In this new economy, training in imaginative activity—like that provided by arts education—is believed to produce better skilled workers and more successful businesses (Florida 2002).⁵⁰ As a result of these studies, we are developing a more

our pursuit of democracy, we must be careful to identify and foster those cultural forms and practices that are outside of that system.

⁴⁹ Quoted in American Education Partnership (1999, vi).

⁵⁰ Also see Kleiman et al. 2002; for a critique of these claims, see Healy 2002.

detailed account of the cultural sector within the global economy. New studies are documenting the outcome of cultural exportation (Cowen 2002), the effects of tax policies on culture (Feld et al 1983), private ownership of cultural goods and heritage (Wu 2002), the value of the arts in the national economy (Cherbo and Wyszomirski 2000b), and the contributions of the arts to local economies (Kuebler et al 2003).

Sixth, the arts have been linked to certain skills that are important for involvement in democratic institutions. Among the lessons that art provides for children, Eisner (2000) finds that art teaches students how to judge carefully about relationships, how to celebrate diverse points of view, how to grapple with changing purposes in complex problems, and how to think critically about difficult material. These lessons from the arts are important for later participation in civic and political institutions. They give the individual a strong sense of efficacy as well as the skills to work well with others towards a common interest. The YouthARTS Development Project found in Portland that although only 43% of participants demonstrated the ability to cooperate with others at the outset, after participation in the arts programs, 100% of participants demonstrated that ability (Clawson and Coolbaugh 2001). Another democratic ideal is participation. If, classroom participation can be linked to civic participation later in life, then it bodes well that young opera participants show higher rates of classroom participation—quantitatively and qualitatively—than their peers (Wolf 1999).

Seventh, and finally, art has been shown to have positive effects on civil society. Specifically, arts participants are more likely to engage in civic activity. Arts participation among youth has been linked to participation in school government (Heath

1998), youth groups (Heath 1998), and community service (Catterall 1998). While this may foreshadow high civic participation later in life, these examples are themselves forms of civic participation that may promote democracy in the school, the church, and the community respectively.

What do we learn from this review of the studies on art's social contributions? The first lesson regards the value of theory and purpose. These studies would seem quite disparate apart from the use of democracy as an overarching framework. Furthermore, these studies show that, far from being autonomous from social forces, art is actually an important element of social structure and has positive contributions to make to democracy. Art makes citizens better off physically and psychologically. It reduces crime and inequality, while promoting education. Art is beneficial to the economy and to civil society. But many of these studies come to the very simplistic conclusion that we need more art—more arts education, more arts funding, more social support for the arts. One commercial run by Americans for the arts shows three scenes of child who is not 'getting enough' art. First, the girl interrupts her mother's pruning of a rose bush to tell her that, "plastic ones last longer." Then, we see her riding in a car with her mother, listening to music on the radio. The mother is clearly enjoying the music, but the girl reaches over and changes the station to a financial report. Finally, we see the girl asking her father to read to her from a book titled *Zoning and Variances*. Alec Baldwin's voice interrupts the final scene to tell us, "The less art kids get, the more it shows. Are yours

getting enough? Art. Ask for more.”⁵¹ But given the association of art with cultural capital—a thriving vestige of aristocracy—I must be careful to distinguish democratic artistic practices from more aristocratic practices. How can we specify which practices are most beneficial to democracy? To answer this question, I turn to one set of literature on democracy—that which ties the effectiveness of democratic political institutions to the associational life of civil society—to briefly explore the rise of social science linkages between civil society and democracy.

Democracy and Association

It was Alexis de Tocqueville who first commented on the extraordinarily robust character of American associational life. As Tocqueville explains, “A single Englishman will often carry through some great undertaking, whereas Americans form associations for no matter how small a matter. Clearly the former regard association as a powerful means of action, but the latter seem to think of it as the only one” (Tocqueville 1969, 514). Comparing America to France and England, Tocqueville finds Americans to be in the extreme in their reliance on associations as a mechanism for addressing concerns. He explains this heavy associational participation through what he calls ‘the doctrine of self-interest properly understood’. Where the average person might shy away from associations, preferring to act in her own interest rather than acting for a larger interest, the American, according to Tocqueville, recognizes that her best interest is inseparable from the common good.

⁵¹ This and other ad spots can be found online at the Website of the National Arts Education Public Awareness Campaign (http://www.artsusa.org/public_awareness/).

For Tocqueville, associational life is a necessity of democracy because of the disbursement of power. In a democracy, he claims, “all the citizens are independent and weak” (514), and thus they find their power through civic association. Associations stand in place of rich and powerful leaders and use the combination of voices and resources to fulfill social needs and to achieve shared goals.

More recently, the work of Robert Putnam has brought associational life back to the fore of democratic theory. Putnam’s (1993) study of democratic institutions in Italy reveals that these institutions work best in regions that have a strong tradition of civic association. Putnam studied the formation of new regional governments in Italy, beginning in the 1970s. These governments thrived in the north, but were very ineffective in the south. Studying the history of these regions, he found that prior to unification, the south had long been ruled by autocrats who made political decisions without the input or participation of local citizens. In contrast, the north had a history of city-states that were ruled under collective authorities. They had strong traditions of civic participation in political and social matters. These strong traditions, he concludes, make citizens more inclined to participate in governing institutions, and more inclined to take collective action as a means of addressing social problems. Other scholars have taken up this issue and begun to develop more refined theories about the relationship between democracy and association (Sandel 1996; Rosenblum 1998).⁵²

Applying this notion to contemporary American social life, Putnam finds in *Bowling Alone* (2000) that American civic life has significantly declined and that this

⁵² For critiques, see Kaufman 2002.

decline is threatening to democracy. When he speaks of democracy, he invokes such descriptions as egalitarian, participatory, non-biased, and forthright.⁵³ Putnam closes the book with an agenda for how Americans might renew democracy by fostering a more robust civil society. Included in the agenda is a section on the role of culture and the arts. However, Putnam only addresses electronic entertainment in this section—calling for the media to find a way for Americans to spend less time passively consuming entertainment—and really has no specific recommendations for the arts. It is too simplistic to assume that all television watchers are merely being passively entertained.⁵⁴ And given that many surveys indicate high levels of support for the arts broadly, it is important to think beyond the media as we consider how culture might promote democracy. I will attempt to fill that gap in this chapter.

The overall message from Putnam's work is that associational life improves democracy. However, his critics have suggested that this formula is too simple, and that we need to be precise about when and how associational life may improve democracy. Political scientist Mark Warren has attempted to create a matrix of distinctions that would allow just such precision in his 2001 book *Democracy and Association*. He provides a complex framework for mapping out the democratic potential of any particular form of association. Warren's careful distinctions are grouped into three headings: 1) the ease of

⁵³ See, for instance, Putnam's discussion of cyberspace (Putnam 2000, 173).

⁵⁴ For discussions of the active (i.e., non-passive) character of television watching, see Fiske (1992), Ang (1993) and Press (1991).

exit from the association, 2) the constitutive media of association, and 3) the constitutive goods of association.

The first set of distinctions refers to the degree of voluntarism engendered by the association. Families, for instance, are essentially non-voluntary, whereas community sports leagues are highly voluntary, and therefore easy to leave. When ease of exit is extremely high, then members will feel a minimal commitment to the association and its goals. Entrance and exit fees, other penalties for exit, strongly bonded relationships, and other demonstrations of commitment and responsibility tend to lower the ease of exit and increase general commitment to shared goals. However, when exit seems impossible, then members lose a sense that they are making a sacrifice towards the common good. So some degree of voluntarism is necessary, but it must be paired with a strong sense of investment.

The second set of distinctions refers to the form of those structures that hold the association in place. Warren distinguishes those groups that are largely held together through social media—specifically norms and communication, in Warren’s terms, but more generally through relationships—from those that are held together by either economic or legal means. The example of the arts is illustrative here. The NEA and NEH, as well as state and local arts agencies, are legally constituted. They are literally created through legislation. Nonprofit arts organizations are socially constituted. Concerned citizens form these organizations to pursue shared interests. Though they have economic needs, money is not the substance of the organization. And although they may receive financial assistance from the government, their goals are largely determined

from within—rather than being set by official political agendas. In contrast, the commercial culture industry is economically constituted. It is for-profit, and financial goals are paramount. As result of these three different constitutive media, the effects of these associational forms will vary.

Warren's third set of distinctions, the constitutive goods of association, refers to the ends around which the association is formed. It is this set of distinctions that I focus on here. Warren explains these constitutive goods as follows: "The manifest purposes of an association—the goods they seek to achieve—will have an impact on their democratic effects, independently of the effects accounted for by [ease of exit and the constitutive media of association]" (123). The constitutive goods of an association are seen in the products of that association, the events it holds, and the organizational goals. In the case of the NEA, constitutive goods include the various grants and fellowships that are offered, the artwork that results from this funding, and the organizations that are created (or that benefit) from the funding.

Four important dimensions are analyzed to make distinctions regarding constitutive goods, summarized in Table 3.1. First, Warren distinguishes between associational goods that are located at the level of the individual and those that are located at the level of the social. Food, for instance, is an individual good. Although we often eat in social situations, any particular bite can only be enjoyed by one person. In contrast, sports are enjoyed primarily at the social level. Teammates benefit from the actions of others, fans benefit from the skill of the players. Social goods are not reducible to individual units.

Second, Warren distinguishes associational goods in terms of excludability.

Non-excludable goods can be enjoyed by all citizens in roughly the same way. In contrast, excludable goods may be accessible to only a small group within society. Or, it may be that only a small group can enjoy them fully while others are allowed only limited enjoyment. Warren gives the example of roads to illustrate a non-excludable good. Provided they require no toll, anyone with a car is able to drive on a road and all arrive at the same destination. Shopping clubs, such as Sam's Club, which require memberships and often limit membership based on specific qualifications, would qualify as producers of excludable goods.

Warren's third fine point about distinctions within the constitutive goods of association is the separation of material goods from symbolic/psychological goods. Food, clothing and shelter are the obvious examples of material goods. Symbolic or psychological goods include "recognition, self-identity, and symbolic resources such as language, culture, and lifestyle" (125). According to Warren, the value of symbolic/psychological goods for any individual is dependent upon that individual's associational inclusions. The value is not inherent to the good. The value of steak, a material good, is determined by its freshness and its proportions of protein, calories, and fat—qualities that are determined by the steak itself. But the value of a college degree is not found in the paper it is printed on. My college degree is valuable to me because I am a member of a society that has accredited the college I attended—a society that uses college degrees to determine occupational qualifications for some jobs. I am a member of an occupational field that requires a college degree (en route to a PhD) for career

advancement. So my college degree is very valuable to me, but only because of my inclusion in specific social groups. This emphasis on inclusion is what gives symbolic/psychological goods their civic importance. “[A]ssociations devoted to [symbolic/psychological goods] are more likely to induce some civic virtues (such as empathy) and provide public representations of commonality, since the value of symbolic goods very often depends upon inclusion” (125).

Table 3.1: The Constitutive Goods Of Association*

				Characteristics
<i>Type of Good</i>	Individual/Social	Symbolic/Material	Scarce/Nonscarce	Excludable/ Nonexcludable
Goods that are relevant to democracy, but with no associational implications				
Eclectic and plentiful material goods.	Individual	Material	Nonscarce	Excludable
Nonexcludable natural goods.	Individual	Material	Nonscarce	Nonexcludable
Goods that are relevant to democracy, and have associational implications				
Individual material goods	Individual	Material	Scarce	Excludable
Public material goods	Individual	Material	Scarce	Nonexcludable
Interpersonal Identity Goods	Individual	Symbolic	Nonscarce	Excludable
Goods that are relevant to democracy, have associational implications, and are relevant to art				
Status Goods	Social	Symbolic	Scarce	Excludable
Exclusive Group Identity Goods	Social	Symbolic	Nonscarce	Excludable
Inclusive Social Goods	Social	Symbolic	Nonscarce	Nonexcludable
Source: Warren 2002, 127.				
* An additional 8 types are possible, but according to Warren these types are not relevant for democracy (Warren 2000, 126).				

Warren's final distinction is between scarce and nonscarce goods. Scarce goods are those for which supply is limited, while nonscarce goods are readily available to all. Warren explains the importance of this distinction as follows: "Here, the operative term is strategic: scarce goods bias associations towards *strategic bargaining*" (126, emphasis in original). Warren goes on to explain that these strategies can be corrosive to democracy when the associations involved are able to avoid public accountability for their activities. One need only think of Enron and other recent corporate scandals to find examples of the anti-democratic effects of the pursuit of scarce goods.

So having briefly introduced these distinctions, let me turn to art itself. First, I will demonstrate that artistic practices are a form of associational life. Then I will focus in on the goods that these practices produce, to specify how such goods may contribute to democracy.

The Associations of Art

It may seem odd to think of the practices of art as forms of association. This section will suggest a few ways in which artistic practices are a form of association. In some places, this discussion will seem redundant and in others it will seem to leave gaps. The goal is merely to generate some examples of art as association, but not necessarily to be exhaustive. Any attempt at an exhaustive list might be misleading for that, as the associations invoked by art are many and diverse.

Training

Socialization into artistic work is the first form of association that occurs through art. Artistic training begins with primary school arts classes, but reaches its strongest, and most exclusive, form at the tertiary level, in art institutes and graduate programs in the fine arts. The issue at stake here is how does one learn to be an artist within a particular social context. This learning happens in both formal and informal ways. As an example, Stephen King's memoir *On Writing* (2000) is rife with examples of informal interactions that shaped the form and content of his stories. Sarah Corse and Victoria Alexander have written about the formative role of arts training in their study of the shift from an apprenticeship model to a formal education model (Corse and Alexander 1993; see also Singerman 1999).

Artistic Communities

As formal training ends, many artists continue a form of socialization by joining artistic communities. These communities are generally united by a shared aesthetic—something that defines the purposes, forms, or contents of the groups' art—and they work together to maintain this aesthetic in specific practices. In some cases, these communities are small, residentially isolated groups, such as the Virginia Center for the Creative Arts in Sweetbriar, Virginia. In other cases, these communities are large networks dispersed geographically, but united by specific media such as Websites and newsletters. An example of this second type is Christians in the Visual Arts (CIVA), whose purpose is:

[T]o encourage Christians in the visual arts to develop their particular callings to the highest professional level possible; to learn how to deal with specific problems in the

field without compromising our faith and our standard of artistic endeavor; to provide opportunities for sharing work and ideas; to foster intelligent understanding, a spirit of trust, and a cooperative relationship between those in the arts, the church, and society; and ultimately, to establish a Christian presence within the secular art world. (CIVA 2002)

Under a framework like that of CIVA, art has very specific and narrow purposes. The participating artists may engage in additional projects that extend beyond the goals of the community, but CIVA, and communities like it, provide a specific context that makes individual practices more salient.

Ritual

In the most Durkheimian sense, art can be a form of ritual that produces social solidarity.⁵⁵ The production of art serves as a ritual that unites communities and produces commonality and trust. This occurs in music concerts, theater performances, and performance art, but the strongest examples are those that involve audience participation or even remove the distinction between the audience and the artist altogether. Sing-alongs—from Christmas carols to rock choruses—provide an example from the world of music, and *The Rocky Horror Picture Show* is an example of film as ritual. The audience/artists are united by the ritual of the production, which often extends beyond individual performances.

⁵⁵ A lengthy discussion of art as ritual is found in the first chapter of Cynthia Freeland's *But is it Art?* (2001).

Public Art

Whole communities are frequently united through the experience of public art. In recent years, large American cities have had a trend of choosing city symbols, usually animals, and displaying artistic forms of these symbols around town. The city of Raleigh, North Carolina, chose the wolf, while Richmond, Virginia, chose the fish. Other forms of public art include murals and sculptures that are placed in public places. Those who view these forms of art are united by a common experience. In this form of association, it is particularly important to keep in mind the role that art plays in shaping consciousness. Two individuals who may have no contact otherwise can share the same consciousness-shaping experience through public art. Further, the placement of art in public spaces requires a series of associations that involve everything from licensing to funding and promotion.

Control

An important, though enormously exclusive, form of artistic association comes in the form of control over artistic systems. Examples include museum boards and awards committees. In many cases, these positions are considered voluntary and charitable, although they are generally limited to those with particular forms of expertise, as in the case of awards committees, or those with great wealth, as in the case of museum boards. These formal associations allow the arts to happen, but they are also used by their participants for other social purposes, such as the performance of class identity.

Co-Display

Co-display refers to the event of providing a shared context for works of art that would otherwise have no connection. Co-display occurs when museums display multiple works in the same space and when symphonies combine pieces by a variety of composers into one concert. Through this practice of co-display, artists are brought into association with each other in ways that are mediated by governing bodies. In the examples mentioned here, such governing bodies would be the museum and the symphony.

Audience

To be an audience member is to engage in a social experience. Theatergoers and concert attendees meet each other in the context of specific performances. Fans of the X-Files and other television shows can watch on separate television sets and yet have a similar audience experience. Audience memberships are a source of identity and they are utilized in identity-based marketing campaigns. Most importantly, audiences are producers of meaning. JoEllen Shively, for example, demonstrates in her study of Westerns that different audiences of the same cultural products can produce widely variant meanings. She finds that Caucasian fans of Westerns tend to view the films as generally realistic depictions of history. Native American audiences, who also enjoy the films, do not see them as realistic. Native Americans are more likely to think of westerns as humorous than white audiences (Shively 1992). What's clear is that meaning is produced—at least in part—by the audience. This was also the finding of John Fiske, who created the research method called 'audiencing' as a means of studying the ways in which audiences produce meaning (Fiske 1992).

Co-Production

Works of art are often produced not by single artists, but rather by large networks of creative actors. As Howard Becker points out in *Art Worlds* (1982), this is subtly true of most art forms, even those where only one artist is attributed credit. It is less subtly true in art forms such as movies, theater, and the symphony, where every production requires the creative efforts of a large team, all of whom are given artistic credit. In this experience of co-production, the artists are brought into a common social experience to produce a common product. In co-production, no actor may be removed or replaced without changing the final product. A symphony may remove one flute player and bring in another, but the replacement brings different strengths, different experience, and a different reputation. In a recent performance that I attended by the rap artist Jay-Z, the usual guitarist was removed and the rock star Lenny Kravitz took his place. Kravitz's reputation as an excellent guitarist, and his celebrity status, brought a larger audience that included more rock fans than the average Jay-Z crowd.⁵⁶

Organizations

Many individuals are brought into artistic association by the organizations that are central to the arts. These organizations range from museums to funding groups, from radio stations to policy institutions. They operate with their own goals and their own institutional cultures.⁵⁷ The individuals involved are generally a combination of

⁵⁶ The performance that I discuss here is a musical act that was part of the broadcast of the NBC show *Saturday Night Live* that occurred on November 2nd, 2002.

⁵⁷ See, for instance, Paul DiMaggio's (1991c) study of the 'organizational fields' of American art museums.

employees and volunteers. In the case of both, but particularly for employees, these positions may require significant levels of training.

Meaning Production

Several important actors in the art world are engaged primarily in the production of meaning; that is, their job is to build and maintain the framework(s) through which art is interpreted and given particular meanings. This role is split between theoreticians, particularly in the university system, and commentators. Theoreticians might be art historians, philosophers of aesthetics, literary scholars, or cultural experts in the social sciences. Commentators range from producers of arts commentary, like that published in *ARTNews* and other arts publications, to producers of religious commentary and members of the popular media. The associational practice in question here is the organizational activity that gives legitimacy to this production of meaning—the employment of the critic at the newspaper, for instance.

Knowledge Employment

The final example of artistic association is the use of cultural knowledge in social situations. Bourdieu describes the use of such knowledge as cultural capital (Bourdieu 1984), clearly invoking the role of cultural knowledge in class reproduction. But this knowledge has other uses as well. For instance, cultural knowledge can provide symbols for social cohesion by providing markers of commonality. E. D. Hirsch emphasizes the role of shared cultural knowledge in his discussion of cultural literacy (Hirsch 1987). In

the employment of shared knowledge, culture establishes social solidarity and is used to maintain social boundaries.

Each of these examples opens the associational discussion to the art world. If artistic practices are forms of association, as this section has demonstrated, what are the goods produced by this association? What is the consequence, or product, of associational practices in the arts?

Artistic Practices and Associational Goods

What does it mean to treat art as one of the goods of association? Art, as a good, has several dimensions. The first and most obvious sense in which art is a good, or product of association, is found in individual works of art. These may be consumed by individuals or families who purchase them and place them on their walls, or they may be consumed by entire societies who enjoy them in museums and other public spaces. Artistic performances are consumed by audiences—social groups who share a social experience in their enjoyment of art. In some cases, as in literature or photography, works of art can be mass-produced and mass-distributed, such that there is no single authentic consumption experience, but rather a multitude of possible experiences that are all authentic.

But art has other forms of ‘goods’ beyond individual works. Most importantly for this discussion, art has aesthetics—whole narratives of interpretation that place art into a larger frame of meaning. Many of these aesthetic frameworks—ranging from postmodernism to Christianity to formalism—extend beyond the sphere of art into other social dimensions, but art is always one of the tools by which such

narratives are produced and maintained. Aesthetics are the most strongly social good of art. Individual works of art may reside in private homes and have only a small audience, but that audience is part of a much larger social network if they all share the same interpretive approach, the same aesthetic. Those who share an aesthetic have a strong sense of commonality. They may never view the same specific works of art, but they nevertheless share the same assumptions about the definition and purposes of art.

Art also has the effect of producing further forms of association. The National Endowment for the Arts might create—or help to create—a new local arts organization as a result of awarding a grant. A group of artists who are brought together in an exhibition may develop a school of art or an arts community. So a loop occurs where artistic association produces certain goods, but also produces more associational ties that produce further goods.

Other goods of association that fall under the heading art include distribution systems such as publishers and galleries, valorization systems such as museums and awards (Corse and Griffin 1997), consumption mechanisms like the internet or the theater, and knowledge structures like the education system and research institutes. All of these types of goods must be considered in the evaluation of art's relationship with democracy, not just the individual works of art.

Conclusion

Working from two seemingly disparate bodies of literature—political sociology discussions of the relationship between democracy and associational life, and sociology

of culture discussions of the social character of the arts—I have demonstrated that artistic practices are, in fact, associational practices. As such, they produce goods that can have democratic effects. In the next chapter, I will further specify what these goods are, and what the effects might be. This approach lets us get beyond Bourdieu's focus on the role of art in social reproduction, so that I can recognize the other important ways that individuals and groups engage the arts in their everyday lives.

Chapter 4

Democratic Effects of the Arts

Introduction

Recognizing that artistic practices are a form of civic association, I can begin to examine the possible democratic effects of the arts. There are two major concerns here. First, under what conditions do the goods of artistic association have democratic effects? To answer this question, I will need to develop a schematic of ideal type symbolic goods. I will discuss three such types—artistic goods that symbolize elite status, artistic goods that serve as a mechanism for identity politics, and artistic goods that crystallize broadly shared common identity. Second, what precisely are the democratic effects of the arts? Still working from Warren’s framework, I will examine effects for individuals, for institutions, and for the public sphere. The chapter closes with a look at how various social sectors—government agencies, nonprofit organizations, and commercial culture corporations—might be involved in building and sustaining public culture in America.

Three Ideal Types of Symbolic Goods

Warren’s discussion of the constitutive goods of association provides the language and tools to make fine distinctions about what associations produce, do, or work towards. As Table 3.1 indicates, Warren’s four-dimensional set of fine distinctions about these goods produces eight ideal types that are relevant to democracy. Of these eight, only six have associational implications. Three of

these remaining six—status goods, exclusive identity goods, and inclusive social goods—are relevant categories for art in a democratic society, and specifically for art in the post-war United States.

Art as an Elite Status Good

The first and most obvious category of goods that is relevant to art is what Warren calls “Status Goods”—portrayed as social, symbolic, scarce, and excludable. Art is social in that the consumption of an individual work is not like the consumption of an individual hamburger. Many individuals can consume the same work of art, even doing so at the same time, without the good being divided up between them. Further, art produces such things as meaning and ideas that are shared by groups of consumers⁵⁸ and are derived from social experiences. For these meanings and ideas to reach an audience, that audience has to share an aesthetic framework for interpreting the work of art. Aesthetic narratives are social constructions that are maintained by social practice. Art is symbolic in that it functions at the level of meaning and ideas. Although individual works of art are in fact material, such as a painting on a framed canvas, the value of the work is not reducible to the paint, canvas and the frame. The value is found rather in the ideas and symbols engendered by the composition. Indeed, I might begin from the notion that all art is social and symbolic, and proceed by teasing out the effects of varying the scarcity and excludability of art.

Is art scarce? On the one hand, it must be said that there are plenty of art and artists. In the words of one art historian: “Never in human history have people, enjoying

⁵⁸ By consumers, I mean the individuals and groups who constitute the audience for a work of art.

so much leisure, partaken of so much art, whether music, television drama or the persuasive language and imagery of advertising” (Welch 1993). However, such a statement misses an important character of how art works. Few say, “I have art.” We say rather, “I have a Monet.” Art is not scarce, but Monet is. In that sense, our aesthetic frameworks can make valuable art a scarce commodity, even in periods like today when art is widely available. As for excludability, many social-scientific studies have emphasized the role of art as a tool for social exclusion. Sociologist Michele Lamont demonstrates how the French upper-middle class uses the possession of art to demonstrate the legitimacy of their success (Lamont 1992). The French sociologist Pierre Bourdieu has demonstrated how knowledge and experience with art functions as a tool for social reproduction, specifically reproduction of class structures (Bourdieu 1983). All of this work amounts to a clear demonstration that in at least some circumstances in societies such as the United States and France, art is an exclusive good.

When art, which is always symbolic and social, is also scarce and exclusive, it serves as a status good. At such times, art is only available to those with large resources, and is used as a symbol of the power that such resources carry. Warren warns of the corrosive effects of status goods in a democratic political system. “[A]ssociations pursuing these goods are unlikely to contribute to the public sphere or to democratic processes of representation, and they are more likely to reinforce uncivic attitudes than civic virtues. Whatever trust and empathy they generate will typically be of a particularistic nature, limited to those of a similar status” (130). In the case of art in the twentieth century—especially the earlier periods of the twentieth century—art that works

as a status good is used to legitimize class structure and to exclude those of lower socio-economic status from the major institutions of society. The rule is well demonstrated by its exceptions. Paul DiMaggio found for instance that high school students from low status backgrounds who seek out knowledge of high culture are able to experience social mobility. In other words, they advance their status by gaining access to experience with and knowledge of those goods that are used for exclusion. The knowledge and the experience they gain—their cultural capital, to use Bourdieu's term—then legitimize their continued participation in high status groups (DiMaggio 1982).

