

The NEA 4

Martha Wilson, July, 1998

NEA FUNDING AND FRANKLIN FURNACE

The year was 1989 when Karen Finley, Holly Hughes, John Fleck and Tim Miller's Fellowship applications were brought up before the National Council, the body of Presidential appointees which oversees the grants made by the National Endowment for the Arts. Segments of tapes of performances were shown. Someone said it was "politically impossible" to award grants to these artists, all of whom take sexuality as one of their subjects. The artists, with the assistance of the National Campaign for Freedom of Expression, joined by the National Association of Artists' Organizations and numerous other groups such as The New School and the Rockefeller Foundation, argued successfully that their grants could not be rescinded just because they were politically unpopular. The grants were eventually restored.

The next year, 1990, Highways and Franklin Furnace's applications were singled out. Sexually explicit work was shown to members of the National Council. But this time, the Council members had figured out to say the work had "no artistic merit." Consequently there was no basis for a lawsuit.

The June 25, 1998 decision by the Supreme Court refers to grant language that upholds a "decency test" for awarding federal arts grants. The Court, in an 8 to 1 ruling, upheld the law put in place by Jesse Helms in 1990 which requires the National Endowment for the Arts to consider decency standards when deciding which artists should get grant money: "(A)rtistic excellence and artistic merit are the criteria by which applications are judged, taking into consideration general standards of decency and respect of the diverse beliefs and values of the American public."

I believe the net effect of this law will be that artists will continue to take sexuality as their subject (as they have been doing for 30,000 years) but many presenting organizations will become frightened off by controversial content. Sigh.