

FREEZING "THE PERFECT MOMENT"

by

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Abstract

This study examines a body of literature which was generated by controversy. The controversy stems from the 1988-1990 exhibition of Robert Mapplethorpe's retrospective, "The Perfect Moment." Due to the sexual nature of the show's contents, guidelines for the National Endowment for the Arts were revised, one gallery cancelled plans to exhibit the retrospective, and another gallery was taken to court. The controversy generated extensive debate on the status of Mapplethorpe's work as art and as pornography, and on the rights of institutions to show sexual imagery and obtain federal funding.

A meta-analysis of the literature on the controversy was carried out, focusing on articles published in five American art journals and one newspaper. This material was studied in order to determine the issues deemed important in the debate, the various ways these issues were debated by factions involved, and the significance of these issues within the controversy. Additional materials were incorporated to examine the history of controversy over sexual art, the type of sexuality shown in Mapplethorpe's work, feminist arguments for and against pornography, and relevant obscenity laws.

The study shows that Mapplethorpe's work was defended as art based on "expert" conceptions of art and legitimating art contexts. It states that the work's "pornographic" content functions to emulate and transgress social structures. Negative reactions to the photographs' sexual content are discussed in terms of anti-pornography feminist associations of pornography with violence. Discomfort with various aspects of sexuality is also attributed to the particular nature of this debate. The hosting museums and the funding agency are

described as having been targets of censorship, their own responsibilities to represent and challenge the status quo made problematic by the changing nature of their communities over the course of the debate.

The study concludes with suggestions to museum educators. They point to the need to educate on sexual imagery's various aspects: artistic qualities, the sexuality portrayed, arguments for and against the portrayal of sexuality, and the laws relevant to its exposure. Public debate and counterspeech are encouraged. And programming involving the help of artistic, legal, and sexual experts is strongly advised.

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Dedication

To Regan, a radical mind, an enveloping heart, a sexual outlaw, an artist of desire.

Chapter One

The Path of "The Perfect Moment," the Study, and a History of Controversy

"Robert Mapplethorpe: The Perfect Moment"

Of the Robert Mapplethorpe retrospective "The Perfect Moment," New York Times arts reporter Grace Glueck gives the following description:

The Mapplethorpe show is a retrospective of the artist's work that contains images depicting homosexual and heterosexual erotic acts and explicit sado-masochistic practices in which black and white, naked or leather clad men and women assume erotic poses. Along with these photographs are fashionable portraits of the rich and trendy, elegant floral arrangements and naked children — images that might not necessarily be considered indecent if viewed singly but that in this context seem provocative. (Signs accompanying the show on its tour suggested that it might be unsuitable for children.) (Glueck, 1989, p. H1)

The show was organized in 1988 by Janet Kardon, at Philadelphia's Institute of Contemporary Art, with the help of the artist shortly before his death of AIDS-related complications that same year. It covered a career barely exceeding two decades, during which time Mapplethorpe rose from "avant-garde punk" status to the art world's highly successful "bad boy," but according to Dubin (1992), by the late 1980s Mapplethorpe had lost the power to shock most members of the art world (pp. 171-2).

"The Perfect Moment" was funded in part by a \$30,000 grant from the National Endowment for the Arts, and it was scheduled to tour seven cities. At the first two galleries, Philadelphia's Institute of Contemporary Art and the Museum of Contemporary Art in Chicago, the show generated discussion but positive reviews overall. It was on June 13, 1989, when the Corcoran Gallery of Art in Washington, DC announced last minute

cancellation of the show (scheduled to open July 1) that controversy flared. Governmental debate over the show had begun several months earlier, when Senators Helms and Alfonse D'Amato (R-N.Y.) denounced representations they saw as "shocking, abhorrent and undeserving" of federal support. Specifically, these representations were Andres Serrano's Piss Christ (1987), a Cibachrome print of a wood-and-plastic crucifix submerged in the artist's urine, and Mapplethorpe's sadomasochistic images from his "X Portfolio."¹ Helms undertook a process of proposing several measures that summer of 1989 to restrict National Endowment for the Arts funding policies. Thus in the minds of those both supporting and opposed to the show, gallery director Christina Orr-Cahall bowed to the intimidation tactics of the senator.

Protest against the Corcoran was strong. Anti-censorship demonstrations were held, one of which included the projection of Mapplethorpe's work onto the *outside* of the building. Ten percent of gallery members cancelled, major bequests to the gallery were withheld, artists withdrew upcoming shows, staff members integral to the gallery quit, and Orr-Cahall submitted her resignation that December. Local alternative space Washington Project for the Arts announced plans to take the Mapplethorpe show from July 20-August 13.

The Washington Post and Times and the New York Times played hosts to public and professional opinions on the issue. The most prominent of these came from cultural conservative Hilton Kramer, former art critic of the New York Times and then editor of

¹The photos had been brought to the senators' attention by the Tupelo, Mississippi-based American Family Association and its director, United Methodist minister Rev. Donald Wildmon, who is opposed to "immoral, anti-Christian" images (Vance, 1989, p. 39).

The New Criterion; his New York Times article, titled "Is Art Above the Laws of Decency?" voiced support of the Corcoran decision and Kramer's sincere offense to the Mapplethorpe images. Reactions against this piece from the art world were almost as vehement as those against Orr-Cahall's decision; both were perceived as a form of betrayal, dissent amongst the ranks.

The summer of 1989 was a delicate time for the NEA: The White House was seeking a replacement for former NEA chair Frank Hodsoll (1981-1989), relying on the temporary leadership of deputy chair Hugh Southern; and with the 1990 budget under review on Capitol Hill, Congress was to begin the NEA's reauthorization process, a review which takes place every five years (Kastor, 1989a, p. C3). It was the first time in the then nearly 25 year history of the NEA that the US Congress would propose legislation to restrict the type of art funded with taxpayers' money. The 1965 law that created the NEA and the National Endowment for the Humanities specifically prohibited political interference with the *content* of subsidized work.

In July, President George Bush announced the nomination of Oregon lawyer John E. Frohnmayer as head of the NEA. The House approved an amendment to the NEA's \$171.4-million appropriations bill calling for a \$45,000 cut to the following year's budget, the exact amount allocated for the Serrano (\$15,000) and Mapplethorpe (\$30,000) projects; and the Senate Appropriations Committee proposed to ban all NEA funding for five years to the two cultural institutions whose exhibitions included the Mapplethorpe and Serrano images — Philadelphia's Institute of Contemporary Art (ICA) and Winston-Salem's Southeastern Center for Contemporary Art (SECCA), respectively.

On July 26, 1989, Jesse Helms introduced what has become known as the "Helms Amendment" to the \$10.9-billion Interior Department appropriations bill, banning the NEA and the National Endowment for the Humanities from supporting:

obscene or indecent materials including but not limited to depictions of sado-masochism, homo-eroticism, the exploitation of children, or individuals engaged in sex acts; or material which denigrates the objects or beliefs of the adherents of a particular religion or non-religion; or 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. ("Congress votes for new censorship," 1989, p. 33)

This was passed in the Senate, and went on to House hearings. Congress rejected the Helms amendment on September 29, and on October 7 adopted a compromise measure engineered by House Representative Sidney Yates (D-Ill.), a long-time arts advocate. This measure omits the references to art that is "indecent," or that which "denigrates" certain groups of society, but it retains the first clause of the original, the ban on federal funding of "obscene" art. The bill also dropped the five year ban on federal funding to the ICA and SECCA (but put them on probation for one year), retained the \$45,000 cut, and allocated \$250,000 of the NEA's \$171-million 1990 budget for a 12-member commission to review NEA standards and funding procedures, a proposal originally made by Helms. Moreover, in November, 1989, the NEA required all grant recipients to sign a pledge that they "will not use grant funds to promote, disseminate or produce materials that are 'obscene' under the well-settled legal definition employed by the supreme court" (Robinson, 1990b, p. 61). That violation of this prohibition would result in an NEA recall of the grant, not to mention potential obscenity convictions, set up a rather formal invitation to self-censorship.

During the fall of 1989 and winter of 1990, the Mapplethorpe exhibit was shown at the University Art Museum in Berkeley, California and at the Wadsworth Atheneum in Hartford, Connecticut, both of which were well-prepared; separate galleries and admission charges, age restrictions, warning labels and educational forums explaining the work and the reasons for sponsoring and showing the exhibit ensured record-high attendance levels and a brief respite from controversy.

Similar measures did not prove effective for the Cincinnati Arts Center, however. Those writing about the Mapplethorpe exhibit are quick to point out that Cincinnati is unique in its location as headquarters of the National Coalition Against Pornography, its enforcement of strict anti-pornography laws, and its sizable number of "community standards" organizations (Cembalest, 1990, pp. 137-138; Wilkerson, 1990a, p. A21). Upon receiving threatening phone calls from such organizations, in particular from the Cincinnati-based Citizens for Community Values, CAC director Dennis Barrie tried to avert the possibility of state obscenity charges before the show's opening, requesting that a jury examine the seven images (two of children and five of sadomasochistic practices) that had become the focus of controversy. The request was denied. The show opened on April 7, 1990, with announcements that "sexually explicit" photos would be shown in a separate room with its own warning sign, and that visitors under 18 would not be permitted to enter without an adult. Financial support for the show was obtained without federal support, entirely from local business and raised admission charges.

That same day police cleared the packed gallery to videotape the show, and for the first time in American history an art museum and its director were charged on the basis of

an exhibition's content. Barrie and the CAC were charged by a nine-member grand jury with two misdemeanour counts: the pandering of obscenity, and the use of a child in nudity-related material (illegal in the state of Ohio unless parents have approved). If convicted of all charges the museum would be fined \$10,000, and Barrie fined \$2,000 and sentenced to one year in jail. Both pleaded not guilty. Cincinnati police chief Lawrence Whalen announced that if the courts found the photographs obscene, they would be seized and destroyed. But the following day, federal judge Carl B. Rubin ruled that local police could not further interfere with the exhibition, and the show remained open to the public.

Echoing events in Washington, the art world's protests were strong, particularly since many were confident the compromise between Helms and the NEA had satisfied already-existing laws. Unlike circumstances at the Corcoran, whereby an art world "insider" was seen as a censor, in this case the enemy was from the outside, and battle lines were more easily drawn. "It could have been any of us," voiced by one museum director over the CAC bust, had more powerful resonance when the issue was the fears of the state rather than fears from within the art world ("Going to bat for Barrie," 1990, p. 47).

The case was heard beginning on September 28, 1990, before a local grand jury at the Cincinnati Municipal court, and centred exclusively on the artistic merit of seven of the 175 images in the show.² This was decided by Judge F. David J. Albanese in an earlier evidentiary hearing, enabling prosecutors to avoid the much more difficult task of proving that the *entire show* lacked merit. It was also ruled in that pretrial hearing that the fifty

²Jurors were shown only those seven images, in the form of "fuzzy" 8x10 reproductions. The copied images showing adults were larger than those in the exhibition; the copies of the two children were smaller than the originals.

year-old, non-profit arts centre was an art gallery, not a museum, and thus was entitled to lesser protections under the law.

The case was an exercise in rudimentary museum education. The jurors were "generally non-museumgoers" (Dubin, 1990, p. 187). The prosecution, represented by Frank H. Prouty, heard three police officers and Judith Reisman, a paid researcher for the American Family Association, who stated that the photos by speaking for themselves proved their obscenity. And H. Louis Sirkin (defending Barrie) and Marc D. Mezibov (defending the CAC) presented eight "unintimidating" art professionals on the artistic (read formal) merits of the works, the First Amendment rights of the artist and the museum, and the permission granted by the parents of the two children photographed (Cembalest, 1990, p. 139). At the end of the ten day trial, and after two and-a-half hours of deliberation, the jurors decided that the children were not photographed illegally, and that to the "average person" the images of sexual conduct possessed serious artistic value, thereby clearing the Miller v. California test of obscenity and regaining First Amendment protection. The show went on to Boston, its final destination, and logistical strategies as well as the support of neighbourhood solidarity shows and local television reports facilitated a quiet end to a long and difficult tour.

While the court case in Cincinnati dwelled on the status of the seven photographs as art, the wider controversy also focused on the public money required to show the images. The value of the NEA grant originally awarded for the Mapplethorpe show was \$30,000. The public funds invested in trying the Contemporary Arts Center are more difficult to assess; those in a position to tally and publicize them would have to account for the benefit

to taxpayers of running a series of photographs through the legal system (over and above trial by exposure in a gallery), and thus have been reluctant to come forward. Perhaps the costs accrued by the prosecution are on a par with those incurred by the defense (the CAC): \$350,000 in legal fees, and approximately \$175,000 in corporate and private donations lost over the controversy. In the end, however, the broader implications of the controversy were largely lost on most of its participants. The terms of this debate were stated as artistic and monetary; that it took place at all was due to negative reactions to the *sexuality* shown in the funded images. Mapplethorpe's work showed the practices of a sexual subculture which is largely misunderstood by an ill-informed public; no one in the debate took on the role of educator on the meanings of sadomasochism and the rights of its practitioners to be tolerated in society. The images were defended and shown, but a clarification of what they were depicting was left untouched.

The ban on "obscene" art and the no-obscenity pledge were dropped in the NEA five-year reauthorization bill passed in September, 1990. Again, compromises were made to deal with controversial artworks: reviewers were instructed to consider "general standards of decency and respect for the diverse beliefs and values of the American public"; grant recipients were required to repay NEA funds if convicted of obscenity charges; and the weight of decision making over awards shifted from peer panels to the NEA chair, John Frohnmayer. Both artists and NEA critics disapproved of the reforms. Members of the art world called the changes "unacceptable, reprehensible and insidious" (Robinson, 1990c, p. 37). Senator Jesse Helms and Rev. Donald Wildmon condemned them as "ineffective" ("Congress reshapes NEA," 1990, p. 37).

The Study

The need to openly discuss challenging imagery, as well as methods for doing so in an art educational setting, has been examined by numerous writers in art and museum education. While these methods can and should be applied to Mapplethorpe's photographs, what is unusual about this controversy of 1989 and 1990 and what is of notable interest to this museum educator is the way the discussion took shape of its own accord, fuelled by the understandings of art, sexual imagery, and the First Amendment held by artists, curators, art critics, reporters, lawyers, politicians, and the "average person." Debate in an educational setting is somewhat controlled, the educator an aid in facilitating discussion, mediating between parties, raising new questions, and making meaning of concepts and ideas raised. It is of value to observe a debate such as that over "The Perfect Moment" in an uncontrolled setting, the various roles adopted by the participants themselves, in order to gain understandings on the relevant questions and issues which were discussed as well as those that were avoided. Such understandings may then be incorporated into practice, the educator better informed on how to be of most assistance to learners confronting similar imagery.

Rather than an examination of Mapplethorpe's work, what is undertaken in this study is an examination of the talk **about** Mapplethorpe's work and the controversy it generated. Such an approach is known as critical meta-analysis, defined by social researcher G.V. Glass as "analysis of analyses" (1976, p. 3). The study is an interpretive overview of a collection of interpretations. The research was driven by three questions: *What issues were deemed important in the debate? How were these issues debated by various factions involved? And*

What is the significance of these issues within the controversy? Thematic answers to these three questions form the central chapters of the thesis. These chapters are framed by this introductory chapter on the historical events of the show, the nature of this study, and a history of controversy over sexual art, by a concluding chapter summarizing the study, and by an appendix addressing implications for museum educators who work with sexual imagery. The three chapters examine the arguments for and against Mapplethorpe's work as art, the arguments for and against his work as pornography, and the arguments for and against his work being shown to the public, in public museums, funded by a national arts funding agency. They also discuss why these three sets of arguments took place, in relation to each other and with respect to other possible points that could have been made.

The literature surveyed was that generated by and dealing with the Mapplethorpe controversy, taken as a whole, from the announcement of the show's cancellation at the Corcoran Gallery on June 12, 1989 through to discussions of the October, 1990 jury verdict. Specifically, this researcher examined the 1989, 1990 and 1991 issues of five significant American art journals: Art in America, Art Journal, Artforum, ARTnews, and The New Art Examiner. These publications voiced the concerns and interpretations of members of the art world and their reading public. Added to these accounts were articles by art critics and journalists, as well as letters to the editors of the New York Times. This newspaper was surveyed between the months of June, July and August of 1989 (timed with the Corcoran cancellation and congressional debate over the NEA); March and April, 1990 (the preparation for and exhibition of "The Perfect Moment" in Cincinnati, with attendant arrests); and September and October, 1990 (the Cincinnati trial). Collectively, these writers

and the individuals they quote amount to approximately two hundred interpretations of various aspects of the controversy; it clearly touched on issues about which many people have strong opinions.

The primary focus of the study was to look at the ways members of the art world (artists, critics, historians, museum and gallery workers, and arts administrators) as well as individuals on the "outside" of this realm (members of the viewing, taxpaying public and their political representatives) shaped and interpreted the controversy by their words and actions. As such, the study has made reference to sources other than those listed above only for specific reasons: to describe the attention paid to sexual imagery within the field of art education; to document a history of controversy over sexual imagery in which to place events surrounding the Mapplethorpe exhibition; and to provide pragmatic insights into arguments about Mapplethorpe's work which the art world and the public did not fully examine in the publications studied (the sexuality portrayed in the photographs, and the laws pertinent to showing and censoring the images).

The first section of this chapter tells the chronological story of the events between June, 1989 and October, 1990. The study retells that story according to the issues that were raised by the controversy. Chapter two examines the talk about Mapplethorpe's work as art: its status as art, physical and conceptual contexts that make it artistic, its role in relation to society, its affective qualities, its formal qualities, and the general interests of its defendants. Chapter three looks at the talk about Mapplethorpe's photographs as pornography. It examines the labels used to identify their subject matter and the relationship between those labels. It describes the influence of anti-pornography feminism on interpretations of subject

matter, and the role of these images in overturning the mechanisms in place to control sexual speech and knowledge and identity. This chapter also describes the sexuality portrayed in the images, an exercise which was not carried out in the literature on the controversy. Chapter four discusses the rights and responsibilities of institutions supporting the exhibition of Mapplethorpe's work, and those of the public upon viewing it, in connection with the First Amendment and issues of censorship. It notes the various priorities a museum must consider when making decisions about showing sexual imagery (i.e. its relationship to its communities and its need for funding). It tells of conflict that arises when NEA experts fund work which challenges, aware of their responsibility also to reflect the (in-vested) interests of a nation's taxpayers. It describes the options made available to the public to judge artworks for themselves, let others judge for themselves, and contribute to debate with counterspeech (additional speech or arguments from other positions). The fifth chapter summarizes the arguments employed to attack or defend Mapplethorpe's work which characterized the debate, as well as the issues pertaining to the photographs' subject matter which did not appear in the literature. It points out that images which blur the line between art and pornography create responses that confound distinctions between Left and Right political leanings, and elitist versus populist attitudes. This final chapter also stresses the importance of showing representations of sex as lived, to balance art world attention paid to the subject of sexuality as associated with AIDS, or death. The appendix serves to put history and theory into action, taking the lessons of the Mapplethorpe controversy and applying them for the museum educator. It advises on: the nature of risk involved in working with sexual imagery; the need for fully-rounded discussion of the images, which

deals not only with their formal, artistic qualities, but also their impact on the public (and the public's impact on them) *and* the sexuality portrayed; the need for research on the opposition and the defense of such imagery; and the various forms of educational programming possible.

Across chapters, the study speaks of a conflict between art experts' notions of sexual photography (that Mapplethorpe's work is pop art exploring ungainly subject matter, its status as *art* perceived as most important) and moralist/feminist conceptions of pornography (that Mapplethorpe's work embodies aestheticized male violence, its *content* the central issue). It critiques the enthusiasm with which defendants of Mapplethorpe's work avoided the issue of sexuality in favour of "artistic value," a defense given according to terms set by the opposition and the law. It speaks of the tensions between the use of art contexts which confer legitimizing status onto sexual images (i.e. institutions, an artist's oeuvre, the historical and contemporary world of art), and the role of sexuality in subject matter to call into question that legitimizing status. It observes that both non-sexual art and sexual art serve dual roles of emulating and transgressing social mores, and that museums and funding agencies by virtue of allowing this work to be shown occupy similar roles. It draws out the power dynamics within sadomasochism, between an image and the viewer, within the art world, and between censors and free speech advocates. It examines the notion of "expertise": that the interests of professionals within a particular field (in this case, art criticism) are selective, as is the support they will offer during conflict; that what makes someone an expert is context-specific; that following these premises the advice of experts in all of the related fields (i.e. artistic and sexual criticism) needs to be sought out to

prevent (and during) controversy over sexual imagery by means of education. And it points to the rights of sexual "deviants" to be heard, the rights of museums to expect their government "stamp of approval" (through funding) if it has been promised to them, the responsibilities of museum educators to provide a forum for debate and education about sexuality and art, and the responsibilities of members of the public to exercise their legal choices in responding to sexual art.

It is a study about conflict, preserving the nature of conflict within the text. The purpose of the study is to examine what the tensions were, in order to be prepared and informed in the event that the reader should work with sexual imagery in museums. It is not historical in this endeavour, except for the very recent past, because it is not tracing controversy so much as it is projecting forward from controversy in a pragmatic way. The study covers a great deal of information, a vast range of issues, quoting a variety of speaking and writing styles; it compiles language which is angry, sarcastic, academic, and graphic. It attempts to draw information from a series of events and ideas in a straightforward, informative manner, so that museum educators can create educational settings based on what was understood from one episode which was created, guided, and which concluded on its own terms.

Researcher Biases

The thesis is written from a pro-pornography, pro-sex, anti-censorship point of view. "Pornography" is a word with powerful social resonance; it commonly is set apart from "erotica" for its apparent lack of artistic stylization, and it has come to be associated with

violence as a result of suspicion directed towards the (largely) male population that creates it. These characterizations are not wholly unfounded. Cultural suppression of sexual imagery pushes it underground, leaving the job of producing it up to people willing to work underground: often, these are male directors and producers with little training in aesthetics. But "pornography" translates literally into "what whores say," and whores are female, sexual professionals. Given that sexuality constitutes possibly the one realm of experience whereby the professional is granted less respect than the amateur, I believe that the word "porn" should be re-appropriated for its positive meanings, that sexual professionals (female and male) be granted the power to produce it, display it, analyze it, and educate on it, and that it be understood for what it is — a product of cultural emulation and transgression, and an object of sexual fantasy. In cases when these premises are understood and carried out, the aesthetics of porn become multiple and diverse. As such, the line between art and pornography breaks down. Porn can then be considered as simply a type of subject matter, a genre of art.

Furthermore, this interpretation of the controversy over Mapplethorpe's work stems from the belief that understanding a sexual image requires a willingness to understand not only the processes of image-making, but also the subject matter (the sexual behaviours) depicted. A focus on how represented individuals are *portrayed* by the artist is a common method of interpretation, particularly by anti-pornography feminist writers. It is important, for the purposes of analyzing the artist's approach to the act of creating art, as well as for consideration of the social significance of portraying individuals in the fashion chosen (i.e. the social significance of showing a woman in a state of submission). However, it must also

be remembered that a sexual image is (usually) a document of a sexual *event*; sexual events consist of behaviours and meanings which are driven by desire; and behaviours based on desire, which can both mimic and subvert social mores, need to be understood on their own terms. In other words, sexual imagery does not show subjects as they act in public, non-sexual contexts; it shows individuals engaged in play with specific, negotiated meanings. To understand these meanings, one must be informed by the practitioners of the particular sex shown. And such analysis requires a respect for sexuality and the various forms it takes.

Finally, this thesis was written by a museum educator, a cultural worker whose role it is to encourage discussion and debate amongst individuals engaged with imagery. As such, I take a position against the censorship or suppression of sexual imagery, the source of such debate, for several reasons. First, in terms of art, sexuality is a part of human experience; individuals desire to represent it in visual forms just as other experiences are portrayed is also human nature. Consequently, such images should be treated like other cultural objects, and be made available for public viewing under appropriate viewing circumstances. Second, because human beings are sexual beings, sexuality is a valid subject of study. Increasing one's knowledge about sexuality requires experience, or exposure to other people's experiences. Because sexual interactions are not always available or desirable, and because they generally occur in private places, portrayals of sexual behaviour released to the public serve as substitutes for first-hand experience and observation. Such documents can educate on various kinds of sexuality, reasons for engaging in sex (i.e. sex for reproduction, for pleasure, for social interaction, for release from stress), methods to enhance sex and engage in it safely, etc. Third, legally speaking, sexual imagery is one element in the vast array of

sexual "speech," and obscenity laws in Canada and the United States are in place to make sexual speech illegal unless it possesses literary, artistic, political, or scientific value (see chapter three on American law, and Appendix B for Canadian law). Such laws have serious implications: interpretation of a sexual image is subjective, and thus decisions as to its legality based on its "acceptable" values will be subjective as well; sexual speech that lacks these acceptable qualities but possesses *sexual* value is illegal. Simply put, it is my belief that a society possessing such laws, and enforcing them selectively, is precisely a society that needs to talk about and look at sexuality. Censorship of sexual speech runs counter to that belief.

Support for the Study in Art Education

The study of issues pertaining to the Robert Mapplethorpe case is supported by many of the points in Blandy and Congdon's article, "Pornography in the Classroom: Another Challenge for the Art Educator" (1990). In it, Blandy and Congdon state that pornographic images are readily available in the visual environment; that the discourse on pornography is complicated, has been defined by men and is well-informed by feminist challenges; that pornography has negative social consequences with regards to attitudes towards gender; that many students are familiar with pornographic images and routinely bring them into the art education classroom; that there is a preparedness for discussing sexual representations within the field of art education; and that critical analysis can provide the means to guide reflection and social action. While the article stands as a call to practitioners to deal with

sexual imagery in the classroom, it finds its scholarly significance in relation to the lack of professional writing on the subject.

Blandy and Congdon discuss pornography as it represents women, but note that porn, or "visual images that may have pornographic or negatively biased . . . representations" of men or children "is certainly worthy of consideration by art educators" (p. 6). They provide academic support for their view that pornography and its discourse were invented by men for the primary purpose of sexually subordinating women, and that if encountered non-critically it teaches that women are "content as victims" and male power is achieved through "violence and subordination" (p. 9). This line of argument is based on several premises: that pornography is a monolithic entity interpreted the same way (i.e. as degrading) by the majority of viewers; that the motivations for producing pornography are inherently violent, violence seen in male subordination of women which is shown in such imagery and by extension, encouraged in society; and that a critical examination of pornography will unveil these power structures implicit in porn so that viewers may then challenge them in porn and in society. These premises stem from the writings of anti-pornography feminists such as Catharine MacKinnon and Andrea Dworkin, the latter cited in Blandy and Congdon's piece. As will become evident in chapter three of this document, they can be countered by three pro-pornography concepts: the interpretation of porn is a subjective act; as such, the perception of violence and degradation is personal, not shared by all viewers, and if suggested in the image, not necessarily encouraged outside that representational realm; and a critical examination of porn must go beyond a study of represented power dynamics, to

include a consideration of the type of the sexuality shown (i.e. there are many kinds of sex) and the role of porn as fantasy in the spectrum of social interactions.