Indeed, no social scientist has done more to demonstrate the particularistic character of high culture than Paul DiMaggio. His study of the formation of high culture organizations illustrates the complex process by which economic elites constructed their exclusive status through the creation of such exclusive organizations as the Boston Museum of Fine Arts and the Boston Symphony Orchestra in the late nineteenth century. Prior to the existence of these organizations, elites and non-elites experienced culture together. They attended the same concerts and enjoyed the same theater. In that sense, art was then a non-excludable good. To make art exclusive, these elites—the Boston Brahmins—formed the organizations that in turn classified certain art as 'high culture', as opposed to entertainment, and framed this high culture as the most legitimate art of that society. Consumers of other forms of culture were thereby trained to think of their art as less legitimate, even when it was nonetheless meaningful for them (DiMaggio 1982).

The strongly bounded character of America's high culture lasted through the end of World War II. Since that time, hierarchy in American culture has declined, as new

categories of art have emerged and artistic authority has fragmented (DiMaggio 1991b, also 1987). America is now in a period of artistic expansion, in which the media and genres of art are constantly expanding, new narratives for the interpretation of art are constantly being developed and old narratives re-developed, and elite hold over artistic definition is slipping. Authority in the art world is divided between the art theorists of the academy (who are also divided into many camps themselves), the cultural policy makers, a variety of privately funded institutes, artists themselves (who claim an ever-growing right to define interpretation of their own works) and the several other institutions of American society—churches, schools, corporations—that each bring a set of needs, values, and assumptions to bear on the subject of art.

Formalism is the most relevant aesthetic framework for elite status goods because of the way that it obscures power and prestige behind merit. Formalism emphasizes technical skill, both for the production of art and for the interpretation of art. These skills require advanced and expensive training that is largely only available to elites. In the course of this training, the art that is preferred by elites is emphasized as canonical—as the best and brightest.

In the conclusion to chapter two, I argued that the pursuit of public culture needs to avoid artistic practices that are dominated by elites, except when a deliberate effort is made to untangle those practices from elite status. Warren's framework corroborates this conclusion and specifies the ways that elite status goods detract from democracy. Much of the sociology of art has focused on art as an elite status good. This is a consequence of both Bourdieu's influence on the field and the important role of cultural capital in social

reproduction. Nevertheless, not all art is a mechanism of cultural capital. Perhaps not even most art. But the art that does function as cultural capital is also the art that is framed as the most legitimate, that is presented to society as the standard against which all other art shall be judged. 'Canon', after all, means measuring stick. However, it would be a mistake to let the literature on cultural capital characterize all artistic practices.

I conclude then that when art is a status good it actually detracts from democracy. What, then, can I say of art under the condition of non-scarcity, where it is recognized that art may be produced and consumed at all levels of society, and that all levels may participate in the production of meaning that is oriented around works of art? Where all levels of society participate in the production of aesthetics? Such nonscarce art would have exclusive and inclusive variations, and I will address these each in turn.

Art as an Exclusive Group Identity Good

In some cases, with increasing frequency in contemporary America, art functions not as a status good but as a mechanism for identity politics. On such occasions, art is both nonscarce and excludable. Its nonscarcity is seen in the fact that artistic production and consumption practices are widely distributed across society and not simply reserved for elites. Its excludability is evidenced by the way in which particular practices for making or engaging art are reserved for specific identity groups—the sense that rap music is reserved for young black males, or that Nihonga painting may only be made by those of Japanese descent.

As these collective movements gain power, they often seek to redress hegemony through the production of counter-narratives. These counter-narratives often include approaches to art (aesthetics), and indeed, some begin as artistic movements. I think here of the use of art by the ACT UP movement to address concerns about the U.S. government's non-involvement in issues of AIDS and HIV, particularly with regard to research.

I will treat these counter narratives as aesthetic frameworks when they are used to engage the arts. How do these frameworks compare to our elite aesthetic, formalism. The key issue about formalism is that it is a set of artistic criteria that is managed by a group of educational and professional elites from the art world; criteria that, for a time, were considered universally legitimate. But formalism's hold on the American art world has faded. The art critic Arthur Danto says it well in his defense of Robert Mapplethorpe's photography:

By the formalist standards of critical appraisal that prevailed in museum and art-historical circles until the most recent times, Mapplethorpe's work ought by rights to qualify as art 'of the highest level.' But those standards had badly eroded by the 1990s, all at once exposing Mapplethorpe to criticism from an unanticipated direction. (Danto 1996, 18)

Historically, formalism lost its hold on the art world as non-status-based approaches to art arose. In other words, as exclusive group identity narratives about art took their place beside status approaches to art, formalism began to slip. In comparison to formalism,

identity politics is less concerned with technique and skill and more concerned with content and the political uses of art.⁵⁹

While Warren acknowledges many democratic aspects of these exclusive group identity goods, he also warns of certain anti-democratic effects of associations organized around these goods. “Such groups may undermine civic virtue, reminding their members to trust only those like themselves and to distrust outsiders—a logic that is manifest in hate groups, but also has a long and ignoble history among religious and ethnic groups as well as within small towns and some neighborhoods in the United States and elsewhere” (131). The democratic effects of identity politics are limited by their fractious tendencies.

But this identity politics approach to art is still more democratic than art as a symbol of elite status. As Warren points out, exclusive group identity goods have an important role to play in some democracies.

When exclusive group identities are assumed in response to external domination, exploitation, or marginalization, they contribute to democracy something that no other kind of association can, namely, representation in public spheres for those who are subject to those injustices. For all of their troubling qualities, these kinds of exclusive identity-groups serve a critical function. They can serve as the conscience of a

⁵⁹ I am referring only to the *primary* concern in artistic production and consumption. Many of the artists who engage this aesthetic framework are very concerned about skill and craftsmanship, but such concerns are secondary to the political concerns.

democracy, challenging public judgments and stretching the boundaries of public agendas. (131)

Certainly, in the case of twentieth-century America, exclusive group identities have formed in response to domination, exploitation, and marginalization: the domination of women by men, of poor by rich; the exploitation of blacks by whites; the marginalization of homosexuals by heterosexuals, and of Catholics, Jews, Muslims, Buddhists, and Hindus by Mainline Protestants. The end result—art as identity politics—is more democratic than art as a status good. The conclusion from chapter 2, that public culture must pursue diversity, aligns well with this claim about identity politics. However, some distinctions about diversity need to be made. Artistic diversity and social diversity are not perfect parallels. For instance, the American art world contains diverse artistic media, but I could easily demonstrate diversity using only forms that can be associated with elites—painting, sculpture, opera, orchestral music, etc. Pursuing diversity of media—while probably a good idea—will not achieve democratic effects for the American art world or for American society broadly. One relatively new artistic medium is performance art. While performance art can easily be appropriated for elite purposes, it has been particularly embraced by feminist artists who use the art form to address the cultural realities of gender and the possibilities for rupturing those realities. Investing in performance art can be a practical way of pursuing diversity—in terms of ideological content—but only when I remember that it is the ideas that matter, not the medium. The kinds of diversity that are important for democratizing the arts include geographic location, race, gender, religion, sexual identity, political/ideological beliefs, and age,

among others. For each of these issues, it is important to consider the artist, the audience, and the content of the art itself. It is at this point that the pursuit of diversity will lead us to an investment in exclusive group identity goods, and to the associated democratic effects.

Art as an Inclusive Social Good

Art becomes more inclusive as the same works of art, and the same interpretive frameworks, become available to all. When art and aesthetics are produced and shared at the national level, art becomes a symbol of national commonality that bridges individual identity differences. Put another way, while it is important for some art to serve the purposes of racial or generational identity (to name but a couple identities), other art needs to serve the purposes of national identity if national democracy is to flourish and social cohesion is to last.

While a number of formulations of inclusive social goods are conceivable, within the context of a democracy, and a context of pluralism, it is important that inclusive social goods be deliberately directed towards democracy. For instance, an aesthetic that is inclusive would need to be an approach to art that is produced through a participative process and that allows room for contestation. It would need to be fluid enough to adjust to a changing demographic.

I have little to point to as an example of this common culture, largely because I believe that such culture has yet to emerge in the United States, though I will later discuss a few glimmers. But using Warren, I can speak about these symbolic goods in the

abstract and identify both positive and negative consequences for democracy. He says of these goods:

Inclusive social goods bias associations away from political conflicts, representations of differences, and direct deliberative involvements.... But these goods serve as conditions of these other democratic effects: the commonalities of recognitions, language, and some knowledge are conditions of public deliberation, bargaining, and other political processes. (132)

For Warren, conflict and contestation are integral dynamics of democracy and inclusive social goods may detract from these processes. However, they also provide the common ground that is necessary for conflict to occur and find resolution. Scholars of cultural conflict have demonstrated that opponents in recent debates such as abortion, arts funding, gay rights, or educational curricula not only differ in the ends that they seek, but even in the terms by which they fight for those ends (Luker 1984, Hunter 1991). This suggests a lack of social agreement upon which to base the debate. Inclusive social goods can engender that base-level agreement. These goods provide the sense of shared identity that was called for at the end of chapter 2. They build social solidarity across identity differences—across economic and racial differences, for instance—to provide a sense of commonality. Let me put this in terms of Tocqueville's concept of 'self-interest properly understood'. Inclusive social goods foster the idea that achieving the best interest of people who are very different from me is also in my best interest. For instance, achieving parity and autonomy for women is in the best interest of men. Why? Among other reasons, it de-essentializes gender and lets men explore their own identities

outside of the bounds of masculinity. To arrive at such an insight, men will benefit from being surrounded by symbolic goods (including artworks) that remind them of their commonality with women. Such art should bridge difference, and de-essentialize it, without erasing it.

Specifying Democratic Effects

Warren explains at length how specific characteristics of the goods of association produce specific democratic effects. These effects are divided into three categories: 1) developmental effects on individuals, 2) public sphere effects, and 3) institutional effects (see Table 4.1). Developmental effects refer to the training of persons to function as democratic citizens. Public sphere effects are those that shape the development of “public judgment” (77). Institutional effects are those that improve the success and efficiency of those organizations and agencies that generate collective action and public decisions. I can link specific forms of association to specific democratic effects.

TABLE 4.1: Specifying and comparing democratic effects.

<i>Democratic effects</i>	Type of Good		
	Status	Exclusive Identity	Inclusive Social
Developmental			
Efficacy/ information	X	--	--
Political skills	X	X	--
Deliberative skills	--	--	--
Civic virtues	--	--	X
Public Sphere			
Public deliberation	--	X	X
Representing commonalities	--	--	X
Representing differences	--	X	--
Institutional			
Subsidiarity	--	--	--
Coordination/ cooperation	--	--	X
Resistance	--	X	--
Representation	--	X	--
Legitimation	--	--	X
Source: Warren 2002, 133.			

Developmental Effects

Developmental effects occur at the individual level. Their importance is rooted in the democratic goal of individual autonomy. In an aristocracy, individual autonomy for the average citizen is low, with only the aristocrats at the top of social structure given the autonomy to make decisions for themselves and for society. As Warren points out, it was Tocqueville who first asked the question of how the social cohesion that is found in aristocratic hierarchy can be maintained within a non-hierarchical democracy. For

Tocqueville, as for Warren, the answer is found in nurturing individual autonomy. In an aristocracy, the average citizen is denied access to the resources and training that is necessary for directing the actions of social institutions—the halls of power, if you will. And these institutions are structured so as to exclude all but the aristocrats. Restructuring these institutions and increasing the social power of the average citizen means that access to those resources and skills must be opened up. As such, whenever associational practices produce developmental effects, we have an example of the democratization of the skills and resources that are necessary for individual autonomy.

Warren identifies four developmental effects. The first is a combination of *efficacy* and *information*. The issue here is, do I have the agency to make a difference and do I have the information that I need to utilize that agency. To illustrate this in terms of voting, I would need a situation where every citizen knows that his vote matters, where the selection of candidates provides viable alternatives, and where individuals are sufficiently informed about the issues at stake.⁶⁰ The second set of developmental effects is *political skills*. These include public speaking, negotiation, and other skills that are required of political actors. Third, *civic virtues* include such characteristics as reciprocity and recognition. Reciprocity refers to the cooperation that associations engender, where

⁶⁰ 'Sufficiently informed' should not be confused with 'uniformly informed'. An individual may choose to make her voting choices based solely on tax policies, or some other matter that is of utmost importance to her. In that situation, being sufficiently informed would require only information on the issue that is important to her. My point is that we should avoid paternalistic discussions of uninformed voters. *What* information matters is up to the citizen. *Ensuring its availability* is a matter for the associational matrix of the society.

the skills and weaknesses of one person are complemented by those of the other members. Recognition refers to the psychological reward of having one's talents appreciated by the larger group.⁶¹ These skills tend to encourage members to resolve problems through internal processes, rather than disbanding the group.

According to Warren, efficacy/information is the "least problematic" (142) developmental effect because it is produced by all forms of association, including those oriented towards each of our three ideal-type symbolic goods. Identifying associational forms that produce political skills is more difficult. These skills are nurtured only when they are needed, and thus, we find them most in associations that are "likely to be involved in conflicts in ways that affect their purposes and their abilities to act upon them" (143). Warren provides several examples of associations that nurture political skills and he lists these examples by their constitutive goods of association. "Ethnic, religious, or lifestyle separatist economic networks" (146) are associational forms that have a high potential to produce political skills and which are oriented towards exclusive group identity goods. Public schools, universities, and the commercial media are all associational forms with a high potential to produce political skills that are oriented towards inclusive social goods. Although Warren argues that associations geared toward elite status goods *can* produce political skills, he gives no examples of such associations. But I conjecture that an elite arts foundation may occasionally have to engage in political

⁶¹ Beyond Warren, the associational literature discusses civic virtue at length, but uses a much broader definition that includes volunteerism, an orientation towards justice, and respect for others. Warren argues forcefully that this literature overstates the capacity of associations to produce all of these effects.

battles for funding, or over a controversial exhibit. In such an instance, participation in the association is likely to engender political skills. Warren finds that associations geared towards individual material goods and public material goods (see table 4.1) will also produce political skills.

Regarding the production of civic virtues, Warren raises many warnings about the inherent ambiguities of these effects. But so long as we specify such civic virtues as recognition and reciprocity, then we can conclude that these effects can only come from associations pursuing either public material goods or inclusive social goods. Other associational forms tie collective action to the good of only a fraction of society and not the common good of all. Associations that are organized around elite status goods are concerned with the interests of elites. Those organized around exclusive identity goods are concerned only for the identity group in question.

Deliberative skills are also highly problematic. Associations that allow for conflict to be handled through division or the exit of members, rather than through internal means, tend to discourage deliberative skills. Warren concludes that only associations geared towards public material goods have a significantly high potential for producing deliberative skills. However, he does suggest that inclusive social goods may contribute to these skills, and that elite status goods and exclusive group identity goods discourage them. He calls those last two types of goods “especially lethal” (156) for deliberative skills. As Warren explains:

Cognitive skills tend to be stunted when they cannot be distanced from the social reproduction of identities—a situation conducive to dogmatism. Groups that

build on ideological or religious dogmatism reinforce the effect: in the minds of dogmatists, principles do not need to be deliberated because they are self-evidently true. Indeed, critical discussion can only devitalize principles by sowing the seeds of doubt and demonstrating a lack of faith or conviction. (157)

Associations organized towards exclusive identity goods and elite status goods tend to close off deliberation of fundamental principles which are presumed to have been already agreed upon.

So, in terms of developmental effects, status goods and exclusive group identity goods both contribute efficacy/information and political skills. Inclusive social goods contribute efficacy/information and civic virtues, and have some capacity to nurture deliberation. Status goods have a particularly strong tendency to detract from developmental effects, and exclusive group identity goods are also problematic (see Appendix 2 for a complete listing of the constitutive goods of association and their democratic effects).

Public Sphere Effects

Public sphere effects are experienced across society. "The democratic significance of public spheres is that they provide the means for forming opinions and developing agendas outside the state as well as outside the structures of economic markets," (77). Habermas (1989) has argued that a healthy public sphere is the foundation of democracy. But in lieu of political and economic agents mediating the collective decision-making process, the public sphere relies upon the associational sector.

Warren identifies three types of democratic public sphere effects: *public deliberation*, the *representation of differences*, and the *representation of commonalities*.

‘Public deliberation’ refers to structures of communication in the public square (again, Warren echoes Habermas). If a society is facing a dilemma—social change, legal challenges, cultural inconsistencies—these communication structures provide a conduit for public debate, which works towards a resolution. Representing differences is a form of social contestation. Under-represented or emergent groups may use associations to gain a voice in society. “Silence serves the wealthy and powerful well, and public argument is one of the few resources through which poorer and weaker members of society can exert influence” (81). Associations that mediate this public argument have a high potential to produce representations of difference.

In contrast, Warren describes representations of commonality as “preconditions of public spheres,” (82). No public sphere exists apart from some level of mutually recognized commonality. But associational practices can contribute significantly to reproducing this sense of commonality, or strengthening it, or helping it adjust to change. Warren sounds an important warning about the dangers of commonality. “To be sure, symbolic commonality can be relatively empty of content or cynically emphasized for reasons of economic gain.... Or, worse, it may be deployed to define a ‘we’—the respectable mainstream—against marginal others” (82). But, Warren nevertheless insists that some degree of shared identity is necessary. “[S]uch associations inject into the public realm a common claim to membership, and thus an entitlement of voice with respect to matters of common concern” (82).

Warren frequently invokes the idea of 'going public' when he discusses associations that produce public deliberation. While every association (more or less successfully) provides a forum for addressing some issue of concern, not every association expands that forum to the public level. Only when an association extends the debate beyond itself—engaging other associations and other opinions—is it likely to contribute to the production of public deliberation. Warren finds that only those associations that are geared towards exclusive group identity goods are likely to have these effects. The pursuit of exclusive group identity goods—engaged in most often by those groups that participate in identity politics—frequently brings the practices of contestation to the public sphere. While some feminist groups, for example, focus on discussion and identity exploration, many are explicitly interested in political activism and social change. Inclusive social goods, in their attempt to delineate common identity, are ultimately more oriented towards defining the public sphere itself. Setting the stage for the debate is not the same as having the debate itself. Elite status goods, in contrast, are likely to close off public deliberation. For example, gated communities remove elites from the public sphere by limiting the breadth of their day-to-day social interactions.

The representation of differences is important, in part, for the ways that it expands and enhances public deliberation. The greater the number of distinctive voices found at the discussion table, the broader the public sphere will be. Associations that represent differences are necessary because of their capacity to place new voices at that table. Only associations geared towards exclusive group identity goods will be able to produce this

effect in large measure. For some social issues, it is helpful to have a spectrum of associations that represent differences and produce exclusive group identity goods.

“Would the Sierra Club and Greenpeace look as relatively moderate as they do without the guerilla tactics of Earth First!? Earth First! may not achieve public acclaim, but it has provided one motive for the lumber industry to negotiate and perhaps even deliberate with mainstream environmental groups over the environmental costs of clear-cut logging. In this way, uncivil groups like Earth First! can create the conditions for a deliberative public sphere.” (171)

These groups must remain within certain boundaries, however. “Violence against persons, even when the intent is to ‘send a message’—as in racist, ethnic, or homophobic violence—never has a place in the democratic expansion of the parameters of public debate” (171). Associations pursuing elite status goods detract from the representation of differences by explicitly excluding counter-hegemonic voices. Country clubs, for instance, exclude membership for those of all but the highest incomes, and often for non-whites (explicitly, until recently, but still through institutional forms of discrimination) and women (who are still explicitly excluded in many cases). Associations pursuing inclusive social goods tend to overlook difference, as they highlight sameness, and therefore have little to offer in this regard. This dimension highlights the particularly democratic character of identity politics, which is often overlooked.

Perhaps rather obviously, then, associations pursuing inclusive social goods have a high potential to produce the representation of commonalities. Public material goods, because of their shared appeal across society, also contribute to representing

commonality. Exclusive social goods, given their emphasis on difference, detract from this democratic effect. Elite status goods, with their focus on the particular interests of those at the heights of wealth and power, also cannot contribute to the representation of commonality.

For the production of democratic effects in the public sphere, Warren concludes that exclusive group identity goods make contributions in terms of public deliberation and the representation of differences. Inclusive social goods contribute to public deliberation and representing commonalities. Elite status goods, however, are unlikely to make contributions of any kind on this level.

Institutional Effects

Institutions bring together public opinion and the skills of individuals to make collective decisions about social activity. They can be more or less successful at doing this in a democratic way. The more democratic their processes are, the closer the overarching social system will come to achieving democratic principles. I am interested specifically in governing institutions, such as “legislatures, administrative units, federal structures, partnerships, and other rule-based means of decision making and organization” (83). Warren identifies five democratic effects at the institutional level.

Representation refers to the capacity of associations to give its members a voice before governing bodies. Labor unions, for instance, in addition to their efforts with companies, also function as lobbyists to state and federal governments. In this regard, Warren explains, associations have the potential to redress inequalities of representation that are created by economic disparity. An organization that represents the rights of the poor

could, given an investment of time and talents from its members, put the voice of the poor on equal footing with the voice of the rich. Overwhelmingly, however, “this democratic effect has, with some important exceptions, mostly remained unrealized, as inequalities of membership tend to mirror other inequalities” (84). The representational structure *within* the association will partially determine the representational effectiveness of the association in the larger society. *Resistance* is a measure of an association’s capacity to challenge the actions of the state. Governments have totalitarian tendencies that can be kept at bay by these associational practices of resistance. Associations can also promote the democratic ideal of *subsidiarity*, “meaning that problems ought to be addresses at the lowest appropriate level of organization” (87). While the government’s purpose may be the direction of collective activity, many such activities can be handled by associations. George W. Bush’s controversial promotion of ‘faith-based initiatives’ is a recognition, if a bit uneven, of the value of subsidiarity. The partnerships that the NEA has built with the nonprofit sector, and with state and local arts agencies, also reflect this value. Final determination of the artistic use of much of the NEA’s appropriations is made at very low and very local levels.⁶²

⁶² DiMaggio (1991a) argues that the federal government has gone too far in its expectation that the NEA shift much of its money (now over 40%) to the states. His concern mirrors Warren’s warning that subsidiarity carries certain anti-democratic pitfall. “[D]evolution on behalf of ‘democracy’—conflating it with closeness of governments—is the preferred tactic of those who wish to escape public accountability” (Warren 2001, 88). True subsidiarity places decision-making at the most appropriate level, preferring lower levels wherever possible. But it also recognizes that some decisions are best made at the highest

In a complex social world, associations expedite political processes by building *cooperation and coordination*. For instance, in its efforts to protect affirmative action, the organization By Any Means Necessary (BAMN) has not only brought together many individuals who share this goal, but also it has coordinated the efforts of many other organizations. Warren gives the example of political parties, who reduce the countless concerns and stances of the nation into two major platforms. Finally, associations can promote the *legitimacy* of the democratic state. State actions are more likely to reflect public opinion when associations have provided a public forum for forming and expressing collective viewpoints. And the reliance of associations on political structures legitimizes the states even when those involved do not achieve their goals. The losers accept their circumstance because the process is assumed to be legitimate, regardless of the outcome.

Most associations are not actually geared towards political representation, and only those that are will have a high potential to achieve this effect. Also, associations will need to have means of leveraging their members' political demands—for instance, by claiming a large membership that actively votes, or by engaging in effective media campaigns. Associations that produce individual material goods, public material goods, and exclusive group identity goods are more likely than others to achieve representation. The connection I make between exclusive group identity goods and identity politics highlights the particular interest that these associations have in political activities. They

levels. The 'tactics' that Warren refers to, embodied in the shifts in decision-making at the NEA, are instances of decision-making placed at inappropriately low levels.

provide representation to those who are often excluded from hegemonic systems of power. Associations pursuing inclusive social goods or elite status goods often lack a political orientation. Those pursuing elite status goods frequently accomplish their goals without resorting to political institutions because they have the resources and power to do so.

Some potential for resistance is found in almost every associational type, because associations give members great resources to use towards this end. Effectively, whenever we are bonded together we have the ability to resist. But this potential is highest in associations pursuing interpersonal identity goods, individual material goods, and exclusive group identity goods. The counter-hegemonic goals of the last group give them an explicit orientation towards resistance. Associations pursuing elite status goods are generally composed of members who have high social power, and who therefore have little interest in resistance. Those pursuing inclusive social goods tend to define the mainstream of society, and are likely to be too invested in that mainstream to have any desire to resist.

Subsidiarity is the product of a very small subset of associations. In this arena, Warren emphasizes “associations that are designed to do things (for example, civic service organization, famine relief NGOs, and associations that provide social services under government contract), in contrast to more political forms of association...” (190). So it is limited to organizations that take on activities that might otherwise be handled by the government. As such, only associations pursuing public material goods have a high potential for producing subsidiarity.

The ability to democratically achieve cooperation and coordination is summarized by three key concerns, according to Warren. Is the association available for public scrutiny? Do members have access to participate in the political activities of the association? And does the association effectively represent its members? To illustrate this with our earlier example of political parties, the Democrats and Republicans will have a high potential to achieve cooperation and coordination when they are subject to accountability, when party members—and not just party leaders—participate in the political process, and when the political activities of the party accurately reflect the interests of its members. In terms of the constitutive goods of association, Warren concludes that associations pursuing individual material goods, public material goods, and inclusive social goods are most likely to achieve coordination/cooperation. Universities are one example of an association pursuing inclusive social goods that is likely to have this democratic effect. Associations geared towards elite status goods are generally not publicly accountable. Those pursuing exclusive group identity goods are unlikely to build coalitions across identities. “Members will often regard cooperation across identities as a betrayal of principle” (198). Although groups with relatively similar identities may sometimes align—Warren gives the example of conservative Protestants banding together in the Christian Coalition—such compromise is rare.

