

State as Arts Benefactor

1

National Endowment for the Arts

- ✧ Established in 1965 to support the arts and artists.
- ✧ Initial objections: danger of power of the state to control culture and the development of art by financial means.
- ✧ Early modern artists had fought for freedom from their earlier role as “image-makers” for monarchs, cities, and kingdoms.

2

National Endowment for the Arts

- ✧ To some, this seemed like step backward in time to patronage.
- ✧ Modern art owes much of its success to art dealers, who connect artist with collectors and the public.
- ✧ NEA developed a grant system that, unlike patronage systems of the past, allowed artists to keep and sell the work.

3

National Endowment for the Arts

- ✧ NEA now supports arts organizations, not individual artists.
- ✧ Arts organizations, in turn, support production of art at local level.
- ✧ Controversy is continuing about NEA — conservative forces still complain about content of art created through NEA funds.

4

NEA Art in Public Places Program

- ✧ Works of art, usually sculptures, are funded for public spaces.
- ✧ NEA pays 50%; 50% matching funds required of local government.
- ✧ First sculpture: *La Grand Vitesse* in Grand Rapids, Michigan.

5

La Grand Vitesse, Alexander Calder, Grand Rapids, MI, 1969.



La Grand Vitesse

- ✧ Sculpture was commissioned for Vandenberg Plaza, the center of an urban renewal program.
- ✧ Calder selected for the commission.
- ✧ First public response: distress that the public would have no say in the design.

7

La Grand Vitesse

- ✧ Objections to the work:
 - ✦ Calder is associated with France, not U.S.
 - ✦ Sculpture is unpatriotic, undemocratic, and does not represent the "Midwest values" of Grand Rapids.
 - ✦ Wanted a heroic statue instead, perhaps of Senator Arthur Vandenberg, after whom the plaza was named.
 - ✦ Abstract character of work widely ridiculed.

8

La Grand Vitesse

- ✧ In defense of the project, the arts community argued that the sculpture would elevate art appreciation and change the nature of cultural activity.
- ✧ 1969, when dedicated: negatives outweighed positive responses.
- ✧ By 1973, though, the positive responses dominated. The image was adopted as the city's official symbol, and arts festivals and events held in the plaza.
- ✧ Bottom line: sculpture sparked cultural growth, just as it was hoped to do.

9

Shoot Out at UC Denver

- ❖ Sculptor Red Grooms created a painted steel sculpture titled *Shoot Out* for the University of Colorado, Denver campus in 1983.
- ❖ The sculpture was commissioned by an oilman, Donald F. Todd, and depicted a crouching Indian firing arrows at a cowboy.

10

Shoot Out, Red Grooms



Shoot Out

- ❖ The original location was at the entrance to the campus, but the massive size of the work (weighs 3,000 pounds) created problems.
- ❖ Moved to a location in the center of the main traffic island leading into campus.
- ❖ Many more students and faculty saw the sculpture in its new, more prominent location.

12

Shoot Out

- ❖ Students, faculty, and Native American groups complained about the work:
 - ✦ Was considered “ugly,”
 - ✦ Was an insensitive and insulting depiction of American Indians, and
 - ✦ Trivialized violence.
- ❖ Univ Colorado Board of Trustees asked that it be removed.

13

Shoot Out

- ❖ The Denver Art Museum placed it in a garden area for a time, but it went into storage for many years.
- ❖ In the spring of 2006, it was once again placed on display in a rooftop garden terrace.

14

San Francisco - Moscone Center Public Art

- ❖ Mayor George Moscone and Supervisor Harvey Milk were shot in November 1978 by Supervisor Dan White with a Smith & Wesson revolver. Dan White was acquitted of the murders, saying his thinking was impaired by his “Twinkie” addiction.
- ❖ Upon the opening of SF’s new convention center, Moscone Center, a memorial for George Moscone was commissioned; Robert Arneson was chosen to do the memorial.

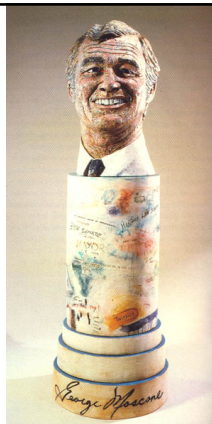
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Moscone Center

- ✧ Arneson made a larger than life ceramic bust on a pedestal.
- ✧ The pedestal was the controversial part: included biographical material, but also included the imprint of a Smith & Wesson gun, bullet holes, bloodlike spatters, the words "Bang, Bang, Bang," and the inscription "Twinkie" in a yellow patch.

16

*Portrait of
George,
Robert
Arneson,
1981*



Portrait of George

- ✧ At the dedication, the bust was exhibited with the pedestal draped, at the direction of Mayor Diane Feinstein (whose political ambitions were noted on the pedestal).
- ✧ Moscone's widow was also offended by the pedestal.

18

Portrait of George

- ✧ The SF Arts Commission rejected the piece by a 7-3 vote, and the bust was sold to an art dealer.
- ✧ The bust was hailed as Arneson's "finest work," and toured widely. It was also displayed for a time at the San Francisco Art Commission's own gallery. It now is at the Phoenix Art Museum.
- ✧ Is it a conflict for the SF Art Commission to reject it as public sculpture and then display it in its gallery?