Blandy and Congdon state that pornographic images are not limited to X-rated films and magazines, but can also be found in museums and galleries "labelled as 'art'" (p. 9). They cite a critic who states that its use by artists might even be "artistically liberating," allowing artists to explore limits (p. 10). Blandy and Congdon offer this point as one more reason art educators need to consider how to discuss explicit material with students. By way of example, in an attending footnote they make reference to the Mapplethorpe case, saying that the questions raised by the photographs, the fact that confusion over these questions is very much in evidence, and the debate over the representation of sexual preference rather than "the denigration of women" "raise interesting questions that deserve open debate" (p. 9).

As to the relationship between art and pornography, Blandy and Congdon cite varying perspectives on their incompatibility or potential overlap. They refer to the almost complete refusal of art educators to write about the subject, despite the growing importance of pornography and its social effects as a subject of study in fields such as history, literature, popular culture, women's studies, law, and the behavioral sciences (p. 11). They cite two exceptions in art education: the July, 1970 issue of the Journal of Aesthetic Education in which seven writers consider the compatibility of pornography and aesthetic analysis; and the 1987 article in the same journal by Gracyk, who states that the designation of an image as pornographic cannot rest on subject matter alone and depends in part on attitudes towards the context in which it is shown (for instance, content appearing in a feminist art

show will likely be interpreted differently from similar content in a Playboy magazine). In light of this point, Blandy and Congdon go on to consider the potentially positive uses of pornography, as a means for marginalized groups to own and express the erotic, and conclude this section of the article by stating that "what we will perhaps all agree on is that pornography should be discussed in appropriate ways, especially when various images are so accessible and sexuality *must*, despite objections by some, be an open issue in schools, homes, and other institutions" (p. 12).

Taking Blandy and Congdon's final piece of advice, that "it now should be the task of all art educators and their constituencies to contribute to the discourse initiated in this article" (p. 15), I draw several direct conclusions from their content. Sexual imagery is predominant in American society: in popular culture and the fine arts, in X-rated contexts but also in the mass media and artistic establishments. The very fact that it is predominant means it bears some significance to society, the Mapplethorpe case providing a forum in which its significances and various meanings were widely discussed and analyzed from numerous points of view. The critical study of sexual imagery gives it new meanings and has social consequences, both in terms of production (for instance, its creation by marginalized social groups, i.e., women and homosexuals, for purposes of sexual recognition and cultural identity) and consumption (such as the positive and negative messages of pornography as understood by feminist writers). Following these conclusions, an analysis of the Mapplethorpe case in terms of how his work was understood as art, as pornography, and whether or not the public should have been exposed to it in an art educational environment, is of value to art educators who choose to rise to Blandy and Congdon's challenge.

A History of Controversy over Sexual Art

In order to appreciate the broader significance of the debate over Mapplethorpe's work, a socio-historical context of controversy is necessary. This account considers the necessary elements for controversy to occur, and describes a history of controversy as it relates to depictions of nudity, the use of models who are sexual professionals, and suspicions of the artist's vested interests. These three kinds of controversy are aspects in the Mapplethorpe debate; also relevant is the observation from this account that events such as these fracture party lines between progressive and conservative, Left and Right.

A person will "turn against" (the literal translation of "controversy") certain imagery when it offends his or her basic standards, categories from which to begin judgement. These standards by which images are judged are rarely isolated within the art world of a given time, or the "image world" from which they have emerged and into which we as viewers enter. They stem from attitudes towards portrayed subject matter, and the use of that subject matter *in relation to* the image world. So for instance, "sexism in advertisements" enters public debate by virtue of opinions on the portrayal of women, but also in light of opinions on suspected values held by advertisers and the possible effects viewing might have on those who encounter the ads.

Sexuality in North American society intersects many different categories; far from a natural phenomenon, sexuality in the modern, social world negotiates a course through rigid oppositions: masculine/feminine, heterosexual/homosexual, chastity/promiscuity, domination/submission, clean/dirty, private/public, safe/dangerous. Michel Foucault, a pioneer in the study of conditions of knowledge, writes in The History of Sexuality that

"polymorphous techniques of power" have inscribed the Western body, not repressing sexuality overtly but controlling it through discourses of "perversity" (1980, pp. 107, 101). Knowledge of the perverse means an awareness that a sexual margin exists, and that one side of it should be of particular preference. Pat Califia, an activist for free sexual expression and critic of American sexual values, says we have created and exaggerated these categories *precisely for* erotic purposes. Polarization of roles and identities creates mystery (encountering the "other") and tension (recognizing that each role is dependent on, and at times mirrors, its opposite):

A belief in sex differences and a dependence on them for sexual pleasure is the most common perversion, if we define *perversion* as allowing imagination, intelligence, and choice to create sex for pleasure, as opposed to restricting ourselves to instinct, hormones, and religion, and limiting sex for procreation. (Califia, 1994d, p. 178)

Califia sees categorization as integral to any sexual dynamic, its manipulative danger lying in its abuse outside the arena of sexual negotiation, where one is restricted from choosing from a range of roles, or is judged and penalized for a particular choice or lack of categorical fit.

According to Hunt (1993, p. 10), sexual imagery in the West has had to submit to effects of categorical thinking since the Renaissance, appearing in specific (classified) forms and contexts: marriage instruction books, boudoir and cabinet paintings, bordello and smoking room drawings, XXX magazines and films, and revisionist art exhibits and art history books. Although the advent of the printing press and the camera allowed for mass distribution of sexual images, sexual imagery in general did not clearly pose a threat to distinctions of high art vs. low, public vs. private. "High art" commissioned for sexual

purposes (i.e. Velàzquez' Rokeby Venus) was kept in private quarters, the passage of time eventually giving it historical (and public) significance; more recently, it has been created for public audiences to challenge traditional conventions (i.e. photographs of Carolee Schneemann's Site, a reinterpretation of Manet's Olympia). ' "Low art" sexual imagery has been safely categorized as functional (for educational or arousal purposes, often accompanied with explanatory text), its use deemed private, its artistic value not of particular issue.

However, there are exceptions to this account, cases during the last five centuries in which images spurred controversy because of their sexual content and their blurring of boundaries. What has constituted "sexual imagery" is subject to classification as well, these boundaries not as clearly defined as those of form and context: images of nude figures have at times been considered as "obscene" as those portraying sexual interaction; the use of models from the sex trade has resulted in the suppression of their (sometimes clothed) depictions; and the sexual orientation of the artist or of the work itself (the sexuality of the group it addresses) has brought a "sex controversy" onto works of often relatively tame subject matter.

Pietro Aretino's Sonetti Lussuriosi, published in Venice in 1527, contained engravings by Marcantino Raimondi which showed couples engaged in sexual intercourse, reminiscent of the Kama Sutra. While the Hindus believed sex was an important element of religion, Pope Clement VII clearly believed otherwise, and Raimondi was imprisoned (Carmilly-Weinberger, 1986, pp. 176, 178). The Protestant split from the church of Rome, and the 1527 Sack of Rome had challenged the powers of the papacy, causing the church to increase

its effort to gain credibility and address issues of morality. Consequently, Clement VII chose The Last Judgement to adorn the altarpiece of the Sistine Chapel, reminding viewers of the events of 1527 and warning those who might "stray from virtue" (Allen, 1990, p. 19). Michelangelo's depiction of the human body was framed in more "spiritual" terms than Raimondi's, nudity to him being the state in which one would naturally come to be judged. But Pietro Aretino's response to Michelangelo's work in 1545 shows a post-Renaissance attitude towards the nude body, the compartmentalization of "sexual" art, and the hypocrisy shown by the writer in light of his earlier publication:

As a Christian I feel shame and offense to my soul at the liberty you have taken. . . . even the pagans, in sculptures not of chaste, clothed Diana, but of naked Venus, had her cover with her hand those parts that need covering: but you, a Christian, with more consideration for your art than your faith, present as a royal spectacle a sight entirely remote from Martyrs and Virgins. Indeed such a fervent display of genital organs as would even cause a brothel to blink. Such painting belongs in a voluptuary bathhouse. . . . It would be much more appropriate in a theatre or a setting for a comedy where something obscene were performed . . . (Allen, 1990, p. 18).

1545 also marked the year the Council of Trent was formed as the legislative body of the Counter-Reformation. The Council devised codes to determine what was permissible in religious art, nudity was ruled unacceptable, and Daniele da Volterra became known as "Il Braghettone" ("the britches maker") in his role to cover the genitalia of Michelangelo's figures.

Evident in Aretino's letter is the fact that many artists turned to mythological themes to display the human form in "erotic" ways.³ Despite doing so at the request of private

³The differences between "erotica" and "pornography" have been widely discussed over the centuries, each debate suggestive of alignments with the words' etymological roots. "Erotic" is derived from Eros, the ancient Greek god of love, giving the sexual nature of

patrons, some artists did encounter public controversy. In 1762 Spain, where the Council of Trent's prohibitive attitudes towards nudity endured, court painter Anton Rafael Mengs was ordered by King Carlos III to gather for burning all the paintings in the royal collection which showed "too much nudity" (Tomlinson, 1991, p. 61). These paintings included Titian's Sleeping Venus, two versions of Venus and the Organ Player, Venus and Adonis, and Danae, as well as works by Veronese, Carracci, Guido, and Rubens. In 1792 Carlos IV made the same suggestion, but in both cases the works were salvaged and placed in artistic contexts (Menges' studio, the Royal Academy, and eventually the Prado Museum), where it was thought they could be appreciated by the educated for their artistic merits. Tomlinson (1991) believes that these attempts to censor anticipated nineteenth-century debates on censorship which confused image and reality, and that what saved the paintings was the assertion that "between a real naked woman and a painting of one there *was* a difference, grounded in the painting's aesthetic qualities" (p. 61). Such debate is not confined to the

"erotica" spiritual and amatory overtones. "Pornography" derives from the writing (*graphos*) of harlots (*porne*), a conjectural linkage since early use of the word referred to writings about the *subject* of prostitution rather than first-hand accounts from the sex trade. Arcand (1991) claims that Pietro Aretino shocked those accustomed to the "erotic," and was the voice that defined the modern genre of pornography "as distinct from all other expressions of eroticism" in two ways: his work spoke to the masses, ridiculing the social mores of the powerful using the tool of sex; and it portrayed sex, in movement and detail, with cool description, "as if the act were an autonomous and mesmerizing activity without moral, legal, or social context" (pp. 128-135). Issues of class and morality distinguished understandings of porn from erotica in the Renaissance, and continue to do so in this century, as legal statutes classify pornography as "obscene" and degrading while the intelligentsia prefer erotica for its (con)sensual qualities (Stanley, 1991, p. 24).

These arguments will be examined further in chapter three; suffice it to say that "erotica" and "pornography" are not necessarily interchangeable, possessing meanings based on context, but sharing sexuality as subject matter. Therefore "sexual imagery" will be the term of choice in this thesis unless context demands otherwise.

nineteenth century, as will be seen in chapter three. Aesthetics, mythology, and royal commissions would not save François Boucher: his Venus Series infuriated French King Louis XVI and art critic Denis Diderot, who felt that art functioned to promote morality, Boucher's "prostitutes" having the opposite effect (Carmilly-Weinberger, 1986, p. 179). Diderot recommended that the series be destroyed, a similar fate of many sexual works by Boucher's contemporary, Jean-Honoré Fragonard.

In nineteenth-century Europe, artists began to experiment with new contexts for nudes, placing them within everyday settings or decontextualizing them altogether, heightening their engagement with the viewer. Again there were occasions where this was met with consternation. Manuel Godoy, Spain's First Minister and protector of the Royal Academy, commissioned Spain's senior court painter circa 1796 to paint a female nude for his "cabinet." Francisco Goya's Maja Desnuda conformed to other works in Godoy's collection, which in turn followed traditional conventions used to depict female nudes, but Goya isolated the figure: "transformed into icon, enshrined and sequestered for private adoration" (Tomlinson, 1991, p. 62). Considered autonomously the Maja's sexuality is a direct confrontation to the viewer: her hips tilt forward, her arms are raised to display her breasts, her gaze is direct. Inquisitors would later condemn such "provocative and obscene paintings," but we must assume that similar attitudes existed during the nine-year interval between the execution of the nude Maja and that of the clothed version (p. 64). In the Maja Vestida (circa 1805) Goya takes the same model, position and setting, but keys up her

sexuality and gives her the status of "gypsy."⁴ Now she is brought closer to the viewer, her contours are accentuated with clothing, she flaunts and smirks. Tomlinson (1991, p. 63) concludes that the later painting, which would have been displayed back to back or fitted on top of the *desnuda*, was created to de-eroticize the nude, by identifying female sexuality with artifice and the lower classes.

Edouard Manet's Olympia shocked the public in 1865 France; the candid stare of this reclining nude places the viewer on the same level as her client, whose presence in this frozen moment is marked only with a gift of flowers. However, an earlier controversy at the Salon des Refusés seemed to indicate that a nude out of context could be easily dismissed, as a member of a displaced class, in this case the sex trade. Manet's Déjeuner sur l'Herbe (1863) placed two nudes *back into* a narrative, one that was too familiar for comfort to those of social standing, as one critic of the times observed:

Manet will show talent once he learns drawing and perspective, and taste once he stops choosing his subjects for the sake of scandal. . . . We cannot find it altogether a chaste enterprise, to set down under the trees, beside students in cap and gown, a female clad only in leafy shade. Certainly a secondary consideration, but more than the composition itself I lament the intention that inspires it. . . . M. Manet plans to achieve celebrity by outraging the bourgeois His taste is corrupted by infatuation with the bizarre. (Chesneau, 1864, quoted in Cachin et al., 1983, pp. 165-166)

Manet's nudes were no longer confined to an underworld, nor did they occupy the loftier realm of mythology as Manet's contemporary William Bouguereau's Nymphs and Satyrs did with praise from the elite. In the style of Pietro Aretino, Manet's painting was pure porn,

⁴It is not until 1808 that the female subject in both the *desnuda* and the *vestida* is inventoried as a *maja* or gypsy. Tomlinson writes that Goya had frequently portrayed sexual women as gypsies in his earlier tapestry cartoons (1991, p. 63).

coolly implicating the "properly draped and cravatted" class, his figures *naked*, not nude (Allen, 1990, p. 20).

The sitters in Boucher's Venus Series, and Manet's Olympia and Déjeuner sur l'Herbe were thought to be prostitutes, not for unlikely reasons. Artists throughout the centuries have chosen prostitutes as models: members of both classes have occupied similar marginalized positions in society as objects of fear and desire; and both explore our incontestable physicality, its endless potential for beauty and artifice, its unyielding cravings and repulsions, its real and symbolic powers and weaknesses. Some artists made no apologies for this partnership, their portrayals of life in the sex trade disposing them to acts of censorship: William Hogarth's A Harlot's Progress (1732) cost the artist a royal commission, Toulouse-Lautrec's depictions of prostitutes were kept hidden, and seventy of Edgar Degas' brothel prints were destroyed by his brother after his death (Carmilly-Weinberger, 1986, pp. 180, 182). Some artists cleverly left the decision on the (real or implied) occupation of the sitter up to a public which, by vocalizing offense, exposed its own sexual knowledge. Such was the case for Degas, whose Petite Danseuse de Quatorze Ans (first exhibited in 1881) expressed his respect for a dancer's dedication to disciplined work, as well as the sexuality of a student of the Paris Opera Ecole de Ballet, which Degas knew was frequently patronized by Parisian men (Allen, 1990, p. 22). The tone of the following commentary says more about the moral preoccupations of the critic, Degas' contemporary, Mantz, than it does about the rendering of the sculpture:

Why is she so ugly? Why is her forehead, half-hidden by her bangs, already marked, like her lips, by such a profoundly vicious character. The artist is doubtless a moralist: perhaps he knows something about her future that we do not. He has picked from the hothouse of the theatre a flower,

precociously depraved, and he shows it to us, withered before its time. (Allen, 1990, p. 21)

Yet reference to her "brutish" looks is not completely unfounded when considered in the artistic and scientific contexts of the time. Artists drew from women willing to model precisely to capture corporal realism, which included its blemishes and imperfections. A public habituated to idealized Venuses did in a way react appropriately: this was, and was intended to be, a shock. To create an Aphrodite that not only lives and breathes, but engages in and provides sex for *pleasure* subverted laws of art, class, and gendered society, inspiring comments like the one above and this, of Manet's Olympia: she "arouses a sacred horror monster of profane love. . . . public presence and power of the skeleton in Society's closet. . . . Bestial Vestal consecrated to the nude absolute, she bears dreams of all the primitive barbarism and animal ritual hidden and preserved in the customs and practices of urban prostitution" (Zervos, 1932, quoted in Cachin et al., 1983, pp. 174-175). In addition, Charles Darwin's Origin of the Species was published in 1859, shattering doctrines of our spiritual origins and providing the artistic imagination with multiple variations on our brutish resemblances, as Degas explored in his drawings of monkey-to-human transmutations (Allen, 1990, p. 22).

Still other artists preferred to keep their allegiances with sex workers unknown. This was of particular importance when the subject was religious imagery, when sacred and profane realms were heavily guarded, as Caravaggio knew during the austerity of the Counter Reformation. An artist dedicated to realistic portrayal, Caravaggio chose to paint the subject of The Death of the Virgin (1605) in a way that spoke to the people; she lies pale, exposed, dirty and swollen, her stillness offset by the grief of the Magdalene and

Apostles. Soon after the work was executed for Rome's Santa Maria della Scala, Caravaggio was suspected of having used a drowned courtesan as the model, and the church rejected the piece. Caravaggio was not naive; his Madonna of the Serpent had been removed from the altar of the Vatican because the Virgin was shown *barefoot* (Carmilly-Weinberger, 1986, p. 177). As in the case of Spanish royals' incendiary threats against paintings, it was an artist's intervention that saved the work. Peter Paul Rubens saw the painting and quickly advised the Duke of Mantua to buy it, but not before popular demand saw to its display for a week to the public (Allen, 1990, p. 20).

It should be apparent that "sex controversies" do not occur in a social vacuum; they rely on a dynamic between contemporary threats to the sexual status quo (carried out by members of a society or those, like artists, who "represent" them) and organized reactions against those challenges (for example, by branches of the church or government) (Dubin, 1992, p. 6). The twentieth century has witnessed the evolution of sophisticated organization on *both* sides of the coin: debate now rages between activists defending the rights of groups to subvert the status quo, to engage in one's own form of sexuality (i.e. prostitution, pornography use, public sex, homosexuality, male and female experiences of heterosexuality, "man-boy love," etc.) and the laws and community standards groups which lay out the responsibilities of the former not to abuse the rights of the "innocent." Tensions of this nature over *imagery* tend towards debate over the personal rights and accountability of the artist, subject(s), and audience, rather than subject matter *per se*. Controversy has focused on the real or suspected orientation of the artist, or the orientation of the group addressed by the image.

Earlier this century, gay artists tried to avoid attack by creating covert expressions of homosexual desire. Male frontal nudity was enough to betray a vested interest in the male physique, as F. Holland Day discovered when his portraits evoked shock at the Boston Camera Club in 1898; his images of St. Sebastian (a common homosexual subject) have been pejoratively described by his biographer as containing "previously sublimated or disguised . . . homoerotic masochistic posturing" (Jussim, 1981, quoted in Dubin, 1992, p. 161). Some artists, like Charles Demuth, painted couples of ambiguous gender; A Distinguished Air was excluded from a 1950 retrospective at the MOMA because its sexual theme (lusty glances exchanged by gallery patrons standing in front of Brancusi's phallic Mlle. Pogany) was considered "too controversial" (Dubin, 1992, p. 163). Demuth, like photographer Minor White (1908-1976), tried another tack, substituting suggestive organic objects for sexual bodies. White had learned to be cautious early in his work after a solo exhibition was cancelled in San Francisco, and he spent a lifetime pursuing what became a respectable career while shamefully concealing and resisting his sexuality (Cooper, 1986, p. 213).

Mid-century artists wishing to express same-sex desire realized that a veiled approach was no guarantee that controversy would be averted, and could prove too costly to self- and collective esteem. Artists like George Quaintance and Neel Bates ("Blade") produced idealized, macho images of cowboys and sailors for circulation within an established gay audience. Blade's The Barn was seized in a police raid in 1948 (p. 234). "Museum artists," producing gay imagery for the art world, while knowing aesthetic arguments and contexts can be used successfully against anti-pornography attacks, have not gone unchallenged

either. Robert Mapplethorpe, whose case is the most highly visible in recent years, shares company with Joe Ziolkowski and Canada's Christopher Lefler. Joe Z's photo Beyond Boundaries #3, of two embracing nude men was covered with paper at the request of Chicago School of Art Institute employees in 1989; when the art journal The New Art Examiner tried to report on the event, its printer refused to reproduce the image (Dubin, 1992, p. 194; "Editorials," 1990, p. 9). Reaction against Christopher Lefler's 1993 multimedia installation at University of Saskatchewan's Snellgrove Gallery, in which Lefler was accused of "outing" the province's Lieutenant-Governor, resulted in the removal of the piece, closure of the gallery, denial of the artist to university grounds and scholarship funding, university legal proceedings, and the recall of a substantial provincial arts grant (Young, 1994, p. 8).

Controversies over the *suspected* sexual orientation of an artist have proved even more damaging, revealing a powerful blurring of image, personal desire and social reality in the collective legal consciousness, and an organized effort to criminalize visible figures as symbols of underground social movements. Nowhere is this more obvious than in cases against "child pornographers," whereby museum artists showing nude children in their work have been accused of pandering to pedophile desire, subjecting the artists and artworks to laws which are in place to control the commercial child porn industry. This was an element in the Mapplethorpe case, which will be discussed in later chapters, but other examples make the point. Painter Eli Langer's 1993 Mercer Union exhibit, exploring psychologies of child abuse, was described by Globe and Mail arts reporter Kate Taylor as:

terrible — both the paintings and the pencil drawings which feature a dreary catalogue of don'ts (children masturbating, performing fellatio or bugging each other) The whole show is a self-conscious juvenile prodding of its own excrement. Langer is young and he can paint marvellously well. Maybe when he grows up he'll be an artist. (Taylor, 1993, quoted in Brown, 1994, p. 7)

Upon publication of the review, the Toronto police morality squad entered the small, artist-run gallery and seized five paintings and thirty-five drawings. Langer was charged under Canada's recently-passed child porn law, facing the possibility of ten years in jail for each count of making obscene material, exposing it to the public, and possessing child pornography; gallery officials were charged with possession of child porn and exposing obscene material to public view.

Since materials with artistic, scientific or educational merit are exempt from this law, the provincial attorney-general has since dropped charges against the artist and gallery workers, choosing to try the artworks themselves. If the Crown wins (the final decision is, at time of writing, two months overdue), these works will be "forfeited and destroyed" as child pornography (Tyler, 1994, p. A12). That blame has shifted from the artist to the artworks raises some interesting legal questions (if an object is charged, must it then "speak for itself?") and only slightly dilutes an *ad hominem* public debate. Langer's plea at a press conference, "I'm not a pornographer. My art is the product of my imagination. I did not use models" indicates an effort to disassociate flesh-driven desire from artistic acts; publicized testimony like that of psychiatrist Dr. Peter Collins, who said the patients he treats for "sexual deviance" would "love to have their hands on this" is an attempt to re-consolidate that relationship (Brown, 1994, p. 7; Tyler, 1994, p. A12).

Reaction against Eli Langer's work contained suspicions about the artist's own sexual preferences. It also demonstrated a fear that images speak to (and for) a particular or perceived "sex culture" (in that instance pedophiles). George Segal's life-sized public sculpture Gay Liberation, showing lesbian and gay couples touching casually, was commissioned by a gay rights organization to commemorate the 1969 Stonewall Rebellion. When plans to erect it in 1980 in a New York public park were announced, some feared it would serve as "an invitation to public sex" (Dubin, 1992, p. 167). When a bronze copy was hammered to pieces on the campus of Stanford University in 1984, a student remarked that "the sculpture as it stands now is no longer a monument to gay liberation, but is tangible evidence of the violence perpetrated against gay people" (p. 167). And its installation at a public park in Madison, Wisconsin elicited the publicized comment that such "gay propaganda" is "insulting to straight people" (p. 168).

Consider Judy Chicago's The Dinner Party (1974-80), a gallery-sized installation containing all of the necessary accoutrements for a thirty-nine member banquet, feting noteworthy female figures from the mythical and historical past. It emerged from a context of "essentialist" feminism, challenging traditionally male subject matter, art forms and processes with women's histories and body images, craft techniques and collective work effort. In doing so it evoked praise, but also harsh contempt for participating in a political effort to monumentalize the sexual power of women. Art critic Robert Hughes lamented "Chicago's relentless concentration on the pudenda," and said of accompanying autobiographical material that "this jargon-laden Femspeak" promotes myths of suppressed classes of women and of men consumed with "vagina hatred" (Hughes, 1980, quoted in

Dubin, 1992, p. 129). When a Washington Times front-page story criticized the initiative to permanently exhibit The Dinner Party at the University of the District of Columbia's new arts centre, Republican representatives denounced the work as "ceramic 3-D pornography," defended by "those who would insist that we use public funds to *promote and proselytize* their own special interests on an unsuspecting public" (Dubin, 1992, p. 130). In turn the House made cuts to UDC's appropriation budget, and Chicago withdrew her offer to the university.

Observations

This narrative of controversies over sexual imagery is a lengthy way of making a point: this is a recurring phenomenon in the Western world, giving little indication that it will vanish soon. In historical terms such an account is highly abbreviated, omitting works that offended on other counts, overlooking artists and institutions which were lesser-known, and almost entirely lacking in ways of measuring the self-censorship that occurs in censorious climates. It is perhaps most useful in showing that parties involved in these controversies are neither uniformly progressive nor conservative. Royal figures, members of the clergy, councils and activist groups have both commissioned sexual art and rejected it. Legal arms have seized it and defended it in court. Schools and galleries have displayed it and banned it. Artists have created and defended it, have reacted against censorship cases with the production of more controversial art, but have also criticized the sexual content in the work of other artists and censored themselves. Art critics have offered praise and condemnation, and the public has rallied in support and vandalized the works. Is there an explanation for such inconsistency?