Warren distinguishes between legitimation in the general sense, and democratic legitimation. Associations pursuing elite status goods *can* achieve legitimation of the social order,⁶³ but not of the democratic variety. And their withdrawal from the public

⁶³ See, for instance, DiMaggio (1982b).

sphere into private communities, private corporations, and private foundations, closes off their ability to fully disseminate any sense of legitimacy they might produce.⁶⁴

Associations pursuing exclusive group identity goods are more likely to de-legitimize the state through their contestatory practices. Feminists, for instance, de-legitimize the modern democratic state by unveiling its patriarchal origins and its persistence in patriarchal practice. To be sure, feminists and other such groups are making important contributions to democracy, just not in the realm of legitimation. Associations pursuing inclusive social goods and public material goods have the highest potential to contribute to legitimation because of their broad appeal across society.

In sum, status goods are unlikely to contribute in any way to the production of democratic effects at the institutional level. Exclusive group identity goods have a high potential to contribute to both resistance and representation. Inclusive social goods enhance the legitimacy of the state and contribute to coordination/cooperation. No variation of symbolic goods contributes to subsidiarity.

The three ideal type symbolic goods that I am focusing on each contribute to the three levels of democratic effects in different ways and to different degrees. As Table 4.1 indicates, status goods contribute the least, providing only a slender selection of developmental effects. Exclusive group identity goods and inclusive social goods each provide only about half of the listed effects, but interestingly, they each provide effects from all three categories—developmental, public, and institutional—and their effects are

⁶⁴ Abercrombie, Hill, and Turner (1980), for instance, demonstrate that elites are often able to maintain their power without gaining legitimacy through the dissemination of a 'dominant ideology'.

complementary. When combined, they provide nearly all of the democratic effects that Warren describes.⁶⁵ This combination suggests the need for an ecology—to use Warren’s term—of associational goods, rather than an emphasis on one type of good that seems best or offers the most. Warren himself calls for using his distinctions to seek democratic associational ecologies, rather than overly simplistic policies that support democracy only in one form or only at one level. In the realm of art, this leads to the conclusion that the most democratic art world would include two different kinds of aesthetics. While identity politics approaches to art—aesthetics that are non-elite, and yet exclusive to particular identity-based communities—provide for many democratic effects stemming from the symbolic world, those that are left out are provided by more inclusive and broadly shared aesthetics.

The Ecology of Public Culture

At the end of chapter 2, I argued that the pursuit of public culture would need to involve deliberately moving away from traditional elite arts, and nurturing both diversity and symbols of commonality. In Warren’s framework, elite culture is a form of elite status good, expressions of diversity can be exclusive group identity goods, and common culture consists of inclusive social goods. The ideal ecology of cultural goods—the ideal type democratic public culture—is going to consist of both art as identity politics and art as a symbol of shared identity; of art that expresses our differences, and art that crystallizes our sameness.

⁶⁵ Those effects not provided could, of course, be found from other goods that are either not symbolic or not social.

Why not include just a modicum of elite status goods. After all, one might say, elite status goods do contribute to developmental effects, and it is not as if our other two ideal types were without problems. It would seem as if our ecological approach should accommodate some elite culture to maximize the democratic effects. In response, I suggest that there are three points we must keep in mind. First, the negative effects of inclusive social goods are tempered by exclusive identity goods, and vice versa. Inclusive social goods tend to produce too much sameness and too much agreement in the course of democratic discourse. The results can include creative stagnation, a lack of fresh ideas, and an incapacity to deal with change. It is a sociological form of closing off the gene pool. Bio-diversity is a healthy way of preserving a species. Social diversity, for all its fractious tendencies, is a healthy way of preserving a social system. Those fractious tendencies are offset by inclusive social goods, which at least provide a base-level agreement on the language and principles of the debate.

Second, the negative consequences of elite status goods cannot be tempered. Elite status goods will always serve to promote hierarchy—if not in terms of economic difference, then perhaps in terms of educational and other forms of stratification. The democratic ideal of equality cannot be achieved in the presence of elite symbols. Stepping outside of our ideal types for a moment, we should also recognize that we have little hope of eradicating these goods from our society, whereas we have long been in danger of failing both to cherish our diversity and to recognize our sameness. We fetishize people who are different from us racially, mythologizing our differences while also insisting that those in power should be just like ourselves. Meanwhile, economic

disparity is worsening, and the cultural symbols of elites are legitimized across institutions. So we are surrounded by the ill effects of elite status goods, and we are not likely to dispose of them too quickly.

Third, in keeping with our ecological approach, we need to keep in mind the fact that symbolic goods are not the only source of democratic effects. Status goods engender two forms of developmental effects: efficacy/information and political skills.

Efficacy/information can also result from interpersonal identity goods, individual material goods, exclusive group identity goods, inclusive social goods, and public material goods. Political skills can result from individual material goods, exclusive group identity goods, and public material goods. So our other two forms of artistic goods can contribute to these effects, and so can several goods of association that are not relevant to artistic matters. Democratic effects emanate from many forms of social association. Our concern is with the most democratic organization of the arts and with the social structure that will maximize the democratic contributions of culture to the social system we live in.

Do we then censor elite culture? No. Emphatically. First, such censorship is anti-democratic, as it closes off deliberation, debate, and contestation. Second, such an act is based on the presumption that the anti-democratic characteristics of elite culture are essential to their form. This is not the case, as I have said previously. These cultural forms can be transformed—in terms of both how they are practiced and how they are socially framed—such that they may function more like either inclusive social goods or exclusive group identity goods.

Democratic ends in the art world are best attained through counter-hegemonic art forms that challenge our social practices, and common cultural art forms that engender mutual trust and empathy across society. It would be a mistake, however, to treat these as static categories that are wholly separate. Rather, we should recognize the dynamic interplay of exclusive group identity goods and inclusive social goods. When exclusive group identity goods work, they change society and thereby altar the content of common culture. When common culture is most democratically oriented, it recognizes the value of diversity and seeks to include an array of identity goods. The concept of public culture brings these two categories together by valuing both diversity and commonality.

The Search for Symbols of Common Identity

For the needed ecology of American public culture to develop, we would need to deliberately address the absence of inclusive social goods in the art world. Developing these art forms is beyond the scope of this paper, and indeed, if I were to suggest a framework for doing so it would be counter-productive, as it would represent the production of a democratic aesthetic through non-democratic means. However, I can lay out a few parameters. This common culture needs to be produced in the public sphere and to be fostered by civic associations. It needs to be produced through a participative and egalitarian process.

One possibility worthy of consideration as shared culture is commercial culture. The popular culture produced by the commercial industry would seem to provide symbolic goods that are consumed by Americans of all statuses and identities. Many critiques of such an approach have surfaced, but perhaps the strongest are those that

analyze the production side of commercial culture, which is notably anti-democratic.

The processes of merger and conglomeration have reduced the number of major culture companies to just a few—Time Warner, Sony, Universal Vivendi, News Corporation, AT&T, General Electric, Viacom, Walt Disney, Liberty Media, and Bertelsmann, chief among them. Access to the production of commercial culture is largely unavailable to the average American citizen. By making a firm distinction between cultural reception and cultural production, commercial culture encourages very high participation in the former, but disparagingly low participation in the latter.⁶⁶ Commercial culture also exacerbates economic inequalities, making the top executives of the culture industry among the richest of American citizens. Commercial artists—musicians and actors especially—are often lured in by the promise of great wealth, but they rarely achieve it, and when they do, they often lose it. Barbara Probst Solomon (1994) warns that, as cultural corporations expand into global markets, they are increasingly becoming accountable to no one. This situation certainly reduces their capacity to produce democratic effects in the public sphere. Lewis (2000) raises doubts about the democratic possibilities of commercial culture, stating that, “the free market is an inherently

⁶⁶ The sociology of culture has long maintained analytical distinctions between the production and reception of culture. Recent critiques of this distinction have argued that it is false; and these critiques have helped to raise the profile of the many ways that individuals engage in cultural production in their daily lives, and of the ways that processes of production and reception are interwoven. Nevertheless, I contend that in some realms of culture, particularly for commercial culture, the distinction is very real. It is a construct of the commercial culture industry and it has powerful consequences for how culture works in our society.

contradictory notion: the older it gets the less free it becomes” (81). He illustrates this with an example from television:

The United States is the richest market for TV programs in the world, but it would be hard to argue that that is reflected in its television culture. Visitors to the United States are often struck by the extraordinary frequency of TV commercials (which take up nearly a quarter of the broadcast time) and by the strange paradox at the heart of the US broadcasting system: there are dozens of channels but precious little variety, or as Bruce Springsteen puts it, ‘57 channels and nothin’ on.’ The same ‘hit’ formulas are so many echo chambers, clogged with reruns of those same hits. Even newer channels, such as MTV or VH1, only show what are essentially oft-repeated commercials (music videos), and these have become increasingly bogged down by the dull pursuit of aesthetic formulas. (Lewis 2000, 82)

In contrast to the democratic ideal of autonomy, Lewis argues that commercial culture is a form of tyranny that also stifles diversity. Commercial culture can, however, benefit from public culture. As Mary Schmidt Campbell (2000) points out, “Public funding, which supports an array of not-for-profit organizations—artistic, research and development laboratories—has, in effect, subsidized virtually all aspects of the commercial sector” (142). Many artists who successfully participate in commercial culture have benefited (usually early in their careers) from public funding. And many of them also participate heavily in the nonprofit sector. I have argued elsewhere (Kidd 2004) that commercial popular culture—for all of its dangerous flaws—can engender trust between participants (at the level of reception) and can be a source for cultural

innovation. Ultimately, the ecology of public culture will have to contend with commercial culture and recognize its integration into the daily lives of Americans, and into the institutions of public culture (nonprofit organizations and government agencies—more on these below). But we cannot rely upon commercial culture to produce and sustain a democratic common culture.

Another possible source of common culture is civic culture—indeed, this would seem the most obvious. However, in the context of the United States, civic culture such as anthems and folklore have often functioned as symbols of exclusion that remind us that many citizens of America are nevertheless treated as outsiders. At any rate, civic culture is sparse and rarely consumed. Participation in civic culture is consistently low.

The question of civic culture also raises an issue that I call ‘the Hitler problem’. Hitler was enormously successful at delineating a strong common culture for Nazi Germany, and he is rightfully credited as one of the few political leaders who recognized the power of the arts. So how do we generate common culture in America without falling into the Hitler model? How do we avoid the tyrannical possibilities of common culture? A few distinctions are in order. First, the common culture of Hitler’s Germany was not created in the public sphere through deliberative and participatory processes. It was, rather, created by a few leaders in the Nazi party. Second, although we might rightfully recognize the Nazi party as a form of civic association, we can hardly say that Nazi Germany enjoyed a robust associational sector. A broad and widely variable associational sector can help common culture remain organic and dynamic, and prevent it from becoming an ‘official’ imposition from the state. Third and finally, as I have stated

before, the dangers of inclusive social goods are tempered by the resistance and contestation that is generated by exclusive group identity goods. Hitler recognized this fact and moved to silence voices of contestation as quickly as possible—making Aryan status and Nazi membership the only identities that counted. So long as public culture takes the ecological approach—emphasizing both of our two major forms of symbolic goods and their dynamic interplay—the danger of the Hitler problem can be averted.⁶⁷

One final consideration regarding inclusive culture is the community arts movement. I think these artistic practices have great success in producing art that serves as a symbol of common identity within local communities. And, importantly, their development has been heavily encouraged by the NEA, as well as state and local arts agencies. But, in practice, they have been strictly local—as the name would suggest. The question remains of how we might create a similar arts movement on the national scale.

⁶⁷ Hitler's "Great Exhibition of German Art 1937" and his rejection of "degenerate art" marks what is perhaps the strongest and most centralized utilization of art in the interest of national identity (Hitler 1937). Toby Miller and George Yudice distinguish two forms of state supported culture that are useful here. On the one hand, there is 'state-socialist cultural policy' with its emphasis on "an egalitarian, worker-oriented world," (Miller and Yudice 2002, 108), and on the other hand, there is 'fascist cultural policy, which declares a "chauvinistic nationalism and the heroization of conquest and domination," (Miller and Yudice 2002, 108). The distinction highlights the fact that the content of state support matters—government funding for the arts only produces democratic effects under certain conditions.

The Institutions of Public Culture

Nonprofit cultural organizations have the best chance of generating and sustaining public culture. These organizations produce culture with relative autonomy from the coercive effects of money and politics. In terms of the constitutive media of association—a concept from Warren that I introduced in chapter 3—nonprofits are the only cultural associations that are constituted by social media. In other words, their members participate out of choice and interest, and not because they are paid or forced to do so. Nonprofit organizations generally bring their artistic practices into the public sphere. They are subject to accountability from their members, and those that receive funds from the government are also accountable to the general public. The US has a broad and robust nonprofit art world, some of which is already engaged with the concerns of public culture.

However, nonprofit organizations are not necessarily concerned with democracy. Many arts nonprofits focus solely on elite arts, and have little interest in democratizing the art world. Public arts agencies can help to facilitate democracy through their funding and regulatory practices. They play an important role in keeping the activities of nonprofits in the public sphere. Their awards function as both support and sanction for valued cultural activities. Further, government support has helped to stabilize and sustain the rather volatile nonprofit world, which, on its own, may not be financially viable.

As I showed at the end of chapter 1, government arts agencies like the NEA are also not strictly concerned with democracy. The NEA has given the majority of its funds to the traditional elite arts. If the partnership between government agencies and the

nonprofit world is going to successfully develop a democratic public culture in America, agencies like the NEA will need to adopt missions that are more focused on democracy and that recognize the kinds of distinctions that we have made here.

Conclusion

Using political philosophy, I have constructed a theory for treating art as a product of association, and therewith for evaluating the success of arts initiatives from the perspective of their democratic effects. My theory emphasizes the importance of taking an ecological approach that pursues multiple associational goods, and not simply one good that seems the best. Specifically, I have argued that a combination of exclusive group identity goods and inclusive social goods provides the greatest overall democratic effects by providing a framework for discussion and shared identity while also encouraging challenge, conflict, and representation.

This theory can guide the decisions of granting agencies—particularly public funders of the arts—as they operate with limited resources and an abundance of possible art projects. I contend that democracy is the most suitable pursuit of government support for the arts—both in the sense of making art more democratic, and in the sense of improving American democracy through culture. However, while contemporary America enjoys an abundance of art that is used for identity politics, it suffers from too much elite art and too little art that serves as a symbol of common identity. And meanwhile, we undervalue the contestatory art of identity politics. Too often, art that is rooted in identity politics is assumed to only have significance to a specific community, and not to the larger society. We need to develop an aesthetic framework that tells us

why all of our arts matter, what they signify about our identities and about our society, and why we should continue to fund the arts at the public level.

Chapter 5

The Attack on Public Art

Introduction

The test of our theory about the democratic effects of counter-hegemonic and inclusive arts is in its usefulness when applied to the realm of arts practice and arts policy. The theory has value at a number of levels, including the day-to-day operations of nonprofit art organizations; policy-making for local, state, and federal agencies; evaluating the contributions of commercial cultural entities; and debates about arts education (funding and curricula). I focus here on the federal level, with a specific eye on the National Endowment for the Arts and an episode during which it faced particular controversy over works of art that we might recognize as counter-hegemonic, at least in part.

This period was dynamic in terms of art and culture-related conflicts, as the opening backdrop will show. Debates about the arts were not new to the period, and it may be that they were not even on the rise. But politicians and the media suddenly gave greater attention to these debates. Arguably, representation of and by gays and lesbians became the biggest issue that arose due to the fights over appropriate content for government-funded art during this period. But issues of gender and feminist ideology, religion, race, and class also came to the fore. The goal of my analysis is not to explain where this conflict came from, a topic that others have addressed (Dubin 1992; Hunter 1991); I am focused on how we might think differently about these controversies when

our perspectives are rooted in democratic theory and a valuation of how some art can contribute to democratic ends. Throughout the chapter, I shift from a chronological telling of the historical events to an analytical evaluation of those events through the democratic lens that I established in the previous chapters. As I indicate below, there were several precursors to this story, but most agree that the start of the battles for the NEA was the attack by the American Family Association and some congressmen on the work of Andres Serrano. Identifying an end to the story is much harder. The arts controversies subsided by 1991, but the NEA faced greater battles over funding in the mid-1990s. These battles are no longer being fought, but we might wonder if democracy might be better served had some aspects of the debate continued. I focus my attention on the years 1989 and 1990 because I believe that the budget debates in the years after 1994 were simply hold-overs from the earlier controversies. The controversies put the dismantling of the NEA back on the list (or maybe really just higher on the list) for the Republican Party, and the election in 1994 of so many “Contract with America” Republicans gave the party its first real hope of tackling the issue.

The Backdrop

The NEA faced controversy throughout its history, but not often. The oft-cited figure is that by the end of the 1980s, the NEA had funded around 85,000 projects, of which 20 had created a stir. In the 1970s, for instance, Jesse Helms became incensed by the overt feminism and candid sexual discourse of Erica Jong’s novel *Fear of Flying*—for which she had received a grant from the writer’s program at the NEA. The events that unfolded in 1989 and 1990 exposed the agency to media critique and a broad social

discussion about contemporary art and government funding. It also made the agency a highly visible political pawn whose funding, procedures, and very existence were under constant political scrutiny—illustrated particularly well by the frequency of NEA debates in the House and Senate. The potential consequences included the destruction of the NEA—perhaps along with related organizations like the National Endowment for the Humanities, the Corporation for Public Broadcasting, and the Institute for Museum Services—at the very worst, or a significant cut in funding along with new procedural restrictions.

This was the time of the controversy. In film, Martin Scorsese's *The Last Temptation of Christ* had incited outrage from many Christians by depicting Jesus in a sexual relationship and full of self-doubt and other seeming weaknesses. A number of scandals had plagued—or perhaps bolstered—the music world. Madonna had released the video for her song “Like a Prayer” in April of 1989, just as Pepsi released a commercial featuring the song and its singer. But the video, showing Madonna bearing signs of the stigmata, kissing a black Christ-figure, and dancing in lingerie in a church, upset many Christian organizations, including the Vatican. The Reverend Donald Wildmon, whom we will be seeing a lot of in this chapter, used his leverage as head of the American Family Association (AFA) to convince Pepsi to pull the ad, although the ad included none of the controversial material from the video. Madonna walked away with the \$5 million that Pepsi had promised, even though the ad only ran once. Wildmon had threatened that his members would boycott Pepsi if the ad continued to run. Later in the

year, the hip-hop group 2 Live Crew would face legal battles and obscenity charges for their album *As Nasty as They Wanna Be*, and subsequent performances in Florida.

Piss Christ on the Senate Floor

Pepsi pulled the Madonna commercial on April 4th, 1989. The very next day, Wildmon turned his attention to the art world with a public letter decrying Andres Serrano's *Piss Christ*:

We should have known it would come to this. In a recent art exhibition displayed in several museums throughout the country, one "work of art" art was a very large, vivid photograph of a crucifix submerged in urine. The work, by Andres Serrano, was titled "Piss Christ." When asked, since he had worked with urine, what could be expected next, Mr. Serrano said, "Semen." And, of course, defecation will follow that.

The bias and bigotry against Christians, which has dominated television and movies for the past decade or more, has now moved over to the art museums. (Wildmon 1992, 27)

The letter never mentions NEA funding, but that came to light soon after. Nor does the letter outline a specific agenda for addressing the writer's concerns. It does not ask recipients to contact their politicians or hosts of the art exhibit. Indeed, the details of the exhibit are not even mentioned. Effectively, the letter laid the groundwork for Wildmon and the AFA to set their sights on the arts. Wildmon's attention had, until then, been focused on television and other forms of commercial culture—including Madonna's Pepsi commercial and *The Last Temptation of Christ*. The art world was a new venture

for Wildmon's criticism, and this letter simply announced that shift in focus. But in the coming weeks, Wildmon's agenda became clear: to sanitize the arts through an attack on the NEA. Wildmon's letter was addressed to AFA members, but copies were circulated to members of congress, and President Bush had received a copy by April 19th.

Andres Serrano, born in 1950, is an American photographer of Cuban and Honduran ancestry. His photographs in the early 1980s made heavy use of flesh—carcasses of fish, chickens, cows, and coyotes—as well as fluids such as milk and blood (Dubin 1992). *Piss Christ* was made in 1987, as Serrano began adding urine to his palette of blood and milk, and is one of a series that includes *Piss Pope*, and *Piss Satan*. It depicts a crucifix submerged in a yellow liquid. The photograph is large (60" X 40"), but apart from the yellow tinge of the liquid, nothing in the image indicates the presence of urine. However, the title helps to affirm the association.⁶⁸

As with most works of art, *Piss Christ* allows for many interpretations. The availability of multiple interpretations—rather than one established reading—can stem from two sources. First, an artwork can be imbued with a degree of open-endedness, leaving room within the content for multiple interpretations. Second, a work's placement in time, space, and social structure may give it multiple audiences, each of which will

⁶⁸ In defending Serrano's work against conservatives who have called the photograph 'anti-Christian', many art specialists have attempted to distance the image from its association with urine, noting as I have that when we view the image we cannot know for certain that urine was used. This strikes me as disingenuous. The artist, in naming the work *Piss Christ*, is insisting that we confront the suggestion of urine. The title of a work is often, though not necessarily, secondary to the content. But it is still a creation of the artist. Any defense of the work will need to work within that context, rather than obscuring it.

find a distinctive meaning as a result of the distinct experiences and values its members bring to the encounter.

Consider the following interpretations of *Piss Christ*:

- The photograph is a critique of capitalism which has extended the commodification process into religion by selling cheap tiny crucifixes. Placing the crucifix in urine stands as a commentary on capitalism.
- The photograph is devotional. Serrano is exploring his faith through the iconography of the church and excretions of his body. (Keep in mind that Christian scripture declares the body to be a temple to God and states that the kingdom of God is “within you.”)
- The photograph is an attack on the church and the artist is literally urinating on Jesus, invoking both religious freedom and his freedom of expression.
- The photograph is an art exercise, a reinterpretation of the common crucifix scene, as depicted in religious art since the Middle Ages. Urine is present not as a commentary, but only for the luminosity it gives the image.

This is just a handful of broad interpretations. Others are possible, and I can find further variations by discussing more specific components of the image. Serrano has been fairly quiet about the image, although he reminds us to be sensitive to the complexity of interpretation:

You can't say it is anti-Christian bigotry and ignore the fact that this person was once a Catholic, had a Catholic upbringing, has worked a lot with Christian imagery in the past, and as an artist feels very much aligned to other artists who

have worked with Christian imagery consistently, such as Goya or Luis Bunuel and many others.⁶⁹

At any rate, it is problematic to reduce artistic images to language, which frequently happens in the interpretive process. My point is simply to say that, as I proceed into this case study, any one particular meaning of the work is by no means a given. The distinctly *social* processes by which groups arrive at a determination of meaning are our main concern here. In this case, such interpretive processes are legal, political, religious and discursive processes, as well as aesthetic.

The photograph was made in 1987. In 1988, Serrano was one of several artists nominated for the Awards in the Visual Arts (AVA) program of the Southeast Center for Contemporary Art (SECCA), which is located in Winston-Salem, North Carolina. SECCA's AVA program, an annual awards program that began in 1981,⁷⁰ gives 10 awards to artists representing ten regions of the country. The winning artists, chosen by a jury of art experts, receive a fellowship for work which they have completed, have a selection of works tour in an exhibit, and receive assistance in selling their work. After Serrano was selected as a winner, eight of his photographs were chosen for the AVA exhibition, which traveled to Los Angeles, Pittsburgh, and Richmond. As a finalist, Serrano received \$15,000 from SECCA. In order to run the program, SECCA received \$75,000 from the NEA. It also received funding from the Equitable Life Insurance Foundation, and the Rockefeller Foundation.

⁶⁹ Quoted in Dubin (1992, 99).

⁷⁰ See "About SECCA" at the center's website, <http://www.secca.org>.

In many of the debates and media accounts that appeared after the controversy broke, the simplistic equation sometimes presented was that the NEA gave Serrano \$15,000 to create *Piss Christ*, or that the NEA gave SECCA \$15,000 for the express purpose of rewarding Serrano's work. But the reality is that the NEA awarded SECCA a large grant to partially support its AVA program. As a part of that program's proceedings in 1988, Serrano was nominated, reviewed by jury, and selected as a finalist—all for his previous accomplishments as an artist, which included *Piss Christ*. *Piss Christ* was then selected as one of eight of Serrano's works to travel with the AVA exhibit, along with works by the other finalists. So there were many steps from NEA to the exhibition of *Piss Christ*, and the NEA money in question did not pay for the production of *Piss Christ*. Serrano had received a \$5000 grant directly from the NEA, as part of the Visual Artists' Fellowship Program (National Endowment for the Arts 2001). One might wonder if this money was directed towards *Piss Christ*. Interestingly, the earlier grant was never discussed during the controversy.

The last installation of the AVA exhibit closed in Richmond on January 29, 1989. The AFA began its attack in April, and by May, the co-sponsoring Equitable Life Insurance Company announced that it had received over 40,000 letters of complaint (Frohnmayr 1993). The presence of AFA members on the company's staff gave them even more reason to speedily distance themselves from the controversy (Dubin 1992). On May 18th, the issue of Serrano's relationship to NEA funds made its first of many appearances on the floor of the Senate. Prompted by Wildmon's campaign, Alphonse

D'Amato (R-NY) stepped to the podium to condemn Serrano and announce the artist's link to the NEA:

...This so-called piece of art is a deplorable, despicable display of vulgarity. The artwork in question is a photograph of the crucifix submerged in the artist's urine. This artist received \$15,000 for his work from the National Endowment for the Arts, through the Southeastern Center for Contemporary Art.

Well, if this is what contemporary art has sunk to, this level, this outrage, this indignity—some may want to sanction that, and that is fine. But not with the use of taxpayers' money. This is not a question of free speech. This is a question of abuse of taxpayers' money. If we allow this group of so-called art experts to get away with this, to defame us and to use our money, well, then we do not deserve to be in office.

That is why, Mr. President, I am proud of the Members, who in literally a matter of minutes—over 20, about 25—joined me in signing a strong letter of protest to the Endowment. Here is a picture, and the title is 'Piss Christ.' Incredible.