19

National Endowment for the Arts

- ✧ The NEA made grants to artists and arts organizations until 1990, when its mission was changed to fund only arts organizations.
- ✧ Controversy erupted in 1989 over several projects funded by NEA.
- ✧ The controversies created a firestorm of protest against "immoral" art that is still not over.

20

NEA

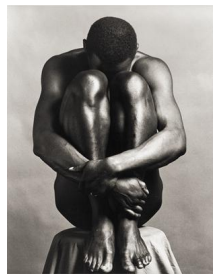
- ✧ Controversies in 1989 centered around:
 - ✦ Andres Serrano, *Piss Christ*
 - ✦ Robert Mapplethorpe's homoerotic photographs and "sexualized" images of children, and
 - ✦ David Wojnarowicz's *Tongues of Flame* series.

21

Piss Christ, Andres Serrano, 1988



Ajito 1981, Robert Mapplethorpe



Tongues of Flame series, David Wojnarowicz, 1989



NEA

- ✧ After learning about these controversial exhibits, Jesse Helms began a crusade to control (or eliminate) the NEA.
- ✧ In 1990, Congress passed an amendment requiring the NEA to consider “general standards of decency and respect for the diverse beliefs and values of the American public” in the grant-making process.

25

NEA

- ✧ This amendment was challenged by four artists on the grounds that it was an impermissible content restriction and viewpoint discrimination in federal support for the arts. The District Court agreed.
- ✧ The case came to the Supreme Court as *National Endowment for the Arts v. Finley* in 1998.

26

NEA v. Finley

- ✧ Justice Sandra Day O'Connor wrote the majority opinion for the court. Antonin Scalia concurred in the result (but took another approach and treated the majority opinion acerbically).
- ✧ O'Connor noted that the NEA has distributed over 3 billion dollars since 1965. In 1998, Congress restricted grants to organizations and state arts agencies, rather than individual artists.

27

NEA v. Finley

- ✧ Only a handful of awards have been controversial over the entire history of the NEA program.
- ✧ Mapplethorpe's *The Perfect Moment* exhibit (\$30,000) and Serrano's *Piss Christ* (\$15,000) mentioned as examples of controversial works.
- ✧ Congress also passed a regulation in 1990 forbidding support of work that depicts homoeroticism, sadomasochism, sexual exploitation of children, or individuals engaged in sexual acts.

28

NEA v. Finley

- ✧ The NEA acted on Congress's mandate by requiring certification by grantees that they would comply with the restrictions. That certification process was subsequently invalidated by court decision.

29

NEA v. Finley

- ✧ The amendment requiring the NEA to observe "general standards of decency and respect for the diverse beliefs and values of the American public" was enacted after the certification process failed, as, in effect, a way to prevent use of funds for those purposes.

30

NEA v. Finley

- ✧ The NEA responded to that amendment by diversifying its panel of arts experts in the grant-making process, arguing that it thereby satisfies the requirement to consider and respect those beliefs and values.
- ✧ The 4 artists challenge the law, arguing that it is a content restriction that violates the First Amendment.

31

NEA v. Finley

- ✧ O'Connor concluded that this is not a violation of the First Amendment because it is not actually censorship of any particular idea or expression. It is merely a statement of principle about the process for considering the merits of proposals.

32

NEA v. Finley

- ✧ The main job of NEA is to determine “artistic excellence” among the numerous proposals for artistic activities; these criteria are merely one way of judging those, and this is permissible.
- ✧ A large number of “artistically excellent” projects must be rejected, all of which would be protected expression under the First Amendment. The competitive nature of the process means that all desired expression is not funded.

33

NEA v. Finley

◇ Scalia's concurrence:

✦ He agrees that the law is valid, but says a couple of startling things:

⌘ The NEA's response to the law is "laughable" in thinking it can comply simply by diversifying its panels.

⌘ The law requires restrictions according to those standards, and the NEA should be doing so.

34

NEA v. Finley

◇ Scalia's concurrence:

✦ The First Amendment is not violated by the restrictions. Artists are free to create whatever they want; taxpayers simply do not need to pay for it!

35

Funding for Controversial Ideas

◇ Jesse Helms continued to attack the NEA and to advocate restrictions on the arts and artists until he retired from the Senate.

◇ He is known as the person who did the more damage during his Congressional career to artists, the arts, and freedom of expression than anyone else in government.

36

NEA

✧ NEA funding has fluctuated since the *Finley* decision, but has not taken the same magnitude of hits that were experienced during the Helms attacks. Funding patterns:

- ✦ 1994: \$152.5 million
- ✦ 1995: \$99.5 million
- ✦ 2002: \$115 million
- ✦ 2004: \$139.2 million
- ✦ 2006: \$121 million
- ✦ 2007: \$125 million
- ✦ 2008: \$144.4 million

37

NEA: 2009

- ✧ The NEA budget for 2009 was \$155 million.
- ✧ In addition, the “Arts and American Recovery and Reinvestment Act of 2009” designated another \$50 million to the arts.
- ✧ 40% to state arts agencies
- ✧ 60% to nonprofit arts agencies through competitive grants
- ✧ Grants intended to support employment in arts, including salaries and contracts for positions that are crucial to the organizations’ artistic missions.

38

NEA: 2011

- ✧ NEA is once again under attack
- ✧ Republicans have proposed total elimination
- ✧ Obama budget proposal cuts funding from \$168 million in 2011 to \$146 million in 2012.
- ✧ Some things never change

39