Tracing this particular history shows an alternation between territories violated: from the communicated dictates of Christian morality, to artistic conventions for rendering nudes, to "acceptable" sexual identities. Artists have been, and are still, tried in relation to their responsibilities as members of a civic populace, as members of the art world, and as sexual beings. The first two contentions have changed in nature, and alongside them the formation of categories of acceptability. Church dictates have been replaced by those of the government, and private behaviours are (with inconsistency) differentiated from public actions. In the established art world, the very nature of "rendering" is now called into question, and high-versus-low art distinctions, while blurry also, relegate most artworks to their "rightful" places. This can make debate over sexual images overly simplistic: keep them private, treat them as low art. It has also proven to place offended parties in contradictory (read hypocritical) positions: politicians defend a public whose real participation in democracy they have worked to efface; artists and art critics defend criteria of art which possess little weight or meaning in their own work (Bolton, 1990, p. 27; Hoffman, 1991a, p. 42).

But at the root of the issue is the fact that concerns over public action and art world values offer easy escape from the third realm, our sexual identities, as artists and viewers. Factors which constitute an understanding of ourselves and others in this way does, of course, change over history: for instance, the roles of procreative and non-reproductive sex in a society, attitudes towards gender and age, conceptions of taboos and perversions, the formation of "identities" out of certain combinations of practices, etc. But the fact that we *are* sexual remains constant. More importantly, that desire is filled with individual

complexities and contradictions subverts the possibility of a consistent kind of reaction to objects of potential arousal. Contradictions within one's own sexual identity, together with discrepancies between private desire and public discourses on permissible sexuality, fuel the shame, confusion and denial which drives a people's fear and discomfort in discussing the subject and in tolerating constituent differences. This suggests why controversies happen in the first place, and why parties involved in controversies over sexual imagery do not always react uniformly.

As important as it is then to focus on the nature of the discussion of Mapplethorpe's *subject matter*, as distinct from discursive retreats into aesthetic criteria and issues of public exposure (which, it must be remembered, are sought out primarily *because* of chosen subject matter), the latter two debates are also covered in this thesis because they are significant within the laws to which his work was subjected, and because they do matter to a museum educator. First, Mapplethorpe's work was deemed "obscene" by art critics and public representatives because it violated a series of conventions. What are considered by many to be private acts were presented publicly. Sexual conduct such as sex between men, bondage and discipline, watersports, fisting, and genital modification was displayed to exhibit viewers unaccustomed to viewing (or perhaps conceiving of) such activities. Male nudity and sexuality was presented in a context with a long-standing tradition of exhibiting nude women, Christ figures and martyred saints.⁵ And what is commonly considered a "low" art medium

⁵Dubin states that "there is a great deal of evidence that portrayals of female nudity are more acceptable (and certainly more frequent) than depictions of naked men. The latter are more likely to be judged obscene" (1992, p. 335, fn. 3). On a similar note, the Guerrilla Girls, a feminist collective which dubs itself "the conscience of the artworld," announced in their 1988-89 poster Relax Senator Helms, the Art World is Your Kind of Place that "the

(photography), combined with "prurient" subject matter (sexuality) was shown in a "high" art institution. As such, these seven images were brought to court to meet the three conditions necessary to satisfy the legal definition of obscenity, determined by the 1973 Miller v. California case:⁶

The average person, applying contemporary community standards, would find that the work, taken as a whole, appeals to prurient interest;
The work depicts or describes, in a patently offensive way, sexual conduct specifically defined by the applicable state [or federal] law;
The work, taken as a whole, lacks serious literary, artistic, political, or scientific value. (Dubin, 1992, pp. 348 [fn. 126], 187)

It is likely that many of the critics and supporters of Mapplethorpe were familiar with the gist of this definition, given the ever-accelerating number of threats or actual charges during the 1980s against art (of all forms) containing sexual material: that the average member of the public would feel the sexual content outweighed the work's artistic qualities. With this in mind, and particularly once charges were laid against exhibitors of Mapplethorpe's work, it is *legally* relevant to discuss issues of public exposure and artistic merit.

majority of exposed penises in major museums belong to the Baby Jesus" (reproduced in Pindell, 1990, p. 18). Helms may also be assured that the depiction of a penis in a state of erection is an even rarer occurrence.

⁶In this case, Marvin Miller was convicted under California law for the unsolicited mailing of obscene material. He had carried out a mass mailing campaign advertising the sale of illustrated adult materials; charges stemmed from a concern for the "sensibilities of unwilling recipients or of exposure to juveniles." Miller's new obscenity guidelines revised previous standards in two ways: a lack of "serious literary, artistic, political, or scientific value" (known as the SLAPS test) imposed more specific criteria than the broader "utterly without redeeming social value"; and attention to state law and community standards gave the new ruling a more defined application to each locale. (See Strossen, 1995, p. 52, and "Obscenity: What the Supreme Court says," 1989, p. 144.)

Second, a museum worker is inevitably placed in a position of bridging the gaps between the public and the artworld, two spheres that often course along entirely different orbits. Carol Becker (1991) describes how her institution, the School of the Art Institute of Chicago, succeeded and failed in handling two recent, explosive controversies over works of art. From her experience, she concludes that two basic problems fuel the fires of controversy:

The first is that there is no clear, popular understanding of what art is and how it might ideally function in American society. . . . It is not understood, except by the art world itself, as a legitimate arena for controversy and debate. In this society, art is defined as precisely outside the arena of real power — namely politics. But then, how is it that the art world now finds itself in the middle of a political debate?

The second problem, . . . endemic to democracy as practised in the United States, is that there is no clear understanding of who "the public" is, and no attempt made to define the idea of the public as a diverse body with often-contradictory goals and desires, which the government must try to meet. (Becker, 1991, p. 68)

It is not my purpose here to resolve these two problems. It is only to elucidate to museum educators by means of example that such problems continue to exist, that they are intensified when sexual imagery is placed into a public forum, and that the ways they are discussed in the Mapplethorpe debate shed light on issues which are of relevance to an educator dealing with sexual imagery. Displays of artistic expression allow for a contextualized commentary on a broader social issue; in turn it must be remembered that strong reaction by the public in support of or against that social issue can instead become fixated on the expression (the art) and the context (a public institution).

Dubin claims that "deviance" from the norm has the ability to produce both change and rigidity in society (1992, p. 2). I suggest that we learn from these episodes of

uncertainty that that which drives the controversial, the erotic, and the *educational* are the same forces: forces of tension and dissonance.

Chapter Two

The Art World on Trial

When Senator Jesse Helms and colleagues deemed Mapplethorpe's seven photographs "pornography," members of the art world were called upon throughout the controversy to defend the images' status as "art." The defense was elaborate. What was "aesthetic" was redefined to encompass the non-beautiful, and was seen as determined by its relationship to an artistic context: the museum as art institution, the larger body of work produced by the artist, the exhibition as a whole, the history of art, and contemporary discourse about art. Mapplethorpe's work was described as both reproducing a social reality and challenging the norm, successful for its emotive qualities — features required of good art, said the experts who are quoted here. But the main line of argument pursued by these specialists was a visual, formalist analysis of Mapplethorpe's two portraits of children and five images of sadomasochistic sexuality. The second part of this chapter looks at why this was the case, and questions the costs and vested interests of art "experts" in cases of controversy.

Are the Images ART?

The question is raised throughout the controversy, directly in the trial, indirectly by those who tried to suppress the photographs. It is one of an aesthetic nature: do these images achieve the status of art? Why it is raised is summed up by lawyer Frank H. Prouty, who opened his line of prosecution with: "this is not art A finger stuck in the head of a penis, is that art? A canister or something rammed up a rectum, is that art? A man

urinating in another man's mouth, is that art?" (quoted in Merkel, 1990, p. 45). Prouty has difficulty with the content of the images, and their content is penetration, involving the use or imitation of sexual organs, in a sexually active manner. Not only is sexuality a historically challenging subject in the arena of art; penetration is especially problematic, even within pornography (the perceived alternative realm), as is evident in its omission or blackening out in many commercial magazines. So when Senator Helms set this particular question in motion by opting to call Mapplethorpe's work "pornography," he was only partially informed; he did, however, have the effect of stimulating "serious reflection about what is art and what is not," as was hoped by Corcoran director Christina Orr-Cahall when she cancelled "The Perfect Moment" (Cembalest et al., 1989, p. 138).

Much of the debate as to whether Mapplethorpe's images, particularly the photos of adults, could be classified as art took place during the trial in Cincinnati; the alternative reading, it must be remembered, was not that they were porn, but that they were "obscene" as defined by the 1973 Miller case. Writer David Leavitt suggests that it is the definition of the *latter* concept that should be questioned, the legal notion that an image is obscene if its artistic value is overshadowed by its appeal to prurient interest (i.e., its potential for arousal and, as such, for offense) (Cembalest et al., 1989, p. 143). The defence was not in a position to raise such questions, however. Lawyer H. Louis Sirkin wanted to win the case quickly and efficiently, and to do so required a "battle strategy" (Sirkin's words) which satisfied existing law, that the work as a whole possessed "serious literary, artistic, political, or scientific value" according to Miller (Wilkerson, 1990p, p. A12). It would appear that many in the art world agreed this was the main priority.

One method was to suggest that the photos were "art" regardless of their degree of aesthetic quality. Critic Hilton Kramer felt that, while not belonging to the "highest level of art," they could not be excluded from that category. "Failed art, even pernicious art, still remains art in some sense. . . . It doesn't solve any of the problems raised by the Mapplethorpe pictures to say they aren't art. It is only a way of running away from the difficult issue, which doesn't lie in the realm of esthetics" (1989, p. 7). Kramer does not define "esthetics," but implies that its traditionally perceptual and philosophical bases are separate from the moral implications of an image, the aspect of Mapplethorpe's work with which Kramer struggles.

The defense approached the problem by breaking down the association of art with beauty. This alliance has endured in aesthetics since the 13th-century writings of Thomas Aquinas, and despite its weakening in twentieth-century artistic practices and philosophical writings, its tenacity in the public mind is evident in jurors' observations. Consider juror Anthony Eckstein's interpretation: "even though we may have not liked the pictures . . . we learned that art doesn't have to be pretty" (Cembalest, 1990, p. 137). What he and other jurors were responding to were lawyers' "layperson" analogies pointing out shades of quality such as the following, by defense witness Owen Findsen, art critic for the Cincinnati Enquirer: "if you go to a restaurant and have a bad meal, you can't say that's not food — you can say it's bad food" (Cembalest, 1990, p. 139). Similarly, lawyer H. Louis Sirkin said of San Francisco 49ers quarterback Joe Montana: "you don't have to like that pass he threw in the Super Bowl against us to see that he's one heck of a quarterback" (p. 139). Beauty, prettiness, quality of product and quality of producer's work were, it seems, somewhat conflated.

Others implied that an image achieves the status of art by its "intended approach," something which is difficult to define and identify, thereby calling for a certain trust in the "art experts" who knew the artist and the original images. Indeed, as New York Times arts reporter Andy Grundberg points out, the fact that the verdict upholding their artistic value was based on "secondhand evidence" — 8-by-10-inch press prints and videotape of the exhibition — is as surprising as the acquittal itself (1990, p. C17). An example of an argument for intent is that provided by artist and former NEA Visual Arts Program director Benny Andrews, a statement which perhaps points to the elusiveness of objective proof of artistry:

Sex can be an element of art, but the other elements that make up an artistic objective would also come into play. Elements like form, line, color, shape all the things that go to make up an artistic statement through different media. The subject matter is just one of those elements. That could be erotic, but that's just one. I don't consider what Mapplethorpe did as pornography. Mapplethorpe was approaching these subjects in terms of art. (Andrews, quoted in Cembalest et al., 1989, p. 142)

Andrews lists elements of design as the guiding force in the making of an artistic statement; whether or not they are perceived by the viewer, that they were part of the artistic *approach* the is what counts.

Those who were ultimately successful in validating the sincerity of this intention were the "experts": as defense witness and photography curator Robert Sobieszek explained in court, a "combination of museums, critics, curators, historians, [and] galleries" (Wilkerson, 1990k, p. A22). Why were they seen as necessary? Because the judge in the trial, David J. Albanese, commented during pretrial hearings that he didn't know "anything about art" (Cembalest, 1990, p. 138). Lawrence Whalen, Cincinnati Police Chief, was quoted as saying

"The people of this community do not cater to what others depict as art" (Wilkerson, 1990a, p. A1). And the jurors were told by the prosecution that the decision had to be theirs, Frank Prouty saying that "art people . . . look at a picture differently, strictly from one point of view. . . . These people are respectable. There's no question, but their concern is art. You look at the pictures and decide whether it is art" (Merkel, 1990, p. 45). But the "art people" persuaded in ways the prosecution did not. As juror James Jones concluded: "we had to go with what we were told. It's like Picasso. Picasso from what everybody tells me was an artist. It's not my cup of tea. I don't understand it. But if people say it's art, then I have to go along with it" (Wilkerson, 1990p, p. A12).

In the trial and in the broader debate, the "validating factor" of the exhibition locale, the museum, played a significant role in conferring the status of art to the seven photographs. Grace Glueck, in response to Hilton Kramer's condemning article, reminded readers that Mapplethorpe had been shown before by "well-established art institutions" (Glueck, 1989, p. 9). First Amendment lawyers commenting in April, 1990 on the Cincinnati arrests claimed that a trial would be fruitless because the images satisfy the Miller criteria "by virtue of their having been produced by a recognized artist and having been displayed in major museums" (Wilkerson, 1990g, p. A14). And defense witness Robert Sobieszek said in court that "if it's in an art museum, it is intended to be art and that's why it's there" (Wilkerson, 1990k, p. A22).

However, it would seem then that if a "well-established" institution, like the Corcoran Gallery, refused to show the work, the work's status would be questioned. Indeed, this is exactly what happened, and two gallery professionals responded by completing this cycle of

logic. If the images cannot be shown in a gallery then they are not art. If they are not art, "let them be exhibited on 42nd Street or published in 'adult' magazines as an exercise of freedom of speech in an appropriate venue," said Joseph Veach Noble, past president of the American Association of Museums and director emeritus of the Museum of the City of New York (Noble, 1989, p. 5). Aaron Berkman, former director of the 92nd Street Y Art Center in New York, echoes this sentiment, saying "the many erotic photo shops on West 42nd Street may have missed a grand opportunity by not calling themselves art galleries" (Berkman, 1989, p. 3). Perhaps the true test really is the literal "marketplace of ideas," the context of the art market, where people vote with their wallets. Shortly after the bust at the Cincinnati Arts Center, Michael Stout, president of the Robert Mapplethorpe Foundation, was quoted in the New York Times as saying "now the work is wanted by anyone who has money to buy art, and prices have gone up so fast they're out of reach" (Glueck, 1990, p. C13).

These are attempts by those in the controversy to answer the question "are Mapplethorpe's images art?" without the provision of criteria within the work itself, criteria which would raise issues of art criticism and art history. Rather, they point to reasons *why* the works' status was questioned: their subject of sexuality in relation to the territory of obscenity, their questioning of morality and beauty, the roles of artistic intent brought to the work, and the expert contexts which validated it. The issue of context is not finished here; Mapplethorpe's offending photographs speak to other images — his own, works from the past, and contemporary art — which are discussed in the controversy as a means to place the photos and artist within their artistic milieu.

The Images in Contexts

It would seem to make common sense that an understanding of one, single artistic expression would be enhanced by an awareness and knowledge of others by that same artist. While this is certainly not necessary in appreciating the work's "aesthetic" qualities, if questions of artistic intent are at issue, it is of particular importance. As was described in the previous chapter, contemporary controversies over sexual art seem to be driven as much by a common mistrust of the artist (i.e. as sexually deviant, unable to draw the line between appropriate and inappropriate behaviour) as by an aversion to the images. The controversy over (and defense of) Mapplethorpe's seven images is no exception; verbal attacks of the photographs have often referred to slanderous opinions of the artist; jurors in the trial claimed they were strongly influenced by curator Janet Kardon's account of working with the artist to put together "The Perfect Moment" during the final stages of Mapplethorpe's life; and references to the consistency of Mapplethorpe's personality and line of inquiry appear frequently in the literature of the controversy.

So it was important to compare the seven images to the rest of Mapplethorpe's oeuvre. On a strictly visual basis, several writers took note of the interconnectedness of tone in the sexual and non-sexual imagery. New York Times arts reporter Grace Glueck found that the eroticism of the sexual imagery carried beyond the "X Portfolio": "along with these photographs are fashionable portraits of the rich and trendy, elegant floral arrangements and naked children — images that might not necessarily be considered indecent if viewed singly but that in this context seem provocative" (Glueck, 1989, p. 1). Conversely, the editors of the newspaper saw the "respect" and "exquisiteness" that the artist

brought to his photographs of flowers in the sexual material, Mapplethorpe, they wrote, bringing "the same elegance and technique to his documentation of a sadomasochistic male homosexual subculture in which he himself was a participant" ("Caving in at the Corcoran," 1989, p. A28).

But to the shock of the sympathetic and legal defense of the offending images, Judge David Albanese interpreted the clause in Miller, "the work, taken as a whole" to mean each, single photograph out of the group of seven, rather than the entire exhibition. His explanation for this decision was not documented in the literature. Ostensibly, it likely echoed that of prosecution lawyers who argued in court that "each photograph has a separate frame, is collected and sold individually and is therefore a work unto itself" (Wilkerson, 1990g, p. A14). Similarly, witness Judith Reisman felt that each work in its portability was its own entity, stating that each of the seven images is "an individual work with a capital 'W'. . . . It is true of [sic] when you bring the photograph home. It is true of [sic] whether you put the photograph in the living room or the bathroom or the dining room" (Cembalest, 1990, p. 138). However, it must be noted that singling out the seven images from the show saved the prosecution from the difficult task of proving that the collection of 175 photographs lacked artistic merit.¹

¹Furthermore, the chosen images were not consistently treated as distinct entities during the controversy or during the trial, but rather as groups of five (the images of adult sexuality) and two (children's portraits). For example, the court did not rule that three of the sadomasochistic images were protected speech and that two were obscene. Again, this suggests an interest in Mapplethorpe's intentions: if they could be proven to be artistic in general (rather than prurient), the entire group of images would be acquitted. It is a technical detail, but indicative of values inherent in the formal and social justice system.

The seven offending images had been placed within a retrospective exhibit: as the grant application stated, a "mid-career summary of the work of photographer Robert Mapplethorpe" (Fox, 1989b, p. 22). Of those responsible for organizing the show at Philadelphia's Institute of Contemporary Art, acting director Judith Tannenbaum explained, somewhat apologetically, that the seven images were included in an effort "to be true to the spirit of the work and to ensure that it be shown in a secure and dignified manner. Altering the show would have seemed like an admission of guilt — that there *was* something wrong with exhibiting Mapplethorpe's photographs" (Tannenbaum, 1991, p. 73). Curator Janet Kardon's reason for including them was more pragmatic; she averred that they "showed Mapplethorpe's ability to handle sequence" (Cembalest, 1990, p. 138). Many, like Kardon and Cincinnati Arts Center director Dennis Barrie, likened their omission from the exhibit to "ripping pages out of a book or exorcising key scenes from a play" (Barrie, 1990, p. A25).

Disapproval of their isolation from their context echoed these sentiments in court. CAC director Barrie said two of the jurors had voiced frustration that they had not been able to base their decision on the knowledge of the other photographs in the show (potential jurors who had seen the exhibit were removed from selection); they felt that "everybody had gotten to see the photographs but the jury. They thought this was an absurdity. They knew that things couldn't be judged out of context" (Barrie, 1991, p. 31). When asked in court to talk about the sexual imagery, defense witness and Cincinnati Post arts reporter Jerry Stein replied "I am under some handicap to discuss these five images we see here from the 'X Portfolio.' There is what I regard as distortion upon distortion upon a distortion to present these out of context" (Merkel, 1990, p. 49). Others fought back by re-incorporating them

in their appropriate context. The Association of Art Museum Directors, representing 150 directors of the largest art museums in the U.S. and Canada, scheduled a special meeting at Cincinnati's CAC in late April, 1990, and passed a resolution in support of the CAC and Dennis Barrie, endorsing "the validity of the Robert Mapplethorpe exhibition, 'The Perfect Moment,' in its totality" ("Going to bat for Barrie," 1990, p. 47). And the Art Journal, following the lead of Boston's local public television station, reproduced the entire "X Portfolio" in its Fall 1991 issue, special editors Robert Storr and Barbara Hoffman stating: "assuredly, it takes far less nerve to reproduce these images in Art Journal, than to show them on the evening news, but our reasons are exactly the same. We have the right to do so; you have the right to look, or to look away" (Storr, 1991a, p. 13).

Over the course of the debate over Mapplethorpe's photographs, many responded with comparisons to images from the history of art which share certain aspects in common with the photographer's work, but which are now officially sanctioned as "acceptable." Collectively they covered artworks from thousands of years and numerous cultures; such efforts to make the point were exhaustive. Philosopher David A. Hoekema likened the sexuality of the photos to the "heterosexual, homosexual, and more complicated entanglements" portrayed in the ancient Greek collections of the Metropolitan Museum of Art and the British Museum (Hoekema, 1991, p. 45). Gallery director Thomas W. Sokolowski suggests Mapplethorpe's god-like figures mimic their classical Greek counterparts, but subvert them in their overt sexuality, their "idolatrous" misbehaviour (Sokolowski, 1990, p. 116).

From the Renaissance we see Mapplethorpe's exposed children likened, by defense witness Jerry Stein, to "putti" (Merkel, 1990, p. 49); his general subject matter described by CAC members emerging from the Cincinnati opening as "no worse than the paintings in some cathedrals of Europe" (Wilkerson, 1990b, p. A8); and his "philosophical lines of inquiry" similar to those of Michelangelo and Caravaggio (Allen, 1990, p. 22). Interpretations of the photos' sadomasochistic elements were positively linked to imagery by William Blake and Hieronymous Bosch, by artist, porn star and Mapplethorpe model Veronica Vera (1989, p. 3), and less flatteringly associated with a troubled search for life's meanings, "not unlike van Gogh's" (defense witness Robert Sobieszek, quoted in Merkel, 1990, p. 47). Dik F. Liu writes in a letter to the editors of Art in America that the uproar over Mapplethorpe's homoeroticism is curious in light of the fact that "no bans were imposed on NEA's funding of . . . the Brooklyn Museum's recent "Courbet Reconsidered" exhibition, which promoted heterosexuality by dehumanizing women. The Senate's decision is clearly based on racial and sexual discrimination" (Liu, 1989, p. 33).

Stylistically, Mapplethorpe's diverse photographs are seen as suggestive of prewar studio photography. Art critic Douglas Crimp reminds readers that the fashion industry's influences by photographers Edward Steichen, Man Ray, Edward Weston, and George Platt Lynes gave Mapplethorpe his vocabulary of abstraction, fetishization and neoclassicism — and, one would add, likely gave today's viewers a familiarity with which to *read* his images (1990, p. 47). Artist Masami Teraoka makes an interesting stylistic commentary on Mapplethorpe's subject matter. Teraoka suggests to readers of the November 1990 issue of Artforum that similarities to Mapplethorpe can be found in nineteenth-century Japanese

woodcuts, in the strength of their sexual content, acknowledging this continuity with a facial portrait of the photographer. Mapplethorpe is shown in strong contours with brows furled, lips slightly parted and grimacing, an earring flashing through his soft hair. A hand is raised to the side of his face, a canister of film held between his fingers. He is set against a decorative backdrop, overlaid with blocked-in characters and the english phrases "The path is darkness/ Snowflakes curtain the passage/ My unsure footsteps/ Feel the chill of the nighttide" (Teraoka, 1990, pp. 154-155). The tone is one of uncertainty; the image was likely created shortly before the Cincinnati trial began.

Art in America writer Allan Sekula offers two twentieth-century examples of depicted heterosexual desire, images which he feels Hilton Kramer and sympathizers would react to far differently than the homosexual subject matter of Mapplethorpe. He notes that Kramer objected to the photographer's fragmentation of the male body, lamenting "so absolute and extreme a concentration on male sexual endowments that every other attribute of the human subject is reduced to insignificance" (Kramer, 1989, p. 7). Conversely, Sekula points out, a similar treatment of the female body in Gaston Lachaise's Breast with Female Organ Between was praised by Kramer in an earlier essay, Kramer admiring that artist's ability to convey "a sense of complete and unrestrained mastery in realizing his sensations" (Sekula, 1990, p. 43). Sekula continues with another analogy:

Kramer voiced no objection to the Whitney Museum's recent exhibition of Charles Demuth's explicit watercolors of carousing dandies and sailors. On the other hand, perhaps Kramer would also be less appalled by Larry Clark's documentary photographs of the boy hustlers of Times Square showing off their penises, precisely because Clark maintains a careful, if rather nervous, heterosexual distance. The problem with Mapplethorpe is his own double role as both observer and participant. (p. 42)

Sekula's article raises the possibility that the viewer's own dual role as distanced and participating observer also irritated Kramer's heterosexual sensibilities.

These comparisons to other artworks make the point that lines of approval regarding sexual artwork are drawn with some inconsistency. Sekula says what is consistent is homophobia; others flatly say it is, in the words of critic Robert Hughes, the "shock of the new." In an ARTnews forum on the nature of pornography, William S. Burroughs chimed in with "there are museums showing figures in sadomasochistic scenes — girls and boys chasing around vases. But is it pornography? NO. Because it's *old*" (Cembalest et al., 1989, p. 139). William F. Buckley also mused: "it's true that certain statues by Rodin would not be eligible for a federal grant under the Helms rider. . . . Mr. Helms would be well-counselled to exclude from his proscription any putative work of art over fifty years old. This would distinguish the Rodins from the Mapplethorpes" (p. 139).