To add insult to injury, after this group of so-called art experts picked this artist for this \$15,000 prize—of taxpayers' money; we paid for this, our taxpayers—I do not blame people for being outraged and angered, and they should be angered at us, unless we do something to change this. If this continues and if this goes unrectified, where will it end? They will say, 'This is free speech.' Well, if you want free speech, you want to draw dirty pictures, you want to do

anything you want, that is your business, but not with taxpayers' money. This is an outrage, and our people's tax dollars should not support this trash, and we should not be giving it the dignity. And after this piece of trash and this artist received this award, to make matters worse, the Awards in Visual Arts, this wonderful publication was put together; and who was it financed by, partially? By none other, than the National Endowment for the Arts. What a disgrace.⁷¹

To his credit, D'Amato does acknowledge the role of the review panel, and the placement of SECCA as a mediating institution between the NEA and Serrano. But the arrangement of these acknowledgements has implications. The quotable lines from his speech are 'This artist received \$15,000 for his work from the National Endowment for the Arts' and 'This is an outrage, and our people's tax dollars should not support this trash.' The sound bytes made it very easy to believe that the NEA gave Serrano \$15,000 with the understanding that he would use the money to photograph a crucifix dipped in urine. Note also that D'Amato assumes that an offensive interpretation is a foregone conclusion. He never actually articulates that interpretation. He does not say, "I understand this cross in this urine to mean..." or anything of the sort. He simply states a description of the work—"the crucifix submerged in the artist's urine"—and lets that stand in as justification for his characterization of the work as "a deplorable, despicable display of vulgarity."

To interrupt the description for a moment, and return briefly to my discussion of democracy, I want to recognize D'Amato's speech as an anti-democratic action. Charged

⁷¹ *Congressional Record*, May 18th 1989.

rhetoric stands in for reasoned debate, and a speech is made when a discussion is needed. But in fairness, it was not just D'Amato, not just the politicians, and not just the conservatives who succumbed to these behaviors. We shall see officials on both sides of the debate choosing uncivil behaviors in place of democratic practices.

D'Amato's speech continued a little longer, and then the letter that he references was added to the record. That letter was addressed to Hugh Southern, the acting chair of the NEA. The previous chair, Frank Hodsell, had resigned in February, about nine months before his appointment would have expired, to take a job in the Office of Management and Budget (OMB). So it is important to keep in mind that in the first few months of the controversy surrounding the NEA, the agency itself was short-staffed and lacking a leader. The letter read as follows:

Dear Mr. Southern,

We recently learned of the Endowment's support for a so-called 'work of art' by Andres Serrano entitled 'Piss Christ.' We write to express our outrage and to suggest in the strongest terms that the procedures used by the Endowment to award and support artists be reformed.

The piece in question is a large and vivid photograph of Christ on a crucifix submerged in the artist's urine. This work is shocking, abhorrent and completely undeserving of any recognition whatsoever. Millions of taxpayers are rightfully incensed that their hard-earned dollars were used to honor and support Serrano's work.

There is a clear flaw in the procedures used to select art and artists deserving of taxpayers support. That fact is evidenced by the Serrano work itself. Moreover, after the artist was selected and honored for his 'contributions' to the field of art, his work was exhibited at government expense and with the imprimatur of the Endowment.

This matter does not involve freedom of artistic expression—it does involve the question whether American taxpayers should be forced to support such trash.

And finally, simply because the Endowment and the Southeastern Center for Contemporary Art (SECCA) did not have a direct hand in choosing Serrano's work, does not absolve either of responsibility. The fact that both the Endowment and the SECCA with taxpayer dollars promoted this work as part of the Awards in Visual Arts exhibition, is reason enough to be outraged.

We urge the Endowment to comprehensively review its procedures and determine what steps will be taken to prevent such abuses from recurring in the future.

We await your response.

Sincerely,

Alphonse D'Amato, Bob Kerrey, Warren B. Rudman, Rudy Boschwitz, Dennis DeConcini, Pete Wilson, Bob Dole, Chuck Grassley, James A. McClure, John Heinz, Wendell Ford, Howell Heflin, Harry Reid, Richard Shelby, John W.

Warner, Larry Pressler, Conrad Burns, Tom Harkin, Trent Lott, Jesse Helms, John McCain, Arlen Specter, Steve Symms.⁷²

After the letter was added to the record, Senator Jesse Helms stood to add his opinion of Serrano, saying among other things “he is not an artist. He is a jerk. He is taunting a large segment of the American people, just as others are, about their Christian faith. I resent it, and I do not hesitate to say so.”⁷³ Thus began the attack on the NEA by conservative Republicans (and some democrats). On May 31st, Senator Slade Gorton (R-WA) called for the NEA to deny funds to SECCA for five years, as punishment for giving an award to Serrano. He further suggested that Congress should force the hand of the NEA, if necessary, to make sure that SECCA was punished.⁷⁴

Mapplethorpe and the Ire of Helms

News of a second controversial NEA grant surfaced in June. In 1988, the NEA had awarded Philadelphia’s Institute for Contemporary Art (ICA) a \$30,000 grant to support production of a Robert Mapplethorpe retrospective—a project which cost in total about \$200,000. Although Mapplethorpe was not a household name at the time—few successful artists are in their lifetimes—his reputation in the art world was quite strong. I will focus on this component of the controversy more in the next chapter, but it is important to note a few basic details here. ICA composed the show *Robert Mapplethorpe: The Perfect Moment* with monies from the NEA, The Robert

⁷² Ibid.

⁷³ Ibid.

⁷⁴ *Congressional Record*, May 31st, 1989.

Mapplethorpe Foundation, the Pennsylvania Council on the Arts, the City of Philadelphia, the Dietrich Foundation, and private donors Mr. and Mrs. Harold A. Honickman (Kardon 1988). The show was scheduled to travel from Philadelphia to the Museum of Contemporary Art in Chicago; the Corcoran Art Museum in Washington, DC; the Wadsworth Atheneum in Hartford, Connecticut; the University Art Museum at the University of California, Berkeley; the Contemporary Arts Center in Cincinnati; and the Institute of Contemporary Art in Boston. The exhibition contains nearly 200 photographs, most of which are typical of Mapplethorpe's oeuvre of portraits, as well as a number of photographs of flowers. But in one series—the *X, Y, and Z Portfolios*—Mapplethorpe contrasted flowers with homoeroticism and S/M sexual practices. Several politicians caught wind of these photographs and used *The Perfect Moment* as the perfect chance to fire another missive at the NEA. Over 100 congressmen signed a letter to the NEA on June 8th, condemning the use of NEA funds for the Mapplethorpe retrospective (Bolton 1992).

Within a week, Christina Orr-Cahall, director of the Corcoran, canceled the pending opening of *The Perfect Moment*. She would later claim this was a move to protect the NEA (see Chapter 6). The Washington Project for the Arts quickly picked up the show, as protestors gathered outside of the Corcoran condemning what was viewed as a form of censorship. Art historian Joshua P. Smith threatened in a *Washington Post* editorial, "If this is permitted to happen we shall lack the free expression necessary to protect our other freedoms and to give our society vision and inspiration for the next century" (Smith 1992, 39). But conservative editorials retorted: "The growling about

‘censorship’ is therefore without basis, but even if the NEA or Congress had intervened [to pressure the Corcoran to cancel *The Perfect Moment*], it would still be irrelevant. If artists are going to pig out at the public trough, they have to expect that taxpayers who pick up the tab for their swill might want to keep an eye on what the artists give in return” (“Mapplethorpe Agonistes” 1992, 40).

On July 7, John Frohnmayer was announced as the new NEA Chair. As a Republican who had been active in the arts scene of Oregon, it was believed that Frohnmayer would be a ‘team player’ for the Bush Administration. But he would not take up residence in Washington until October (Frohnmayer 1993).

On July 12th, 1989, the House of Representatives debated the possibility of defunding the NEA altogether, but finally settled on simply cutting \$45,000—the sum of the grants that went to ICA and SECCA—from the 1990 appropriations. Representative Sydney Yates (D-IL) defended the NEA, as he had done several times before and would continue to do. In the end, the \$45,000 cut was a compromise that left the agency largely intact.⁷⁵

At the end of July, *The Perfect Moment* opened at the Washington Project for the Arts. Days later, the Senate accepted the \$45,000 cut to NEA appropriations and added additional clauses that banned funding to SECCA and ICA for five years, shifted \$400,000 from the Visual Arts Program of the NEA to the Local Programs and Folk Art Programs, and designated \$200,000 to fund an independent commission’s investigation of NEA granting procedures. The Senate also began debates about what would come to

⁷⁵ *Congressional Record*, July 12th, 1989.

be called the 'Helms Amendment'. The amendment offered the first ever content restrictions on NEA appropriations, stating:

None of the funds authorized to be appropriated pursuant to this Act may be used to promote, disseminate, or produce—

(1) obscene or indecent materials, including but not limited to depictions of sadomasochism, homo-eroticism, the exploitation of children, or individuals engaged in sex acts; or

(2) material which denigrates the objects or beliefs of the adherents of a particular religion or non-religion; or

(3) material which denigrates, debases, or reviles a person, group, or class of citizens on the basis of race, creed, sex, handicap, age, or national origin.⁷⁶

With the nod to diversity in the third clause, the amendment could easily be read as a statement of liberal ideology used to support censorship, but for the fact that as debate continued, Helms made it clear that his main concerns were the depiction of homosexuality and images that might be offensive to Christians. The amendment was added to the appropriations bill, after a late-night vote with few participants, but final determination was still up to the committees that would negotiate a compromise between the House and Senate. As the compromise was negotiated in September and early October of 1989, both the House and Senate dropped the Helms Amendment, in favor of an obscenity restriction that was imported from the Supreme Court case *Miller v. California*. *Miller* defines obscenity using the following guidelines:

⁷⁶ *Congressional Record*, July 26th, 1989.

(a) whether "the average person, applying contemporary community standards" would find that the work, taken as a whole, appeals to the prurient interest... (b) whether the work depicts or describes, in a patently offensive way, sexual conduct specifically defined by the applicable state law, and (c) whether the work, taken as a whole, lacks serious literary, artistic, political, or scientific value. (*Miller v. California* 1973)

John Frohnmayer would eventually build obscenity-related guidelines into the NEA grants. Awardees were already required to sign an agreement with the NEA, so in March of 1990, Frohnmayer added the obscenity clause to that agreement (Frohnmayer 1993). It was quickly dubbed 'the obscenity oath.' However, he chose to use the language of the original Helms proposal, rather than that of *Miller*.

The Witnesses Debacle

A month later, Frohnmayer became a central figure in a new controversy facing the NEA. Although Frohnmayer could say that the grants to SECCA and ICA had occurred before his tenure, he was actively involved in the NEA's decisions regarding an exhibit at Artists Space in New York City called *Witnesses: Against Our Vanishing*. The exhibit featured the works of artists who also had AIDS, and many of the works directly addressed the relationship between art and AIDS. Many others featured political commentary on the response to AIDS in American society, including and especially that of the federal government. The NEA was a co-sponsor of the exhibit—scheduled November 16, 1989, through January 6, 1990 (with doors closed on December 1 to commemorate "A Day Without Art," a day when art organizations shut down to

recognize the impact of AIDS on the art world)—having awarded Artists Space a \$10,000 grant. Artists Space had approached the NEA with its concern that the exhibit and accompanying booklet of essays (Artists Space 1989) might raise more ire from Congress. John Frohnmayer responded on November 3rd with a letter to Susan Wyatt, the executive director of Artists Space, asking that the grant be voluntarily returned. “Additionally,” Frohnmayer added, “please employ the following disclaimer in appropriate ways (e.g. as an addendum to press releases) to correct the misapprehension of our support for this exhibition: ‘The National Endowment for the Arts has not supported this exhibition or its catalog’” (Frohnmayer 1992, 126). Wyatt’s reply on November 8th was short and to the point:

Dear Mr. Frohnmayer:

Pursuant to your letter of November 3, 1989 I am writing to inform you that our Board has met and voted not to relinquish the funds.

Sincerely,

Susan Wyatt

Executive Director (Wyatt 1992, 126)

Frohnmayer’s attempt to revoke the grant was not unlike Christina Orr-Cahall’s cancellation of *The Perfect Moment*. In both cases, the administrators felt they were averting a crisis for the NEA, and in both cases, their actions actually escalated the problems.

Frohnmayr's primary concern with *Witnesses* was an essay in the show's catalog, written by the artist David Wojnarowicz. An AIDS sufferer himself, Wojnarowicz's essay candidly and painfully discusses the realities—medical, social, and psychological—of the disease. It also takes on the institutions and politicians who so powerfully stood in the way of AIDS research and education, and who continue to give voice to homophobia:

I scratch my head at the hysteria surrounding the actions of the repulsive senator from zombieland who has been trying to dismantle the NEA for supporting the work of Andres Serrano and Robert Mapplethorpe. Although the anger sparked within the art community is certainly justified and hopefully will grow stronger; the actions by Helms and D'Amato only follow standards that have been formed and implemented by the 'arts' community itself. The major museums in New York, not to mention museums around the country, are just as guilty of this kind of selective cultural support and denial. (Wojnarowicz 1989, 9-10)

The artist raises an important point about the controversy surrounding these NEA grants—the art world had not exactly been the perfect counterpoint to the conservatism of the Republican Party and the Moral Majority. Homophobia, racism, and elitism were rampant in the institutional life of the arts in America. Defenders of the arts in the controversy that unfolded were really defending the rare moments when the American art world had actually stood for social justice and progressive change, but in the process, the conservatism and elitism of this same art world became obscured.

Wojnarowicz's essay goes on, and becomes more visceral:

I'm beginning to believe that one of the last frontiers left for radical gesture is the imagination. At least in my ungoverned imagination I can fuck somebody without a rubber or I can, in the privacy of my own skull, douse Helms with a bucket of gasoline and set his putrid ass on fire or throw rep. William Dannemeyer off the empire state building. These fantasies give me distance from my outrage for a few seconds. (Wojnarowicz 1989, 10)

Wojnarowicz is careful to distinguish reality from fantasy. Conservative attacks on art—and also on AIDS, homosexuality, feminism, anti-US sentiment, etc.—are a reality, as is Wojnarowicz's anger at those attacks. Actually harming Helms or Dannemeyer is fantasy—a powerful fantasy that has a cathartic effect—but fantasy just the same. But again, the essay has negative sound byte potential. Most of the media descriptions of this essay left off the first and last sentences of the quote I used above. Without those sentences, the distinction between reality and fantasy is lost, and the artist comes across as violent and threatening.

The fallout from the battle over the \$10,000 grant was substantial. Leonard Bernstein declined acceptance of a National Medal of Arts from President Bush, in protest of Frohnmayer's revocation of the grant. And photographer Elizabeth Sisco resigned from the NEA Visual Artists Organizations Panel, also in protest of the agency's actions towards Artists Space (Bolton 1992). Frohnmayer traveled to New York City the day before the exhibit was scheduled to open, and met with several artists, arts administrators, and leaders of ACT UP, the AIDS Coalition To Unleash Power. By Frohnmayer's account (1993) the meeting was heated and largely uncivil. But it *was* a

meeting—voices were heard, defenses made. And for Artists Space, it worked.

Frohnmayr reinstated the grant on the very next day, just as the exhibit was opening.

However, he stipulated that the NEA money could not be used to fund the exhibition catalog, with its essay by Wojnarowicz. Wyatt consented, and included this comment in the acknowledgements section of the catalog:

It is worthy of note that this publication was not funded by the National Endowment for the Arts and, as they have requested, I would like to make clear that the opinions, findings and recommendations expressed herein do not reflect their views. In my opinion, we can be truly appreciative of the Endowment's ability, since its founding, to support quality exhibitions which deal with the social themes that contemporary artists face, and to bring a broad range of artistic ideas to the American public. I believe that this approach has reinforced those values we as Americans cherish. We risk controversy daily by our belief in free speech and expression, and the Endowment's capacity to take this same important risk is now being severely tested and, seems to me, to be among the best arguments we can make for their continued support by the American taxpayer.

(Wyatt 1989)

Wyatt's comments are conciliatory in regards to the relationship between Artists Space and the NEA. But I might also look at them as deeply political in the way that they position the NEA as being on the artists' side of this conflict between art and Congress. Wyatt also avoids drawing a boundary between American artists and American citizens or American taxpayers. Such boundaries were common in the rhetoric of the debates.

Wyatt's avoidance of such division is both wise, and deeply democratic. In contrast to the polarization that was frequently discussed in these debates, Wyatt recognizes the interconnectedness of the many organizations and interests that were involved.

Annie Sprinkle's Government [Un]Funded [Post]Porn

The next artist to enter the fray was Annie Sprinkle, although I could argue that she never should have been there in the first place. Sprinkle had once been the star of many pornographic movies, but had since become a feminist performance artist. Her show, entitled *Annie Sprinkle: Post-Porn Modernist* is autobiographical, with a focus on her transformation from a shy, sexually naïve girl, to a porn star, and then to a feminist artist. Along the way, she describes her experiences with candor:

In my commercial sex career I figure I had sex with about 3,000 men. According to Masters and Johnson, the average penis size when erect is six-inches. If you line up all those penises back to back, that makes 1,500 feet of penile.

Coincidentally that's the exact same height as the Empire State Building, without the antennae.⁷⁷

The show began running at the New York studio space The Kitchen in January of 1990. According to Frohnmayer (1993), The Kitchen had received grants from the NEA in 1989, but not in 1990. The NEA continuously gave funding to the New York State Arts Council (NYSAC), which did give some money to The Kitchen. However, the money given by the NEA to the NYSAC was designated only for administrative purposes, and

⁷⁷ This selection is quoted from the show's script, available online at

<http://www.bobsart.org/sprinkle/script.html>.

not for performances or other art projects, and the NYSAC and the Kitchen both denied that they actually gave any funding to the show. However, Sprinkle reportedly opened a performance by saying "Usually I get paid a lot of money for this, but tonight it's government funded!" The quote quickly made its way into Wildmon's AFA publications (were his members in the audience?) and into the ears of Congressmen. On February 1st, Dana Rohrabacher announced to the House of Representatives that the NEA was funding a live sex show in New York:

Yes, my colleagues heard me correctly, Mr. Speaker. Ms. Sprinkle is manipulating herself with toys and selling opportunities for the audience to participate in her sex act with tax dollars generously provided by the New York State Council for the Arts which receives half a million dollars in unrestricted funds annually from the National Endowment for the Arts.⁷⁸

When asked for a specific accounting of how much NEA money had been spent on the performance, Rohrabacher acknowledged that he was unsure of the details.

Frohnmayr called it a "bullshit issue" (Frohnmayr 1993, 115), but Rohrabacher followed up by sending a "Dear Colleague" letter to his fellow congressmen claiming to detail the path of NEA funds through the NYSCA to The Kitchen and even directly to Sprinkle herself (Rohrabacher 1992). But Representative Pat Williams (D-MT) issued a "Dear Colleague" letter of his own, explaining that "the first time a penny of taxpayers' money was spent on Annie Sprinkle's performance was upon the publication of the Dear Colleague letter detailing her X-rated antics" (Williams 1992, 149). The issue lingered

⁷⁸ *Congressional Record*, February 1st, 1990.

for a few weeks, with the AFA listing Sprinkle's performance among the NEA's many crimes in a fundraising advertisement run in the *Washington Times* (American Family Association 1992), and the NEA responding with the publication of a "Fact Sheet" that gave the agency's version of the story (National Endowment for the Arts 1992). But the controversy of Annie Sprinkle was largely over by March of 1990.

Reauthorization Hearings and Arts Day

In the meantime, the House had begun hearings on the reauthorization of the NEA, which was due by the end of the year. In keeping the founding legislation of the NEA, the agency must be periodically reauthorized by Congress. At this point, reauthorization was required every five years. Although the NEA had survived the appropriations issue in the fall of 1989, reauthorization would now prove to be a bigger battle. The first reauthorization hearing (the House held three total) took place on March 5th at the J. Paul Getty Museum in southern California. Frohnmayer spoke in defense of the NEA, in a speech that seemed largely geared towards educating the congressmen about how the agency functioned and what its accomplishments were. But he also acknowledged its faults: "The system is far from perfect. It is maddeningly slow, inefficient and sometimes frustrating. It often results in compromises and sometimes may even be wrong. But it is the best system that the English and American jurisprudential heritage has been able to devise" (Frohnmayer 1992b, 156). Outside, protesters rallied in support of the NEA, and 28 arrests were made (Bolton 1992).

Throughout the controversy, protestors and activists from the art world were either divided or ambivalent about Frohnmayer. On the one hand, many of them felt

strongly in support of the agency, but they increasingly felt that the agency itself was effecting censorship. And Frohnmayer had taken the helm at the NEA in the midst of the controversy, as an appointee of President Bush. While Frohnmayer defended himself to Congress by saying that the grants for SECCA and ICA had occurred before his time, to the art world this was a detriment. He had no record of approving grants to challenging art—or at least not for challenging art that acquired some controversy—except for the fallout over *Witnesses*, which gave the impression that Frohnmayer was likely to deny grants for political reasons. So, frequently protestors who gathered at events such as the reauthorization hearings in California stood in support of the NEA, but against Frohnmayer.

Mapplethorpe's role in the controversy took on new dimensions on March 7th, 1990, when Citizens for Community Values (CCV) in Cincinnati announced that it would fight against the pending exhibition of *The Perfect Moment* at the Contemporary Arts Center. Since this is covered in detail in chapter 6, I will say here only that CCV succeeded in getting the local law enforcement to investigate the photographs in the show. As a result, prosecutors filed charges of obscenity and the display of child pornography against the CAC and its curator Dennis Barrie. The show continued as scheduled, and in October of 1990, Barrie and the CAC were acquitted of these charges.

As the Mapplethorpe debates were unfolding in Cincinnati in March of 1990, the American art world was preparing Cultural Advocacy Day on March 20th and Arts Advocacy Day on March 30th. The day was meant to celebrate support for the arts, particularly government funding, and to demonstrate to the nation how strong the arts

advocacy movement could be. In support of these celebrations, Vaclav Havel, president of Czechoslovakia sent a letter to the American art world, lending his support to free expression and government funding without content restrictions:

There are those around the world, indeed even in those democracies with the longest tradition of free speech and expression, who would attempt to limit the artist to what is acceptable, conventional, and comfortable. They are unwilling to take the risks that real creativity entails. But an artist must challenge, must controvert the established order. To limit that creative spirit in the name of public sensibility is to deny to society one of its most significant resources. (Havel 1992, 156-157)

Frohnmayr called the letter the “clarion call for artistic freedom” (Frohnmayr 1993, 128), but it achieved little reaction from those politicians who were attacking the NEA. As reauthorization hearings continued, the OMB gave permission to the NEA to apply for reauthorization without content restrictions. The door was still open for Congress to impose restrictions of its own design,⁷⁹ but this at least meant the administration was not insisting on it. President Bush declared his support for the NEA, and his stance against content restrictions, to the press:

I have full confidence in John Frohnmayr, whom I’ve appointed—came here from Oregon to run the NEA. That’s number one. Two, I am deeply offended by some of the filth that I see...sacrilegious, blasphemous depictions that are

⁷⁹ In fact, on April 10th, 62 mostly Republican congressmen wrote to President Bush, asking for him to impose content restrictions on the NEA (Frohnmayr 1993).

portrayed by some to be art. But I would prefer to have this matter handled by a very sensitive, knowledgeable man of the arts, John Frohnmayer, than risk censorship or getting the federal government into telling every artist what he or she can paint, or how he or she might express themselves.⁸⁰

But things were not getting easier for the NEA. The day after Bush made this statement, the General Accounting Office (GAO) opened an investigation of the NEA, at the request of Jesse Helms. Their report was released on June 6th, and concluded that the NEA had not violated federal laws in its grants, nor had it funded obscenity. Helms immediately raised doubts about the validity of the investigation (Bolton 1992).

Throughout the Spring of 1990, artists began to raise their voices against the “obscenity oath” which they were required to sign in order to receive their awards. In April, Joseph Papp, the producer of the New York Shakespeare Festival, rejected a \$50,000 grant because of his discomfort with the oath (Bolton 1992). On May 23, the New School for Social Research and lawyer Floyd Abrams sued the NEA and John Frohnmayer to have the obscenity oath overturned. The New School also rejected an NEA grant of \$45,000 to redesign their sculpture garden (Bolton 1992). In June, *The Paris Review* and *The Gettysburg Review*—two literary journals—both rejected grants because of the oath. Frohnmayer claims this was all part of his plan—that he despised the content restrictions from the start, and believed that the best way to get rid of them was to encourage legal action. His faith in law was likely due to his background as a lawyer and his frustrations with politics. Political maneuvering had brought about the

⁸⁰ Quoted in Frohnmayer (1993, 127).

obscenity restrictions, so maybe legal maneuvering could get rid of them. Towards that end, he made the restrictions a prominent component of the award contracts. Nothing in the legislation had required that the restrictions be written into these contracts, only that they be enforced by the NEA. Frohnmayer elected to put them there, and thus to create the obscenity oath. And he did this despite recommendations to do otherwise from the National Council on the Arts (Frohnmayer 1993).

The NEA 4

Another attempt to disband the NEA came on May 10, 1990 when Representative Phil Crane (R-IL) proposed the "Privatization of Art Act." Essentially this legislation would have completed the project that Ronald Reagan began in the early 1980s by using incentives (tax and otherwise) to shift funding for the arts away from the federal government and towards corporate America.⁸¹ But the proposal died quickly (Bolton 1992).

The day after the proposal was made, a new controversy emerged for the NEA. Columnists Rowland Evans and Robert Novak revealed in a *Washington Post* editorial that the NEA was considering a few dubious grant proposals. Although they acknowledged that most of the proposals under consideration were unlikely to generate debate, they focused their attention on a proposal from the performance artist Karen Finley. However, their discussion of Finley did not address the details of her proposal, but only her previous work. An earlier piece by her, entitled *We Keep Our Victims Ready*, examined sexism and sexual violence, and included a scene in which Finley

⁸¹ See Wu (2002).

covers her body in chocolate, symbolizing in her words, “women being treated like dirt” (Finley 1992, 210). The editorial emphasized the awkward position of Frohnmayer. Peer review panels had already recommended Finley’s application for approval, and reports from “insiders,” as Evans and Novak called their sources, indicated that the National Council on the Arts would not reject that recommendation for fear of alienating the art community. That would leave veto power in Frohnmayer’s hands, and he would effectively have to choose between alienating the art world or angering congress. If he sided with the art world, he might lose his support from Bush.

The article also took a few jabs at Finley, calling her a “nude, chocolate-smeared young woman” (Evans and Novak 1992, 208)—extracting one element of one of her pieces and making it a general characterization of the artist herself. Finley retaliated a week later with a letter to the editor of the *Washington Post*. She defended her credentials as a “serious artist,” provided an interpretive stance for *We Keep Our Victims Ready* and corrected the assertion that the application was for that piece, rather than for future work, claiming “I was presented in an inaccurate and maliciously misleading way,” (Finley 1992, 210).