In case this historical approach seemed too limiting, the importance of Mapplethorpe's work was also stressed within a contemporary climate. CAC director Dennis Barrie explained, upon his arrest, that "contemporary art reflects the times that have produced it. If the times are difficult, then so is the art" (1990, p. A25); New York's Museum of Modern Art curator Robert Storr says that the images are "central to the artistic disputes of today" (1991b, p. 15). This, no doubt, is true, but the point starts to break down. In court CAC director Barrie was quoted as saying "the intention was to take a tough, brutal, maybe disgusting subject, and bring beauty to it" (Wilkerson, 1990l, p. A19). Pause a moment and look back to one of the defense's main premises: to quote Barrie himself, "sometimes art is not beautiful" (Barrie, 1991, p. 30). Why was this a strategic line of

argument? Because most jurors did not feel, before or after their "education" in court, that these images were beautiful, and to be protected by the First Amendment they had to be defended on other counts. Why is "beauty" an unusual quality to resort to not only in the trial but on Western, twentieth-century principle? Philosopher David A. Hoekema explains:

the era when that position could be defended ended long ago, in the latter half of the nineteenth century and the first decades of the twentieth. It came to an end not because of sexually explicit photographs but rather as a consequence of the magnificent paintings of artists as diverse as Goya, Monet, Cézanne, Picasso, and Kandinsky, each of whom contributed to modernism's great declaration of the independence of painting from representation and from beauty. (Hoekema, 1991, p. 47)

The legal defense clearly found itself caught in a trap. It had to explain the contextual value of Mapplethorpe's work; that it came out of a post-modern, "high" art climate which happens to give "beauty" a somewhat lower priority than it once had. But to satisfy, or rather to *fail*, a test of obscenity, artistic merit (ahistorical and universal, unlike community standards of the criteria "prurient interest" and "offensive sexual conduct") had to be found in the images. Writer Amy Adler echoes the sentiment voiced earlier that perhaps the legal notion of obscenity needs to be re-examined, for "post-modern art — rebels against the notion that a work of art be serious or that it have any traditional 'value' at all. Miller, then, mirrors modernist notions of art and evaluates contemporary art by the very standard which that art seeks to defy" (quoted in Hoffman, 1991a, p. 42).

Social Emulation or Transgression?

Mapplethorpe's picture of himself with a bullwhip up his ass is — no matter what you might think about it — a political work, a work around which political positions are being taken. Its symbolic content has further polarized segments of American society which are already deeply divided. It's

specifically these images, the most "obscene" and "indecent" ones, that are at issue, not the female nudes, flower pictures, or celebrity portraits. (Risatti, 1989b, p. 7)

In his guest editorial of the September, 1989 issue of The New Art Examiner, Howard Risatti matter-of-factly points out that the sexual content of Mapplethorpe's images had the effect of pushing a few political buttons. Regardless of what Corcoran director Christina Orr-Cahall thought of the photos, she said she cancelled the show because she didn't want it to be held "hostage for larger issues of relevance to us all" (Kastor, 1989c, p. B1). Cincinnati Arts Center member Barton Canfield chose to *attend* the show for that very reason, saying in the line-up at the door "I'm here to make a social statement whether I enjoy the art I view or not" (Wilkerson, 1990b, p. A8).

Risatti's "polarized segments of society" might be described as follows: a conservative populace wishing to "conserve" and restore an idyllic past, versus an avant-garde striving to jolt us into an unknown future. But that account is too simplistic, overlooking the various reasons why art is made, appreciated and understood; the diversity of attitudes about sexuality and its representation; the constantly changing relationships between images and society; and the now near-meaninglessness of labels like "conservatism" and "avant-garde." Indeed, artworks and society are mutually reinforcing, and there are strong divisions in society over sexual and artistic experimentation. But it is more relevant to Mapplethorpe's work, and accurate of the controversy, to explain the poles of thought in the form of two questions: do the photographer's images *reproduce* a social reality, however marginal or mainstream that reality might be, or do they *challenge* the norm?

Photography has always teetered on the line between documentation and artistic manipulation. So, too, have the perceptions of its meaning, regardless of intent. This is a point made by New York Times art critic Andy Grundberg, who was, in the literature of the controversy, one of very few writers to reflect on the uniqueness of photography's role in the history of images which arouse public fear. He states: "what no one has mentioned in all this tempest is that photographers have long doted on the off-color, the outlaw and the outré. Indeed, there is a well-established sub-canon within the art of photography consisting of images that violate conventional taste and, yes, even community standards" (Grundberg, 1989, p. 1). Within the art world (as opposed to that of confrontational journalism), he reminds us of Diane Arbus' transvestites and mental patients, Robert Frank's fringe "Americans," Richard Avedon's portraits of drifters, photos of prostitutes by Eugene Atget, Henri Cartier-Bresson, and Brassai, and Edward Weston's nudes (p. 33). Grundberg's point is that these photographers (Mapplethorpe included) have used the medium to show a reality, one not usually seen but existing nonetheless. Of the way that reality is shown, Mapplethorpe's cool descriptions of extreme physical states demonstrate a "certain sensibility" which art critic John Russell says is now so widespread it is taken for granted. He writes that "in a more furtive, not to say roundabout and money-grubbing way, it is present in images that we now accept as a matter of course in movies, on television and in advertising. It is a part of the world around us, and of the mores for which this generation will be remembered" (Russell, 1989, p. 31). Not only is Mapplethorpe's content reflective of society, but his perspective on it has been absorbed by society's other reflector, popular culture.

Betraying a certain sentimental air, defense lawyer H. Louis Sirkin explained to jurors that Mapplethorpe's sadomasochistic images show "a period of American history in the 1970s which we may never ever have again" (Wilkerson, 1990i, p. A8).² This is echoed by critic Michael Brenson, who writes: "he was determined to blur boundaries between genres, genders and races. The effectiveness with which he captures the sexual, racial and social instability of the 1980s is one reason his work is so valuable and threatening" (1989, p. A11). Jacquelynn Baas, the director of the Berkeley Museum where the show appeared prior to Cincinnati, testified in court that Mapplethorpe's work has a broader appeal, dealing with "issues that our society, modern society, is grappling with . . . what it means to be a sexual being" (quoted in Merkel, 1990, p. 47).

But Cincinnati prosecutors argued that, while the images might be a true reflection of the world we live in, "that is not the world of Cincinnati" (Wilkerson, 1990g, p. A14). As was evident in the events surrounding the trial, community standards were clearly violated in a city that is, in the words of Cincinnati arts reporter Isabel Wilkerson, "among the most sexually restrictive in the country" (p. A14). This attitude was not limited to certain residents of Cincinnati (excluding, perhaps, the 80,000 who went to the CAC to see the show); the main thrust of Hilton Kramer's influential New York Times article was that Mapplethorpe's work is definitely not status quo, and should not be supported by it. He asks, rhetorically, "should public standards of decency and civility be observed in determining which works of art or art events are to be selected for the Government's support?" (1989,

²Sirkin's emphasis on the photos' historical, documentary value served to add to their legitimacy; not only were they art, they were *archival*. This line of argument also quells fears that the sexual activities portrayed might still be practised today, by "periodizing" them.

p. 1). The publisher of Kramer's journal The New Criterion, Samuel Lipman, says work of this kind is not primarily documentative of a social reality, but rather, of a particularly belligerent segment of the art world:

One hopes those responsible are aware that in saying no to Mapplethorpe, [the Corcoran was] exercising [its] right to say no to an entire theory of art. This theory assumes, to quote an official of the neighboring Hirshhorn Museum, that art "often deals with the extremities of the human condition. It is not to be expected that, when it does that, everyone is going to be pleased or happy with it." The criterion of art thus becomes its ability to outrage, to (in the Hirshhorn official's words) "really touch raw nerves." Despite its occasional usefulness, this theory ignores the vast corpus of great art that elevates, enlightens, consoles and encourages our lives. (Lipman, 1989, p. A29)

Lipman does not consider the possibility that Mapplethorpe's images, even the graphic, sadomasochistic ones, do serve to elevate, enlighten, console and encourage the lives of some people; the message which Lipman overrode is art's other function, to raise questions about what the norm really is, and to try to *change* perceptions of social reality, if not the reality itself. The New York Times editors describe this function as the "artist's baggage"; "in the end, only time can separate the superb from the sophomoric" ("The Helms process," 1989, p. A26). That the United States is a pluralistic country is clearly evident in the various responses to Mapplethorpe's work. Artists and sex radicals in Manhattan might have called it superb; Senator Jesse Helms in North Carolina thought it, among other things, sophomoric.

Many would agree with the unidentified "Hirshhorn official" that Lipman quotes, that the arts in general are meant to critique society and its hierarchies of social acceptability. In reaction to the Cincinnati arrests, the American Federation of the Arts, the US's largest nonprofit art museum service organization, issued a public statement asserting that artists,

as well as museums and museum professionals "must be free to deal in their work with controversial, difficult and even offensive subjects" ("Going to bat for Barrie" 1990, p. 47). If that concept was vaguely understood prior to 1989, it was widely discussed during the various debates over NEA funding of artists, and born out in the Mapplethorpe controversy. The photographs were created by an artist, exhibited in art institutions, legally defined as art, and showed a country just how raw its nerves were.

Thomas W. Sokolowski, director of the Grey Art Gallery and Study Center at New York University, describes this age-old phenomenon as the function of "idolatry." He writes that in a modern-day context whereby the body is documented in a state of, or struggle against, corruption (he gives the example of photojournalism on the subject of thalidomide, a drug which had caused birth defects, but which was to be re-introduced on the market at the time Sokolowski was writing), Mapplethorpe's immaculate bodies are keenly disruptive. One could add that the display of *libidinal* Adonises in a culture that silently hears "AIDS" very soon after the word "gay," and that prefers to be educated about the disease by photographs from hospital bedsides, is bound to shock. Sokolowski traces idolatry back to Byzantine and early Christian times, in which depictions of the body were strictly controlled for fear that the idol would be conflated with the god. He states: "throughout the history of art, cultures have chosen to excise those human productions that question the normative values of the current ruling class. The subsequent excision of the symbols and images of a hated power structure is the major generating force of every iconoclastic episode; its mainstay, the theological arguments against idolatry and sin" (Sokolowski, 1990, p. 115).

If this sounds like political paranoia, its relevance is suggested by moral arguments against sexuality depicted by Mapplethorpe which will be explored in the following chapter. The idea is confirmed by a member of one American ruling class. Senator Daniel Patrick Moynihan (D.-N.Y.) announced on the senate floor that he would oppose the appropriations measure that punished the two institutions responsible for the display of the Mapplethorpe and Serrano images, saying: "do we really want it to be recorded that the Senate of the United States is so insensible to the traditions of liberty in our land, so fearful of what is different and new and intentionally disturbing, so anxious to record our timidity that we would sanction institutions for acting precisely as they are meant to act? Which is to say, art institutions supporting artists and exhibiting their work" (quoted in Oreskes, 1989, p. C18).

What Mapplethorpe critiqued about society is precisely what his images sought to restore, say several observers. Jane Addams Allen notes that his photos explore the juncture between the sacred and the profane, "a linkage that we have all but lost in our materialistic and hypocritical society" (Allen, 1990, p. 22). Andy Grundberg agrees that Mapplethorpe was driven to seek out the liminal, that the "trespass" was in fact his true subject matter: "Mapplethorpe worked diligently to erase the distinctions we commonly draw between heterosexual and homosexual desire, between female and male appearances, between what is accepted as beautiful and what is not" (Grundberg, 1989, p. 33). Veronica Vera sees Mapplethorpe as more of a pragmatist, his sexual photographs "debunking the whole idea of pornography — helping society to get rid of that self-hating concept that ghettoizes sex, that implies that some parts of our sexuality are too unspeakable to mention, too private to

be public — and that this is all part of some law that decent people do not question" (Vera, 1989, p. 3).

Whether or not one sees his images as anti-social or socially reconstructive, that they have been influenced by his surroundings and in turn affect them (and beyond) is incontestable. It is likely true, as many artists would argue, that a certain amount of distance from dominant culture — ideologically, emotionally, temporally, even economically — is necessary in order to be able to critique it. To have its proper effect, a corresponding reaction from viewers of surprise, at the very least, is to be expected. Some, like Hilton Kramer, will express sentiments stronger than surprise. Kramer, I believe, shows a sincere concern for those who might be negatively affected by these images. He writes:

What has to be acknowledged in this debate is a fact of cultural life that the art-world establishment has never been willing to deal with — namely, that not all forms of art are socially benign in either their intentions or their effects. Everybody knows — certainly every intelligent parent knows — that certain forms of popular culture have a devastating effect on the moral sensibilities of the young. Well, it is not less true that certain forms of high culture are capable of having something other than a socially desirable impact on the sensibilities of young and old alike. (Kramer, 1989, p. 7)

While "devastating" might be a bit strong, and the mention of children is not entirely appropriate considering that people under eighteen were not permitted to see the sexual images in "The Perfect Moment" without parental guidance, it *is* true that some people might react very badly to seeing such imagery. Just as each individual must take his or her own responsibility for that possibility, the artist and the institution exhibiting the artist must acknowledge the position they are in to create it. This is not to advise the artist to change modes of work (to promulgate "socially desirable" behaviour), but to be conscious of its power and prepared for strong reactions by the viewing public. David Hoekema states: "the

congressional conservatives' call for a return to beauty is a hopeless cause, but their demand that we recognize the social responsibilities and the societal effects of the arts needs to be taken far more seriously. Their condemnation of explicit sexual depiction reflects a demand that art live up to its potent role in shaping social ideas and values" (Hoekema, 1991, p. 47).

Defense of the Affective Content of Mapplethorpe's Images

Emotions ran high when the issue of publicly funding the display of his images was raised, likely as a partial means to divert attention away from voicing one's feelings about the photographs themselves. One's *own* feelings, it should be emphasized, not the somewhat empty nods to the disgust felt by governmental critics. This will be discussed further in the discussion of Mapplethorpe's photographs as something other than art. But in the context of it being examined as art, how did members of the art world discuss its affective qualities?

There were generalized statements on the affective nature of art, seen to be inherent in Mapplethorpe's images as art. Grace Glueck, in response to Hilton Kramer's commentary of July 1989, wrote in the New York Times that "artists are important to us, among other reasons, because of their ability to express what is deep or hidden in our consciousness, what we cannot or will not express ourselves" (Glueck, 1989, p. 9). This was repeated in court, in "layperson's" terms for the jurors, by defense lawyer H. Louis Sirkin: "art is to tell us something about ourselves and to make us look inside ourselves and to look at the world around us" (Wilkerson, 1990i, p. A8). Also in court, gallery director Martin Friedman made this point by acknowledging the initial emotion felt by many, saying "I mean, I recognize that they are difficult. I recognize that they are confrontational. I recognize that

they tell us things maybe we would rather not hear. But they do shine lights in some rather dark corners of the human psyche" (quoted in Cembalest, 1990, p. 138). As can be gathered, attention was largely focused on perceptions of the darker aspects of the sadomasochistic images. Cleveland Museum director Evan Turner testified that they were "images of rejection, aggression, anxiety" (quoted in Cembalest, 1990, p. 138). Conversely, what was sinister to prosecution witness Judith Reisman was the *lack* of "human emotion or feeling" necessary in an artwork, particularly in the absence of facial expression (p. 140).

Art critic Michael Brenson felt instead that Mapplethorpe could capture a face whose expression and condition seemed to be in the process of change. He saw this feature as one of the ways the artist achieved dualisms in his work, finding "the edge between lucidity and pathology, seductiveness and cruelty, submission and domination" (Brenson, 1989, p. A11). Again, the darkness remains in the tone of criticism, in this case played off of its opposite. Jane Addams Allen sees this as a condition of Mapplethorpe's life, and of the viewer's, a reason why we need to have this phenomenon confirmed in artistic expression (Allen, 1990, p. 22). Artist and Mapplethorpe model Veronica Vera explains that the concept of polarity is the very premise of sadomasochism (i.e. sadism-masochism), and of religious iconography, both aspects of the artist's life:

I remember when I met Robert, the first thing that I noticed on his wall was a crucifix. The crucifixion of Christ has inspired an incredible amount of art. It is the most powerful S/M symbol of all time. It is also invoked as the ultimate symbol of love. All art is a balance of opposites. What can be seen as spiritually uplifting can also be seen as spiritually deadly. Beauty really is in the eye of the beholder. (Vera, 1989, p. 3)

Indeed, the discussion of the emotional value of Mapplethorpe's art takes place in response to a climate of strong disapproval, initiated by Senator Jesse Helms. This, as an

emotional response in itself, is treated with a certain amount of fear. While it was stated above that disapproval might indeed underscore a work's effectiveness in challenging accepted values, others seemed to disagree. John Donnelly writes in a letter to the editors of the New York Times that art can stimulate and provoke, but if it repulses a viewer "it thereby becomes a failure, because the medium's vulgar expression obscures an underlying argument it may be trying to make" (Donnelly, 1989, p. 3). Art critic John Russell calls this attitude "moral indignation," "a leaded fuel that fires up fast. . . . a pollutant that can foul the air and cloud the brain" (Russell, 1989, p. 33). A reviewer of "The Perfect Moment" when it appeared in Philadelphia agreed that indignation obscures clear thinking, not just of the indignant but of the defensive. Kevin Salatino writes:

The S & M photographs disturb not so much by their explicitness as by their intense artificiality. Once the initial shock has worn off we are left with Mapplethorpe's formal aesthetic — as always, restrained, dispassionate. Given the outrageous subject matter we should expect more visual electricity. Curiously, though, these are static images drained of the energy of lust and yearning, suggesting some arcane and absurdist ritual. (Salatino, 1989, p. 54)

One could argue that Salatino had the luxury of forming his opinions when the political stakes were much lower; his piece appeared in The New Art Examiner in May, 1989, after Helms' feelings had been made known but one month prior to the Corcoran cancelation of the show. However, his commentary is valuable precisely for that reason. He is able to discuss the affective (and libidinal) result of form *and* content, in a critical fashion, in a way that many found impossible to do once the controversy was underway. This will become evident in the following section.

Formalism 101: The Artistic Merit of Sexual Content

Like it or not, photography's seemingly inherent realism makes it especially vulnerable to a criticism based solely on the contents of an image. It is the most stylistically transparent of the visual arts, able to represent things in convincing perspective and seamless detail. Never mind that advertising has taught us that photographic images can be marvellous tricksters; what we see in a photograph is often mistaken for the real thing. More to the point, the subject matter of photographs is often mistaken for their meaning and value. (Grundberg, 1989, p. 1)

Andy Grundberg explains the basis of the negative reaction against Mapplethorpe's sexual depictions; their stylistics, the elements that give them their "artistic value," are easily lost to subject matter. As a result, it appeared to the defense in *Cincinnati* that a formalist justification of the photographs was crucial in balancing the discussion and winning the case. By "formalist" is meant a description of the images using the elements of design (line, shape, colour, texture, space) and the principles of design (movement, balance, repetition, contrast, emphasis, unity); Feldman (1981) employs these tools in his first two stages of art criticism, Visual Description and Analysis. What the *Cincinnati* defense seemed to lose sight of, however, was the imbalance in their own line of argument by emphasizing form over content.

Hilton Kramer did not think Mapplethorpe was a strong enough formalist, objecting to, in the words of photographer and critic Allan Sekula, the "documentary status of these pictures," their "indexicality" (Sekula, 1990, pp. 41-42). But the organizer of "The Perfect Moment," Janet Kardon, said she was driven to do the show "because he was one of the most important photographers of the 1980s working in a formalist mode" (Merkel, 1990, p. 47). Brenson says this is what made Mapplethorpe so mainstream: his interests, stemming from 1960s Formalism, in freshness, glamor, abstraction, and attentiveness to visual detail

(Brenson, 1889, p. A11). Alternatively, CAC director Dennis Barrie sees Mapplethorpe's "classicism" in his search for proportion, balance, directness and clarity (Barrie, 1990, p. A25).

When the defense was asked to elaborate on this position, formalist analyses of the works were generously supplied. Berkeley Museum director Jacquelynn Baas explained that the slanted table which displayed in three rows the X, Y, and Z "Portfolios" (of "nudes," flowers, and fragmented bodies, respectively) made it evident that compositional relationships were repeated across the images and the series, giving them a flow like "the experience of looking through a book" (Merkel, 1990, p. 47). Comparisons between images and series would logically include a discussion of formal repetition; such analysis becomes somewhat more problematic when dealing with the isolated photograph, "taken as a whole." In the case of Lou (1978), when prosecution lawyer Frank H. Prouty asked Janet Kardon "what are the formal values of the picture where the finger is inserted in the penis?" she replied "it's a central image, very symmetrical, a very ordered, classical composition" (Wilkerson, 1990k, p. A22). When CAC director Dennis Barrie was asked the same question, he answered "The original is quite striking . . . in terms of light, composition. It is certainly not a titillating composition, and where it is certainly a very tough and, for some, very disgusting subject, it is very well realized" (Merkel, 1990, p. 49). Similarly, Kardon's interpretation of Self Portrait (1978) was laid out in terms of a "figure study": "the human figure is centered. The horizon line is two-thirds of the way up, almost the classical two-thirds to one-third proportions. The way the light is cast so there's light all around the figure. It's very symmetrical, which is very characteristic of his flowers" (quoted in Merkel,

1990, p. 47). Granted, the defense was specifically asked to describe the formal values of each image, and in so doing made the case that these photographs possessed artistic merit. But that exercise in itself verges on the absurd if content is not brought to bear on the analysis.

This point was not lost on the defense. For the prosecution got smart, attempting the same formalist line of argument to show evidence of the artist's "prurient interest," by means of line, emphasis and movement, in a "focus on the genitals" of Jessie McBride (1976). The young boy is shown nude, seated on the back of a chair. An electrical cord passes behind the chair, across the wall, and connects to a nearby refrigerator, intersecting a horizontal molding on the wall level with McBride's genitals. Prosecution lawyer Prouty took note of these intersecting lines, and asked "is it fair to say that Robert Mapplethorpe was very conscious of formalism? There are lines in that picture that are at angles, is that correct?" Witness Jerry Stein's response was angry disbelief; the boy's mother, Clarissa Dalrymple, flatly remarked that "refrigerators work by electricity," countering formal analysis with content information (quoted in Merkel, 1990, p. 49).

The prosecution's attempt to show that Mapplethorpe keyed up the sexuality of his images using elements and principles of design did not work, at least with regard to the portraits of children. Prouty should have tried this with the "X Portfolio." That the artist would have pursued this approach in the images of sadomasochism seems only natural; a artist trying to capture a sexuality which affects the psyche and the eye will use the visual tools available to the best of his or her ability. This artistic attitude would not satisfy the Miller definition of obscenity, either. An image can be protected by the First Amendment,

no matter what its degree of overt sexuality, if it possesses certain formal attributes. But an interpretation of Mapplethorpe's photographs which properly balanced their formal and sexual nature would have to rely on a listener's appreciation of the fact that such a balance is possible and acceptable, and that the nuances of each aspect could be seen in the work. Each side in the debate felt that it could not afford to mediate in this way, these particular art world "experts" mistrusting Mapplethorpe's critics in their ability to see beyond sexual content, the critics mistrusting the art world's ability to see sexual content at all. And so, perhaps in a pragmatically democratic way, outside observers (followers of the general debate and jurors in court) *heard* the balance by listening to positions taken by the two sides, one emphasizing content, the other examining form.

In the context of the court case, the art world's approach was strategic and successful. But it *was* one-sided, the "time-honoured dodge" as Alan Hollinghurst prophetically calls the over-promotion of formalism in his catalogue entry for the 1983 London ICA exhibition on Mapplethorpe (1983, p. 8). Perhaps the Cincinnati defense knew that, in the context of a courtroom (versus an art gallery), where judgement of the images is based largely on verbal rather than visual analysis, the photographs "*sound* worse than they *look*" (Merkel, 1990, p. 51). And a description of what they portrayed sounded so bad that few could offer one.³ Remember, Prouty based his case on the belief that the "pictures speak for themselves" (p. 45). Those in the art world speaking up for the images-as-art early in the controversy do

³In fact, the reluctance people showed to describe the content of the offending images made it difficult for this researcher to even identify which images were the subject of debate. Titles of the images were rarely used in the literature; compiling a list of the seven photographs required cross-referencing the few clues provided as to content.

tend to be more explicit. They do not take the slow, leisurely approach to discussing sexual content and behaviour that earlier writings do (see Hollinghurst, cited above), but they at least identify the subject matter. New Art Examiner critic Nicholas Fox speaks of "frank images of the homosexual and sadomasochistic world in which he travelled. Black and white men intertwining their unclothed bodies, wearing exotic garments of leather, and performing unusual sex acts" (Fox, 1989a, p. 38). In the rare moments when interpretation of these "unusual sex acts" is provided it is noteworthy. Michael Brenson almost comically describes Helmut and Brooks, N.Y.C. (1978) in the following way: "even in the most objectionable image, Mapplethorpe sees clearly, suggesting that the fear of sexual amputation and the need for sexual power go hand in hand" (Brenson, 1989, p. A16).

But this frankness is not expressed outside the safe world of art criticism, when the fear of reprisal is present. While the "X Portfolio" made up a very small part of "The Perfect Moment," those at Philadelphia's Institute of Contemporary Art who compiled the NEA grant application for the show were not entirely forthcoming when they explained that "Although all aspects of the artist's work — the still lifes, nudes and portraits — will be included, the exhibition will focus on Mapplethorpe's unique pieces where photographic images interact with richly textured fabrics within carefully designed frames" (Fox, 1989b, p. 22). The ICA's Janet Kardon elaborated in court: "no matter what his subject matter, he brought a sense of perfection to it. . . . And all of the attributes one characterizes a good formal portrait by, that is composition and light and the way the frame is placed around the image, all of those things are brought to bear in every image" (quoted in Cembalest, 1990, p. 138). When it comes to defending Mapplethorpe's content in court, the no-matter-what-

his-subject-matter argument is clearly predominant. Robert Sobieszek testified that he does "consider content, but in conjunction with the artistry — the composition, lighting, et cetera, in a work of art" (quoted in Merkel, 1990, p. 47). Similarly, Jacquelyn Baas explained to jurors that "in these pictures, it's the tension between the physical beauty of the photograph and the rather brutal nature of what's going on in it" (p. 47). Although defense witness Owen Findsen shared a difficulty in endorsing the sexuality of the images, he did object to a formalist justification. As he professed after the trial: "I didn't ever say that the five homosexual pictures were attractive. . . . Dennis [Barrie] was defending asymmetry, formal balance. I said I felt they were repulsive — but I didn't feel I had any right to dismiss them. Because of the nature of Mapplethorpe's life and the impact of AIDS on the art world, they were integral to the show" (quoted in Cembalest, 1990, p. 139).

The defense tried to bridge the gap with the offended by sharing their displeasure with the images' content. What they should have done was share the interest in *discussing* content. Where police specialist and prosecution witness Donald Ruberg saw "Mr. Robert Mapplethorpe, bent over with what appears to be a bullwhip stuck in his anal area," Janet Kardon saw a "figure study" (Merkel, 1990, p. 47). This conflict of interest within the larger controversy bred, not surprisingly, a certain amount of hostility on both sides towards the art world. Artist William Bailey warns: "to say that just because a picture of a man with a whip up his butt is a work of art doesn't mean that it still isn't a man with a whip up his butt. Any sensible grown-up would guess that it probably would be offensive to a large segment of the population. . . . to equate this stance with that of totalitarian suppression of the arts is very silly and ignores the power of content in art" (quoted in Cembalest et al.,

1989, p. 140). Hilton Kramer echoes the point that calling the images "art" by means of formal analysis leaves other questions to be answered, such as "is art now to be considered such an absolute value that no other standard — no standard of taste, no social or moral standard — is to be allowed to play any role in determining what sort of art is appropriate for the Government to support?" (Kramer, 1989, p. 1). And Kramer's publisher Samuel Lipman claims to reveal that morality did indeed play a part in the advocacy of the photographs:

In evaluating art, the viewer's role is thus only to approve. We are told that whatever the content of art, its very status as art entitles it to immunity from restraint. There are certainly those who will claim that the Mapplethorpe photographs are art, and therefore to be criticized, if at all, solely on esthetic, never on moral, grounds. Are we to believe that the moral neutrality with which we are urged to view this art is shared by its proponents? Can it, rather, be possible that it is the very content so many find objectionable that recommends the art to its highly vocal backers? (Lipman, 1989, p. A29)

A response to this position could have been a clear discussion of the images' content and of the nature of the sexuality portrayed, as well as a *moral* interpretation of the consensuality of the sex, its documentation, and the rights of the sexual players, the photographer, and the voyeur.

Experts of the Art World

This chapter has focused on the ways Mapplethorpe's work was defined as art. The call to "redeem" his work as such came from those who gave it other names: "obscene," "indecent," "pornography." According to these terms, anyone who found value in the photographs was either a pervert or an art expert. The perverts present their case in chapter three. How did the art experts fare?

The value of their role in this debate was widely agreed upon; Mapplethorpe's work was, by virtue of it being shown in art museums, placed in an art world context. Therefore informed members of that environment should possess the familiarity and skills with which to explain its importance to them. Philosopher David Hoekema explains that most people are not equipped to say whether the photographs are art or trash, whether they will "contribute to society or hasten its collapse." "Precisely because they are so momentous, such questions need to be answered by persons who are familiar with the traditions from which they arise, with their reception in the artistic community, and with their place in contemporary institutions of art. They need to be answered, in other words, by knowledgeable and fair-minded peers. Not by senators. Not by television preachers" (Hoekema, 1991, p. 48).

But this, in turn, raises another question: who are the experts? Or, to put it another way, what makes someone an expert on Mapplethorpe's work? It becomes evident in the controversy, and in reactions to it, that the quality of expertise has as much to do with perception, with "community standards," as it does with real qualifications. For instance, one could argue that cultural workers (i.e. artists, critics and gallery owners) best able to discuss Mapplethorpe's images are those from the environment in which the artist lived and worked. Not so in Cincinnati. Defense lawyer and resident Cincinnati H. Louis Sirkin explained that his is a "midwestern belt city," leery of New York, "and even about the West Coast" (Cembalest, 1990, p. 139). Consequently, Sirkin won his case with the aid of museum directors from or working in Minnesota (Friedman), Michigan (Baas), and neighboring Cleveland (Turner), art critics from Cincinnati's two major newspapers (Stein from the Post

and Findsen from the Enquirer), as well as the Getty Museum's John Walsh ("a class-act, soft-spoken person"), a curator specializing in photography (Sobieszek), and Kardon, whose tactical strength lay in her personal affiliation with the artist (Cembalest, 1990, p. 139).

Kardon's contribution to the defense suggests that a knowledge of the artist as a person, and as a person within a professional environment, confers a certain expertise in speaking about his work. But others have criticized the means by which Mapplethorpe was able to become known as an artist in the first place: that there was a readiness (read bias) to accept him because "he was a well-connected white male" (Duggan, 1989, p. 27). Howard Read, from the Robert Miller Gallery which serves as Mapplethorpe's Manhattan dealer, would take issue with that statement, saying "Robert was a genius" at marketing his photographs, and "at getting to know the people in the art world" (Glueck, 1990, p. C13). This would be interpreted as meaning Mapplethorpe had to exert his personality and his art in an initially disinterested climate, that he had to prove the value of his work. But Mapplethorpe's undeniable success in the *marketplace*, a world seen by some as quite separate from the public art sphere because of its supply-and-demand version of quality, weakens this line of defense. Si Lewen writes in a letter to the editors of the New York Times that "the marketplace [i]s the final arbitrator of what is and what is not acceptable, . . . reducing all art to a commodity. Compared to this overweening (and ultimately corruptive) power of the marketplace, government influence on art fades into insignificance" (Lewen, 1989, p. 33).

If criticism about biases in the non-profit art world is accurate, Lewen's point must be given some credence. Mapplethorpe, as a photographer and a realist, was highly

successful in the art market — even more so after the controversy. Instances of Mapplethorpe and other photographers achieving such success in this realm have only recently begun to augment the status of photography in the minds of art critics. Andy Grundberg writes that "photographs have long been problem children in the world of art. They are not quite socialized or refined enough to qualify entirely as things of beauty, and they are always chafing against the limits of esthetic doctrine. This is one reason why commentators since Charles Baudelaire have argued against mistaking photographs for art" (Grundberg, 1989, p. 33). Indeed, a group of photographs has probably never received the kind of critical acclaim that was showered upon Mapplethorpe's. Members of the art world betrayed its elitism towards certain media in a cartoon published in the September 1989 issue of Art in America titled "The new National Endowment for the Arts Committee" — a voice bubble issues forth from Capitol Hill with the words "All in favor of funding the "Elvis on Black Velvet" exhibition . . ." (Rogers, 1989, p. 39). One gathers the intent was to reveal the kind of art Jesse Helms would like to see funded, black velvet painting generally considered to be the icon of the aesthetically-challenged. This inside joke was not appreciated by journal subscriber Anne DeForest. She writes that from the cartoon, "one infers that the definition of 'art' is yours, not those who might idolize Elvis. Yet . . . [in a review in the same journal of a current exhibition] mention is made of the artist's 'unashamed vulgarity' for using the velvet medium" (DeForest, 1989, p. 35). What could better make the point that the business of art criticism is an unstable one?

Oft-censored painter Philip Pearlstein reminds us that despite the defense of Mapplethorpe's realism, this is an approach which has not been popular of late in the art

world. It has been replaced by non-representational "politically aware conceptualist art," which in terms of content, "can get away with almost anything, using double meanings, puns, and other word games, linked with visual punning. The 'naughty' aspect of sex can be joked about if presented by inference rather than by realistic description, verbal or pictorial" (Pearlstein, 1991, p. 65). He says this bias is borne out in the fact that at least six established realist artists, including himself, showed their work during the month of February 1991, and not one was reviewed by the New York Times (p. 65).

As a result of these critical biases, it is understood by some writers that in order to make an impression in the art world an artist must replace realism in tone with agit-prop messages, or leave pop art media like photography to pursue abstraction. Hilton Kramer observes that "there is in the professional art world a sentimental attachment to the idea that art is at its best when it is most extreme and disruptive. . . . In lieu of an authentic avant-garde in art, we now have something else — that famous 'cutting edge' that looks more and more to an extra-artistic content for its fundamental *raison-d'être*" (Kramer, 1989, p. 7). Artist Mira Schor calls this "overdetermined, illustrative, highly polemical political art," conventional in form, stereotypical in tone. On the other hand, she writes, the apparent interests of New York Times art critics, which have the power to shape art world trends, reinforce the message that "we are also in for a period of retrenchment into equally conventional new *neos* — neospiritualism, neoabstraction, neointegrity, neomodernism" (Schor, 1991, p. 36). Schor singles out critics Michael Brenson and Andy Grundberg, whose publications in the summer of 1990 echoed a Greenbergian interest in quality, spirituality, and abstraction. It must be pointed out, though, that in the context of the controversy over

Mapplethorpe's work (as photographic, realist art), both of these critics made important contributions to the literature. Brenson (1989), while not completely understanding the sexuality portrayed in the photographs (this will be discussed next chapter), had the guts to print his interpretations of it; Grundberg (1989, 1990) unveiled the reasons why this controversy had as much to do with the medium (photography) as with the message. If these are critical inconsistencies, do they represent reactionary, insincere efforts to defend Mapplethorpe, or "a plague of polemics" along the lines of Mira Schor's argument?

Suffice it to say, the status of "expert" is ephemeral and contextual, and, once conferred, a difficult one to live up to. It requires a recognition that an expert is a specialist, possessing a specific point of view which will be perceived as *separate* from that of non-specialists or laypeople. It means, in other words, owning up to one's membership in an elite. And any member of an elite must walk a fine line of perception, in the public mind, between Specially Skilled in the chosen area of specialization and Ignorant by Choice of the real world concerns of the rest of the population. The Cincinnati defense was aware of this, uncertain at times as to how to use it with subtlety and flexibility. It did not want to be associated in the minds of jurors with, to use the words of lawyer H. Louis Sirkin, the "wacky" art world (Grundberg, 1990, p. C19). And yet it could not speak (or broach) the language of the prosecution, calling a "pornographer" a "brilliant artist," a urination scene symmetrical and classically proportioned, and bypassing talk of "genitalia" with that of "intentionalism" (Wilkerson, 1990k, p. A22). Andy Grundberg points out that this ideological gap, which won the case for the defense by virtue of the fact that jurors came

to trust the experts, could have been used with equal success by the prosecution. He states that:

If the prosecution had been able to frame the case in terms of us versus them — common-sense middle America against a "wacky" art world — it might have struck a nerve. For contemporary art, especially that which positions itself in the vanguard of cultural life, is always on the edge of social acceptability and thus always vulnerable. Contemporary art is also linked in the public mind to a moneyed, urban elite that has little in common with the cultural life of the Cincinnati jurors. The prosecution might have done well to enlist the thoughts of Martha Rosler, a New York artist and critic, who has written that most art is "patently exclusionary in its appeal, culturally relative in its concerns, and indissolubly wedded to big money and 'upper class' life in general." (Grundberg, 1990, p. C19)

The prosecution lawyer did try this line of argument to some degree, introducing his argument by referring to the "art people" who "look at a picture differently, strictly from one point of view"; later in court he accused defendants of "being very paternal . . . [telling us what we] should and should not see. . . . Are they saying that they are better than us?" (quoted in Merkel, 1990, p. 45). He knew jurors were at least initially sympathetic, one saying during jury selection that "these people are in a different class. Evidently they get some type of satisfaction looking at it. I don't understand artwork. That stuff never interested me" (Wilkerson, 1990h, p. A16). But "these people" were essentially given no opposition in court by credible witnesses for the prosecution. If Martha Rosler was unavailable for comment, the prosecution did have a choice of several other sympathizers, judging from pre-trial criticism of the art world. Senator Jesse Helms complained of the "self-proclaimed, self-anointed art experts" who would scoff and say, "Oooh, terrible" of his personal art collection (dominated by local landscapes and meditative, religious paintings) (Dowd, 1989, p. A1). Syndicated columnist Patrick Buchanan lashed out in the Washington

Times at the "poisoners of culture," the "polluters of art," and the "self-anointed critics who have forfeited our trust" (quoted in Bolton, 1990, p. 26). And Hilton Kramer resented "being asked to accept the judgement of the art-world establishment as absolute and incontestable. . . . We are being told, in other words, that no one outside the professional art establishment has a right to question or oppose the exhibition of Mapplethorpe's work even when it is being shown at the Government's expense" (Kramer, 1989, p. 7).

These criticisms came early in the controversy, during the summer of the Corcoran cancelation in 1989. When some members of the art world fought back with calls of "philistinism" and "conservatism," they were mistaken on three counts. In the first place, it marked an oversight in acknowledging the natural reaction (of shock) to art's "iconoclastic" power, a power so strongly defended later on. Second, it suggested that "second-class" aesthetics were governing the attacks on Mapplethorpe's photographs, overlooking the fact that attitudes towards the representation of sexuality played a stronger role than, say, the photographer's insufficient use of metaphor and irony. Third, it showed a reaction of fear to a public which had little involvement in condemning Mapplethorpe in the first place (the most powerful criticism came from Helms, Buchanan, Kramer and Lipman), thereby distancing this vocal majority. The art world had a right, and a reason, to be afraid of strong attacks against these photographs; Helms' initial displeasure upon seeing them was quickly turning into a crusade to eliminate \$171 million worth of yearly funding for the arts, and he was not alone in this mission. But in turn, the public had rights and reasons to feel that *they* were being underestimated. Thomas Fitzgerald wrote to the New York Times that "perhaps most exasperating is the intolerance of the prosperous modern art industry itself,

which wants to continue unloading quantities of its production but will insult us prospective buyers as ignorant philistines and yahoos should we dare to do any less than praise and acclaim all of its offerings" (Fitzgerald, 1989, p. 3). In response to an article in Art in America by Allan Sekula, Kathryn Mannix says "despite his call for more open-mindedness, Sekula does not understand that one can be sincerely offended by the works of Mapplethorpe, Serrano or any other artist. Anyone who holds a different opinion, like Hilton Kramer, he labels a 'bare-knuckled polemicist,' homophobic, or a 'philistine'" (Mannix, 1990, p. 33). And of David Leavitt's New York Times article "Fears that Haunt a Scrubbed America" (Aug 19, 1990), rector Paul Zahl says Leavitt "believes that everyone who holds reservations about Robert Mapplethorpe's work, or Holly Hughes's, is a punitive species of the far right. He appears particularly hard on Christians. This kind of article, while passionately committed, is as judgemental as the extremes it decries. It is a wounding piece and seems fuelled by hatred" (Zahl, 1990, p. 7).

The message, finally, to members of the art world who would so valiantly and rigorously defend Robert Mapplethorpe's work: don't be naive. Don't expect a consensus on art's value in society to teach and to transgress, and don't take it personally when this lack of consensus is made apparent. Don't fall into the trap, described by Lloyd Eby (and implicitly echoed by Hilton Kramer), whereby "many people in the art world, having abandoned a religious faith or belief based on divinity and revelation, have made art their religion, elevating it to an absolute value, so that art has usurped the place normally or previously held by religious faith and commitment. For such people, attacks on art and the

status of art arouse a reaction just like that induced in devout religious believers when their faith is attacked" (Eby, 1989, p. 3).

Don't feel betrayed when your "own kind," members of this same art world, decide that the cost of showing such artwork is too high. Consider the following statement, by Washington Project for the Arts director Jock Reynolds: "the Corcoran made a commitment to Mapplethorpe. . . . When an institution says it wants to work with an artist, it creates a bond both with the artist and with the larger artists' community. By breaking the bond in the Mapplethorpe case they broke their commitment to the artistic community as a whole" (quoted in Glueck, 1989, p. 9). The sense of betrayal that the art world clearly felt when the Corcoran cancelled reveals an unsatisfied need for solidarity and a fear of the forces which would chip that away. These are the same needs and fears no doubt felt by staff members at the Corcoran, regardless of what one thinks of the decision to cancel. (That Dennis Barrie was made a "hero" for his choice of action only reinforces the point.)

For there *was* a risk involved in showing the photographs, a risk not clearly calculable. There were things to worry about, reprisals to consider, which one had to consider and critique with a certain amount of humility. When the New Art Examiner tried to report on the controversy and include in an article a reproduction of Honey/Rosie (1976), their printer refused to run the image. A compromise was reached, and a version of the image (flashed on the walls of the Corcoran by protestors) was printed instead. In response, Father Andrew L.J. James wrote in to say: "I am interested to know New Art Examiner's actual stance against censorship. On the one hand, you speak against it, publishing stories about battling the philistines and yet, you, yourselves, let the

magazine become a victim of it. . . . If art means so much to you, stand up for it, even on your own magazine's pages — or get out of the business!" (James, 1990, p. 3). Similarly, the New York Times' omission of any pertinent reproductions prompted this response: "why not reproduce an 'offensive' Mapplethorpe for your readers to judge for themselves, or is the problem the motto on your front page, which reads 'All the News that's Fit to Print'? My personal scorecard: a close call, but Senator Helms and the Moral Indignation Team — 1; The New York Times and the Hypocrisy Team — 0" (Griffiths, 1989, p. 5). Clearly, the issues of showing controversial artwork extend beyond concerns of "commitment to the artistic community." A true commitment means acknowledging the risks taken by those attempting to do so and offering support when fear in the art world is present.

It also means addressing the fears outside the art world: understanding the nature of what will be controversial in the work and providing an education on *those* issues (the subject of the next chapter); keeping steady contact and open lines of communication with those who are in positions to support and suppress the artwork; and taking part in the elective processes which place individuals in these positions of power. If this sounds like a "battle strategy," to use the words of defense lawyer H. Louis Sirkin, so be it. As a closing commentary, curator Lynne Warren's sobering criticism is worth quoting at length:

U.S. citizens are not being taught what citizenship means. Citizenship means first and foremost that we as U.S. citizens must be responsible for our democracy, by understanding the democratic process, by voting, and by communicating our opinions to our elected officials on a regular basis. People in the arts are notorious for their failure to do any of these things . .

.. If the reader interprets this as saying "We in the arts are really to blame for what's going on," he's got it exactly. Did the arts community really believe it could "reach a broader audience" without having to stop and think maybe that broader audience wouldn't really know how to decipher those

often morally bankrupt, cynical, obscure, self-referential, and downright self-indulgent products contemporary artists are spewing forth? Or does the community believe that because the jaded, safe thrill-seeking (cf. "safe sex") New York art world thinks Robert Mapplethorpe's sadomasochistic imagery is the cat's meow, the public-at-large should swallow it whole (pun intended)? (Warren, quoted in "Against intimidation," 1989, p. 27).

Chapter Three

Virtual Sex: The "Prurient" Interest in Mapplethorpe's Photographs¹

Discussions of Robert Mapplethorpe's works as objects of art took place largely in reaction to them being otherwise labelled as products of pornography. That the debate over the status of these photographs took on a polarized character is reflective of the law against which they were measured; Miller states that sexual material constitutes protected speech if it is *artistically* sexual, unprotected speech if it is *pruriently* (lustfully) sexual. The trial in Cincinnati, where Miller was applied, marked the final verdict in the larger debate. But writings on the images during the time leading up to September, 1990, laid the groundwork, conceptually, for the two legal sides of the argument. The previous chapter documented the artistic point of view; this chapter will examine the ways Mapplethorpe's subject matter was discussed in terms of its sexual nature.

The chapter begins by revealing the language used to identify the images: the forms of description used, and the various labels of sexual imagery chosen. This sets up the argument that while the legal status of the images was based on charges of "obscenity," the

¹The expression "virtual sex" is taken from Susie Bright's Sexual Reality: A Virtual Sex World Reader (1992). Bright, aka "Susie Sexpert," found that her explorations into the systems of virtual reality gave her a deep respect for the consciousness that this technology provokes. That one can create one's own adventure with the aid of computer software, headgear and a "data glove," is "a testament to the power of make-believe." The experience is not presented or intended to be "reality," or a threat to its demands of judgement and responsibility; it is fantasy, proving "how crucial our imagination is, how subversive and inexplicable our fantasy lives truly are" (p. 10). Such is the world of pornography: fantasies driven by real desire which trigger the *imagination*, where anything is truly and safely possible, where desire can always be satisfied.

general debate (and indeed the law itself) reflects an ideological rift between spokespeople for the concepts of "pornography" and "erotica." Distinctions between these two genres are not consistently maintained, however, as is evident in sections on art as inclusive of pornography, and sexual material, prurient or artistic, as socially reproductive/disruptive.

The chapter continues with an analysis of the criticisms of Mapplethorpe's work, thematically consistent with critiques of pornography which emerged from the feminist, anti-pornography movement of the late 1980s, characterized by a view that pornography is a manifestation of male violence. Statements from writers in the controversy will then illustrate that reactions against Mapplethorpe's work stem from conceptual difficulties with the distinction between image and reality, with gay sexuality, with child sexuality, and with the premises of sadomasochism. As is typical of modern controversies over sexual imagery, suspicion (or defense) of artistic intent is as much an issue as is a difficulty with subject matter. In Mapplethorpe's case, this is evident in the ways homosexuality is discussed, in contrast with attention to the issues of depicting nude children and S/M sexuality.

Descriptors: Objectivity, Morality, Controversy

The simplest way to describe an image is by means of its subject matter. As should become evident to the reader, this is not so simple when the subject is sex, real or perceived. Indeed, knowing what it is about an image or a behaviour that constitutes sex is hard to pin down; Greta Christina raises this issue in her essay entitled "Are We Having Sex Now or

What?", concluding that "maybe if *both* of you (or all of you) think of it as sex, then it's sex whether you're having fun or not" (quoted in Tisdale, 1994, p. 24).²

Finding flat, descriptive objectivity in the descriptions of Mapplethorpe's images of adults is in itself a judgement call; to this researcher, "figure studies" is not the first label that comes to mind. Sexually "explicit" or sexually "oriented" "images" were words chosen by two individuals who wrote at length about the court case (Cembalest, 1990; Wilkerson, 1990).³ Others pointed to the action shown in the photographs, referring to "sexual acts between men" or "homosexual activity" (Cembalest, 1989, 1990; Wallis, 1990; Wilkerson, 1990). The editors of the New York Times took an ethnographic perspective, seeing a "documentation of a sadomasochistic male homosexual subculture" ("Make art," 1990, p. A24). Of the few journalistic attempts to identify each of the five photos, that by Robin Cembalest of ARTnews, is the most inclusive, objective, and illustrative of the fact that penetration is the theme which unites them, saying "one shows a man urinating in another man's mouth; three show penetration of a man's anus with various objects; one shows a finger inserted in a penis" (1990, p. 136). Similarly detailed descriptions were provided by Senator Jesse Helms, in a package of annotated reproductions compiled for colleagues, and by Cincinnati's Citizens for Community Values in a mass mailing to members of the

²This insight is highly pertinent later in the chapter to the equally nefarious issue of "violence" in pornography. Sex *is* like violence in that they exist in an intersection between physical, psychological, and emotional realms. For this reason, it must be argued, they can be conflated.

³References to Wilkerson, 1990 in regards to commonly-used terminology is intended to mean Wilkerson's *many* New York Times articles of 1990, for this journalist covered the trial in Cincinnati with consistency over a span of time.

organization. Indeed, given the general reluctance to address the sexual content of the photographs with pictures *and* descriptions, one must pay tribute to Helms for being so forthcoming.

Of the images of children, The New Art Examiner's Nicholas Fox is accurate in observing "one of a young boy naked, astride a chair, and the other of a young girl in a flowered dress sitting cross-legged in a position that reveals that she is not wearing underwear" (Fox, 1989b, p. 23). Objection to these images was based on the visibility of genitalia, variously referred to as nudity or partial nudity, genitals "visible" or "exposed" (Stanley, 1991; Duggan, 1989; Cembalest, 1989, 1990; Wilkerson, 1990). It must be remembered that nudity, particularly that of children, is often equated with sexuality in the minds of viewers. Perhaps this explains interpretations of the subjects in more active terms, "exposing" themselves rather than being exposed (Dowd, 1989; Wallis, 1990). This raises questions on perceptions of sexual agency on the part of children; inferences on the children's awareness of sexual display, which sway opinions on the degree of sexuality actually shown, are countered by anti-censorship feminist Lisa Duggan, who reminds us that the children are "not engaged in any sexual activity," and are echoed by entertainment and obscenity lawyer Lawrence Stanley, who adds that the photos were "taken with the permission of their parents" (Duggan, 1989, p. 27; Stanley, 1991, p. 22).

It was the proof of parental permission which gave the photographs of Jessie McBride (1976) and Honey/Rosie (1976) their legal protection; debate over their "prurient" qualities was touched on in court, ostensibly resolved in *moral* terms. Despite being told by Judge David Albanese that jurors must "put moral beliefs and standards aside" when judging the

works, it was defended in court and confirmed by jurors that the children were "moral innocents" (Wilkerson, 1990p, p. A12; Cembalest, 1990, p. 140). How, then, would "immorally guilty" children be portrayed, one might ask? As sexually active human beings? As sexual, active or passive? For judging by some criticism of the photographs of both adults and children, sexuality itself is equated with immorality, evident in Republican Representative Dick Armey's reference to the photos as "morally repugnant materials of a sexual nature" (quoted in Kuspit, 1989, p. 42). Similarly, the controversy began by Helms' references to the seven images as "immoral trash" (Collins, 1989, p. C11). This attitude is not exclusive to politicians; New York Times art critic Andy Grundberg says that Mapplethorpe placed his "contested, fleshy subject matter" in a continuum with "innocent" subject matter to suggest that "society's traditional moral values are less important than the Platonic ideal of beauty" (Grundberg, 1990, p. C17). Grundberg thus implies that Mapplethorpe consciously flaunted societal codes of morality. But from an art critic's point of view, could one not take morality and "innocence" out of the interpretation altogether, rather than reinforce their all-too-easy associations with good and bad sexuality? One wonders if the "morality brigade" which Corcoran director Christina Orr-Cahall purportedly feared would descend upon her gallery was more professionally inclusive than even she realized.

What was perceived to be immoral about the photos of adults was the presentation of "private sexual behaviour" to the public (Allen, 1990, p. 18). Making publicly available images of this behaviour, Samuel Lipman says, "ignores our responsibility for others; it ignores the dreadful changes made in our own lives, and the lives of our children, by the

availability of this decadence everywhere, from high art to popular culture" (1989, p. A29). Lipman is concerned that the pervasiveness of sexual imagery has negative effects on individuals; a reading of this statement in the context of the entire article indicates that he also sees danger in showing Mapplethorpe's particular subject matter, sadomasochistic sexuality, to the public. The perception that this form of sexuality is dangerous, even lethal, is not unique to Lipman; attendant to criticism of these images in the New York Times are oft-made references to Mapplethorpe, himself photographed with sadomasochistic gear, as a "well-known New York photographer who died of AIDS in March [1989]" (i.e. Collins, 1989; Honan, 1989; Wilkerson, 1990). The lesson here is "teaching this behaviour to others is immoral because this behaviour is deadly." If one truly believes this line of thinking, as did Samuel Lipman and Hilton Kramer, questions of ethics are not unfounded. For, on the other hand, a different line of logic supports the belief that *withholding* this information from the public is immoral, because engagement in the behaviour depicted (taking appropriate safety precautions) improves the lives of some people. The point: what is a moral act to some is immoral to others.

Issues of morality again blur the line between judgement of Mapplethorpe's photographs as artistic expressions versus documents of behaviour. Sidestepping an arena of moral positioning, some writers chose to identify the images in light of their controversiality, their observed effect on the public. As such, they are known variously as the "disputed" photographs (Petty, 1990; Wilkerson, 1990); the "controversial art of Robert Mapplethorpe" (Lancet, 1990, p. 3); "challenging" according to New York Times editors ("Justice in Cincinnati," 1990); "difficult images" according to CAC director Dennis Barrie

and CAC board president Roger Ach (Barrie, 1990; Wilkerson, 1990d); and "provocative" in the eyes of the executive editor of ARTnews as well as prosecution lawyer Frank Prouty (Madoff, 1989; Merkel, 1990, p. 47). New York Times reporter Isabel Wilkerson describes the images in relation to the charges levelled against them in Cincinnati, a gesture which alerts the reader to the graver side of the controversy: "five of the photographs are the basis for the obscenity case: one shows a man urinating into the mouth of a man kneeling before him; the others show anal and penile penetration with unusual objects Two other photographs are the basis for charges of illegal use of a minor: one of a nude boy perched on a chair and the second of a toddler with her dress raised and genitals exposed" (Wilkerson, 1990g, p. A14).