The debate that is presented in the editorial and Finley’s response highlights an interesting dynamic of the controversy. The conservative attack on the arts frequently made use of misleading or outright false claims about the NEA and its grant recipients. From the assertion that the NEA gave Serrano \$15,000 for *Piss Christ*, to Evans and Novak’s implication that Finley applied for NEA money to pay for *We Keep Our Victims Ready*, the strategic use of bad information abounds. I call it strategic because it worked

in favor of the conservatives. The logical response from the NEA and the art world was to correct the facts. So instead of opening a debate about the artistic value of Annie Sprinkle's *Post-Porn Modernist*, the NEA, NYSCA, and The Kitchen simply declare correctly that they did not sponsor the show. Instead of discussing the widely varied interpretations of *Piss Christ*, the NEA simply highlights its distance from Serrano's award. Instead of following through on her anger at sexual violence in American society, as expressed in *We Keep Our Victims Ready*, Karen Finley correctly points out that the piece was not under NEA consideration. The distorted facts have the effect of backing the NEA and the artists against a wall where they must choose between correcting the facts or defending their work. By choosing to correct the facts, they inadvertently affirm the attack on their work and the notion that *some* art should not be funded by the government. They also forego a broad public sphere discussion of the challenging material in their work. The whole effect is very anti-democratic. Instead of being forthright and non-biased, the discussion is distorted and fuels the political manipulation of a public agency. In place of open debate about the counter-hegemonic dynamics of these art works, we have only the generic discussion of the facts of the case—who funded what and when.

Sandwiched between the editorial and the letter to the editor were two proposals in the House of Representatives regarding NEA reauthorization. On May 15th, Representative Pat William introduced reauthorization legislation that did not include content restrictions. But Representatives Steve Gunderson (R-WI) and Tom Coleman (D-MO) proposed alternate legislation on May 16th that did include content regulations

and required the NEA to shift 60% of its monies to state agencies. Williams's response was to rescind his proposal and to convene a committee of representatives from several arts agencies to develop a new proposal. That committee quickly recommended NEA reauthorization without content restrictions and without increasing the amount of NEA money that is given to the states. The White House then asked Congress to consider reauthorizing the NEA, without content restrictions or other major changes, for just one year, rather than five. That would have allowed the independent commission, created by the appropriations legislation of Fall 1989, to complete its work. Final determination of the reauthorization legislation would not come until September (Bolton 1992).

In June, Frohnmayer finally came through with the veto that Evans and Novak had predicted—choosing to reject Karen Finley and three other grant applications that had been recommended by the review panels. The other rejected panelists were John Fleck, Holly Hughes and Tim Miller. Fleck, Hughes, and Miller are all gay and their art directly engages issues of sexuality. Finley's work, as discussed above, addresses homophobia and sexism from a feminist perspective. The National Council of the Arts supported Frohnmayer's decision and themselves rejected the review panel recommendations (Bolton 1992). Frohnmayer later expressed his regret about the decision:

After all the rationalizations and self-justifications, how do I mark my own great scorecard in the sky? Equivocally, I waffled, first telling the White House that Finley was artistically supportable, then that I would veto her and the others.... I

know that my focus was wrong. Instead of depending on the process, I was trying to make the necessary aesthetic judgments myself. (Frohnmayr 1993, 176)

Technically, the decision was his to make, as the chair of the NEA maintains veto power, regardless of the recommendations of the review panels and the National Council of the Arts. But in practice, that power had rarely been invoked in NEA history (Bolton 1992).

Tim Miller, whose proposal was one of the four that were rejected, issued "An Artist's Declaration of Independence to Congress" on July 4th, 1990. Addressing "King George Bush" in mimicry of the revolutionary period, Miller declared:

When in the course of cultural events, it becomes necessary for this artist to get pissed off and dissolve the political bonds which have connected me with the censorship of the state and the dishonesty of my government, ya gotta explain why you're stomping mad. (Miller 1992)

Miller highlighted two concerns, the actions of George Bush in and beyond the controversy of the NEA, and the thinly veiled homophobia, racism, sexism, and classicism behind the conservative attack on the arts. He accused Bush of using the NEA to obscure his own failed tax policies and his son George W. Bush's role in the savings and loan scandal. He argued that the duty of the artist is to "speak truth" against the political system, and on behalf of those citizens who are ignored or undermined by that system, citing especially "the homeless, lesbian and gay people, latinos, women and african-americans" (Miller 1992, 244).

An editorial in the *New York Times* a few weeks later by Holly Hughes and the artist Richard Elovich zeroed in on the issue of homophobia:

The overturning of these grants represented Mr. Frohnmayer's and President Bush's attempt to appease the homophobic, misogynist and racist agenda of Senator Jesse Helms and company. Mr. Frohnmayer apparently believes he can make a sacrificial lamb out of gay artists and that no one will care, that no one will speak up for us. Unfortunately, he may be right.

Where was the outcry when the word "homoerotic" was included in the list of restrictions attached to the National Endowment for the Arts funding contracts by Congress? No other group was so blatantly and prejudicially targeted. There was no outcry. For there to be one, the gay and lesbian community would have to speak up with an informed voice. Nobody else will do so on the community's behalf.

Even well-intentioned arts organizations leading the anti-censorship battle are reluctant to speak up for us.... The overturning of the NEA grants must be understood in the context of the Government's continued indifference to the AIDS crisis and inaction toward it—and the 128 percent increase in reported gay-bashing incidents in New York City this year. The homophobes in the Government don't think we're being killed off at a fast-enough rate. (Hughes and Elovich 1992, 254)

Hughes and Elovich are expressing anger in at least two directions—first at the federal government for discriminatory practices against gays and lesbians, and second at the arts

community for failing to stand up for gay and lesbian artists who were “blacklisted” by the government. The artists/authors are expressing views similar to those of the Guerrilla Girls, a group of feminist artists and political activists who in 1989 distributed posters that read:

RELAX SENATOR HELMS, THE ART WORLD IS YOUR KIND OF PLACE!

- The number of blacks at an art opening is about the same as at one of your garden parties.
- Many museum trustees are at least as conservative as [Estée Lauder heir] Ronald Lauder.
- Because aesthetic quality stands above all, there’s never been a need for Affirmative Action in museums or galleries.
- Most art collectors, like most successful artists, are white males.
- Women artists have their place: after all, they earn less than 1/3 of what male artists earn.
- Museums are separate but equal. No female black painter or sculptor has been in a Whitney Biennial since 1973. Instead, they can show at the Studio Museum in Harlem or the Women’s Museum in Washington.
- Since women artists don’t make a living from their work and there’s no maternity leave or childcare in the art world, they rarely choose both career and motherhood.

- The sexual imagery in most respected works of art is the expression of wholesome heterosexual males.
- Unsullied by government interference, art is one of the last unregulated markets. Why, there isn't even any self-regulation!
- The majority of exposed penises in major museums belong to the Baby Jesus. (Guerrilla Girls 1992, 313)

The poster, like Hughes and Elovich's editorial, is a two-directional attack. First, it is a critique of conservatives like Helms and Rohrabacher, as well as conservative organizations like the AFA. The title of the poster names Helms as the audience, and we might presume that Helms is a symbolic leader for this larger group. Second, the poster is a critique of the art world for itself being elitist, homophobic, sexist, and racist.

From our survey of democratic political philosophy in chapters 3 and 4, I can identify the democratic value of statements like those from Miller, Hughes and Elovich; of the posters from the Guerilla Girls; and of the art of artists like Miller, Hughes, Finley, and Fleck (hereafter referred to as the NEA 4, a moniker the press accorded them as their situation developed). These practices offer a voice of resistance that challenges established powers and normative values. They offer representation to groups whose voice is often unheard. In these works, that representation is strongest for gays and lesbians, but it also expressed on behalf of women, racial and ethnic minorities, and the poor. Philosopher and conceptual artist Adrian Piper makes the point well in her discussion of the NEA 4:

Works of art that question prevailing ideologies or power relationships may be disruptive and offensive because they disturb the settled presumption that prevailing social roles, practices and power relationships are natural and inevitable. They thereby call into question whether the particular form democracy assumes in our troubled society is the most fully realized form democracy can take. In questioning the social power relations that define our prevailing conception of democracy, unconventional works of art thereby conduce to the evolution of social norms more appreciative of the questioners, respectful of the powerless and tolerant of the unconventional; and thereby reaffirm the ultimate value of democracy itself. Unconventional works of art are in the public interest—hence deserving of government support. (Piper 1992, 222)

Piper, like Mark Warren's complex framework of democratic effects, reminds us of the value of practices of resistance. While these practices are often seen as a challenge to democratic institutions, Piper reminds us that they ultimately affirm democracy.⁸²

As a counter-point to these democratically valuable counter-hegemonic practices, we have the actions of the conservatives, particularly right-wing religious conservatives, whose actions throughout the controversy attempted to silence voices of resistance—especially when those voices emanated from gay and lesbian artists. These are the elected political leaders of democratic institutions, and yet their behaviors exhibit the least respect for democracy of all the major actors in the controversy.

⁸² For a similar discussion, see Sperling (1992).

I can hardly call John Frohnmayer a right-wing religious conservative. He was a moderate Republican who eventually raised doubts about his own long-term allegiance to the party after seeing the first Bush administration at work (Frohnmayer 1993). And though he is open about his religious faith, he emphasizes that for him, religion points toward tolerance, inclusion, and a broad love of the arts. However, Frohnmayer's actions as Chair of the NEA were certainly influenced by the strong voice of Helms and other conservative leaders. His decision to veto the applications of the NEA 4 effectively placed a roadblock in front of the democratic benefits of counter-hegemonic art. Nevertheless, the presence of these art forms—or at least, the presence of applications to produce these art forms—provided an opportunity to reexamine the NEA and its procedures, which is beneficial in the long-term.

On July 11th, 1990 the NEA issued obscenity-related guidelines to its grant awardees. The purpose of the guidelines was to help the awardees avoid violation. But these guidelines, which the awardees did not have to sign off on (as they had already signed the obscenity oath when they received their awards), followed the language of *Miller v. California*. The oath that the awardees had signed used the language of the Helms Amendment. So the new guidelines actually made the situation more confusing for the grant recipients, as they had to negotiate the many contradictions between the two sets of guidelines. For instance, as the Hughes/Elovich editorial pointed out, homoeroticism was specifically named in the guidelines from the obscenity oath, but was not named at all in the *Miller* standard. It might be implicated through the interpretation

of “community standards” but so might any particular expression, depending on the community (Bolton 1990).

On July 12th, a dance company director named Bella Lewitsky filed suit against the NEA and Frohnmayer after rejecting an NEA grant of \$72,000 due to the oath. The case would be resolved six months later in a US District Court in Los Angeles, when a judge found the oath to be unconstitutional. That judge also insisted that the first amendment does apply to funding decisions. Although the government is not required to fund the arts, once they have chosen to fund them, the judge ruled, they cannot exhibit preferences based on the content of the works. Nor can they reject an applicant because of any way that he or she previously exercised the first amendment. According to the first amendment lawyer Gloria C. Phares (1992), the government also cannot invoke the argument about conforming to taxpayer preferences: “Although I rather like the idea of withholding my taxes from every legislative proposal with which I disagree, the mere statement of the proposition highlights its problems” (121). This conclusion is supported by multiple Supreme Court cases. In *Bella Lewitsky Dance Foundation v. John E. Frohnmayer*, the court ruled that the oath was vague and that its enforcement could not guarantee due process. After the court made its ruling, the Justice Department began considering the possibility of an appeal. But Frohnmayer and others at the NEA persuaded them not to. This is in keeping with Frohnmayer’s claim that he instituted the oath unnecessarily so that the very idea of content restrictions might be challenged and struck down legally.

But in the meantime, Frohnmayer still wanted grant applicants to accept their awards. The NEA began negotiating compromise language for the oath with many grantees. For example, an arrangement was made with the Rockefeller Foundation for the several artists receiving support from both Rockefeller and the NEA to be able to add a clause to the oath indicating their compliance “to the extent that such terms and conditions, and the requirement to accept them, are lawful under the Constitution and the laws of the United States.”⁸³ In a variant attempt to encourage compliance, some organizations were asked to give more details in advance, not just on the applications themselves, but even after the awards were made. In July of 1990, Franklin Furnace, an art space in New York City, was asked to provide detailed information on its coming year of exhibits and performances or lose its funding from the NEA. Importantly, Franklin Furnace was, at the time, the site of a Karen Finley performance (Bolton 1992).

Before July was over, the NEA 4 filed suit against the agency and Frohnmayer. The case of *National Endowment for the Arts v. Karen Finley et al.* centered on the allegation that the applicants were rejected for political reasons, and that the First Amendment Rights of the applicants had been violated (Free Expression Policy Project 2003). Given the circumstances, their case was strong. Although any particular applicant could be rejected at anytime, each of the NEA 4 had been recommended by a review panel. Prior to the veto, their applications had been discussed in the media, with conservative commentators pressuring Frohnmayer to reject the applications. Their works were not disconnected, but rather each dealt with the common themes of sexuality,

⁸³ Quoted in Bolton (1992, 358).

politics, and oppression. So their lawsuit could not be construed as just a knee-jerk response from a rejected applicant.

Hughes and Finley had both submitted new grant applications, which were considered at a National Council of the Arts meeting in August of 1990. It was discovered in the course of discussing the applications that both artists had applied with collaborators, but neither had named the collaborator on the application, and in both cases the unnamed collaborator actually sat on the panel that recommended the application for funding. This provided Frohnmayer a window for deferring the applications and deferring therewith the controversy that would surely follow any particular decision that he and the council might make. He determined that these, and all similar applications with apparent conflicts of interest, would undergo another round of panel review, to then be re-considered by the Council in November (Frohnmayer 1993). At the same meetings of the Council, Frohnmayer successfully proposed a resolution against obscenity—and more generally, in favor of responsible arts funding. The resolution was offered as an alternative to one proposed by Council member Jack Neusner, who had suggested language that essentially repeated the Helms Amendment. Said Frohnmayer of the new resolution, “It was meaningless, and I proposed it only so Neusner and the press couldn’t say that the council refused to oppose obscenity” (Frohnmayer 1993, 195). The Council also resolved to remove the obscenity oath from its grant agreements, but Frohnmayer ignored this resolution and left the oath intact (Bolton 1992).

The Independent Commission, Appropriations, and Reauthorization

In September of 1990, with both reauthorization and 1991 appropriations for the NEA still undetermined, the independent commission that had been created through the appropriations bill a year before released its final report. They concluded that no content restrictions should be placed on the NEA by Congress, and that the obscenity oath should be removed. The commission argued that the determination of obscenity is a legal issue that is best determined by the courts and that any attempt by the agency to make such a determination is duplicitous and dangerous—duplicious because the courts will make that judgment for any works that are produced and displayed, and dangerous because the agency staff is not trained in constitutional law. The commission called the obscenity language in the NEA legislation a needless “emphasis” on the existing obscenity laws. They insisted that this new language could in no way prevent situations such as the funding of the Mapplethorpe retrospective or the SECCA award that went to Serrano, because none of the works involved in those grants were ever determined by the courts to be obscene. The commission’s findings were heavily informed by a legal task force of constitutional lawyers that they had convened. That taskforce concluded that, although the government is not required to fund the arts, if it does so its funding decisions must comply with the first amendment. Specifically, the government may not use its funding decisions towards “the suppression of dangerous ideas.”⁸⁴ Therefore, it concluded, any language regarding content in either the legislation or the grant agreements should be excised. However, the commission did not give glowing approval to the NEA overall.

⁸⁴ Quoted in Independent Commission (1992, 262).

“On the contrary, the Commission’s recommendations are based on a judgment that the Endowment is not, in setting policy or making grants, adequately meeting its public responsibilities at the present time. We have thus called for basic structural and procedural reform of the Endowment at every level” (Independent Commission 1992, 265). These reforms included adjustments to the panel system that would make them more representative of the American people by including informed laypersons—arts enthusiasts who were nevertheless not central members of the American art world.

It is important to note the affinity between the commission’s findings and the editorial written by Holly Hughes and Richard Elovich that is discussed above. While Hughes and Elovich critique both the conservative attack on the arts and the art world itself, the Independent Commission critiques both the results of the conservative attack—the new legislation and the obscenity oath—and the practices of the NEA itself. While I cannot make a direct link between the Hughes/Elovich editorial and the report from the Independent Commission, I can at least recognize that the counter-hegemonic practices of Hughes and Elovich’s editorial (like those of the art of the NEA 4, and of the activities of the Guerilla Girls) found their incarnation within the political system through the report of the Independent Commission, as it cast a critical eye toward both the agency and its detractors.

The day after the commission’s report was released, the Senate Committee on Labor and Human Resources approved an NEA reauthorization bill that did not include content restrictions but did require the NEA to rescind its grants when the works produced under them were found to be in violation of obscenity or child pornography

laws. The bill also increased the percentage of funds that would be sent to the states and increased the powers on the NEA Chair and the National Council on the Arts. As reauthorization continued to be hammered out, an appropriations bill for 1991 was passed, giving the NEA \$174.08 million, an increase of nearly \$3 million over 1990's budget. Throughout October of 1990, the House and Senate both continued to debate the details of reauthorization, with a focus on the question of content restrictions. Helms argued for a provision against projects that denigrate religion that was passed by the Senate but was removed as the Senate and House sought a compromise.⁸⁵ Helms was less successful with an amendment that would have restricted the NEA from giving grants to artists whose income exceeded 1500% of the poverty line. He argued, perhaps with some validity, that the review panels were a "buddy system" that was making rich artists even richer.⁸⁶ In the House, Representatives Pat Williams (D-MT) and Thomas Coleman (D-MO) offered compromise legislation that left determination of obscenity up to the courts, but did require that applicants provide more information about how grants would be used and also allowed the NEA to recoup monies from awardees found to be in violation of obscenity laws. The final compromise legislation passed both houses on October 27, 1990 and reauthorized the NEA only for 3 years, rather than 5. The legislation increased the percentage of funds that is sent on to the states from 20% to 27.5%. Regarding content, it did include a restriction that required the NEA to uphold "general standards of decency and respect for the diverse beliefs and values of the

⁸⁵ *Congressional Record*, October 24th, 1990.

⁸⁶ *Ibid.* The phrase "buddy system" is a quote from art critic Hilton Kramer.

American public.”⁸⁷ This is a significantly more general content restriction than what Congress had included in the appropriation legislation one year earlier, but it was still a restriction that would draw criticism—in November several panel members of the NEA Literature Programs Literary Publishing section resigned in protest. The final legislation also mandated that the NEA re-collect funds that could be linked to works found by the courts to be guilty of obscenity. The decency standard would be challenged in the coming years, but in 1998 the Supreme Court ruled that it is an advisory statement and not a rule, and therefore is not a violation of the First Amendment (Free Expression Policy Project 2003). The standard is still in use today.

Two days after the legislation passed, the NEA abolished the obscenity oath (Bolton 1992). Another week later, the NEA announced a new round of 735 grants, including awards for Holly Hughes and Tim Miller of the NEA 4.⁸⁸ Given the timing, it is not surprising and perhaps not unfair that conservatives accused the NEA of waiting for reauthorization to pass before announcing that the funding of controversial projects would continue. At this point, many conservative politicians began calling for Frohnmayer’s resignation (Frohnmayer 306-308). The following month, Frohnmayer made clear his exhaustion with these conservatives. At a retreat of the National Council of the Arts, he announced that he would no longer veto panel-approved projects, stating, “I am not going to be the decency czar.”⁸⁹

⁸⁷ Quoted in Bolton (1992, 362).

⁸⁸ I have not been able to ascertain whether the award to Hughes was from the same application that had been deferred in August, nor the result of the deferred Finley application.

⁸⁹ Quoted in Bolton (1992, 363).

Instead, Frohnmayer acted as a merit czar, thus bringing on himself and the NEA the controversy that would bring 1991 to a close. He rejected the application of an artist named Mel Chin, whose grant had been recommended by a review panel and approved by the National Council of the Arts. Frohnmayer admits in his memoir (1993) that he was testing the limits of his power. Chin, whose application was sponsored by the Citizens' Environmental Council of Houston, had proposed a work that involved filling a land fill with a plant that would remove the toxins from the ground. This plant would produce patterns on the landscape as it cleansed the toxins. Frohnmayer determined from Chin's application that the artistic merit was dubious, so he vetoed the project, despite the approval of the Council. Another uproar ensued, and after a meeting with the artist and asking for a revision of the application, Frohnmayer agreed to reinstate the grant.

The Aftermath

In 1991, the NEA faced far fewer scandals over funded projects, but it continued to grapple with legal issues old and new. In May of 1991, the Supreme Court ruled in *Rust v. Sullivan* that the federal government could forbid staff at federally funded clinics from discussing abortion services with their patients—known as the 'gag order'. The Justice Department viewed this as an open door to content restrictions on the use of federal funds and immediately began preparations to appeal to the courts for an acknowledgement that *Rust* could be applied to NEA procedures (Buchwalter 1992). The agency fought the Justice Department on this issue, arguing that the battled over content restrictions had been weathered in Congress and did not need to be reasserted by the administration. Frohnmayer reminded Justice Department officials that President Bush

had taken a public stance against such restrictions (Frohnmayr 1993). Eventually, the issue simply lost its momentum. But the possibility of a renewed appeal for restrictions lingered.

Over the summer, the NEA's budget for 1992 was set at \$175.95 million, a negligible increase. That fall, Helms once again proposed an amendment that would prevent the NEA from funding works that depicted sexual and excretory functions. The amendment passed the Senate and the House, but was removed as compromises were negotiated for the Interior appropriations bill. The content restrictions were dropped in exchange for grazing rights on federal land, a compromise that came to be known as "corn for porn."

As the compromise was being negotiated, Representative Sydney Yates (D-IL), in an attempt to protect the Endowment, began floating the possibility that many congressmen objected more to Frohnmayr than to the agency itself. He encouraged them to voice their concerns as such, rather than attacking the NEA's budget or procedures. Calls from Republicans for Frohnmayr's resignation continued to mount. In February of 1992, Bush's Chief of Staff met with Frohnmayr and encouraged his resignation, which was announced soon after. Frohnmayr's last day at the agency was April 24th (Buchwalter 1992, Frohnmayr 1993).

In August of the following year, after two successive acting chairs and a change of hands in the White House, President Clinton nominated the actress Jane Alexander as the new NEA Chair. The brunt of the controversies was behind the agency, but many of their consequences were yet to come. Alexander's first year as Chair went relatively

smoothly, although her confirmation came with many questions about distinguishing art from pornography. But in the fall of 1994, a Republican majority was elected into Congress under the promises of the "Contract with America" (Free Expression Policy Project 2003). Alexander describes the effect of this change on Washington, noting how it ended her practice of inviting artists, journalists, and politicians for luncheons at the agency. "Sadly, when the 104th Congress was elected and the reign of austerity began, it was politically expedient to end this oasis of pleasure. Suddenly serving a glass of fine wine at lunch could be construed as downright immoral" (Alexander 2000, 105). The first time this Congress voted on appropriations for the NEA, for fiscal year 1996, the Endowment's budget was cut from \$162.31 million to \$99.47 million. During this period, the NEA legislation was also altered to prevent future funding of individual artists except for the literary fellowships and a selection of awards. This means, for instance, that Karen Finley can no longer apply directly for an award, but must be sponsored by some governing organization.

The NEA budget would remain at just below \$100 million for the rest of the decade. In the year 2000, during the chairmanship of Clinton's second appointee Bill Ivey, Congress approved a budget for 2001 of \$104.77 million. Somewhat surprisingly perhaps, the budget increased more dramatically under the second Bush presidency, reaching \$115.23 million in 2002, \$115.73 million in 2003, and \$120.97 million in 2004. The second Bush's appointed NEA Chair is the poet Dana Gioia. Bush and Gioia have been praised by some arts leaders, such as the musician/political lawyer Leonard Garment who wrote an editorial suggesting that Republicans and Democrats should join

together in support of Bush thanks to his support of the NEA (Garment 2004). But others are not as sure of Bush's commitment to the arts or Gioia's support for public culture. An opinion piece in the *Saint Paul Pioneer Press* by theater critic Dominic P. Papatola attacked Gioia for making tours of large Shakespearean theater groups his primary project at the Endowment.

Not to sound xenophobic, but why wouldn't an arts agency funded by the American government launch a tour featuring works of an American playwright? ... Hmmm... you think. [Tennessee] Williams was gay. [Arthur] Miller is an unreconstructed leftie. Better make the ultra-safe choice of picking the oldest, dearest, whitest guy in the theatrical canon... Gioia is trying to rebuild a once-embattled agency for a conservative age. He's doing so by making the safest, most nonthreatening choices possible—choices that won't set off any alarms in the heads of those political decision-makers who find the arts a morally suspicious, subversive or generally untrustworthy group. (Papatola 2003)

Gioia may prove to be for George W. Bush what his father had hoped for in John Frohnmayer, a leader in the arts who will steer the agency away from the controversy.

The jury is still out on this latest stage of the NEA. But if the agency does tip its hat once again to the elite arts, then the dream of public culture in America will be pushed further away. Throughout all of these controversies, the NEA never came fully to the defense of counter-hegemonic artistic practices, nor has it developed much of a discourse about how art might bridge differences in America. While the agency is clearly very important to public culture in America—particularly for the non-profit organizations

that depend on government funding to stay viable—and while the agency still holds great potential as an institution of public culture, its commitment to such an end is still uncertain.

Conclusion

Frohnmayr's (1993) memoir of his time as NEA Chair accuses artists of succumbing to the "heating effect"—intensifying their artistic attention on political issues in response to the attacks of conservative religious groups and politicians. Frohnmayr hoped very much that these artists might back off, or at least tone down their criticisms, until the storm had been weathered by the Endowment. His desire makes sense from an institutional perspective—his goal was to save the agency, perhaps even over and above effecting any particular agenda for the arts.

But from our examination of the ways that art can contribute to democratic political processes and the socialization of democratic citizens I can actually appreciate the possibilities inherent in the heating effect. Take, for instance, the relationship between art, congress, and sexual politics. I will explore this issue more in the next chapter, but here I might simply recognize that many artists used their profession as a way of bringing sexuality to the fore of public discourse. In the process of doing so, they also opened themselves to criticism from political leaders. Criticism is not worrisome to the average artist who opens herself to critique whenever she finds an audience for her works. But *political* criticism can lead to legal and political consequences—arrests, loss of funding, restrictive policies. But that is only half of the story. Works of art that address issues of sexual orientation, and also foster a broad public debate, can also effect

changes in the laws and policies that restrict the lives of gays and lesbians in America. The same could also be said of works of art that draw attention to religious faith.