One begins to understand that providing a description of Mapplethorpe's subject matter involves the revealing of oneself to the reader. The writers who chose to do so reveal their own understandings of the lines they draw between objectivity and judgement, between image and action, between nudity and sexuality, between morality and sexuality, and between personal and public opinion. The next section will make clear that even when one considers the photograph as an image (versus as a window onto portrayed action), the labels vary, the lines shift.

Labels: Obscenity, Pornography, Erotica

UCLA photography lecturer Connie Samaras spoke of Mapplethorpe's images as reflecting the artist's "openly sexual appreciation of the male body" (1989, p. 13). Why was it that such imagery created a eighteen month, national controversy that had to be resolved in court, in

a country which provides more protection for speech than *any other country* in the world (Strossen, 1995, p. 49), including speech that promotes treason as well as hatred of groups of people? Because the "sexual appreciation" of the body as reflected in images (images are considered in law as documents of "speech") is treated as a special case. Legally speaking, if Mapplethorpe's photographs of sadomasochistic sex and nude or partially nude children did not qualify as art, they were *obscene*. And obscenity, as we know, is illegal. The three-pronged Miller criteria state that an image will not be granted the status of legally protected speech if:

The average person, applying contemporary community standards, would find that the work, taken as a whole, appeals to prurient interest;
The work depicts or describes, in a patently offensive way, sexual conduct specifically defined by the applicable state [or federal] law;
The work, taken as a whole, lacks serious literary, artistic, political, or scientific value. (Dubin, 1992, pp. 348 [fn. 126], 187)

A logical breakdown of this test, according to Stanford law professor Kathleen Sullivan, unfolds as follows: the image must be agreed to be a "turn on," at least to someone; the image must be agreed to "gross out" another party; but in the end, if it possesses value *of another kind* than sexual, it is acceptable (Strossen, 1995, p. 54). More simply put, Miller writes into law that what drives arousal is subjective, so one had better look to other criteria to judge an image's social value. Sexual arousal, a state experienced and enjoyed by most human beings, is apparently not socially valuable in and of itself, at least not in pictures brought to the courtroom. Society shapes the law, the law shapes society.

The editors of the New York Times correctly observe that "when asking if something is obscene, one must add 'obscene to whom?'" ("Justice in Cincinnati," 1990, p. A22). In the case of Robert Mapplethorpe's photographs, the answer is obscene, as quoted in the

literature, to the National Republican Congressional Committee, to Hamilton County sheriff and veteran anti-porn crusader Simon Leis Jr., and to Cincinnati police chief Lawrence Whalen (Fox, 1989b, p. 20; Wallis, 1990, p. 43; Mannheimer, 1990, p. 34). These three parties had obscenity and the law on their minds; others who commented on the images' sexuality took their appropriate positions on either side of the obscenity law, calling Mapplethorpe's work "pornography" or "erotica."

Pornography "can't pretend to any purpose but getting people off," while erotica is "classy porn," "pictures with sexual themes; it may or may not serve the essentially utilitarian function of pornography" (Willis, 1992, p. 55). One purportedly appeals to prurient interest, the other to artistic value. While this distinction has existed since Pietro Aretino abandoned mythology for smut (see chapter one), one can thank feminist Gloria Steinem for reviving its contemporary usage and replacing its original socio-economic emphasis with that of gender struggle. In her 1978 article in Ms. magazine entitled "Erotica and Pornography: A Clear and Present Difference" she states that "perhaps one could simply say that erotica is about sexuality, but pornography is about power and sex-as-weapon — in the same way we have come to understand that rape is about violence, not really about sexuality at all" (quoted in Kappeler, 1986, p. 41). Put both senses (class and gender) together and we have pornography as the violent trash that men of lower incomes seek out on New York's Forty-second Street, and erotica as the "beautiful, romantic, soft, nice, and devoid of messiness, vulgarity, impulses to power, or indeed aggression of any sort" material sought out by women (or non-male-identified adults) in art galleries (Willis, 1992, p. 56). A clear and present difference indeed. As prosecution lawyer Frank Prouty aptly asked in court, "where do you

draw the line?" (Wilkerson, 1990i, p. A8). As we know, Mapplethorpe's images were not soft and romantic, nor were they displayed in a XXX bookstore. They celebrated male sexual power, and were presented to the public by an educated, professional class of cultural workers. Were they erotica or porn?

Mapplethorpe's work was criticized as pornographic by many outside the art world: the American Family Association, who alerted Senator Jesse Helms to the photos; Senators Helms, Alfonse D'Amato and Patrick Leahy, and Representative Dick Armey; Cincinnati's Citizens for Community Values president Monty Lobb, Jr.; and several hundred protesters at the opening of the show in Cincinnati (Bolton, 1990, pp. 26, 27; Glueck, 1989, p. 1; Petty, 1990, p. 14; Wilkerson, 1990b, p. A8). Despite the fact that "pornography" has no legal definition in the U.S., "child pornography" has been defined in the state of Ohio as depictions of children either engaging in sexual activity or shown in a state of nudity (Strossen, 1995, pp. 18, 59). Consequently, Judge David J. Albanese permitted the use of the term "child pornography" in court, enthusiastically employed thereafter by prosecution witness Judith Reisman (Duggan, 1989, p. 27).

ARTnews contributor Robin Cembalest reminds readers of a comment made by Mapplethorpe in December, 1988, when he said "I'm not afraid of words 'Pornography' is fine with me. If it's good it transcends what it is" (Cembalest et al., 1989, p. 138). This echoes anti-censorship feminists' efforts during the late 1980s to re-possess the term "pornography" and reinforce the social value of images which serve to arouse, which will be discussed later in this chapter. For the moment, one must consider what participants in the Mapplethorpe debate think pornography is. Hilton Kramer says of the photographs:

Such pictures have long circulated in private, of course. They belonged, and were seen to belong, to the realm of specialized erotica. In that realm, it was clearly understood that the primary function of such images was to promote sexual practices commonly regarded as unruly and perverse, or to aid in fantasizing about such practices. The appeal of such images for those who were drawn to them lay precisely in the fact that they were forbidden. They belonged, in other words, to the world of pornography. (Kramer, 1989, p. 7)

Kramer conflates the terms "porn" and "erotica," but provides an interpretation consistent with attitudes towards pornography in its so-called perversions, forbiddenness, and functional properties. Cincinnati arts contributor George Ballou concurs with Kramer on pornography's specialized realm, calling the photos "the kind of thing you expect to find in a porno shop in somebody else's town" (Wilkerson, 1990a, p. A21). Art critic Donald Kuspit disagrees, writing that the true realm of pornography is the mass media, which "denies the uncanny, erotic character of a relationship to our bodies," "much more insidious and prurient than Mapplethorpe's comparatively straightforward . . . emotionally complex and insistent, representation of the body" (Kuspit, 1989, p. 44). This, he says, is the type of sexual imagery Kramer and sympathizers of "The New Decency" would like the public to favour over products of the commercial porn industry. While it is true that an honest and desirous appreciation of the body is more palpable in porn than in advertisements, it is telling that Kuspit takes with his definition of "the real pornography" its stereotypical, negative connotations, calling it "the real devaluation of the body and sexuality."

Pornography's questionable social value is echoed in other references to Mapplethorpe's work. Somewhat humorously, museum director Suzanne Delehanty calls his work "the lint . . . of what the Endowment has accomplished" in funding (Cembalest et al., 1989, p. 143). Others are more personally disturbed, jurors calling it "lewd," "distasteful,"

"gross," "grotesque," and "disgusting" (Merkel, 1990, p. 51; Cembalest, 1990, p. 136; Wilkerson, 1990p, p. A12). References to the violence of pornography and, as such, of Mapplethorpe's photographs is pervasive in the debate; this will be examined in detail later in the chapter.

Connie Samaras resents Hilton Kramer's comparison between "Mapplethorpe's male nudes (homosexual pornography) and those of a closeted Minor White (good, old-time transcendent art)" (Samaras, 1989, p. 13). By doing so she provides examples for the porn-versus-erotica problem. Writer David Leavitt sums up this debate in the following way: "I find some of [Mapplethorpe's] photos erotic; I wouldn't define them as pornography. I don't think their primary purpose is to excite — their second or third purpose, perhaps. I think they were meant to do all the things that art does — be beautiful formally and portray the world as imagined by the artist" (Cembalest et al., 1989, p. 143). Again, one is drawn back to the question, Where do you draw the line? Or more importantly, Should there be a line? Need each of these pursuits be mutually exclusive?

As in the case of writers describing the photographs as "sexual," use of the word "erotic" appears in reference to both image and action. However, unlike the term "erotica" which implies an expression, an object created for an audience, "erotic" (and specifically "homoerotic") is used by commentators to refer rather to the nature of desire shown in the expression.⁴ Anthropologist Carol Vance is alone in her reference to Mapplethorpe's

⁴Indeed, "homoerotic material" is a more efficient and more easily pronounced term than "homosexual sexual material." Perhaps for this reason it has been an agreed-upon and widely used term in gay studies. But, one must note, it has also shown in the literature on the Mapplethorpe controversy to be preferable to the equally readily available term "homosexual porn."

"photographs of homosexual erotica" (1990a, p. 49). Many others refer to images or photographs which are "homoerotic" (i.e. Cembalest et al., 1989, p. 143; Collins, 1989, p. C11; Hochfield, 1990, p. 146). Within the realm of action (the "reality" versus the image), erotic and homoerotic "scenes" and "poses" are noted (Glueck, 1989, p. H1; Vance, 1989, p. 39; Oreskes, 1989, p. C18; Honan, 1989, p. C15). One critic and one defendant of Mapplethorpe's images each look through the lens of "erotica"; philosopher David Hoekema supportively calls them "highbrow smut," while an unidentified letter to the editors of Art Journal resented the publication of "aestheticized pornographic material" in the journal (Hoekema, 1991, p. 46; Hoffman, 1991b, p. 14).

Blurring the Lines: Porn as a Genre of Art

Museum director Linda Shearer writes that "pornography is actually not a thing, but a value judgement ultimately, a matter of context If something is called pornography, it is more revealing to see *who* is calling it pornography" (Cembalest et al., 1989, p. 141). When Senator Jesse Helms dared the art world to counter his charges of "pornography," the art world responded with an elaborate defense of the images as art. However, when Robin Cembalest and colleagues sent out an ARTnews questionnaire during the summer of 1989 to members of said art world, asking what, in fact, pornography was, respondents gave pause for thought. The word used by foes like Helms seemed negative, derogatory, *cheap*. Used by art associates, it could simply mean sexual content, something which has appeared in art since our earliest ancestors began wielding charcoal. Can "pornography" be reappropriated by the art world, replacing the euphemistic "erotica"? Can it be considered a genre of art?

Artist Robert Rauschenberg feels that it is precisely the job of the artist to challenge definitions, "to keep the individual mind open, discouraging a mass agreement on an enforced point of view" (Cembalest et al., 1989, p. 139). By extension, he suggests that Mapplethorpe's photographs prompted such diverse reactions to keep the problem of porn-versus-erotica open for debate. Writer and anti-censorship feminist Lisa Duggan is more direct, saying that Mapplethorpe's work exposes the "contradiction and hypocrisy" of the "postwar consensus" which made only artistic porn acceptable: "his images cross the designated boundaries, appropriating images from the stigmatized zone of 'pornography' and carting them across the lines into the free zone of 'art.' Mapplethorpe's strategy was to radically disrupt the belief that images of some bodies and practices are fit only for squalid, hidden, or persecuted surroundings" (Duggan, 1989, p. 27). One must note that it is the illegality of pornography that relegates such images to "squalid, hidden, or persecuted surroundings" in the first place. That Mapplethorpe could cart his work into art galleries has, according to Alan Hollinghurst in a 1983 Mapplethorpe catalogue, everything to do with the upgrading of the photographer's equipment; like many pornographers, Mapplethorpe's beginnings may be traced to amateur shots of his friends taken with a polaroid camera (Hollinghurst, 1983, p. 10).

Regardless of what one calls pornography, many agree that it exists in art. William S. Burroughs calls it "overt sexuality," which he says "is not often a subject in serious art, although it is perfectly legitimate art" (Cembalest et al., 1989, p. 139). Call it "obscene," as does Miller, and it still qualifies, says former director of London's National Gallery Michael Levy: "people might say that some Japanese prints verge on obscenity, but it would be very

sweeping to say that they are not art. If one spoke in those terms, art would soon be reduced to scenes of the countryside. Certainly works of art can have in them a strong sexual character that some people might call obscene. Think of Picasso, or even Titian's paintings of nudes" (Cembalest et al., 1989, p. 140). Sexual art that is "offensive" is still legitimate sexual art, according to Frankfurt gallery director Kasper Koenig, who states "the argument that something is blasphemous or pornographic or whatever it is that's considered offensive is never a reason for excluding the presentation of art" (Cembalest et al., 1989, p. 139). Artist Nancy Spero agrees; she writes that "certainly art can be prurient or offensive. Like anything in art it's not an objective thing" (Cembalest et al., 1989, p. 142).

Other writers, both offended by and supportive of Mapplethorpe's work, directly include pornography within the realm of art. When it was discovered that "The Perfect Moment" would appear in Cincinnati, the Citizens for Community Values sent out a mass mailing to its 18,000 members calling for "action to prevent this pornographic art from being shown in our city" (Cembalest, 1990, p. 138). Similarly, Hilton Kramer admits that "it may be asked whether the disputed Mapplethorpe pictures really differ from earlier works of art that, owing to their violation of conventional taste, caused the public to denounce them, only to embrace them later as treasured classics. The example that comes to mind is Manet, whose two most famous paintings, Déjeuner sur l'Herbe and Olympia (both 1863), were attacked as indecent when they were first exhibited in Paris" (Kramer, 1989, p. 7). He decides that a true counterpart to Mapplethorpe is, in fact, the "graphic artists who specialized in pornographic images," a type of "art" not often found in our museums. One must wonder if Kramer mentions Manet only to justify the reproduction of Manet's now-

embraced work in his article instead of Mapplethorpe's, but the point remains that Kramer does allow for the inclusion of porn in the realm of art. Artist Jennie Holzer will submit that examples of pornography in the art world do exist, but these are ones which "aren't brutal, violent pornography." Her collusion with anti-pornography feminism is evident in her qualification that "almost anything else that's not horribly degrading to women — or degrading to anybody, although it's usually degrading to women — is all right for adults to see" (Cembalest et al., 1989, p. 141). Artist William Bailey is more succinctly inclusive, observing that "there are lots of artworks that might be considered pornography, all through history" (Cembalest et al., 1989, p. 140).

It is important to cite members of the art world who include porn in the realm of art for several reasons. First, "pornography" as an image is difficult to distinguish from "art" or "erotica" as an image; what aids in the separation is the context in which each is seen, and the use to which each is put. These qualities exist outside the image. Second, as Rauschenberg and Duggan pointed out earlier, Mapplethorpe appeared to deliberately blur the line for us. His images of sadomasochism are *not* like commercial pornography in their lack of humour, seduction, fantasy of excess, and quality of sexual action. They are serious, self-contained, and frozen. But they do resemble porn in their depiction of sex (rather than nudity), their quality of realness (these are real people doing real things), and their felt involvement of the maker. If they blur a line between porn and erotica, it is because the line is somewhat weak in the first place. Third, as a result of the heavyhandedness of feminist anti-pornography writings, as well as the rampant misinformation contained within them on violence in pornography, a serious, concerted effort has been made of late to

reexamine the nature of pornography and the effects it has on its viewers. Consistent with this pursuit is an effort to create porn outside of the "squalid, hidden, or persecuted surroundings" which have perpetuated its bad name. Outside these surroundings, the difference between art and porn is blurry indeed. We will turn to pornography and violence momentarily; first, the societal effects of Mapplethorpe's porn.

Pornography as Socially Engaged and Socially Disruptive

It is no secret that porn reproduces socio-political conventions and, by doing so, disrupts their seamless qualities. Two recent books have traced this social history of porn. Walter Kendrick's The Secret Museum: Pornography in Modern Culture (1987) looks at ways that dominant classes of various societies have labelled as pornography that which they did not want lower classes to see. Similarly, Lynn Hunt's The Invention of Pornography (1993) observes the development of porn "out of the messy, two-way, push and pull between the intention of authors, artists and engravers to test the boundaries of the 'decent' and the aim of the ecclesiastical and secular police to regulate it" (p. 10). The reader is reminded of this point in the literature on the Mapplethorpe controversy, with reference to pornography, by Art Journal contributor Eleanor Heartney. She makes reference to Angela Carter's The Sadeian Woman and the Ideology of Pornography (1978), noting that the Marquis de Sade's writings in relation to the Enlightenment rationalism of his time suggest "how pornography may function simultaneously as a reinforcement of the status quo and an instrument of resistance to it" (Heartney, 1991, p. 18).

This should sound familiar, from the material previously discussed. Art reveals to us the dynamics of our society; this revelation can sometimes change society. Sex as subject matter does the same, whether one chooses to call it art or pornography. In a society which strictly enforces laws as to what kinds of sexuality can and cannot be seen, one might conclude that porn shows us what the ruling classes would prefer to keep hidden. New York Times art critic Andy Grundberg reminds us that Mapplethorpe was not alone with his camera in this endeavour, photojournalists having revealed other aspects of life to an uninformed populace:

Lewis Hine . . . used his camera to reveal social conditions that were all the more appalling for being ignored. His images of children working in textile mills and coal mines helped persuade Congress to pass legislation outlawing child labor. Before Hine, Jacob Rus created a groundswell of support for urban reform with his pictures of life in New York City . . . During the years of the Vietnam War, photojournalistic images of that conflict's cruelty and suffering shocked American consciousness . . . [and] helped sway public sentiment against the war, much to the dismay of the Johnson and Nixon Administrations. (Grundberg, 1989, p. 33)

I believe that Mapplethorpe showed to gallery visitors a kind of sexuality that mimics, parodies, and eroticizes the power plays of society, hierarchies which in society are truly unjust. This was done within the realm of fantasy and negotiated desire, whereby choice, trust, expertise, and contextual sexual need determined the acquisition of polarized roles (dominant and submissive), and the role playing resulted in sexual reward. This kind of sexuality, one must also note, is forbidden in the representations sanctioned by the dominant culture; members of this *subculture* suffer police harassment, street violence, and discrimination in housing and employment (Califia, 1994c, p. 170). Sadoomasochism dramatizes the nature of a relationship between status quo and its excluded margins,

between the seemingly powerful and the seemingly powerless, both dependant on each other for identity and definition. Mapplethorpe's presentation of sadomasochism to the public in turn shed light on the power plays of society. It showed who had the power to vocally condemn the sexuality portrayed, and who had the power to defend and explain the sexuality portrayed.

Who was in a position to condemn Mapplethorpe's work in terms of its sexuality? President George Bush called it "filth" (Robinson, 1990a, p. 41). Senator Alfonse D'Amato and 35 co-signing senators called it "shocking, abhorrent and completely undeserving" (Honan, 1989, p. C20). Representative Dick Armey and 107 co-signing members of Congress called it "morally reprehensible trash" ("Congress votes," 1989). The editors of the New York Times said the images were "raw," "wrenching to the average eye" ("Justice in Cincinnati, 1990, p. A22). From the realm of art criticism, Hilton Kramer wrote in the newspaper that "we may certainly regard both the creation and the consumption of [Mapplethorpe's S/M images] as a form of social pathology" (1989, p. 7). Art in America's Jayne Merkel spoke of "sexually explicit and in some cases bizarre and disturbing photographs" (1990, p. 43). Cincinnati Enquirer critic Owen Findsen testified (for the defense) that he felt the photos were "repulsive" (Cembalest, 1990, p. 139). Judith Reisman retorted for the prosecution that they were "destructive" (Wilkerson, 1990m, p. A20). "Laypeople" such as jurors could only comment that they "had no idea that something like this existed," perhaps testifying to the state control of sexual knowledge (Cembalest, 1990, p. 136). Appropriately, Dorothy Helms, wife of Jesse, took a look at the catalogue of the

show, quickly slammed it shut and declared "Lord have mercy, Jesse, I'm not believing this" (Dowd, 1989, p. B6).

Who had the power to defend and explain the sexuality portrayed in Mapplethorpe's photographs? *Nobody*. At least, no one who contributed to or was quoted by the New York Times between June 1989 and October 1990, and no one cited in Artforum, Art in America, Art Journal, ARTnews, or The New Art Examiner during 1989, 1990, and 1991.

Eleanor Heartney tells us that reactions to pornography, and to Mapplethorpe's work in particular, shed light on our perceptions of the nature of society. For those who oppose pornography, their discomfort stems from a kind of "utopian thinking that celebrates a homogenous and dissent-free model of society." For porn is "a reminder of disruptive realities; of the untidy nature of the human personality; of the shifting and unpredictable nature of power within society and within personal relationships; of the unresolved tensions and inequities created by the inescapable fact of difference" (Heartney, 1991, p. 19) She explains that social realities are heavily guarded from disruption because, quoting Susan Sontag's "The Pornographic Imagination" (1982), there is in modern capitalist society a "traumatic failure" to

provide authentic outlets for the perennial human flair for high-temperature visionary obsession, to satisfy the appetite for exalted self-transcending modes of concentration and seriousness. The need of human beings to transcend "the personal" is no less profound than the need to be a person, an individual. But this society serves that need poorly. It provides mainly demonic vocabularies in which to situate that need and from which to initiate action and construct rites of behavior. One is offered a choice among vocabularies of thought and action which are not merely self-transcending but self-destructive. (Sontag, quoted in Heartney, 1991, p. 19)

Sontag's (and Heartney's) point is that the liminal, the "exalted self-transcending modes of concentration and seriousness" which are sought out in high-amped sex are not respected in society; outlets for them are not provided, and when acknowledged, done so in negative terms. One may turn to Hilton Kramer's reference to "social pathology" for an example.

In turn, pornography's reproduction of social interactions and boundaries undercuts the power of the ruling classes to define them in ways taken for granted, and reveals the lengths to which people will go to preserve the status quo. Eleanor Heartney writes that it is no coincidence that the targets of recent ire — Mapplethorpe, as well as black, Hispanic, female, gay and lesbian artists — are members of "marginal groups and 'deviant' outlooks," using "the conventions of pornography in their work as a weapon against the comfortable moral certainties of the dominant culture" (Heartney, 1991, p. 19). In doing so, says Marc Lancet, Mapplethorpe "has given us an opportunity to see 'the man behind the curtain,' to understand what drives the machinations of our political process" (1990, p. 3). Psychotherapist and psychology teacher Elizabeth Friar Williams describes these machinations in Freudian terms: according to the theory of reaction formation, the censor represses his or her "unacceptable" drives, creating laws to ensure that they will never be stirred and suitable punishment in the event that they are. This is the "hypocrisy" in all of us, she writes, for many of us are interested in being reminded of these impulses, even if we never act them out, and only fear prevents us from contemplating what Mapplethorpe portrays, "the furthest perimeters of sexuality and irreverence in ourselves" (Williams, 1989, p. 20).

Art critic Donald Kuspit explains the phenomenon in Marxist terms. In "Sexual Censorship and the New Authoritarianism" (1989), he refers to Adorno to explain that "fascist" leadership relies on the suppression of the libidinal energy of the governed to an unconscious level; it is diverted, moulded into obedience to serve political ends. Kuspit says that while Mapplethorpe's censors are not fascists, they do want the libidinal energy of the masses projected onto *them*, not loosely dispersed in an art gallery. He states that Kramer's concerns for "decency" are not unfounded, because:

Decency means obedience, and decent people — people who aren't aware of the power of sexuality and their bodies — are ready to obey their presumably know-it-all leaders. From the religious and governmental point of view, the trouble with Serrano and Mapplethorpe is that they are disobedient: their irreverence indicates disbelief in the authorities that determine what we should believe in — in all that is decent, especially the leaders themselves. Such disbelief verges on calling these authorities . . . frauds. In the end, it is the criticality in these images that religious and governmental authorities hate, for that criticality disputes their authority. The imagery of Serrano and Mapplethorpe questions this authority to the point that it seems irrelevant. (Kuspit, 1989, p. 44)

Such, then, is one of the social roles of artists and of pornography. The convergence of the two in 1989 (i.e. when an "artist" showed his "pornographic" works) challenged government officials' perceptions of their authority to keep "private behaviour" private, and art world officials' abilities to consistently argue that art was "art." If the portrayal and arousal of libidinal energy is so unsettling, one needs to ask why this is so of the climate that experienced it. One answer, relevant to this particular episode, is the all too common equation of pornography and violence.

Critiques of Mapplethorpe's Pornography: Sex and Violence

Some critics of Mapplethorpe's work, including Samuel Lipman, felt they were looking at "violent" images (1989, p. A29). This immediately raises two questions: What is violence? and How can an image be perceived as violent? Violence, thought of in terms of violent crime, means deliberate, malicious assault for the sake of non-consensual subjugation. A distillation of several meanings of the word, from the Random House College Dictionary (1988), suggests an unjust or unwarranted exertion of force or power in action or treatment (p. 1469). In response to the second question, the violence of a photograph can exist in various forms: a depicted subject exerting force towards some thing; a depicted subject exerting force towards another depicted subject; the photographer exerting force on the subjects; or the image itself exerting force on the viewer.

All seven of Mapplethorpe's offending images involve the images acting on the viewer, and the photographer acting on the subjects (by virtue of photographing them); five show one subject acting on himself or others, and two simply show individuals. While Jessie McBride (1976) and Rosie/Honey (1976) are shown nude, lightly touching themselves, the group from the "X Portfolio" show penetration, a more obvious exertion of force. In Self-Portrait (1978), Lou (1978), and John (1978), the subject is portrayed as having penetrated *himself* (with a whip, a finger, or an unidentifiable, phallic object); in Jim and Tom, Sausalito (1977) one subject urinates into the mouth of another, and in Helmut and Brooks, N.Y.C. (1978) one subject penetrates the rectum of another with a hand and forearm. Do any of these images represent "unwarranted" or "non-consensual" action? They do show unwarranted action if the consent of the portrayed subject who is acted-upon is not given

to the subject acting — but S/M sex (including "fisting" and "watersports") is based on consent, and self-penetration presumes self-permission. They are products of unwarranted action if a photographer does not have permission to photograph — but Mapplethorpe had permission from the children's parents, and consent from the adults portrayed must be assumed by the existence of the photos themselves and by a lack of any objection by subjects after the event. And they act in ways unwarranted if the viewer is forcibly exposed to them — but viewers chose (and paid) to enter the institutions displaying the photographs and, additionally, were warned of the sexual content of the "X Portfolio."

And yet, these seven images were seen as possessing violence: "torture and degradation" attributed to the "X Portfolio," "pedophilia" attributed to the image-making of children, and acceptance of these "forced" onto the viewer (Margulies, 1989, p. 33; Davis, 1989, p. 33; Kramer, 1989, p. 7). Why? Because they were considered to be "pornographic," and pornography is associated with violence. Porn is not simply sexual material oriented to the class of people who find "erotica" too highbrow, according to several commentators in the controversy. When asked "what is pornography?" artist Louise Bourgeois listed *rape* imagery (i.e. non-consensual sexual aggression) in the history of art, artist Jennie Holzer replied "pornography is about sex and sex alone, or sex plus violence," and writer David Leavitt (who has endured censorship of his own sexual writings for reasons he presumably disagrees with) said porn includes "things that are violent, because violence induces sexual excitation" (Cembalest et al., 1989, pp. 139-140, 141, 143). It is a common connection to make; as Candace Margulies contends in her letter to the New York Times, it is "a connection that has been verified by thousands of victims, police officers, perpetrators and

mental health professionals. This is not an issue of censorship, or conservatives vs. liberals, of gay rights or museum integrity. This is an issue of civil rights, no different from a public display of work promoting anti-Semitism or racism" (Margulies, 1989, p. 33).

It is also a connection made well-known in the recent and very specific past. It was created by anti-pornography feminists in the 1980s, who in a sincere effort to deal with the sex-ism of male behaviour (i.e. unwarranted treatment by men towards women), mistakenly attacked *images* of heterosexual behaviour (warranted treatment between men and women). The basis of this approach: men are inherently aggressive, and the manifestation of this aggression in pornography not only simulates its existence in society but legitimizes and further perpetuates it. It focuses on the subordination of women by men, but extends to the subordination of children and other men by men; even all-women porn is suspect, its participants considered to merely collaborate in the male behaviours of dehumanization and coercion. It is associated with the writings of Andrea Dworkin and University of Michigan law professor Catharine MacKinnon; Dworkin's Pornography: Men Possessing Women (1979) and MacKinnon's Only Words (1993) laid the foundations for their (failed) attempts to enact anti-pornography ordinances in Minneapolis (1983) and Indianapolis (1984), which authorized civil lawsuits for "damages and injunctive relief" for the offenses of trafficking in, coercing individuals into, the forcing onto of, or physical assault due to pornography (Duggan et al., 1992, p. 88). Laws based on their model have been advocated in Great Britain and New Zealand; have been introduced in Germany, the Philippines, and Sweden; have been incorporated into Canadian obscenity law; and have been considered in eight American states (Strossen, 1995, p. 77). Their rhetoric was celebrated by the (American)

Meese Pornography Commission of 1986, and widely co-opted by participants in the Senate Judiciary Committee's Pornography Victims' Compensation Act of 1992 (which failed final consideration). Dworkin and MacKinnon are published by major publishers, and are included in anthologies on pornography studies produced by major publishers; news anchorman Peter Jennings announced that MacKinnon is "the country's most prominent legal theorist in behalf of women, whose dedication to laws which serve men and women equally has made [the country] better" (Petersen, 1992, p. 39). In short, "MacDworkinism" (a term coined by Feminists for Free Expression founder Marcia Pally), while not always successfully incorporated into law because of its vehement, eradivative stance, has become widely known, its tenets broadly disseminated.

What, exactly, do Dworkin and MacKinnon say? Dworkin writes: "force — the violence of the male confirming his masculinity — is seen as the essential purpose of the penis, its animating principle as it were. . . . This penis must embody the violence of the male in order for him to be male" (1979, p. 55). MacKinnon says showing porn to men is "like saying 'kill' to a trained guard dog" (1993, p. 12). This is the violent male, regardless of whom or what he acts upon. Of relations and activities between the subjects (genders) in porn, MacKinnon claims that "there, women substantively desire dispossession and cruelty. We desperately want to be bound, battered, tortured, humiliated and killed. Or, to be fair to the soft core, merely taken and used" (1992, p. 461). Echoes Dworkin: "it is women turned into subhumans, beaver, pussy, body parts, genitals exposed, buttocks, breasts, mouths opened and throats penetrated, covered in semen, pissed on, shitted on, hung from light fixtures, tortured, maimed, bleeding, disembowelled, killed" (1992, p. 522). Women who

enjoy themselves in pornography are consequently enjoying their degradation. Of the relationship between pornographer and subject (the violence of the photographer): subjects have necessarily been *coerced*, despite, according to the model law, consent to the performance, prior knowledge that porn was being made, a lack of resistance to performing, the presence of a contract, a lack of physical force in production, or payment for one's performance (Strossen, 1995, p. 181). The effects of pornography on the viewers of society, Dworkin explains, are fourfold: the eroticization of women's secondary status is maintained; the commodification and objectification of women diminishes one's integrity and individuality; women are seen in porn as submissive and thus are expected to behave accordingly at all times; violence against women is socially normalized (1992, pp. 526-528).

Dworkin and MacKinnon are angry and sexually explicit; the "violence" of tone in their writings is not lost on the reader, nor was it lost on Canada Customs guards who, applying MacDworkinite Canadian law, aptly seized Dworkin's Pornography: Men Possessing Women and Woman Hating (Strossen, 1995, p. 205). Indeed, they write from within a society that experiences stereotypical depictions of men and women in the media, rampant sexism, male violence, violence against women and men and children and social groups. And the realm of pornography is not without its sexist, manipulative participants, like any industry. Particularly so, one might add, if the industry is shoved outside of the law and its protections for employees. But many who have worked in the industry, who have read Dworkin or MacKinnon, or who believe female sexuality does not equal female weakness and that maleness does not amount to killer instincts have responded with strong criticism to this essentially man- and sex-hating ideology. Their work has often been censored

officially by MacDworkinite laws, or unofficially, by booksellers aware of the prevalence of MacDworkinite beliefs, and by public forum organizers wanting to avoid conflict: F.A.C.T. Book Committee's Caught Looking (1986), created to show Dworkin, MacKinnon and women what pornography actually looks like (difficult to find in bookstores);⁵ Sally Tisdale, who's Talk Dirty to Me (1994) was based on a Harper's article on her personal use of porn (the article resulted in cancelled subscriptions);⁶ Susie Bright, whose books on lesbian sexuality are loved or loathed by women (hard to find in bookstores);⁷ Pat Califia, who

⁵Carol Vance, contributor to Caught Looking and commentator on the Mapplethorpe debate, has said of Dworkin and MacKinnon's efforts to fight sexism:

Initially, most feminists could certainly agree with the contention that pornography was often sexist; but before long it became clear that the claims and characterizations of the anti-porn groups and leaders were becoming grandiose and overstated Sexism in sex, or in its substitute, sexually explicit material, was apparently worse than sexism anywhere else. According to its critics, pornography was now the central engine of women's oppression, the major socializer of men, the chief agent of violence against women. (quoted in Canadian Broadcasting Company, 1993, p. 14)

⁶In the Harper's article Tisdale takes special offense to MacDworkinism:

I take this personally, the effort to repress material I enjoy — to tell me how wrong it is for me to enjoy it. Anti-pornography legislation is directed at me: as a user, as a writer. Catharine MacKinnon and Andrea Dworkin . . . are themselves prurient, scurrying after sex in every corner. They look down on me and shake a finger: *Bad girl. Mustn't touch.* That branch of feminism tells me my very thoughts are bad. Pornography tells me the opposite: that *none* of my thoughts are bad, that anything goes The message of pornography . . . is that our sexual selves are real. (Tisdale, 1992, p. 45)

⁷Susie Bright points to the irony of feminist anti-porn efforts: "I will not criticize the power of pictures and words to arouse; to arouse passion or ideas, erections or damp panties, fears, curiosities, unarticulated yearnings and odd realizations. Sexual speech, not MacKinnon's speech, is the most repressed and disdained kind of expression in our world, and MacKinnon is no rebel or radical to attack it" (Bright, 1993, pp. 1-2).

writes S/M pornography and queer civil-rights essays (banned at the Canadian border);⁸ and Nadine Strossen, president of the American Civil Liberties Union, whose Defending Pornography (1995) directly challenges Dworkin and MacKinnon's anti-pornography stance (Strossen has been prohibited from sharing various podiums with her opponents).⁹

Collectively, they remind us that men are not inherently aggressive just as women are not inherently unaggressive; that penile penetration does not constitute rape; that men and women (in any combination) can desire and swap roles of domination and submission within the realm of sexual play and not confuse this with public, social interaction; that extremes of domination and submission in porn are not readily available in the commercial industry, unwarranted violence, "snuff" and child porn commercially *unavailable*;¹⁰ that actors and

⁸Calafia believes that Dworkin and MacKinnon beliefs especially harm gays and lesbians: antiporn "feminists" have been obsessed from the very beginning with attempting to eliminate a sexually frank discourse of lesbian and gay male desire. They have always been happy to work with homophobes, anti-abortion politicians, and right-wingers In this distorted world view, gay male pornography is just as bad as straight smut because it contains a "consistent sexualization of hierarchies of power." . . . [Dworkin] seems woefully ignorant of the life-affirming impact that gay sexual imagery has on people who must live in a culture that tells us we are wrong, bad, sick, immoral, or nonexistent. I wonder what her response would be to the implementation of explicit safer-sex education. Bet it wouldn't differ that much, line for line, from Jesse Helms's. (Calafia, 1994b, pp. 109-110)

⁹Strossen introduces Defending Pornography by saying: "the feminist procensorship movement is a far greater threat to women's rights than is the sexual expression it condemns with the epithet 'pornography.' For women who cherish liberty and equality, Big Sister is as unwelcome in our lives as Big Brother. Defending the sexual expression that some feminists condemn with the dread *P* word is thus a critical element in our support of free speech, sexual and reproductive autonomy, and women's equality" (Strossen, 1995, p. 15).

¹⁰Availability does depend on locale; Canadian law is much stricter than American. An example of misinformation about extreme depictions in the commercial porn industry is the story behind the film Snuff. Snuff eroticized what was thought to be a real murder of a woman. It is, in fact, "a fraud, a low-budget horror F/X grossity with a helluva marketing

actresses in porn find value in their work, engage in it for various, personal reasons and resent charges of "brainwashing"; that the perception of social violence can be as real and damaging as psychological brutality; that attacking pornography is missing the real world of social violence; and that Dworkin and MacKinnon's philosophy on pornography is degrading to men and women, and reinforces the official suppression of individual sexual knowledge and power. These arguments are many, complex and articulate; for the purposes of addressing Mapplethorpe's work as pornography, and the perceived potential for violence of Mapplethorpe's images on society (for violence between his portrayed subjects or between the photographer and subjects cannot be substantiated), Nadine Strossen's arguments against the social violence of porn are pertinent.

Judith Reisman called Mapplethorpe's images "destructive": the literature of the controversy suggests that they are so because they are seen to exploit their subjects' identities, objectify the body at the expense of human emotion, misrepresent social identities and coerce the viewer. Each of these charges will be examined shortly. The overriding fear attached to these charges is that in doing these things, in Skinnerian fashion the images encourage others to treat people the same way. This is the violence of the image. Social scientists have provided "proof" of the emulative power of porn, citing studies on attitudinal effects of porn on viewers, correlational data on availability of porn and male violence,

angle" (Bright, 1995, p. 123). Strossen (1995) writes that the actress later came forward to prove she was very much alive (p. 191). Strossen also notes that "there is absolutely no evidence that *any* such film has *ever* been produced, let alone that it typifies the pornographic genre" (p. 190). That it does typify a genre, or *the* genre of pornography, is suggested by Dworkin and MacKinnon's descriptions of porn and assumptions that snuff films are available at every family-run video outlet. Try to find Snuff in a store — you won't, very easily.

anecdotal data by sex offenders, and studies on sex offenders. Nadine Strossen (1995) provides evidence to the contrary. She lists reviews of the data on attitudinal effects of porn, which conclude there is no credible evidence supporting a causal connection between exposure to sexually explicit material and violent behaviour (pp. 250-252).¹¹ Of correlations between porn availability and crime rates: where a correlation exists, third factors such as high populations of young males are seen as attributing to increases in porn and increases in crime.¹² However, Strossen cites evidence to show that correlations between availability and crime do exist in some locations, correlations which are *inverted*: with the rise in availability of sexual material come advances in the availability of education on gender equality, in sex education, and in the unacceptability of sexual violence.¹³ Conversely, sexual violence is common in countries where sexual speech is prohibited, such as Saudi Arabia, Iran, and China (pp. 253-257). In terms of anecdotal "evidence" of porn use by sex offenders, Strossen quotes Supreme Court justice William O. Douglas' dismissal of this form of "proof," cites crimes purportedly stimulated by other, more acceptable forms of reading material (such as the Bible), and concludes that a few instances of abusive interpretations of speech do not warrant its suppression (pp. 256-260).¹⁴ Finally, studies examining the

¹¹The most comprehensive review of the social science data to date is Marcia Pally (1994), Sex and Sensibility: Reflections on Forbidden Mirrors and the Will to Censor (Hopewell, NJ: Ecco Press).

¹²See Cynthia Gentry (1991), "Pornography and Rape: An Empirical Analysis," Deviant Behavior: An Interdisciplinary Journal (12), pp. 277-288.

¹³See Pally (1994), Sex and Sensibility.

¹⁴One must add that someone facing criminal charges of perpetrating a malicious crime (i.e. someone who has a lot to lose) is either someone who will (if reasonably sane) easily blame something other than him- or herself, or is someone who is (if not reasonably sane)

impact of exposure to sexual material in relation to the perpetration of sexual crime have found that sex offenders had less exposure than most men, and were more often raised in sexually repressive environments (pp. 260-261).¹⁵

This is a long way of saying that the connection between pornography and violence is tenuous: the epic proportions of unwarranted violence in commercial porn or sexual art is a myth, as is the belief that it encourages violent behaviour. It is important to make this point very clearly in the context of the Mapplethorpe controversy because, unlike the philosophical relativity of arguments about aesthetics (the previous chapter) and nature of censorship (the next chapter), the belief that pornography contains and promotes violence is dangerous in itself and, I believe, must be dispelled. It is a belief that has traceable roots to MacKinnon and Dworkin's anti-pornography feminism, and its effects are felt in the discussion of all kinds of sexual material — it is as applicable to interpretations of Dirty Dating Service as it is to the children's sex education book Show Me! as it is to Mapplethorpe's sadomasochistic images. To believe that sexual imagery is violent is to avoid the question Whose purposes (good and bad) does this belief serve? To engage activist energy in the belief that porn is violent weakens the struggle against real forms of violence. And a belief that one is being violently mistreated when one is not is dangerous, defeating, and degrading. Lisa Duggan, a contributor to F.A.C.T.'s Caught Looking, points out the limitations of this theory with regard to the Mapplethorpe debate, in Artforum:

not the best interpreter of his or her own psychosis.

¹⁵Research in this area has been conducted by John Money, of Johns Hopkins Medical School; his findings are reported in Jane Brody (1990), "Scientists Trace Aberrant Sexuality," New York Times(January 23).

Reisman's charges neatly illustrate the favored tactics of 1980s antiporn attacks. Consensual sadomasochism is equated with violence, anal eroticism is damned as the cause of AIDS, and any depiction of the bodies of children is blasted as child abuse. Public outrage at real violence, real suffering, and widespread abuse is diverted away from substantive analysis and action into a censorship campaign. (Duggan, 1989, p. 27)

Feminist Anti-pornography Sentiment and Mapplethorpe's Photographs

If the above seems overly inflammatory in its portrayal of anti-pornography feminism, and if one is left wondering about the real extent to which two people's ideas have been adopted by a society, read on. Prior to MacKinnon's and Dworkin's impact on perceptions of pornography, the language used to discredit it was puritanical, typically referring to the baseness of depicting sexuality, the "vulgarity" of such imagery, and the need to protect unknowing "innocents" from seeing it (Strossen, 1995, p. 114). With MacDworkinism came objections to: performances by subjects who are "coerced, intimidated, or fraudulently induced" into performing; the exhibition of body parts such that subjects are "reduced to those parts"; the portrayal of "dehumanized sexual objects, things or commodities"; "a systematic practice of exploitation and subordination based on sex" promoting "bigotry and contempt" which harms "opportunities for equality of rights"; and the "forced" exposure to porn "in any place of employment, in education, in a home, or in any public place" (excerpts from key provisions of the original Minneapolis ordinance, quoted in full in Duggan et al., 1992, p. 88). The viewing of sexual material (and taking offense to it) is a particularly subjective experience; these objections are based on Dworkin and MacKinnon's *perceptions* of coercion, objectification, inequality and forced exposure, and their point is that if it is

perceived, it is real.¹⁶ That these "features" of porn are applied in the ordinance to male-female sexuality and social relations does not limit their extension to homosexuality. Andrea Dworkin has denounced lesbian porn as "an expression of self-hatred," and has been known to personally deface posters promoting male homosexuality (at the Gay House, Inc, where she used to conduct lesbian discussion groups) (Strossen, 1995, p. 169). It is not surprising, then, to hear MacDworkinite criticism applied to Mapplethorpe's photographs, referring to the exploitation of subjects, unemotive objectification of the body, misrepresentation of subjects, and manipulation of viewers.

In terms of Mapplethorpe's potential for manipulating his subjects, the lack of such attention paid to the "X Portfolio" suggests a collective agreement with Hilton Kramer's point of view, that the performers may be "presume[d] to be consenting adults — consenting not only to the sexual practices depicted but to Mapplethorpe's role in photographing them" (1989, p. 7). However, prosecution witness Judith Reisman claims that the photographer of the images of children was a "child molester" who glamorized "child nudes" by conducting

¹⁶One has to call them perceptions because according to Dworkin and MacKinnon, the elements of coercion, objectification, inequality and forced exposure in pornography are codetermined more by their own attitudes towards the already-existing psychological state of actors and viewers (as already existing in a state of coercion, fragmentation, and suppression), than by the actual, physical determinants of the context in which the pornography was made and seen (i.e. the contract signed, the physical intactness of actors' bodies preserved, the equality of treatment during production, and the choice to consume or not consume the product). However, the fact that Dworkin and MacKinnon's theories are based on perception does not take away from their power of belief; perceived harm is indeed damaging. But Dworkin and MacKinnon can in turn be accused of unduly disseminating a specific perception of harm where harm, in fact, does not exist.

"photographic assault and rape" (quoted in Bolton, 1990, p. 26; Duggan, 1989, p. 27). Lawrence Stanley, an entertainment and obscenity lawyer, sees this accusation as conforming to philosophies of "antipornography feminists and the religious right," whereby "male sexuality has consistently been characterized as rapacious, violent, and exploitive and men have been assumed to be incapable — without a high degree of social control — of nonexploitive interactions with children" (Stanley, 1991, p. 24). Thus it is the motivations of the photographer which are suspect, the images obscene by intent. Stanley takes issue with this attitude, having witnessed it in other cases involving male photographers and nude children. He says this is an attempt to "control thoughts, rather than punish misdeeds" (p. 25). If a child was not forced to pose nude and was not harmed in the process, he argues, whatever was in the mind of the photographer is of no consequence. Indictments based on a photographer's so-called pedophilic intent would likely see the banishment of all images of children, nude or clothed (p. 25). Stanley's argument boils down to: if proof of harm to the child by the photographer's actions, during the photo shoot, can be found then charge the photographer; if not, manipulation of the subject is not an issue.

Charges of objectification by an excessive focus on body parts are a reminder of Hilton Kramer's contention that "what one finds in many Mapplethorpe photographs is . . . so absolute and extreme a concentration on male sexual endowments that every other attribute of the human subject is reduced to insignificance." Or, as the poet Richard Howard wrote in a tribute to Mapplethorpe, "the male genitals are often presented . . . as surrogates for the face" (Kramer, 1989, p. 7). This observation is fairly accurate of Mapplethorpe's work; it is also consistent with the practice of photography and with the

sexual desires of anyone voyeuristically inclined. Art critic Andy Grundberg points out that a camera feeds the imagination's desire to penetrate places in ways our bodies (and identities) cannot: "almost from the moment of the medium's birth in 1839, photographers have been fascinated with the contradictory but inherent eroticism of the camera's disembodied gaze" (Grundberg, 1990, p. C17). Furthermore, "objectification" is not actually, physically cutting a person's body up. It is another way of saying "visual fetishization," whereby the sight of a specific object or isolated body part is highly arousing to the viewer, something normally celebrated, not condemned, in sex. Gallery director Thomas W. Sokolowski explains this phenomenon in Mapplethorpe's work:

his most compelling images are frequently those that focus upon body parts and in so doing fetishize them. The pendulous cock, the gloriously superhuman tumescences, the nipple as omphalos (the navel of the world) send shock waves through the viewer. By fragmenting the body in this manner (a decidedly un-classical Greek device), Mapplethorpe flaunts his disembodied genitalia in the face of his censors, taking the act of desecration/castration/denaturing into his own hands. By inverting it, he proves that the power remains even when the phallus is fragmented, and distances himself from earlier artists' approaches to sexually charged imagery. (Sokolowski, 1990, p. 116)

Other writers suggest that critics like Kramer do understand the power of the fetish, but do not appreciate the maleness of Mapplethorpe's subjects. Novelist Gary Indiana writes that "any graphic display of the male sexual organ presses panic buttons on *emphatically* heterosexual men, especially ones who wield power on Capitol Hill" (1989, p. 12). Allan Sekula agrees, commenting that Kramer uses "a rather outdated feminist critique of 'objectification'" to justify his "gender-specific" (heterosexual) interests in body parts (Sekula, 1990, pp. 42-43).

Hand in hand with fears that the pornographic body is hacked apart by the camera go fears that the body is treated as separate from its owner, a complex, cognizant, emotional human being. Prosecution witness (and Meese Commission consultant) Judith Reisman contended that in the sadomasochistic images, "with the absence of pain, even of joy, the absence of distress, of any human emotion, one then receives information that this is an appropriate activity" (quoted in Merkel, 1990, p. 45). Apart from questioning how one can deduce "appropriateness" from a portrayed lack of emotion (interpreting porn *is* a subjective experience), one detects in Reisman's concern a preference for the "beautiful, romantic, soft" sex of "erotica." Or, perhaps Reisman has read Susan Griffin's Pornography and Silence: Culture's Revenge against Nature (1981), a book heavily influenced by Dworkin and MacKinnon's premises that man creates porn to live out fantasies of cold-blooded, psychological murder. Eleanor Heartney samples from this work in the literature on the Mapplethorpe controversy to remind readers of its influence in the debate. She says that according to Griffin, the pornographer obliterates natural feeling, serving as "an instrument of nature-annihilating culture" (Heartney, 1991, p. 17). The quotation from Griffin:

All death in pornography is really only the death of the heart. Over and over again, that part of our beings which can feel both in body and mind is ritually murdered. We make a mistake, therefore, when we believe that pornography is simply fantasy, simply a record of sadistic events. For pornography exceeds the boundaries of both fantasy and record and becomes itself an act. Pornography *is* sadism. (Griffin, 1981, p. 83).

Heartney sees this interpretation as "a simplistic view of human psychology in which the male represents mind, aggression, and power and the female represents feeling, nurture, and victimhood" (Heartney, 1991, p. 17). It is also an interpretation that confuses image and

reality; Griffin tells us that pornography as an object, a document of sexual activity, acts with sadistic intent on the viewer.

Thomas W. Sokolowski offers a rebuttal to Griffin's (and Reisman's) thesis. He agrees that Mapplethorpe's images, specifically Helmut & Brooks, NYC (1978), do not show feelings of pleasure or pain, and that this shot does abstract "this most physical act" so that the viewer must involve him or herself in reconstructing the image. But in doing so, Mapplethorpe leaves us to contemplate the body in its physicality, its sexuality of stretching, penetrating parts. Like Edward Weston's 1930 series of twisted peppers, Mapplethorpe's "fisting" image "rams home the single point: it's *all* part of nature" (Sokolowski, 1990, p. 116).

A common concern over pornography is not the effects that witnessing it will have on oneself, but on other people. And if correlations between porn use and physical aggression are unsubstantiated, another resort in an effort to connect porn to social violence is the damages it might have on the treatment of and opportunities given to the social groups it portrays. The portrayal of an individual in porn is in terms of his or her sexuality; the misuse of porn is seen as the eroticization of the entire social group, beyond the realm of porn (in society) to the exclusion of other, individual qualities.

One potential manifestation of this belief is in Mapplethorpe's images of black men. Photographed posing nude, an "extreme . . . concentration on male sexual endowments" clearly evident, these subjects have prompted accusations that Mapplethorpe is reinforcing the colonial stereotype of the eroticized Other, the black man consumed with sexual excess (Gaines, 1992, p. 38). Of the seven images which were involved in the controversy, none contained black men as subjects. However, that Senator Jesse Helms was aware of these

images is suggested by his comment that "there's a big difference between The Merchant of Venice and a photograph of two males of different races on a marble top table" (quoted in Dowd, 1989, p. B6). However, Gary Indiana states that Helms' objection is not based on the premises of multicultural activism. He writes: "as far as Jesse Helms is concerned, I imagine that any erotic depiction of the black male nude (there are many in Mapplethorpe's work) would inflame him, since Helms is, not to mince words, a complete racist" (Indiana, 1989, p. 12). Similarly, Hilton Kramer's disdain over the rendering of (white) men "as nothing but sexual — which is to say, homosexual — objects" is seen to have more to do with homophobia than with desires to see the emotive subjectivity of maleness portrayed (Kramer, 1989, p. 7; Kuspit, 1989, p. 43).

Of the images of children, Judith Reisman claimed that Mapplethorpe portrayed Rosie/Honey "just as thousands of other child molesters/pornographers before and after him. . . . The photo advertises the availability of the child (and, by extension, all children) for photographic assault and rape" (quoted in Bolton, 1990, p. 26). Owen Findsen argued in court that instead this image was "a picture of pure innocence" (Merkel, 1990, p. 49). Aware of Reisman's difference of opinion, he advanced the claim that Mapplethorpe intentionally created an image of ambiguous sexual content, "giving us a parallel parable to the Garden of Eden, and the fall from innocence is in the mind of the viewer" (p. 49). Indeed, the subjectivity of viewing sexual imagery is borne out in the entire debate over Mapplethorpe's work. Furthermore, to insist that these images will be uniformly interpreted in ways that further promote social suppression by eroticization, as Dworkin and MacKinnon would suggest, is missing this point, summarized by artist Nancy Spero: "certainly art can be

prurient or offensive. Like anything in art it's not an objective thing" (Cembalest et al., 1989, p. 142).