Granting free expression to artists and encouraging a diverse ecology of public culture in America leads to discussion, consensus building, and stronger political representation for all Americans. Restricting expression and incapacitating the institutions that foster public culture in America has the effect of closing off discussion and making our political institutions less representative.

Many of the debates about this period in NEA history identify it as a crisis. But for those whose views and experiences were represented in the art works found questionable, the crisis had started long before and the debates marked a sea change in which their concerns and political dilemmas were finally garnering attention. Granted, much of it was negative attention. But if our value is democracy, then our goal should be to make a bad discussion better, rather than shutting it down.

If there was ever a bad discussion in the arts, it was over how to interpret the content of a selection of Robert Mapplethorpe's photographs. I turn now to an examination of how that discussion played out in the American art world, and in the Cincinnati courts, to demonstrate that the discussion really did get better as the debate continued.

Chapter 6

Sexual Politics in the Defense of Art

Introduction

On May 18th, 1989, the New York art world turned out for a memorial service at the Whitney Museum of American Art to mourn the death of photographer Robert Mapplethorpe. Mapplethorpe had appeared on the New York art scene at the end of the sixties, after leaving the Pratt Institute in Brooklyn before completing his degree, and moving into the Chelsea Hotel in Manhattan. His reputation had grown steadily through the seventies and eighties, with numerous solo exhibitions across the country and commissions for various magazine and album covers. Mapplethorpe's photographs cluster around three main forms: flowers, portraits, and sexual explorations. The extent of his success was evidenced in his first retrospective exhibit, which opened at the Whitney in July of 1988. By that time, his health had significantly deteriorated as a result of his AIDS diagnosis in 1986. Eight months after the exhibit opened at the Whitney, Mapplethorpe died of respiratory failure on March 9th.

On that same May day when New Yorkers were coping with Mapplethorpe's death, politicians in Washington, D.C. were coping with the boundaries of art and the purposes of public funding for the arts in a debate that would later migrate into an attack on Mapplethorpe's photographs. At the time, discussion centered on Andres Serrano's photograph *Piss Christ*, which depicts a crucifix surrounded by a yellowish liquid that seems ostensibly to be urine. *Piss Christ* had benefited from, and received exhibition due

to, an award program from the Southeast Center for Contemporary Art (SECCA) in North Carolina—an award program that was supported in part by the NEA. Senator Alphonse D’Amato declared that Serrano’s photograph was a, “deplorable, despicable display of vulgarity.”⁹⁰ Teamed with Senator Jesse Helms, D’Amato proceeded to lead a campaign against the NEA, and this campaign gained steam when Helms learned that NEA monies had helped to fund a Mapplethorpe retrospective at the Institute of Contemporary Art (ICA) in Philadelphia. That exhibit included 175 of Mapplethorpe’s photographs, some of which depict activity that is widely described by viewers and critics with terms such as homoerotic or sadomasochistic (S/M). Additionally, two were accused of representing child pornography. It is important to note that other interpretations of these images are possible, and many have been offered by the art world both before and since the controversy. Nevertheless, what followed has been termed the ‘culture wars of the arts’ (Bolton 1992), a period of intense debate about what counts as art, about the boundary between art and obscenity, and about the role of government funding for the arts. That conflict extended beyond the politics of Washington and reached its zenith in Cincinnati, where local police arrested a curator who had brought the Mapplethorpe retrospective to the Contemporary Arts Center. The resulting trial, as well as associated art world activities surrounding the trial, is the focus of this chapter.

The arts were not the only American institution to experience such controversy, as heated debate erupted in the media, the courts, and the houses of public policy-making over a plethora of issues. These cultural conflicts raise difficult questions about the

⁹⁰ Quoted in the introduction to Buchwalter (1992, 3).

public sphere. Habermas (1984) argues that the public sphere allows for collective action by providing a space for consensus building. But how can consensus be reached when divides are deep and when there is no shared set of values or terms to guide the debate? Do culture wars indicate the collapse of the public sphere? Or might they make an important contribution towards achieving reasoned debate?

In the section that follows, I review the concept of culture wars from both a historical and a social scientific point-of-view, before turning to a specific segment—the so-called Mapplethorpe trial (it was really the trial of curator Dennis Barrie and the Contemporary Art Center)—of the culture war in the arts. In this later section, I examine how the art world discusses the work of Robert Mapplethorpe and I demonstrate that this discourse has changed as a result of specific events in the controversy. The consequences of this change are shown to have positive democratic effects, such as broadening participation in the arts for counter-hegemonic groups and providing certain shared assumptions (like the importance of content) that provide for reasoned, public square debate about the arts.

Culture Wars

The term ‘culture war’ can have both a general and a specific meaning. The general meaning refers to any divide within a society that occurs over a specific issue or cultural trend. Such a divide would be indicated by significant media attention, an outpouring of public sentiment, and the possibility of one or more institutional events such as the passing of a law, a court trial, a policy change in an educational institution, or the election of a political official.

The specific use of 'culture war' refers to a period in American history when the sort of divides described above were particularly numerous and prominent. This period is roughly the years 1987-1993, and it was marked by battles over abortion, funding for the arts, gay rights, and educational curricula, among others. The term gained particular valence at this time, as participants in these battles attempted to make sense of their experiences.

The conflicts that occurred indicated a number of different points of cleavage within American society—between religious and secular ideals, between the left and the right, between science and culture—and a number of different interpretations of constitutional rights. The largest overview of these conflicts is given in James D. Hunter's *Culture Wars: The Struggle to Define America* (1991). Emphasizing that these individual battles are part of a much larger war between orthodox and progressive perspectives—perspectives that not only divide institutions against other institutions, but also within themselves—Hunter maps out the terrain of this culture wars period by pointing to debates about the definition of family, control of educational curricula, the content and funding of popular culture and of art, domination of the court system, and the politics of elections. In every sphere of debate, he says, a traditional—or orthodox—view of the world butts heads with a progressive ideology. Writing in the midst of these battles, Hunter raised doubts that an end was in sight:

A principled pluralism and a principled toleration is what common life in contemporary America should be about. But this is only possible if all contenders, however much they disagree with each other on principle, do not kill each other over

these differences, do not desecrate what the other holds sublime, and do not eschew principled discourse with the other. In the end, the possibility that public discourse could accommodate to these conditions, adopt these civic practices, or come to any kind of common understanding might be unrealistic. (Hunter 1991, 325)

While many agree that the culture wars period is over in terms of highly publicized large-scale cultural conflict, there is not yet a theory about how it passed, which is interesting since Hunter's work would seem to have predicted an enduring battle.⁹¹

For Hunter and other social scientists, the term 'culture wars' is more than a reference to a specific set of social divides. The term also connotes a social theory. The theory claims that large-scale cultural conflict results from deeply held ideological or moral attachments. When one or more moral systems are placed in the same social context, heated battles ensue, especially when these competing moral systems are diametrically opposed. So cultural conflict is explained with reference to these competing moral systems that are locked in what Hunter calls "the struggle to define America." Hunter defines cultural conflict as, "political and social hostility rooted in different systems of moral understanding. The end to which these hostilities tend is the domination of one cultural and moral ethos over all others" (Hunter 1991, 42). So at the level of social theory, I have an equation where competing moralities cause cultural

⁹¹ It is worth noting that between fights over gay marriage and the threatened constitutional amendment, FCC and congressional attention to television content, and new debates about patriotism and the 'Patriot Act', we may be seeing a new round of culture wars. The term is certainly being used again. May it be a particular characteristic of periods when conservative administrations have already enjoyed power for a number of years?

conflict.⁹² For my focus in this chapter, that would mean a starting assumption that the battles over Mapplethorpe, Serrano and funding for the NEA are the consequences of fights between those who hold an orthodox perspective and those who hold a progressive perspective.

But the equation is one-sided: it assumes that ideological stances are relatively fixed and that when ideologies compete, conflict ensues. The reverse equation is not addressed. Do events or conflicts influence ideas? Can ideology be transformed? And what might such a dialectical relationship between ideas and events suggest about the culture wars thesis, and about social science approaches to ideas, morals, and values? In this paper, I present a narrative about the critiques and defenses of Robert Mapplethorpe's photography—a narrative that opens the door for refinements of the culture wars thesis.

Critiques of a different nature have already been offered against Hunter's claims. These criticisms divide into two different forms. First, some work has addressed the claim of opinion polarization that is suggested in the culture wars thesis. These articles analyze public opinion surveys about such issues as diversity, cultural authority, and the arts, and they find that public opinion has little of the polarization that Hunter seems to suggest (DiMaggio & Bryson 1995; DiMaggio, Evans & Bryson 1996; DiMaggio & Pettit 1998b; Evans, Bryson, & DiMaggio 2001). They find, instead, a clustering of opinions in the middle, not the extremes, of the political spectrum. "The public's

⁹² Hunter is in line here with Kristen Luker's earlier studies of abortion activists, whose activities stemmed from deeply rooted and markedly contrasting ideological views (Luker, 1984).

attitudes on most social issues gravitate to the center; most people derive their attitudes on most issues from experience or specific considerations, rather than broad ideological postures; and most social attitudes—abortion being the great exception—actually became less rather than more polarized during the last quarter of the 20th century” (DiMaggio & Bryson 1995, 3). To the extent that Hunter’s thesis relies on a claim about opinion polarization—and I think it is limited—these reports isolate that claim to a small number of issues, not the breadth of cultural debate.

Second, the culture wars thesis has been critiqued for claiming that cultural conflict results from the battle between organized religion and secular institutions. To find such a claim in Hunter’s work requires aligning the ‘orthodox’ perspective with religious institutions and the ‘progressive’ perspective with secular institutions. Although the claim seems logical, Hunter’s book makes clear that the orthodox/progressive divide is found *within* all of these institutions. Nevertheless, a report published in 2001 focuses on conflict between religion and the arts in Philadelphia. The study finds that no particular increase in these conflicts occurred leading up to, or during, the culture wars period (DiMaggio et al. 2001).

These critiques of the culture wars thesis are a helpful and important corrective. However, they only address the large issues of the thesis in oblique ways. Hunter gives culture wars a two-fold significance: “America is in the midst of a culture war that has had and will continue to have reverberations not only within public policy but within the lives of ordinary Americans everywhere” (Hunter 1991, 34). To the extent that the latter category—the lives of Americans—is embodied in opinion polls, then the studies listed

above should rightly shave away that dimension. But the issue of public policy remains, and that issue is largely determined by *institutional*, and not individual, practices. To understand the culture wars period in American social history, I must consider the structure and dynamics of America's political, artistic, and religious institutions.

Moreover, the critiques of Hunter's culture wars thesis have focused on Hunter's findings, on his claims about life in that period of American history, but have not addressed his guiding theory about the ideological foundations of cultural conflict.

The notion of a culture war has an important connection to Jurgen Habermas's work, which establishes a connection between discursive practices and democratic legitimation. Habermas's notion of the public sphere argues that un-coerced, reasoned debate is the most democratic means of collective action (Habermas 1984; also see 1989). Mark Warren, whose work on democratic philosophy was discussed in earlier chapters, summarizes Habermas's conception of the public sphere as, "an arena in which individuals participate in discussions about matters of common concern, in an atmosphere free of coercion or dependencies (inequalities) that would incline individuals toward acquiescence or silence" (Warren 1995, 171). Communicative action in the public sphere rationalizes goals, develops consensus, and delegates tasks (Chambers 1995). A culture war can be seen then as a disruption of this democratic process such that communicative action is replaced by uncivil power struggles, and is characterized by an inability to publicly reason through goals and actions or to build consensus.

Alternatively, a culture war can be seen as a particularly effective mechanism of the public sphere process. Especially difficult sets of values are rationalized very slowly through a process that transforms the actors and institutions involved, ultimately transforming the values themselves such that incommensurable ideals slowly and painfully come into dialog.

Both views are correct, depending on the scope of the view that is selected. From within a culture war, such as the battles that dominated the American art world of the late 1980s and early 1990s, democracy seems to have stopped. This is especially true for those who feel harmed by the lack of action—for those who direct stalled programs or find themselves suddenly un-funded. At such moments, action only seems possible if one social group effectively loses and has its values significantly compromised. But a grand view of culture wars—a retrospective view—identifies moments when both value *transformation* and gradual consensus building become real possibilities.

This chapter keeps the analysis at the institutional level and attempts to keep the issue of public policy at the center. The analysis is confined to the American art world, with occasional linkages to legal, political, and religious spheres. The focus of attention is placed on what Hunter would call the progressive side of the issue. Through an analysis of art world discourse in the defense of Robert Mapplethorpe over the course of the conflict, I show that the events of the arts culture war have actually transformed how the art world justifies Mapplethorpe's inclusion in the category of art. This demonstration has important implications for how the culture wars period is understood sociologically.

Politics and Three Aesthetics

Why and when does art matter politically? The most obvious overlap of art and politics occurs in the form of cultural policy, especially government funding for the arts. The NEA is the most visible site of such funding at the federal level, although several other agencies provide some funding, and none operates with a particularly large budget in comparison to other sources of funding for the arts (corporations, private foundations, state and local arts agencies, the art market). The role of the NEA is important in the case of Mapplethorpe because the retrospective of his work received NEA funds, and it was this connection to federal funds that brought the retrospective under fire.

The federal government has a lengthy history of treating the arts with suspicion, if not outright disdain. As I explained in chapter 1, from the foundations of the United States, the fine arts were viewed as a symbol of European aristocracy, and the federal government of the U.S. repeatedly chose not to direct expenditures towards cultural programs out of a determination to be as unlike Europe as possible. Early administrations chose not to invest in a national arts and cultural center—until the money was eventually provided by the estate of James Smithson—and refused to pay artists for providing works to decorate the Capitol building. This same attitude led many legislators to fight against Roosevelt's Federal Art Program, and provided an environment of hostility for the entire history of the National Endowment for the Arts.

So politicians seem to have long recognized the political significance of the arts. Their refusal to fund the arts came not from a sense that the arts are irrelevant, but from a fear that the arts are politically dangerous and could somehow undermine American

democracy. But the relationship between art and politics is also found in aesthetics—the frameworks that groups and individuals use to engage art, determine what counts as art, and distinguish between good and bad art. For the purposes of this analysis, it is important to recognize, and distinguish between, three relevant aesthetic frameworks: formalism, conservative Christianity, and sexual politics. Too often, we conflate formalism and aesthetics, assuming that if we are opting against formalism that we are taking an anti-aesthetic approach to art. But religious and ideological approaches to art—that is, interpretations that are guided by religious or ideological issues—are aesthetic systems unto themselves that too often go unrecognized in art theory.

Formalism

Formalism dominated European and American approaches to the arts in the late 19th century and throughout much of the 20th. This approach emphasizes the skill of the artist and the expression of this skill in the individual work of art. Under formalism, technical merit takes precedence over the subject of study. Formalism has its roots in the philosophy of Immanuel Kant, who argued that we need to be disinterested viewers if we are to appreciate beauty in art. That disinterestedness can be found in focusing on the form of a work of art, rather than the content. Although we may feel very interested in content, focusing our attention on formal properties gives us the distance we need to determine whether a work is indeed beautiful. Cynthia Freeland's study of contemporary aesthetics *But Is It Art?* (2001) describes the formalist perspective: "We respond to the object's rightness of design, which satisfies our imagination and intellect, even though we are not evaluating the object's purpose" (Freeland 2001, 14), and she says further,

“Seeing what is in a work or what it ‘says’ is not the point; the astute viewer (with ‘taste’) is meant to see the work’s very flatness or its way of dealing with paint as paint” (Freeland 2001, 16). So the content of a work—its ideas and subject matter—are not used in determination of artistic merit.

In terms of politics, formalism seems on the surface to be apolitical. Political ideologies are part of the content of a work of art, not part of the form. However, it is important to recognize that formalism has an important connection to power. As Bourdieu (1984) has established, technical merit maps too easily onto power structures. This is because the technical skills that formalism celebrates require expensive and lengthy training that is largely only available to elites, whereas the skills that are possessed by non-elite artists often go unrecognized. At the level of artistic interpretation, knowledge of formalist principles functions as a kind of cultural capital, used to draw social boundaries that result in social stratification. So while formalism does not directly discuss politics, it nevertheless functions to reproduce traditional political structures, protecting the power of economic elites—particularly when these elites are white, male, and heterosexual. The political dimension of formalism is merely obscured by its focus on form.

Table 6.1: A comparison of three aesthetic frameworks.

Aesthetic	<i>Institutional Source</i>	<i>Focus</i>	<i>Values</i>	<i>Political Orientation</i>
1. Formalism	Art world	Form	Technical skill, craft, composition	Often leftist, but the political dimension is obscured
2. Conservative Christianity	Religion	Content (especially unacceptable content)	The celebration of religious ideals, or the absence of sacrilegious messages, nudity, and sexuality (especially gay and lesbian sexuality)	Rightist
3. Sexual Politics	Political realm	Content (especially politically useful content)	Counter-hegemonic politics	Leftist

Conservative Christianity

While formalism is a product of the art world, conservative Christianity is external to that world, but nevertheless serves as a guide for artistic interpretation for many people, including many who became involved in the debates about Robert Mapplethorpe's work. As Table 6.1 indicates, conservative Christianity differs from formalism in many respects, not least of which is the emphasis on content and the general unconcern for form. Conservative Christianity generally points to explicitly religious (and Christian) art as the highest and best. For works that are not explicitly religious, conservative Christianity still holds the expectation that the content not violate Christian principles. Works that are sacrilegious, that depict explicitly sexual activity, that feature

nudity, or that depict non-heterosexual sex are most likely to be determined unacceptable. Such work is often viewed as 'not art'—outside the boundaries of art—and is frequently labeled obscene. So in addition to focusing on content, conservative Christianity is also concerned about the values that are expressed in the work of art.

As an aesthetic, conservative Christianity is much less articulated than formalism. This is due in part to its character of being formulated external to the art world, but it is also due to the fact that it is most often deployed in the rejection of art. It tends to function as a negative aesthetic. The world of conservative Christianity is rarely concerned with celebrating any particular formulation of 'good art', unless that art is produced within the church. It has no art awards, no museums, no arts organizations, but it frequently unites to speak against unacceptable art. Politically speaking, this aesthetic is associated with the far right, and stands as a critique of an educated liberal elite.

While formalism is universally recognized as an aesthetic framework, the same is not true for conservative Christianity. However, all moral and religious systems provide frameworks for making value judgments, and therefore function as aesthetics when directed towards the arts. The Christian identity of Mapplethorpe's strongest critics was no coincidence. It was the conservative Christian political watchdog agency, the American Family Association, that first alerted Jesse Helms to the connection between NEA funds and the artwork of Andres Serrano and Robert Mapplethorpe. Helms couched his senate floor tirades against the NEA in explicitly Christian language. In Cincinnati, a group called Citizens for Community Values brought the Mapplethorpe exhibit to the attention of local authorities and pressed for prosecution. Their mission

statement makes clear the religious faith that motivates their political activity:

“Citizens for Community Values (CCV) exists to promote Judeo-Christian moral values, and to reduce destructive behaviors contrary to those values, through education, active community partnership, and individual empowerment at the local, state and national levels.”⁹³ It should be noted that many moderate and liberal Christian organizations came to Mapplethorpe’s defense—and the defense of Dennis Barrie and the CAC—though none of them ever became major contenders in the conflict.⁹⁴

Sexual Politics

As an aesthetic framework, sexual politics employs art in the activities of identity politics, particularly in connection to the politics of sexual identity including those counter-hegemonic groups that target the privileging of heterosexuality. Like formalism, this aesthetic framework is associated with the left, but in more visible ways. Like conservative Christianity, sexual politics privileges content over form in its approach to art (see Table 6.1). Artistic merit is determined by the political value of the work; an individual work is judged for its usefulness in contesting existing power structures. This approach recognizes the role that art often plays in the construction of cultural capital and seeks to offer new art, or at least a new approach to art, that can deconstruct that relationship. An example would include the ACT-UP movement’s use of art to increase

⁹³ Quoted from the Website of Citizens for Community Values, available online at www.ccv.org.

⁹⁴ Although examples of Christian treatises on art abound (see, for example, Brown, 2000), it is important to keep in mind that in practice these approaches to art are less academic than formalism, and rooted in local religious practices and teachings.

awareness of AIDS and HIV and to encourage the government to become more involved in the search for medical treatments.

Two forms of sexual politics are relevant to this discussion. The first is a gay aesthetic that Arthur Danto identified in the photographs of Robert Mapplethorpe. This aesthetic can also be found in several art theorists who wrote in the 1980s and into the early 1990s. The gay aesthetic focuses on what a work of art might say about the sexual identity and experiences of a gay person, and is particularly concerned with art produced by gay people, or art that depicts gay identity in some way, or art that has developed a gay audience. It is important to keep in mind that aesthetics never determine interpretation; they simply guide it by privileging some concerns over others.

In the 1990s, this gay aesthetic gave way to a 'queer aesthetic' that broadened the focus of attention. Taking its cues from queer theory, this queer aesthetic infuses sexuality with the related issues of gender, race, and power broadly defined. Its attention is directed everywhere, for it finds messages about power, including sexual power, in every work of art.

Of these three aesthetics, formalism has held the strongest ground in the art world of twentieth-century America. Although critiques of formalism emerged throughout the second half of the twentieth-century, as modernism gave way to post-modernism, the case study below shows that formalism was still heavily utilized into the 1990s. But the weaknesses of formalism as a defense of the arts were demonstrated in the Mapplethorpe trial in Cincinnati, eventually leading the art world to embrace sexual politics as an alternative defense.

Mapplethorpe and the Culture War of the Arts

Robert Mapplethorpe worked with a variety of media to produce his art, but focused in his later career on photography. His opus included travel photographs, taken on commission from magazines, but was dominated by flowers and portraits. Included among these portraits are several photographs of famous figures—Arnold Schwarzenegger, Andy Warhol, Bill T. Jones, Iggy Pop, David Byrne, and Deborah Harry, among others. Mapplethorpe also took a larger number of self-portraits in a variety of poses ranging from the leather-clad tough-guy to full drag, from a devil with horns to nude eroticism. In the same vein as these nude self-portraits are a number of photographs that explore sexuality through the homoerotic image and through the practices of sado-masochism. Finally, Mapplethorpe also took portraits of friends and family members.

Mapplethorpe's work was displayed in exhibits throughout the 1970s and 1980s and can also be found in a number of published books and films. In the late 1970s, Mapplethorpe produced the *X-Portfolio*, which included 13 black & white photographs of men in circumstances that have been described as sexual or sensual, and which are frequently labeled with the term 'S/M' (see Appendix 3 for descriptions of the photographs). The *X-Portfolio* stands in juxtaposition to the *Y-Portfolio*, consisting of 13 black & white photographs of flowers, highlighting the similarities between the sexual organs of the human body and the sexual organs of the flower. The relationship between the two collections of photographs was stripped away when Cincinnati police entered the Contemporary Art Center (CAC) in Cincinnati on April 7th, 1990 and identified five

works as violations of local obscenity laws. In addition to these five photographs from the *X-Portfolio*, the police also identified for prosecution two works that depicted nude children: *Jesse*, which shows a naked boy posing on the back of a chair, and *Honey*, which portrays a clothed girl sitting with her legs parted such that her genitals are exposed. Appendix 3 lists the seven photographs that were prosecuted in Cincinnati and gives a brief description of each.

The charges of pandering obscenity and the illegal display of nude children were leveled against the CAC and its curator for the show, Dennis Barrie. The CAC faced a \$10,000 fine if found guilty and Barrie faced a \$2,000 fine and up to one year in jail.

In the trial that ensued, the court attempted to make sense of these works and to arrive at either a clear defense of their placement within an art gallery, or a clear explanation for how the photographs might be censored without any violation of the first amendment. This process of making sense of art—troubling or otherwise—is not an entirely individual or subjective activity. It calls on the use of aesthetic frameworks to guide interpretation of art, determine what counts as art, and distinguish between good and bad art (Becker 1982).

In the description of the Mapplethorpe controversy that follows, two of the aesthetics described above—formalism and sexual politics—emerge from the American art world. These aesthetic frameworks are used to battle legal and institutional challenges from conservative Christianity, specifically the legal trial of the Contemporary Art Center and of curator Dennis Barrie.

When responses to Mapplethorpe are explored chronologically, divided into periods of before, during, and after the controversy, we can see how the events of the arts culture war actually promoted the abandonment of formalism in defense of Mapplethorpe's works in favor of identity politics as a better way to defend the arts. More specifically, I find an emphasis on formalist approaches prior to the controversy, a breakdown of formalism during the controversy that is paired with a focus on sexual politics, and the development of queer theory approaches to Mapplethorpe after the controversy. This change in how the art world defends Mapplethorpe reveals an important dynamic about culture wars—that the events of the war can actually change the ideas that first spark the battle.

Before the Controversy

One of the earliest cultural critics to engage Mapplethorpe's work is Roland Barthes, whose theories on photography, found in the 1981 *Camera Lucida*, identify certain kinds of photographs as *unary*. These photographs capture the visual image of particular moments without adding a layer of artfulness or interpretation over the image. The photographer of the unary is not an artist, nor does he enact artistic or creative decisions. Journalistic photography is perhaps the clearest example of the unary, but Barthes also points to pornography:

Another unary photograph is the pornographic photograph (I am not saying the erotic photograph: the erotic is a pornographic that has been disturbed, fissured). Nothing more homogeneous than a pornographic photograph. It is always a naïve

photograph, without intention and without calculation. Like a shop window which shows only one illuminated piece of jewelry, it is completely constituted by the presentation of only one thing: sex: no secondary, untimely object ever manages to half conceal, delay, or distract.... A proof *a contrario*: Mapplethorpe shifts his close-ups of genitalia from the pornographic to the erotic by photographing the fabric of underwear at very close range: the photograph is no longer unary, since I am interested in the material. (Barthes 1981, 41-42; ellipsis in original)

Barthes's shift to the first person suggests how a viewer would experience photographs by Mapplethorpe within a subjective experience. For those works that depict nudes, the distinction between the pornographic and the erotic serves to establish the boundaries of art: if pornographic, not art; if erotic, art. For Barthes, the erotic is a deep cultural form that allows for many interpretations and results from innovation and creativity on the part of the photographer. Art has a sacred place in American society, and indeed in most societies. By separating erotic photography from pornography, he is protecting the sacred status of the former from the intrusion and contamination of the latter. The significance of this boundary maintenance is made clear when Barthes offers a viewer response to unary photographs, "I am interested in them (as I am interested in the world), I do not love them" (Barthes 1981, 41).

The language Barthes uses is that of formalism, a perspective that emphasizes the analysis of form over and above the issues of content or social context. Earlier reviews of Mapplethorpe's work also relied on formalist aesthetics as the primary way of

engaging his photographs. In 1977, Mapplethorpe held two simultaneous shows in New York City, one at the Holly Solomon Gallery and one at the Kitchen. Reviews of these shows emphasized Mapplethorpe's skill at composition, as in the *Arts Magazine* review by David Bourdon that explained, "Mapplethorpe also favors, and excels at, Vermeer-type side-lighting; his sitters are frequently illuminated by raking sunlight from a window" (Bourdon 1977, 7; see also Tatransky 1977, 29). The emphasis is on lighting, not subject matter, because formalism guides the review.

The language of formalism remained the major approach to Mapplethorpe's photographs throughout the 1980s, until the eruption of the controversy. A 1983 review in *Creative Camera* of Mapplethorpe's book of photographs *Lady*, which features the body builder Lisa Lyon, comments on Mapplethorpe's 'mastery' of composition: "Given Lyon's image to start with, its presentation by Mapplethorpe is enhanced by Mapplethorpe's consummate mastery in posing and illuminating the figure as well as by the classical calm and precision of his composition within the square frame" (Butler 1983, 1091). Lyon is not presented in this quote as a subject, but rather as a form that presents itself and is re-presented by the photographer. Another praise for Mapplethorpe's use of geometric forms came in a 1985 issue of *Aperture*, in which the reviewer focused on the prominence of triangles in Mapplethorpe's portrait of the artist Louise Bourgeois (Weaver 1985).

When Janet Kardon began the curatorial work for the Mapplethorpe retrospective *Robert Mapplethorpe: The Perfect Moment*, which first appeared in Philadelphia in the fall of 1988, she continued the use of the formalist aesthetic in her engagement of the

works that she selected for the show. In the essay “The Perfect Moment,” which Kardon wrote for the exhibition catalog, she describes Mapplethorpe’s work through the formalist lens:

There is a drama in each photograph; edges are used as the perimeters of a proscenium, with subjects strategically sited within those boundaries and caught at a moment of absolute stasis. Most sitters are portrayed frontally, aligned with the camera lens, in direct eye contact with the photographer and, in turn, the viewer. Nudes generally assume classical poses. (Kardon 1988, 9)

Kardon’s emphasis on Mapplethorpe’s skill and on his creative decision-making as a photographer places her squarely within the realm of formalism as her comments highlight the composition of the photographs and offer comparisons of Mapplethorpe’s subjects to traditional forms such as the classical pose.

Her use of formalism does not prevent her from engaging the sexual component of Mapplethorpe’s photographs, but it does shape the way that she discusses this component. For instance, in her discussion of Mapplethorpe’s use of homoeroticism and S/M sexuality, she says, “Although his models often are depicted in uncommon sexual acts, the inhabitants of the photographs assume gestures governed by geometry, and they are shown against minimal backgrounds” (Kardon 1988, 10). So we can see that geometry is one of the major dimensions of Mapplethorpe’s work that anchors him into formalism. Geometry is replaced by optics in Kardon’s examination of *Man in Polyester Suit*. This photograph portrays a man’s torso dressed in a suit with his penis extending from an open zipper. Kardon discusses the work as follows:

The presentation mode is that of a clothing advertisement, which makes the appearance of the penis even more unsettling. The photograph catches the viewer in a binary pull: the action cannot be perceived unless the eye constantly darts in opposite directions as in a tennis match, or, in this instance, between the mundane polyester suit and what outrageously protrudes from its trousers. (Kardon 1988, 11)

Obscenity is surprisingly absent in this quote and in the language that is used to describe Mapplethorpe's work throughout the 1980s. Surprising not because the works necessarily are obscene—this is a matter of much dispute, of course—but because obscenity became the primary association for Mapplethorpe's photographs during the controversy. While Kardon uses the term “outrageous” to refer to the way that the penis protrudes from the open zipper in *Man in Polyester Suit*, she does not call the photograph outrageous, nor does she call the idea of photographing a penis outrageous. She is, rather, identifying the specific penis in this photograph as outrageous, and indeed many reviewers concur that it is an abnormally large flaccid penis. Far from being an invocation of obscenity, Kardon's use of the term “outrageous” simply denotes her personal reaction to one element of the photograph. Obscenity, in contrast, is more than just a normative term used to classify those aspects of the world that we disdain; it has specific legal implications.

As a form of expression, obscenity is beyond the protection of the first amendment in the U.S. Constitution and frequently receives negative sanctions by federal, state and local laws. The trick with obscenity is in the definition. Generally, the

content of obscenity is determined by local laws, based presumably on community standards, and is enforced by the local police. In the case of any one alleged obscenity infraction, a jury is called upon to determine if an offense has occurred. However, some mediation is provided in the form of legal precedent. The law, particularly at the federal level, leaves little room for overlap between art and obscenity. The Supreme Court upholds the following definition of obscenity, based on the 1973 case *Miller v.*

California:

The basic guidelines for the trier of fact must be:

- (a) whether "the average person, applying contemporary community standards" would find that the work, taken as a whole, appeals to the prurient interest...
- (b) whether the work depicts or describes, in a patently offensive way, sexual conduct specifically defined by the applicable state law; and
- (c) whether the work, taken as a whole, lacks serious literary, artistic, political, or scientific value. (*Miller v. California* 1973)

The word 'and' that appears at the end of the second clause indicates that *all three* requirements must be met for an object or practice to qualify as obscenity. In other words, an object that appeals to the prurient interest by portraying sex in a patently offensive way but does bear value in a literary, artistic, political, or scientific sense is therefore not obscene. The court arrived at this definition, after considering others, in the case of a man charged with mailing unsolicited adult catalogs to residents and businesses in Orange County, California. One alternative definition that the court considered and

rejected stemmed from the 1966 case *Memoirs v. Massachusetts*, in which the court defined an obscene object with the following test:

Three elements must coalesce: it must be established that (a) the dominant theme of the material taken as a whole appeals to a prurient interest in sex; (b) the material is patently offensive because it affronts contemporary community standards relating to the description or representation of sexual matters; and (c) the material is utterly without redeeming social value.⁹⁵

The important difference between the two definitions comes in the third clause. The definition from *Memoirs* gave an extremely ambiguous test for obscenity, requiring prosecutors to show the absence of “redeeming social value.” The definition affirmed by *Miller*, which derives from the 1957 case *Roth v. United States*, gives prosecutors four specific realms—literary, artistic, political, and scientific—in which value can be searched for and found lacking. Such specificity was missing in *Memoirs*.

The definition established in *Miller* continues to be the working definition at the federal level and is used to test whether local and state definitions are in violation of the first amendment. Those definitions that are stricter than *Miller* risk first amendment infractions and can therefore be overturned. During the course of the Mapplethorpe controversy, as it also became a scandal for the National Endowment for the Arts, the U.S. Congress imported the *Miller* standard as a guide for federal funding decisions (Amendments to the National Foundation on the Arts and Humanities Act 1990).

⁹⁵ *Memoirs v. Massachusetts*; quoted in *Miller v. California* (1973).

In the culture war that erupted over the NEA-funded works of Robert Mapplethorpe, a handful of photographs were indicted under the obscenity laws of Cincinnati, and the ensuing trial used *Miller v. California* as the jury's guide in determining the outcome. Some conservative faith- and morality-based groups became incensed that an art museum would exhibit works of this nature, blending the obscene (gay sexual activity, S/M) with the sacred (art). But as I have shown, in the discussion of Mapplethorpe's work prior to the controversy, the artist was not associated with obscenity. His photographs were discussed as art, on artistic terms. Not art *instead of* obscenity, or art *as* obscenity, but simply as art.

Mapplethorpe acknowledged the sexual content of his work and even his own influences from pornography. In an oft-quoted comment made in the 1980s, he suggested that he would not produce photographs like those found in the *X-Portfolio* again, because the moment of relevance had passed. But even in his acknowledgement of the sexual character of the photographs, he still used the terms of formalism. "I mean, my approach to photographing a flower is not much different than photographing a cock. Basically, it's the same thing. It's about lighting and composition."⁹⁶ The sexual content is acknowledged, but not problematized. Further, it should be noted that the exhibit enjoyed record attendance in Philadelphia where it opened, and again later in Chicago. In both venues, *Robert Mapplethorpe: The Perfect Moment* experienced no controversy whatsoever. So it is not that the exhibit escaped attention; rather, the attention it received

⁹⁶ Quoted in Henry (1982, 129).

focused on the artistry of the photographer, not the alleged obscenity of a handful of images.

The Turning Point—During the Controversy

The problem of obscenity entered the picture in the summer of 1989, when the exhibit arrived in Washington D.C. Senator Jesse Helms was already leading a campaign against the National Endowment for the Arts in reaction to the NEA's funding of Andres Serrano and his photograph *Piss Christ*. Serrano's photograph depicts a crucifix that appears to be submerged in a vial of urine. Serrano had received a \$15,000 award from the Southeast Center for Contemporary Art (SECCA), whose award funds came in part from the NEA. An exhibition of works by the award winners included *Piss Christ*. Helms had learned of the work and used it as an opportunity to seek the de-funding of the NEA.

Meanwhile, *Robert Mapplethorpe: The Perfect Moment* was scheduled to appear at the Corcoran Gallery of Art. The Corcoran director Christina Orr-Cahall, recognized that some of the images in the exhibit, especially those of the *X-Portfolio*, might raise the eyebrows of Jesse Helms—particularly since the NEA had been one of the funders for the exhibit's opening in Philadelphia. To prevent a controversy, Orr-Cahall canceled the exhibit hoping to avoid adding more fuel to the fire burning against the NEA.

Her plan backfired. In the end, Orr-Cahall actually kindled a new and escalated chapter of the NEA controversy. Responding to the cancellation of the exhibit, protesters gathered outside the Corcoran and projected the Mapplethorpe images onto the wall of

the museum, using a slide-projector that was installed across the street. The spectacle of protest attracted the press, and the media attention brought the subject to the office of Jesse Helms, as well as such anti-NEA groups as the American Family Association and the Christian Coalition. Mapplethorpe became paired with Serrano as a symbol of everything that had gone wrong in the American art world, and especially with the NEA. Recognizing her mistake, Orr-Cahall later apologized for the cancellation and resigned from her position.

The Washington Project for the Arts then entered the arena by arranging to host “Robert Mapplethorpe: The Perfect Moment” in lieu of the Corcoran. The success of the show in Philadelphia and Chicago, combined with the hype from the growing controversy and widespread media coverage, resulted in another record-breaking audience. The Washington audience viewed the show from within the lens of controversy. One study shows that even though attendance at the show in every city that hosted the exhibit was larger than that for the average show, audience size grew even more after Congress, and then the media, took note of the controversial works (McLeod & MacKenzie 1998). By the time the exhibit reached Cincinnati, the works were strongly situated within the frame of obscenity—where knowledge of the controversial images shaped nearly everyone’s viewing—so much so that the protest against the exhibit in Cincinnati was led by anti-pornography groups. With the help of local business leaders, these groups pressured city prosecutors to shut down the exhibit.

In Cincinnati, the exhibit opened April 7th, one day after a judge had rejected a request by the Contemporary Arts Center (CAC) to have a jury trial to determine the

issue of obscenity. The CAC, on the advice of its attorneys—the same attorneys who had previously defended Larry Flynt on obscenity charges—had filed the request in March in hopes of settling the issue before the show opened and preventing any seizure of works. Instead, on opening day, local police froze admittance while they reviewed the works. As mentioned earlier, 7 of the 175 photographs on exhibit were deemed unacceptable (see Appendix 3) and an indictment was filed against the CAC and its curator Dennis Barrie. Barrie and the CAC were forced to stand trial on two charges: one for obscenity in the case of five photographs from the *X-Portfolio*, and one for displaying children in nude pictures for the photographs *Honey* and *Jesse*. Barrie faced one year in jail and a \$2,000 fine, while the CAC faced a \$10,000 fine.

Although the *Miller v. California* standard for obscenity was used as the guide in the trial of Barrie and the CAC, one element was actually ignored. The first of the three clauses in *Miller* specifies that the work must be “taken as a whole.” This means that a complex work cannot be broken into smaller pieces. Many of Mapplethorpe’s defenders—and defenders of the Contemporary Arts Center and curator Dennis Barrie—argue that the exhibit “Robert Mapplethorpe: The Perfect Moment” was not taken as a whole. If the exhibit can be seen as a whole, then the exhibit must be tried as whole, and jurors must be allowed to see every photograph. Even the *X-Portfolio* was not taken as whole. Rather, the exhibit and the portfolio were dissected into separate elements—the individual photographs—so that the possible obscenity of each image was determined without regard for the context provided by the larger portfolio or the larger exhibit.

The prosecution for the case presented a fairly slim argument, essentially letting the pictures speak for themselves. Their case was based on the content of the pictures, with little regard for form, and they assumed that the jury would find that the images constitute a moral offense. Prosecutor Frank Prouty even stated, "The pictures are the state's case."⁹⁷ They did, however, invoke a formalist argument in the cross-examination of a witness for the defense. Speaking to Jerry Stein, an art critic for the *Cincinnati Post*, Prouty asked if the witness was familiar with formalism. He then attempted to get Stein to admit that the positioning of Jesse McBride's legs in the work *Jesse* lead the viewer's eyes to the genitals. "Don't they point right toward the penis?" he asked. Finally a defense attorney objected and the line of questioning ended.⁹⁸

The defense of Dennis Barrie and the CAC relied almost entirely on formalist aesthetics. They brought a series of art world experts before the court to build the case for the artistic merit of the works. The first expert was Janet Kardon, the original curator for the show in Philadelphia. Kardon gave a formalist reading of each of the indicted images, citing for instance the "opposing diagonals" in *Jim and Tom, Sausalito*, referring to the lines formed by the two male bodies in contrast to the angle of the penis at the center of the photograph (Hess 1992). Other experts included Jacquelynn Baas, who hosted *Robert Mapplethorpe: The Perfect Moment* at the University Art Museum at Berkeley, and Robert Sobieszek, curator of the International Museum of Photography at

⁹⁷ Quoted in Frohnmayer (1993, 220).

⁹⁸ Quoted in Hess (1990, 280).

the George Eastman House. Sobieszek insisted on the firm boundary between art and obscenity:

“Can art be pornographic?” asks Prouty.

“I don’t believe so,” says the director.

“Can it be obscene?”

“If something is truly obscene or pornographic,” says Sobieszek, “then it’s not art.”⁹⁹

This quote underscores the framework for the trial. Despite Prouty’s single and unsuccessful attempt at using formalism to demonstrate the sexualization of a child, for the most part, the trial consisted of the prosecution arguing for the obscenity of the images based on content and the defense arguing for their artistic merit based on formal excellence. From the perspective of the defense, if formalism could establish artistic value, then the works could not be obscene.

Two other dynamics of the trial are important to note, before discussing the verdict. First, on the issue of the two photographs of children, the prosecution emphasized both the sexual content of the images and the claim that the photographs were taken without parental permission. Several art world experts insisted against the claim of sexual content. Also, the mothers of both of the children testified that the photographs were taken with their permission and neither mother felt that there was a sexual or obscene character to the works. They testified that Robert Mapplethorpe was a trusted friend who took the photos with their blessings. The prosecution then attempted

⁹⁹ Quoted in Hess (1990, 279).

to undermine the testimony of the mothers by establishing that both were divorced and that neither father had consented to the photographs.

Second, some mention must be made of the prosecution's rebuttal witness, Judith Reisman, who claimed to be an expert on visual communication. Reisman, a former songwriter for *Captain Kangaroo*, insisted that *Jesse* and *Honey* put children at risk from sexual predators. She further testified that the S/M images from the *X-Portfolio* contained no artfulness because they lacked an emotional dimension (Dubin 1992). On cross-examination, Reisman revealed not only that her academic credentials were significantly inflated, but also that she had recently worked as a paid researcher for the American Family Association, the very organization that launched the attack against the NEA using the works of Mapplethorpe and Serrano.

The jury's decision, delivered to the court on October 5th, 1990, had important implications for the distinction between art and obscenity. They determined unanimously that the works *do* appeal to the prurient interest, and *are* patently offensive, but they could not determine that the works have no artistic merit (Morrisroe 1995). The jury did not determine that the works *do* have artistic merit, but rather that they might. For this reason, Barrie and the CAC were acquitted.

The outcome of the trial was a victory for Barrie, for the CAC, and perhaps, symbolically, for Mapplethorpe's reputation, but it also changed the terms in which art is understood in contemporary America. The indictments against Barrie and the CAC were based on an assumption that a cultural object could be art or obscenity, but not both. One artist made the assumption clear by stating "Obscene art is an oxymoron" (*San Diego*

Tribune 1989). But the verdict made the separation of art and obscenity an ambiguous one at best. As a consequence, the primacy of formalist principles for artistic interpretation came into question. Formalism could no longer be used to separate art from obscenity for three reasons. First, the acquittal of Dennis Barrie seemed due in part to the prosecution's assumption that the works spoke for themselves. Jurors indicated that they would have easily been swayed to convict if the prosecution had made a stronger case (Frohnmayr 1993, 222). The acquittal could not disguise the fact that art was now open to legal attack, and despite the acquittal, a precedent had now been set that art institutions could be taken to court. As John Frohnmayr, then Chair of the NEA, stated, "Until now, it had been assumed that anything on display in an art museum was in fact art. Those who joined the museum profession spent years studying art, obtained degrees from respected institutions, and did not expect to encounter criminal prosecution for doing their jobs. Cincinnati called all of that into question" (Frohnmayr 1993, 218). All holdings in art institutions now seemed susceptible.

The second reason is tied to the first. In Ohio law, a museum is actually protected from obscenity laws because of its educational role. Judge Albanese, who presided over the case, determined that the Contemporary Arts Center was a gallery, and not a museum, essentially due to the absence of the word museum in the name of the institution (Barrie 1992). On the surface, this suggests that galleries are now more exposed to legal intervention, but museum protection is upheld. However, the determination by Albanese that the CAC is not a museum only highlights the lengths to which the letter of the law

can be manipulated in the attack on art, particularly since art world terminologies such as ‘museum’ and ‘gallery’ were not formulated with legal concerns in mind.

The third and final way that the distinction between art and obscenity has been corrupted as a result of this case stems from the determination by the court that each photograph could be viewed as a work unto itself and not a part of a larger work such as a portfolio or an exhibition. If *Robert Mapplethorpe: The Perfect Moment* or the *X-Portfolio* could be dissected in this way, how much further could prosecutors go? Would the legal requirement that the work be “taken as a whole” be so abused that a mere corner of a photograph or painting could be separated off from the larger piece of art? While the trial had a positive outcome for Barrie and the CAC, it was a narrow win and it exposed the difficulty of defending art on formalist principles. The jury was only persuaded that the images *might* be art because of the testimony of the experts; they were not familiar enough with formalism to arrive at that determination on their own. Janet Kardon had used her testimony as an opportunity to educate the court about formalism. If the art world was going to be subject to future trials, they would either need to make the values of formalism more widely held, or they would need to find a new defense of art.

The conservative art critic Hilton Kramer, generally a champion of formalism, lamented the failure of formalism to exclude artists like Mapplethorpe from art museums and from the very category of art. In an editorial in *The New York Times*, he questioned:

Are these disputed pictures works of art? My own answer to this question, as far as the Mapplethorpe pictures are concerned, is: Alas, I suppose they are. But so, I believe, was Richard Serra’s “Tilted Arc” a work of art. This is not to say that

either “Tilted Arc” or the Mapplethorpe pictures belong to the highest levels of art—in my opinion, they do not—but I know of no way to exclude them from the realm of art itself. (Kramer 1992, 51-56)¹⁰⁰

Kramer recognized that formalism had failed to distinguish art from obscenity, and could not serve that purpose in the future. To this, art critic Arthur Danto responded:

By the formalist standards of critical appraisal that prevailed in museum and art-historical circles until the most recent times, Mapplethorpe’s work ought by rights to qualify as art “of the highest level.” But those standards had badly eroded by the 1990s, all at once exposing Mapplethorpe to criticism from an unanticipated direction. (Danto 1996, 18)

Danto, responding to the erosion of formalism, and in defense of the American art world, took a surprising turn in his artistic discourse by fusing aesthetics with identity politics in order to create an art-critical framework by which Mapplethorpe’s work, and similar works, can be judged.¹⁰¹ The result was a “perspective of gayness” that affirmed

¹⁰⁰ *Tilted Arc* was an installation sculpture created by Richard Serra that stood in the Federal Plaza of New York City. The piece was installed in 1981 and consisted of a 12-feet-high and 120-feet-long arcing wall of steel that divided the plaza. The sculpture was the subject of much controversy as many felt that it was unattractive. After a fight between the New York art community and the workers of the Federal Building, the piece was removed in 1989.

¹⁰¹ Danto was not the first to take on such an art-theoretical project. Other theorists and critics had already been developing identity-based approaches to the arts. However, Danto was one of the first to do so with Mapplethorpe, and he had long championed similar anti-formalist approaches. Danto’s work in this area also received the most public attention, perhaps because of his use of the highly publicized Mapplethorpe controversy to make his point.

Mapplethorpe's artistic merit while also justifying the overlap between art and obscenity that is observable in his photographs. Danto introduces this perspective while explaining how he eventually went to a Mapplethorpe retrospective held at the Whitney Museum of American Art, after he had declined an earlier opportunity to go to the opening because he felt at first that Mapplethorpe's work was not worth seeing:

I finally went, at some point well into the show's run, largely in consequence of a conversation I had at a party attended by some people from the Whitney. One of them, asking whether I was going to review the show, said, when I expressed doubt, that he felt it was important to. He felt that there was a kind of gay sensibility in the work which it would be worth dealing with. That all at once gave me a reason to think about the show. There was, then as now, a great deal of talk about the art of this or that group—of women, or of African-Americans—and the issue seemed important and in fact urgent enough to justify writing about Mapplethorpe's art from the perspective of gayness. (Danto 1996, 3)

Danto allows this perspective to guide "Playing with the Edge," an essay on Mapplethorpe's work that appeared first in *The Nation*, and was later reprinted in a book by the same name. The development of this gay aesthetic for interpreting Mapplethorpe's art was no historical coincidence. Since the mid-1980s, Danto has asserted the primacy of art criticism over aesthetics as the best mode of artistic interpretation for the postmodern period. Aesthetics, according to Danto's argument, relied upon a division of the beautiful from the practical, and a division of form from content. Here, Danto is using the term aesthetics in a narrow sense that conflates

aesthetics with formalism. His art criticism, an alternative to formalism, should be seen as an aesthetic in its own right.

Danto has argued that the invention of readymade art had revealed to the art world that art can be made from mundane, everyday items, and that judgment of this art must consider content alongside form. The first production of readymade art came with Duchamp's creation of *Fountain*, a purchased urinal that Duchamp signed and placed on exhibit. Speaking about art since the 1960s, which Danto labels as "art after the end of art," he says:

[C]lassical theory could not be appealed to with "art after the end of art" precisely because it seemed to scorn aesthetic quality altogether: it was precisely in terms of classical aesthetics that the refusal to call it art was grounded. Once its status as art was established, it was fairly clear that aesthetics as a theory was badly in need of repair if it was to be helpful in dealing with art at all. And in my view that was going to mean overhauling the distinction between the aesthetic and the practical as the default basis of the discipline. (Danto 1997, 85-86)

Danto had been seeking a new set of terms—an alternative to formalism—by which the art world could debate the question of artistic merit. He had found his foundational case in Andy Warhol's *Brillo Box*, but with Mapplethorpe, Danto found the case that would demonstrate to the art world the necessity of abandoning formalist aesthetics altogether, in favor of a more socially contextualized art criticism. Mapplethorpe, then, completes the arc of formalism's fall, which began with Duchamp and continued with Warhol. At the end of that arc, formalism was not only sufficiently

broken, but also replaced—not by a single aesthetic, but by many. In the case of Mapplethorpe's work, a gay aesthetic has replaced formalism, and this new aesthetic functions as a mechanism of identity politics.

The definition of obscenity that is provided in *Miller v. California* specifies that the realm of obscenity does not include those objects and practices that have literary, artistic, political or scientific value. In practice, the significance of artistic value has given way, as illustrated by the very act of taking Dennis Barrie and the CAC to trial, and by the apparent narrow margin of victory. As a result, the art world has been looking to other categories for protection against legal intervention. Literary value could not be a consideration because literature is exposed to the same dilemmas as the visual arts. Science is too distant from the contemporary art world to have weight,¹⁰² and certainly is not useful for Mapplethorpe's photography. Politics on the other hand is already a central dynamic of twentieth-century art. Recognizing that artistic value alone is an insufficient shield, the art world has turned to political value to find the defense mechanism it needs to prevent further legal attacks.

After the Controversy

"It's what we call the chilling effect," said Representative Barney Frank, referring to the aftermath of the Mapplethorpe controversy in both its political form as seen in

¹⁰² The relationship between science and art may become stronger as artists are beginning to embrace technological developments as new media.

Washington, and its legal form as seen in Cincinnati.¹⁰³ Frank, a Democrat from Massachusetts who had staunchly defended the NEA, was speaking of a new form of self-censorship enacted by artists and arts institutions out of fear of either prosecution or a loss of funding.¹⁰⁴ Bruce Cohen, spokesperson for the American Council for the Arts, said soon after the trial that museum directors would now be “looking over their shoulder” for fear of having their funding lost over the works they owned or exhibited (Cembalest 1990). They had additional reason to wonder, as Congress continued to reduce funding for the NEA into the mid-1990s. Republicans never achieved their stated party goal of abolishing the endowment altogether, but they managed to reign in the NEA by placing its budget under constant threat.

And in Cincinnati the threat to the arts seemed particularly potent. After the ten-year anniversary of the trial passed, one editorial wondered “if Cincinnati’s arts community didn’t actually step back from challenging work in the last ten years instead of embracing it. And they wondered if local law enforcement wasn’t emboldened to prosecute obscenity cases instead of being chastened by its Mapplethorpe defeat” (Fox 2001). They had reason to wonder. Monty Lobb, the President of Citizens for Community Values—the organization that brought the exhibit to the attention of the local police—commented after the trial that further prosecutions would occur if similar

¹⁰³ Quoted in Pierson (2000).

¹⁰⁴ We can contrast the “chilling effect” with the “heating effect” discussed in the previous chapter. The two forces emerge simultaneously. Some artists and arts organizations respond to new political pressures by consenting, in hopes of gaining funding. Others respond by heightening their counter-cultural dimensions.

exhibits were brought to Cincinnati. Speaking rhetorically to the museum community, Lobb said, "The community standards here are so high that we may not win every trial, but you are going to be prosecuted [if you display unacceptable material]."¹⁰⁵ Ten years later, prosecutor Frank Prouty commented, "We lost the battle, but won the war,"¹⁰⁶ echoing the battle terminology that was used a few years earlier by sociologist Steven Dubin who said that the arts community "had not decisively won the cultural war" (Dubin 1997, 380). The losers were claiming victory and the winners held a deep sense of loss.

But production of challenging art did continue, only under a new aesthetic that better articulates the importance of that production. Rather than defending such works on formalist grounds, the art world turned to an identity-based defense. For the photographs of Robert Mapplethorpe, this meant a gay aesthetic and an identity politics that focus on the sexuality of the photographer, the sexual character of the subjects being photographed, and the racial difference between Mapplethorpe and many of his models. It also meant a new focus on the sexual contexts in which the photographs are consumed, including the sexual identity of the consumer.

Mapplethorpe was one of the major topics of discussion at a conference held in late October of 1989 in New York City called "How Do I Look? Queer Film and Video." Kobena Mercer—a leading sociologist of the intersection of race, sexuality, and art—presented a paper at that conference called "Skin Head Sex Thing: Racial Difference and

¹⁰⁵ Quoted in Cembalest (1990, 141).

¹⁰⁶ Quoted in Associated Press (2000).

the Homoerotic Imaginary” (Mercer 1991) that focused on Mapplethorpe’s depiction of the racialized homoerotic image. This was not the first occasion when the “gayness” of Mapplethorpe’s photographs was discussed—indeed, Mercer had written other essays on Mapplethorpe’s homoeroticism—but its timing is very important and reveals the rising significance of content-focused approaches to the arts. Mercer’s earlier work criticized Mapplethorpe for reinforcing and fetishizing stereotypes of black male sexuality. In this new essay, Mercer revised his earlier position and argued that Mapplethorpe’s images must be approached with ambivalence about their meaning because they are at once both racist and anti-racist, both homophobic and homoerotic. Particularly important in this revision are the facts that Mapplethorpe was gay and that he stepped in front of his own camera and blurred the boundary between subject and object. Mercer credits Mapplethorpe’s work for providing a voice to gay men and for being a “subversive deconstruction of the hidden racial and gendered axioms of the nude in dominant traditions of representation” (Mercer 1991, 181). Mercer’s attention was consistently on the identity of Mapplethorpe and his subjects, but he moved—on the very heels of the obscenity trial in Cincinnati in which the formalist defense of Mapplethorpe fell through even as it scored a victory—from critiquing Mapplethorpe through identity politics, to defending him with the same politics. He developed a sort of sexual politics in the defense of Mapplethorpe’s art.

Mercer recognizes the importance of his timing. Speaking about the Mapplethorpe debates in Washington and the trial in Cincinnati he says, “these events have irrevocably altered the context in which we perceive, argue about, and evaluate

Mapplethorpe's most explicitly homoerotic work" (Mercer 1991, 170), making clear that an important change had occurred in the art world as a result of this public sphere event. Mercer goes on to indicate the shape of this change, citing, "the emergence of new aesthetic practices among black lesbian and gay artists in Britain and the United States" (Mercer 1991, 170). His point raises two important issues. First, identity-based aesthetics have lengthy histories that precede the Mapplethorpe trial. But second, there is something distinctive about the post-trial period that gave these approaches a new primacy. He states quite explicitly that he has changed his stance to avoid contributing to right-wing appropriations of leftist cultural critiques. In other words, he did not want his earlier claims that Mapplethorpe contributed to sexual stereotypes of black men to become a tool of the Right in the battle against the art world and against the NEA.

To illuminate the significance of this moment, it is important to compare the language that Mercer uses to discuss Mapplethorpe's work with the formalist language that had been employed earlier. Speaking of *Man in Polyester Suit*, Mercer says,

In the fantasmatic space of the supremacist imaginary, the big black phallus is a threat not only to the white master (who shrinks in impotence from the thought that the subordinate black male is more potent and sexually powerful than he), but also to civilization itself, since the "bad object" represents a danger to white womanhood and therefore miscegenation and racial degeneration. (Mercer 1991, 177)

The language Mercer uses focuses on race, sexuality, gender, and power, all of which stand in contrast to the "binary pull" of the viewer's eye and the advert-like "presentation

mode” that Janet Kardon used to describe the same image. While Kardon looks to the viewer’s optical response to Mapplethorpe’s composition, Mercer turns to the viewer’s political and cultural response to the content of the photographs, arguing that the identity of the audience matters for understanding how meaning is constructed by the image. The complexity of imagining multiple viewer identities, combined with the complexity of Mapplethorpe’s own identity, mandates the recognition of what Mercer terms the “radically polyvocal” character of Mapplethorpe’s work. Mercer’s essay illustrates this polyvocality by presenting contrasting interpretations of several of Mapplethorpe’s photographs.

In a similar vein, 1992 saw the publication of *The Homoerotic Photograph* by art historian Allen Ellenzweig; a book that examines the history of male homoerotic imagery. The focus is on images that “offer vital testimony about the nature of cultural attitudes toward male beauty, male sexuality, and homosexuality” (Ellenzweig 1992, 2). So we can see from the opening of the book that this is not a formalist project. Rather, this book emphasizes the counter-formalist point that “in photography content counts” (Ellenzweig 1992, 129). The book includes an analysis of Mapplethorpe’s photographs within an extensive history of the male homoerotic photograph. From this perspective, formalism becomes a chosen style from which to present the homoerotic image, rather than an overarching meta-narrative that directs both production and reception of the work. As with Mercer, Ellenzweig’s argument is invested in the language of gender, sexuality, power, and race (though less on race than in Mercer), discussing Mapplethorpe’s models as the image of man (in the gender-specific) as “weapon and

master” (Ellenzweig 1992, 129). By positioning Mapplethorpe’s formalism as a chosen style, Ellenzweig is able to identify the irony of a skilled formalist becoming the chief symbol of gay photography—ironic because formalism had the effect of marginalizing the political dimension of the images even as the content of the images brought politics to the center.

As the 1990s progressed, identity remained at the heart of artistic discourse, and discourse about Mapplethorpe in particular, as the specifics of an identity-based aesthetic were debated and negotiated. In the area of sexual identity, for instance, gay and lesbian approaches began to compete with a more comprehensive queer approach. Queer approaches were less boundary conscious and less essentialist in their conclusions about the consequences of identity. Artists such as Catherine Opie and Ron Athey took a cue from Mapplethorpe’s *X-Portfolio* and developed artistic methods for exploring S/M sexuality—methods that emphasized sexual inquiry over formalist presentation (Rosenfeld 2000; Reilly 2001). Glenn Ligon used art to pursue the questions of race that had been raised by Kobena Mercer (Firstenberg 2001). And queer aesthetics took such a strong hold on the art world that their proponents were able to critique the directions they had taken and to suggest alternatives (Atkins 1996).

Questions of form continue to be important questions in the production of artistic photography; it is not as if it is now all content and no form. But, as Danto points out, formalism is no longer the guidepost for either the production or the reception of the work. It is not, to use his term, a meta-narrative (Danto 1997). While Danto believes that the contemporary art world has no meta-narrative, I argue that we can trace

important patterns that do indicate the existence of a guiding narrative about art.

Most importantly, it is clear that identity politics has replaced formalism as the primary aesthetic through which to engage artistic works. Identity has many forms, so while sexual identity, race, and gender are the key identity variables for the photographs of Robert Mapplethorpe, other variables are used for the works of other artists. These can include religion, ethnicity, geographic location, political orientation, and ability/disability, among other possibilities. Symbols of identity have important contributions to make towards democracy, so I turn now to a brief discussion of these contributions that is rooted in democratic political philosophy.

Democratic Consequences

The American art world walked away from formalism, at least as a dominant aesthetic, and embraced identity politics. What are the consequences of such a change? To ask the question from another angle, what is the political difference between formalism and identity politics? The democratic framework that I developed in chapters 3 and 4 provides a useful theory for addressing this question. I argue that the move from formalism to sexual politics in defense of Mapplethorpe's photographs constitutes a transformation from status-based aesthetics to exclusive identity approaches to art, from art as a symbol of elite power to art as a mechanism of identity politics. Formalism, with all of its roots in cultural capital and elite status, has been abandoned. In its place, we have sexual politics and other types of identity politics, which provide a voice to counter-hegemonic movements and wrest art away from the monopolization of elites. From that

foundation, I can then link this transformation to specific democratic effects, using Warren's framework.

As a photographic or artistic practice, formalism emphasizes a set of skills and techniques that are generally gained through formal training. Similarly, knowledge of the principles of formalism for art consumers is linked to high levels of education as well as specific training in arts appreciation. To this end, formalism functions as a kind of cultural capital for both the artist and his audience in that it involves of set of knowledge, experiences, and practices that are significantly less available to non-elites (Bourdieu 1984). We can associate formalism with the members of the French upper-middle class in Michèle Lamont's *Money, Morals, and Manners* (1992), who used the arts as a marker of their taste and lifestyle. As we have seen, such status goods have little to offer to democracy. While such approaches to art can have powerful effects on those who participate in them, access to the necessary knowledge is limited and the contributions to the public sphere are minimal.

The contributions of identity-based aesthetics are, in comparison, quite high. These approaches are, at least in part, responses to a long-history of marginalization or disenfranchisement. They provide a voice to the identity-groups involved and they contribute to new forms of public debate.

Not every element of these symbolic goods is positive. They do have certain fractious qualities, in that they tend to divide large pluralistic societies into identity groups, who are often in conflict with one another. But if these problems can be controlled for, the products of identity politics can make important contributions to

democracy. These include the representation of minority voices, the contestation of power structures, and the presentation of diverse views, which is important for public sphere deliberation. While the art world may have felt some loss after the Mapplethorpe trial in Cincinnati, due to the sense that their activities no longer seemed defensible through formalism, the transformation that the art world has undergone since is actually quite positive when viewed from the perspective of democracy. An undemocratic aesthetic has been replaced with a substantially democratic one.

Conclusion

One temporary product of the debates produced by Robert Mapplethorpe's work was the Helms Amendment—named for its author, Senator Jesse Helms—which would have restricted the use of NEA monies or other federal funds from being used for:

1. obscene or indecent materials, including but not limited to depictions of sadomasochism, homoeroticism, the exploitation of children, or individuals engaged in sex acts; or
2. material which denigrates the objects or beliefs of the adherents of a particular religion or non-religion; or
3. material which denigrates, debases, or reviles a person, group or class of citizens on the basis of race, creed, sex, handicap, age, or national origin.¹⁰⁷

Helms proposed this as a rider to an appropriations bill. In a Senate and House Conference Committee, the prohibitions listed above were replaced by the *Miller v. California* obscenity test. The full and amusing story of how Jesse Helms lobbied for this

¹⁰⁷ Quoted in the introduction to Buchwalter (1992, 3).

amendment is told by Steven Dubin in *Arresting Images* (1992, 180-181). The original amendment as quoted above says nothing about composition or lighting; the language of formalism is nowhere to be found. This raises one of the interesting ironies in the story of Mapplethorpe's controversial photographs. After the trial, the language to which the art world turned in order to defend artists like Mapplethorpe is precisely the language that was first used to attack him. Helms's eye was on the content from day one, and in the end, so were the eyes of the art world.

The culture wars thesis suggests that these controversies and debates occur because the parties involved are operating with different scripts—the orthodoxy of the more traditional on the one side and the leftism of the more progressive on the other. As Hunter points out, the orthodox side views morality as fixed while the progressive side operates under moral relativism (Hunter 1991). The case of the culture wars of the arts that I have described herein indicates that while the differences in moral foundations may hold true, this fact does not preclude the discovery of shared terms for the discussion. The success of the public sphere as a democratic space mandates contesting viewpoints, but it also mandates that these viewpoints operate with the same scripts for the debate, the same guiding principles.

The fight over Mapplethorpe's photographs may have begun with two groups operating under incommensurable terms, but in the end they were both focused on content. This is due to a transformation of the aesthetics that guide the American art world. The conclusion then is that culture wars are actually processes through which contesting groups can find mutually agreeable terms for the debate. This does not, of

course, mean that Kobena Mercer and Jesse Helms have arrived at an agreement on Mapplethorpe. Far from it. However, they are at least operating under comparable assumptions about art—the assumption that content matters, for instance—which indicates that the end result of the culture war is better democracy. As Hunter says, “If any consensus is achievable, it could and should be first about *how* to contend over the moral differences that divide—a public agreement over *how* to publicly disagree” (Hunter 1991, 318; emphasis in original). The shift in debates about the arts towards a situation in which most parties concur that content matters can be read as a move towards consensus about how to disagree about art.

Guiding this analysis is a question about the role of symbolic goods like art within a democratic society. Can identity politics protect arts funding in the long term? This remains an unanswered question as post-culture-wars America continues to struggle with the issues of arts funding and arts education. However, new practices in the American art world, such as the growing community arts movement, suggest that democracy is still a vital pursuit of the arts and that the arts are still a critical goal for democratic institutions.

Conclusion

Democracy gives us a way to think about the arts wrested free from cultural capital and class reproduction. I have illustrated how the democratic approach might alter the way that we view the culture wars of the arts and the NEA at the close of the twentieth century. There are many other sites that we can now turn towards in order to see how democracy could transform—or perhaps, has already transformed—artistic practices. To begin with, community arts programs are surely worthy of our sociological attention. Programs like the Kentucky Theater Project in Louisville or the K.O.S. (Kids of Survival) in the Bronx are examples of democracy at work in significant arts programs.¹⁰⁸ Although many community art programs address hegemony and social change, consideration is also due to those groups who focus explicitly on counter-hegemonic artistic practices—groups such as ACT UP and Women Make Movies.¹⁰⁹ We need to examine how both of these types of groups effect democracy by providing a voice of resistance, by building political alliances, by bridging individual and group

¹⁰⁸ See <http://www.kytheater.org> for more information about the Kentucky Theater Project. The K.O.S. was founded by artist and educator Tim Rollins, as a result of his work with students who had been labeled as learning disabled by the school system. Rollins explicitly discusses democratic themes as the basis of his work, invoking Tocqueville, Whitman, and Dewey. See Paley (1994) for a discussion of Tim Rollins and the K.O.S.

¹⁰⁹ See <http://www.actupny.org/> for information about ACT UP and <http://www.wmm.com/> for more about Women Make Movies.

differences, and by fostering deliberation and debate about important social issues.

What do these processes look like in practice?

We need to direct our attention to commercial culture. Can commercial culture have positive democratic benefits, and if so, when and how? What are the greatest threats to the democratic possibilities of commercial culture? How is the transformative process of globalization influencing the democratic effects of entertainment and the media?

We should examine new practices by elite institutions, particularly their educational practices. Here, we may find surprising anti-elitist activities taking place as the elite arts are re-packaged and re-framed for broader, more diverse audiences. I spoke recently with a social worker in Ohio who runs a high school program for women who are pregnant or have recently given birth. She had approached a local orchestra and arranged to have her students participate in a weekly lunchtime symphony program that is otherwise attended by local business-persons and retirees. They even brought the musicians and directors to meet with the students in advance and discuss the music they would be hearing. A visiting musical theater director enjoyed meeting with the students so much that she wrote a piece for them to perform at one of these lunchtime sessions. These practices transformed the sessions from a largely elite event to one that was much more inclusive and much more dynamic.

Finally, we should look at how art functions in everyday life. The model analysis here is David Halle's *Inside Culture* (1993). But we need to look specifically at the relationship between artistic practices in everyday and artistic practices that are

institutionalized in civic associations. How does participation in arts organizations shape or re-shape everyday involvement in the arts?

Access and Excellence

Many arts organizations, including the NEA, have built democratic aims into their missions under the heading ‘access’. The goal is to broaden access to the arts through more careful attention to issues such as class, race, geographic location, gender, dis/ability, or educational background. But the goal of expanding access is generally wedded to a goal of ‘excellence’—funding only those projects that demonstrate quality and strong artistic merit. Excellence seems laudable enough, but can easily become a cloaked version of class-based elitism. What is at stake in the protection of excellence? The answer is unclear to me. Will good art disappear if the government funds some low-quality projects? And how is quality discerned? In NEA practice, that discernment is left to the review panels, with complete trust in their capacity to make the distinction. But there are no agreed-upon criteria for artistic quality. The emphasis on excellence embodies a fear that dates back to Tocqueville—the fear that quality can only be fostered by elite institutions and that the democratization of culture necessarily results in aesthetic impoverishment. There is a kind of colonialism in this fear, a notion that some narrow “we” must look after the best interests of the masses. I think we need to let go of that colonialism and of the fear it carries—we need to let go of excellence in our cultural policies, not because quality is an unworthy goal, but because quality does not need protections. Artists do in fact desire to produce excellent art, however they may make

that determination, and we can stop worrying that democracy will lead to the production of 'junky' art.

Censorship vs. Cultural Studies

There is much in art that is troublesome, and hopefully there always will be. In my case studies, the common response to troublesome art was generally censorship, or at least, some form of censure. As I said though, censorship closes a conversation; it deals with the problematic by leaning away from, rather than leaning into, the problem areas. The censorship impulse, to its credit, recognizes that art is indeed very powerful and potentially dangerous. It really can change people and possibly even transform societies. But, of course, censorship is hopelessly anti-democratic.

This research has given me new reason to appreciate cultural studies. This is not a cultural studies project, nor did I study cultural studies in the course of my analysis. But I have come to realize that cultural studies provides a way to address what is problematic about the arts without resorting cowardly to censorship. I think for instance of Sut Jhally's documentary *Dreamworlds II* (1995), which examined portrayals of women's sexuality in music videos. The documentary suggests a strong link between the images that we see in these videos and the prevalence of violence against women in American society. In response to this terrifying finding, Jhally specifically recommends against censorship. The problem, he suggests, is that censorship is already in effect; not government censorship, but corporate censorship, where a narrow perception of what is marketable prevails and alternative representations of sexuality are excluded. The solution is to end this corporate censorship and fight for a more diverse array of

representations. Cultural studies, as a method of interpretation, gives Jhally and others a way of leaning into problematic culture through discourse and debate, rather than shying away from it.

Contributions to Democratic Theory and the Sociology of Culture

Applying the link between democracy and association to the field of the arts gives us a new way to think about the dynamics of democratic political institutions. It gives us reason to value symbolic goods such as the arts for their role in improving these institutions and attaining democratic effects throughout society. Generally, audits of these institutions focus on economic efficiency and programmatic success. The aesthetic dimension is never considered. For instance, our government debates endlessly about how to ensure fair elections, but does little to encourage actual voting. Perhaps attention to the symbolic level might give citizens a stronger sense that their vote could actually matter.

Democracy also gives us a new way to recognize the potency of the arts. The sociology of culture has emphasized the power of art as a mechanism of class reproduction and as a tool of hegemony. Democracy lets us acknowledge art's power to effect social change, to bridge class differences, to promote radical politics, and to resist hegemonic power relations. Once that realization is made, we then have cause to think differently about our examinations of the arts and to make more careful distinctions about the kind of artistic practices we are studying—distinctions between the elite arts, community arts, and counter-hegemonic arts, for instance.

I have chosen to avoid making specific cultural policy recommendations. It is easy enough to say the arts deserve more funding, but democracy will not produce a mathematical equation that will tell us exactly how much funding they deserve or require. The more that I have studied the development of cultural policy, the more sure I am that academics cannot suggest policy as such. Academic research is rarely reducible to election year sound bites—my research nearly spanned the length of a presidential term. But academic research can influence broad public discussion about important social issues. So the biggest policy implication of my work is to offer democracy as a framework for a public philosophy of the arts. Such a philosophy should guide and shape policy decisions from funding to regulation.

There is a famed adage regarding post-Revolutionary American hopes that art might one day hold a valued place in American culture. It was written by John Adams in a letter to his wife Abigail, on May 12th, 1780:

I must study politics and war that my sons may have liberty to study mathematics and philosophy. My sons ought to study mathematics and philosophy, geography, natural history, naval architecture, navigation, commerce, and agriculture, in order to give their children a right to study painting, poetry, music, architecture, statuary, tapestry, and porcelain.¹¹⁰

American history has proven this equation false, as Maya Angelou knew when she said in verse, “Yet today I call you to my riverside, If you will study war no more” (Angelou

¹¹⁰ Quoted in Cummings (1994, 28).

1993). The study of war leads to more war and more study of war. If our end goal—our utopian vision, as it were—is the study of the arts, then we should study the arts, not war.

According to the website of the National Science Foundation, their budget request for 2005 is \$5.745 billion.¹¹¹ I suspect that one of the reasons the NSF is highly prized by the federal government is that science makes enormous contributions to the study of war. Meanwhile, artists are practically dancing in the streets because the NEA budget is finally exceeding \$120 million. We are not yet studying the arts. We are studying war. When an artist creates a work of art, she not only makes a product that exists within the world, she makes a world itself. Our dream of democracy needs those worlds more than ever.

¹¹¹ <http://www.nsf.gov/>.

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APPENDICES

Appendix 1: Legislation Creating the National Foundation on the Arts and

Humanities (NFAH)

Title 20, Chapter 26, Subchapter I, Sec. 951, Declaration of findings and purposes.

The Congress finds and declares the following:

- (1) The arts and the humanities belong to all the people of the United States.
- (2) The encouragement and support of national progress and scholarship in the humanities and the arts, while primarily a matter for private and local initiative, are also appropriate matters of concern to the Federal Government.
- (3) An advanced civilization must not limit its efforts to science and technology alone, but must give full value and support to the other great branches of scholarly and cultural activity in order to achieve a better understanding of the past, a better analysis of the present, and a better view of the future.
- (4) Democracy demands wisdom and vision in its citizens. It must therefore foster and support a form of education, and access to the arts and the humanities, designed to make people of all backgrounds and wherever located masters of their technology and not its unthinking servants.
- (5) It is necessary and appropriate for the Federal Government to complement, assist, and add to programs for the advancement of the humanities and the arts by local, State, regional, and private agencies and their organizations. In doing so, the Government must be sensitive to the nature of public sponsorship. Public funding of the arts and humanities

is subject to the conditions that traditionally govern the use of public money. Such funding should contribute to public support and confidence in the use of taxpayer funds. Public funds provided by the Federal Government must ultimately serve public purposes the Congress defines.

(6) The arts and the humanities reflect the high place accorded by the American people to the nation's rich cultural heritage and to the fostering of mutual respect for the diverse beliefs and values of all persons and groups.

(7) The practice of art and the study of the humanities require constant dedication and devotion. While no government can call a great artist or scholar into existence, it is necessary and appropriate for the Federal Government to help create and sustain not only a climate encouraging freedom of thought, imagination, and inquiry but also the material conditions facilitating the release of this creative talent.

(8) The world leadership which has come to the United States cannot rest solely upon superior power, wealth, and technology, but must be solidly founded upon worldwide respect and admiration for the Nation's high qualities as a leader in the realm of ideas and of the spirit.

(9) Americans should receive in school, background and preparation in the arts and humanities to enable them to recognize and appreciate the aesthetic dimensions of our lives, the diversity of excellence that comprises our cultural heritage, and artistic and scholarly expression.

(10) It is vital to a democracy to honor and preserve its multicultural artistic heritage as well as support new ideas, and therefore it is essential to provide financial assistance to its artists and the organizations that support their work.

(11) To fulfill its educational mission, achieve an orderly continuation of free society, and provide models of excellence to the American people, the Federal Government must transmit the achievement and values of civilization from the past via the present to the future, and make widely available the greatest achievements of art.

(12) In order to implement these findings and purposes, it is desirable to establish a National Foundation on the Arts and the Humanities

**Appendix 2: Specifying and comparing democratic effects, for all variations of
the constitutive goods of association.**

<i>Type of Good</i>						
<i>Democratic effects</i>	Status	Exclusive Identity	Inclusive Social	Interpersonal Identity	Individual Material	Public Material
Developmental						
Efficacy/information	X	X	X	X	X	X
Political skills	X	X	--	--	X	X
Deliberative skills	--	--	--	--	--	X
Civic virtues	--	--	X	X	--	X
Public Sphere						
Public deliberation	--	X	X	--	--	X
Representing commonalities	--	--	X	--	--	X
Representing differences	--	X	--	--	--	--
Institutional						
Subsidiarity	--	--	--	--	--	X
Coordination/cooperation	--	--	X	--	X	X
Resistance	--	X	--	X	X	--
Representation	--	X	--	--	X	X
Legitimation	--	--	X	--	--	X

Source: Warren 2002, 133.

Appendix 3: The seven photographs that were prosecuted and acquitted on obscenity charges in Cincinnati in 1990.

- *Jim and Tom, Sausalito* (1977), from the *X-Portfolio*. Depicts one man urinating into the mouth of another man. The man who is urinating is shirtless, with leather pants and a leather facemask.
- *John* (1978), from the *X-Portfolio*. Depicts a man inserting a large object into his own anus.
- *Helmut and Brooks, NYC* (1978), from the *X-Portfolio*. Depicts a man inserting his fist into the anus of another man.
- *Self-Portrait* (1978), from the *X-Portfolio*. Depicts Robert Mapplethorpe with the handle of a bullwhip inserted into his own anus.
- *Lou* (1978), from the *X-Portfolio*. Depicts a man with his pinkie finger inserted into the opening of his penis.
- *Jesse* (1976). Depicts a naked boy seated on the back of chair.
- *Honey* (1976). Depicts a girl wearing a dress and seated with her legs open such that her genitals are exposed.

I have attempted to describe these photographs from a neutral perspective. However, every reading of an image involves some level of interpretation. Certainly other details about the photographs could have been listed here. For the sake of brevity, I have emphasized the content that seems most relevant to the events described in this study.