The fourth concern about Mapplethorpe's images, suggestive of antipornography feminist views, is the participatory role of the audience in viewing the images, the nature of our involvement with the work. For Mapplethorpe was both observer and participant in the making of the images; because he was documenting sexual encounters (his subjects performers rather than models), he could be considered a player in the sex itself. The question asked at the beginning of this chapter, "are we having sex now or what?" can be asked in turn of the viewer. If we witness a sexual encounter, and are "aroused" (positively or negatively) by it, are we not also involved in its sexuality? Allan Sekula suggests this is specifically what bothers Hilton Kramer about the images (Sekula, 1990, p. 42). Donald Kuspit agrees, claiming that Kramer's brand of "New Decency" serves to interfere with this organic relationship between viewers and sexual imagery, in an "effort to control and manipulate the unconscious attitude toward and aesthetic articulation of the body," enforcing instead "a 'people's fantasy,' with the same heightened banality as a people's art" (Kuspit, 1989, p. 43).

That one can be seduced by such images, at least during the experience of viewing them, explains the voiced disapproval that Mapplethorpe was actively "promoting" the sexuality portrayed, and the fears that the viewer is being manipulated. For promotion will not work if the audience is not momentarily swayed by the promoter — this is, after all, is the basis of advertising. Hilton Kramer did not appreciate Mapplethorpe's role as "advocate" and "sympathetic participant," which Kramer felt was evident in the images and

confirmed by Whitney Museum curator Richard Marshall, who stated that point in the catalogue accompanying a 1988 show of Mapplethorpe's work at that institution (Kramer, 1989, p. 7). If the photographer was an advocate, Kramer writes, then his images "are designed to aggrandize and abet erotic rituals involving coercion, degradation, bloodshed and the infliction of pain" (p. 7). Likewise, Judith Reisman felt that the photographs "encourage immoral behavior" (Wilkerson, 1990m, p. A20). But artist and former porn star Veronica Vera disagrees with this point of view, Kramer's in particular. As one of Mapplethorpe's "sex objects," and a friend who knew that Mapplethorpe himself practised S/M, she offers her own "unique perspective" to readers of the New York Times (Vera, 1989, p. 3). She writes: "to suggest that Robert Mapplethorpe's sadomasochistic images are dangerous because he wanted to 'promote sexual practices commonly regarded as unruly and perverse' is attributing something to the artist that he never said. . . . We don't know that he hoped the world would follow him. Because he photographed a lot of flowers, was he promoting ikebana?" Allan Sekula suggests that if Mapplethorpe had taken a role as advocate of sadomasochism, he might have approached these images with "the more cloying, glamorized and openly derivative eroticism of his portraits (the "Y Portfolio") and flower pictures (the "Z Portfolio")" rather than the straightforward, descriptive style seen in the "X Portfolio" (Sekula, 1990, p. 42). One must add to this point that *even if he did* want to promote the sexuality portrayed in his images, its presence in the images and the strong reactions to it by the viewing public suggest that there was a responsibility on the part of the museums showing the photographs to provide some form of acknowledgement, by way of

education, of the subject. If the content of these images can be addressed in a university dissertation, it can be addressed in a gallery willing to show its visual counterparts.

As viewers, we are involved in the sexuality of the images while we look at them. As Thomas Sokolowski explains, Mapplethorpe's images, as objects, participate in the role of fantasy thrust into "the realm of the real" (Sokolowski, 1990, p. 116). He writes: "as David Freedberg has observed, 'we fear the body in the image, we refuse to acknowledge our engagement with it, and we deny recognition of those aspects of our own sexuality that it may seem to threaten or reveal.' Looking at Mapplethorpe's images, we are found out" (p. 116). On a humorous note, a reviewer of "The Perfect Moment" at the Philadelphia venue recalls that one's sexual engagement with the "X Portfolio" was further enhanced by gallery designers:

Interestingly, the nature of the display is as provoking as the items displayed: isolated, placed under glass in a vitrine *not* designed for maximum visibility, the viewer/voyeur is compelled actively to interact with these pictures in a way he or she needn't elsewhere. The active and passive converge here, for in order to see the topmost row of photos — the "X-rated" of the series — the observer, straining slightly, must bend forward, and over, assuming a pose of sexual receptivity. (Salatino, 1989, p. 54)

Some viewers might not have found this so funny. Others, like Dworkin and MacKinnon, might have called it an outright violation, a manifestation of forceful manipulation. Kramer saw the show as "the attempt to force upon the public the acceptance of the values of a sexual subculture that the public at large finds loathsome" (Kramer, 1989, p. 7). But Michael Levey, former director of the National Gallery in London, counters that "no one is being coerced into going to an exhibition. It is hardly the same thing as being

deliberately pushed into the road and knocked over by a car. Judgement is surely something adult people should exercise for themselves" (Cembalest et al., 1989, p. 140).

Mapplethorpe's Audience: Viewers or Voyeurs?

This question lies at the root of the difficulties with Mapplethorpe's subject matter. Because the content is sexual, or perceived to be sexual in the photos of children, we are voyeurs by virtue of looking at it. A voyeur is not simply "someone watching sex"; it is someone *engaged* by the sex watched. Engagement is normally a celebrated aspect of experiencing art. Many would argue that it is a necessary aspect of good art; in fact, Kevin Salatino laments his disengagement with Mapplethorpe's photos, finding them (and by extension, his reaction to them) "restrained, dispassionate" (Salatino, 1989, p. 54). If engagement with art is encouraged, but engagement with sexual art is discomforting (to many of Mapplethorpe's viewer-voyeurs), then one must conclude that the problem stems from difficulties with looking at sex in imagery, and difficulties with sexuality itself.

The point has been made several times in this chapter that critics of Mapplethorpe's work have conflated image with reality, that reactions against the sexuality portrayed (homosexuality, perceived child sexuality, sadomasochism) merge with reactions against portraying sexuality (pornography/erotica/sexual art), such that the two are indistinguishable. When syndicated columnist Patrick Buchanan says "'barbarism!' The precise word, as we observe journalistic yahoos hailing poor, pathetic Robert Mapplethorpe for having photographed, for their amusement, the degraded acts by which he killed himself," one senses that a disapproval of Mapplethorpe's sexuality overrides the

uncomfortable fact that he photographed it (quoted in Bolton, 1990, p. 26). As voyeurs, our sexuality is aroused (positively or negatively) by these images; as voyeurs, though, we are one step removed from the sexual event portrayed, from the performers, and from the photographer. There is a difference: we are alone with an image, an inanimate object. The image touches the imagination, not the body. An image can take us places our bodies and identities might never go. Thomas Sokolowski asks "are some sexual practices, especially sadomasochistic ones (licit or not), too horrible to represent, let alone envisage? . . . As the essay that accompanies the "X Portfolio" tells the viewer, "These are not rites, these are not religious rituals, these are IMAGES, that's the strength of it, look into them" (Sokolowski, 1990, p. 116).

That these images have wandered into the realm of "high" art, and that heated conflict has resulted shows, to Lisa Duggan, a complete breakdown of the post-war compromise on sexual imagery, that it is not obscene if it is artistic. For "moral conservatives" have maintained their own standards of obscenity, artistic or not, and eagerly overlook the compromise that underlies Miller, feeling "free to do what the art world thought they wouldn't dare. They have directed their antiporn, antigay fervor at the 'high,' the 'respectable' arts — the stuff shown in museums rather than adult bookstores" (Duggan, 1989, pp. 26-27). Some have pointed out that such action has not been motivated by ignorance, but by a clear understanding of the power of the image and of the societal effects of suppressing imagery. Artist and writer Carol Jacobsen points out that "the religious right and ultraconservatives are not demonstrating visual illiteracy when they look at a flag and name it 'freedom,' or an image of sexual pleasure or desire for anyone other than straight-

arrow white males and name it 'porn,' or a fetus and name it 'murder.' Their strategy is a calculated offensive meant to buttress the masculinist power structure — and not coincidentally to help get their candidates reelected" (Jacobsen, 1991, p. 42). This strategy, she continues citing a point made by F.A.C.T. member Ellen Willis, "reinforce[s] cultural taboos on sexuality and suppress feminism, homosexuality, and other forms of sexual dissidence," which in the past has successfully suppressed educational material, as obscene sexual material, on female sexuality, contraception, and abortion (p. 42).

The point that censors possess fully-developed, visual literacy skills is eloquently illustrated in a visual contribution to Artforum.¹⁷ AIDS visual activist group Gran Fury published Control shortly after the summer of congress debate over the NEA, in October, 1989. The image is a photograph of Senator Jesse Helms, of the "politician at home" type. It is overlaid with text: Helms' amendment to the Labor, Health and Human Services, and Education bill for 1988 is juxtaposed with his 1989 amendment to the Senate appropriations bill. The latter is directed to the NEA, prohibiting the use of federal funding "to promote, disseminate or produce obscene or indecent materials, including but not limited to depictions of sadomasochism, homoeroticism, the exploitation of children, or individuals engaged in sex acts." The former is directed to the Centers for Disease Control, prohibiting funds used "to provide AIDS education, information, or prevention materials and activities that promote, encourage, or condone homosexual sexual activities or the intravenous use of

¹⁷This journal must be commended for acknowledging its readers' visual literacy. Interspersed with articles are artworks designed for magazine layout, "Projects for Artforum." They are as informative of current trends in the art world as are articles using the written word; they give artists further opportunities to create and show their work; and they embody the educative role of art.

illegal drugs." The text as a whole tells us that Helms sees educational material or artistic expression of homosexuality as "promoting" homosexuality; that depictions of individuals engaged in sex acts, the intravenous use of illegal drugs, homosexual sexual acts, sadomasochism, and the exploitation of children are all equally harmful and are interpreted uniformly as such; and that Helms was effective in persuading his colleagues — the text at the bottom reads that both amendments "were overwhelmingly approved with little discussion." The image shows the "man behind the words": Helms is in suit and tie, seated in an armchair facing the camera. Next to the senator is a telephone table and telephone (the line to the outside world), a small dog obediently standing at his feet (his domain), eyes raised to his master. Laid over Helms' right arm is the word CONTROL. Helms understands the power of sexual imagery to educate, the power of political imagery to persuade.

Others argue that the "pornocentrism" of the controversy over Mapplethorpe's sexual content stems not from a difficulty with porn *per se*, but with open sexuality. As such, pornography is an easy target for broader tensions in society. Eleanor Heartney explains that pornography "brings to a fore a basic American uneasiness with sexuality, with nonconformity, with the existence of marginal groups and behaviors, with so-called 'deviant' philosophies" (Heartney, 1991, p. 16). It is an uneasiness shared by "intellectuals," who have found they could get along "navigating the shoals of deconstruction, postmodernism, and simulation, without having an opinion on pornography at all," "content with the comfortable liberal line: it may not be my cup of tea, but as long as no one gets hurt" (p. 16). It is also rooted in an antipornography feminist discomfort that porn reinforces "a sexist, patriarchal

status quo," ironically and ostensibly in opposition to "the most devoted defenders of that status who so vehemently attack it" (p. 16). We have heard how "intellectuals" avoided the subject, as well as the antipornography feminist premises; Donald Kuspit sheds light on the "status quo" position:

What [Republican Representative Dick] Armey calls "public standards of taste and decency" implies the division of sexuality into proper and improper, conventional and unconventional, and, finally, normal and abnormal modes of expression. Perhaps the basic division is between wholesome — because family-oriented — sexuality, that is, sexuality in the service of reproduction and/or occurring within the Christian family context, and sexuality without reproductive purpose — sexuality which, because it occurs outside the family, is labelled "pagan" and "perverse." Behind the suppression of Serrano's and Mapplethorpe's art looms the accusation that their imagery is deviant and inimical to the welfare of society, indeed to its very survival — a highly questionable proposition. Such discriminatory labelling is ultimately an instrument for the denial of the individual's sexual rights, the right to a free sexuality. (Kuspit, 1989, p. 43)

In other words, says anthropologist Carol Vance, "sexuality is shameful and discrediting" (1989, p. 43). She adds that if one cannot offer a public defense of sexual images, one grants the right wing this most basic premise (p. 43).

Both Vance and Kuspit speak of the porn panic in terms of its nature as a "symbolic mobilization," a rally against a symbolic enemy (Vance, 1989, p. 43). Kuspit says "the attempt to determine the production of art seems to be a cover for a more far-reaching, oppressive effort at social control: control of sexual expression and, finally, sexual behavior" (Kuspit, 1989, p. 43). On the one hand, Vance explains, the desire to eliminate symbols signals a weakness in the power to control sexual behaviour; Mapplethorpe's critics must "content themselves with controlling a proxy, images of sexual behavior" (Vance, 1989, p. 43). For the vocabulary customarily used against deviant sexual groups, "perverted, filth,

trash," is now, as a result of sexual liberalization, unacceptable if applied to individuals. On the other hand, she continues, the attack on images in the public sphere proves to be more successful, "the most effective point of cultural intervention now — particularly given the evident difficulty liberals have in mounting a strong and unambivalent response and given the way changes in public climate can be translated back to changes in legal rights" (p. 43).

Stress the phrase "images in the public sphere." In The Jaguar and the Anteater: Pornography and the Modern World (1993), anthropologist Bernard Arcand tells us that our era is oriented by concepts of constant progress and absolute growth. As such, the exterior world (where change can be implemented and observed) becomes more and more unstable; in response we look for, and are encouraged to look for, immutable truths in ourselves, the private. The modern individual becomes aware of public obligation versus personal rights, the rights to authentic, personal experiences and the responsibilities to respect those of others, to preserve social order (pp. 150-151). Pornography plays with this divide — its power of arousal often depends on it. Porn lets us think we're seeing "the girl next door," leads her out of her house and into the public realm, and the viewer lets her into his or her own sphere of intimacy, modesty (pp. 178-179). This quality of Mapplethorpe's work, his public presentation of the boys in the 'hood, is precisely what offends Samuel Lipman. "As long as these pleasures remain private, confined to consenting adults, and not immediately injurious, the public weal remains undisturbed. But now we have been told that what has been private must be made public. We are told that it is the true function of art to accommodate us to feelings and actions that we — and societies and nations before us — have found objectionable and even appalling" (Lipman, 1989, p. A29).

It was the intentions of Mapplethorpe and participating museums to blur this line between public and private. For this is not only the role of "promotion," as Kramer sees it, but of education, as UCLA photography lecturer Connie Samaras explains:

It is politically easy for Kramer to make an emotional appeal for censorship through uninformed frothing about a sexual minority — i.e., those engaged in marginal sex practices — about which most people know little or nothing. Whatever one's feelings about S and M and young people's sexuality, I think any serious discussion on these topics should challenge participants to question such things as one's basic assumptions about sexuality, the complicated manner in which public and private overlap, and the ways in which definitions of gender and the family are culturally constructed. Art, far from being functionless, is a potential arena in which to spirit dialogue about complex political issues. But as Kramer and his legislative counterparts have it, any such dialogue, with its threat of change and contamination, is best kept behind closed doors and out of public spaces like museums, galleries, and classrooms. (Samaras, 89, p. 13)

As voyeurs, we can allow these images to enter our own territory; as modern, social beings, we can share the experience and discuss its significance to ours and others' basic assumptions about sexuality.

Mapplethorpe's Homosexuality

As was discussed in the first chapter of this dissertation, the sexuality, sexual rights, and accountability of the artist are as significant in modern controversies over sexual imagery as is the content itself. The Mapplethorpe case is no exception. In terms of the issue of gay content, the "X Portfolio" contains images of sex between or about men exclusively. But in the debate, discussion of homosexuality tended instead to focus on the artist — his lifestyle, his message, his rights. Recalling the recent "outing" of House speaker Thomas S. Foley, Donald Kuspit writes that in the United States, "some people think it is still possible to

slander a person by designating him or her homosexual. . . . the labelling of Mapplethorpe's imagery as morally repugnant and reprehensible is meant to slander his person and artistry" (Kuspit, 1989, p. 44).

It was, of course, a controversy: did intolerance of homosexuality play a part in the offense taken to Mapplethorpe's images? Some acknowledged it did, but not to them personally. Rather, it was a matter of taste. Ruth Bolduan, chair of the Coalition of Washington Artists, announced at the June 16, 1989, Corcoran protest: "we don't think of this as a gay issue. . . . We think it's an esthetic issue and social issue" (quoted in Gamarekian, 1989a, p. A9). Al Hormel wrote to the editors of the New York Times that despite the charges of homophobia flung at critics of Mapplethorpe's work, heterosexual sexual images are as unpopular with government funding agencies as are artifacts Jesse Helms would favour. He says "those who object to 'homoerotic' photographs are not out to destroy homosexuals any more than those who found 'Deep Throat' objectionable were opposed to heterosexual unions. It's simply a matter of taste, and while we can't legislate good taste, taxpayers can't be required to subsidize photographs of penises, recordings of Wayne Newton or manufacturers of plastic flamingos" (Hormel, 1990, p. 7). Gay artist David Johnson concurs; of an article by David Leavitt published in the newspaper a month earlier, Johnson responds: "as to homophobia, I, too, am gay and (Lord help me) an artist. All I can say is that I don't want my tax dollars spent on photographs of anal sex. Mr. Leavitt is kidding himself in believing that this is evidence of homophobia. Bad taste is the issue here, but no one dares say it" (Johnson, 1990, p. 9).

Taste issue or not, Senator Helms disapproves of homosexuality. This is emphasized in his two amendments concerning the promotion, encouragement, or condoning of "homoeroticism" and "homosexual sexual activities"; it is suggested in his statement "this Mapplethorpe fellow . . . was an acknowledged homosexual. He's dead now, but the homosexual theme goes throughout his work. . . . If someone wants to write ugly nasty things on the men's room wall, the taxpayers do not provide the crayons" (quoted in Dowd, 1989, p. B6). No, he does not come right out and say "homosexual acts should be illegal," as did four potential jurors during the selection process; nor did he label the portrayed as "blasphemous acts of homoeroticism," as William F. Buckley did (Wilkerson, 1990h, p. A16; Cembalest et al., 1989, p. 139). But he also did not resort to the "comfortable liberal line: it may not be my cup of tea, but as long as no one gets hurt" (Heartney, 1991, p. 16). Christopher Durang wrote to the editors of the New York Times in September, 1990, that the media had been slow in noting an element of homophobia in Jesse Helms' "attack," "initially not even remarking on the ludicrous inclusion of 'homoeroticism' on the Helms verboten list. . . . the Helms language does not forbid heterosexual eroticism, only *homoeroticism*" (Durang, 1990, p. 7). Art critic Douglas Crimp extends the point, noting that Helms' amendment, "inspired by certain of Mapplethorpe's photographs — directly equates homoeroticism with obscenity" (Crimp, 1990, p. 47). Joyce Fernandes, director of exhibitions and events at the School of the Art Institute of Chicago (where controversy over an artwork using the flag raged just prior to the Corcoran closure) comments that the homophobia shown by the "white male power structure of America" is masked by calls for a return to "fundamentals." Their fundamentals appear to differ from "America's first and

fundamental characteristic as a multi-cultural, multi-ethnic nation" (quoted in "Against Intimidation," 1989, p. 25).

What is it, then, that members of the art world saw was threatening about the display of male-male sexual images created by a homosexual? Photographer and art critic Allan Sekula objected to Hilton Kramer's preference that homosexual culture remain in the closet, privately experienced, images privately sold and displayed. He writes: "what terrifies conservatives like Kramer and Lipman is a truly popular, open homosexual culture, a culture capable of forging alliances and bonds with dissident and mainstream groups in American society. They fear the sort of politicized gay and lesbian culture that emerged with the Stonewall Rebellion of 1969 and gathers force now in response to the AIDS crisis" (Sekula, 1990, pp. 42-43). Donald Kuspit agrees that closeting a gay photograph, and by extension gay identity and culture, is controlling it. The process takes its initial steps with the use of discriminatory language: "religion and government converge in their moralistic labelling of sexuality, a prelude to their attempt to control it. Institutional Christian religion arrogates to itself the right to regulate sexuality, even to describe pejoratively certain kinds of sexual expression and behaviors as illicit or 'outlaw' — in effect prohibiting them" (Kuspit, 1989, p. 43).

Sekula sees government resistance to homosexuality in terms of the ways consumer "lifestyles" affect the economy. Defying "normal," family lifestyles, homosexuals seek out alternative forms of family and are "especially visible working in 'frivolous' fields on the fringes of the Gross National Product" (p. 43). In a late capitalist market economy, the dream of liberated desire is the fuel that feeds it. When gays and lesbians take this

seriously, they are scapegoated, arousing fears of "unfettered desire and an impotent economy" (Sekula, 1990, p. 43). They are also seen as the Other. Kuspit points to this irony: "the fact that avowed homosexuals are involved in government — and that about ten percent of the population is supposedly homosexual — suggests the pernicious absurdity of the censorship" (Kuspit, 1989, p. 44). Gary Indiana writes that homosexual men do, in fact, occupy government positions, several prominent Republicans having "figured in a bust of a male prostitution ring the week after the Mapplethorpe cancellation" (Indiana, 1989, p. 11). Moreover, that gays and lesbians are "outlawed," closeted, and relegated to Otherness is seen as the very point of Mapplethorpe's work. By compartmentalizing his desire into Portfolios, and then alphabetizing these compartments (X, Y, Z), Mapplethorpe "allegoriz[es] gay existence within the very archival structure of his work," "perhaps one acknowledged source of his popularity, which is usually attributed to his pictorialism" (Sekula, 1990, p. 42).

However, sincere attempts to break down these socialized compartments around homosexuality are acknowledged as not always entirely successful. When Michael Brenson reviewed the Mapplethorpe show and tried to acknowledge issues of homosexuality, one reader saw in the piece the same degree of moralism contained in Kramer's overtly condemnatory article. Brenson's calling Mapplethorpe "defiantly unrepentant" suggested that the photographer "had something to repent in the first place"; the interpretation of a self-portrait as "a woman trying to get out of a man's body" betrayed the reviewer's own "psychological preconceptions"; and summing up Mapplethorpe's death from AIDS by saying the "last laugh may appear to be on him" showed the audacity to suggest the disease "was

fate's final, ironic critique of Mapplethorpe's homoerotic images. It used to be AIDS was God's judgement; now it's an arbiter of taste" (Goldberg, 1989, p. 20). Of charges of homophobia in the recall of funds to the institution that organized the Mapplethorpe show, novelist Sarah Schulman notes that funding has been the privilege of middle and upper class white artists; the subtext to the Mapplethorpe debate she hears is that we as "white artists 'deserve' to retain our race and class privileges even though we're gay" (Schulman, 1990, p. 5). Furthermore, she claims, funders of gay and lesbian art actually favour sexual content over political content, reflecting "stereotypes that the proper role for lesbian artists is to be focused on sex and the palatable role for gay male artists is to talk about AIDS" (p. 5). Mapplethorpe himself seems to have fallen victim to this stereotype at the hands of contributors to gay publications. Gary Indiana recalls a 1988 conversation with the artist, during which Mapplethorpe said "I've had reviews and such, especially in the gay press, where they've . . . attacked me as a person, and decided I was a certain kind of person because only a certain kind of person would take those kind of pictures." Indiana writes that while pressure on the Corcoran to cancel did come from "virulently homophobic individuals," the gay community itself has been known to condemn gay sexual imagery "on grounds that some artists give the 'wrong' impression of homosexuality to straight people, lack sufficiently grave concern about AIDS, or are, to put it bluntly, the wrong sort of homosexuals" (Indiana, 1989, pp. 11-12).

Such is the nature of this debate, it seems. Mapplethorpe was suspected by Jesse Helms and others as being the wrong sort of person for being gay. His images were seen as the wrong type of gay imagery for their depictions of children (raising the ugly,

sensationalist association of gays with the sexual abuse of children) and sadomasochism (misinterpreted as the sexual abuse of adult men).

Depicting Children: Conceptions of Child Sexuality

Mapplethorpe's photographs of nude children, showing no sexual activity and taken with permission of parents, were seen by Judith Reisman as "child pornography," advertising "the availability of the child (and, by extension, all children) for photographic assault and rape" (quoted in Duggan, 1989, p. 27; Bolton, 1990, p. 26). These are serious charges; a conviction for possessing child porn can result, in the United States, in a ten-year prison sentence. Reisman's charges can be interpreted as stemming from two sources: the "kiddie porn panic" of the 1970s, and a fear of child sexuality.

Lawrence Stanley, an entertainment and obscenity lawyer, traces the Mapplethorpe controversy (and other similar cases) to earlier campaigns to rid the United States of child pornography (1991, pp. 22-23). This began in 1975, when Judianne Densen-Gerber's and Anita Bryant's crusade to "save the children" from sexual exploitation generated widespread "hysteria" based on distorted issues and facts. The distortions: that as many as 1.2 to 2.4 million American children were being forced into prostitution and porn; that in excess of 250 child-porn magazines were produced each month; that kiddie porn was available in every adult bookstore in the country; and that child porn was a \$46 billion national industry. The facts are that kiddie porn does and will always exist, but on a much smaller scale: the number of American and European children, combined, depicted in porn ranges from five to eight thousand (many of which were photographed nude, not sexually engaged); that the

number of all issues (versus all types) of child-porn magazines in both Europe and the U.S. is under one thousand; that commercial child porn had almost disappeared from adult bookstores by 1978; and that non-commercial kiddie porn is a scarce commodity, mostly created and consumed for personal use.¹⁸ The effects of this campaign: the establishment of and amendments to strict federal and state child porn laws; the mushrooming of law-enforcement-agency budgets to investigate the production, receipt, possession and exhibition of child pornography; and the creation of sting operations whose hundreds of convictions "may, in fact, comprise the vast majority of all child-pornography convictions" (p. 23). In effect, the campaign produced widespread fears that child pornographers were prevalent in society, and it produced laws to successfully convict them and anyone who could be mistaken for one, such as artists like Jock Sturges and Robert Mapplethorpe who did portraits of friends' children, and parents like Walter Chappell and Alice Sims who took portraits of their own children, the children of the latter individual temporarily seized by armed police as a result (Atkins, 1991, p. 36).

Stanley also notes that this phenomenon converged with 1980s antipornography feminism, which went about "constructing a childhood free from sexual urges, behaviors, and problems" (p. 24). We see this in the Mapplethorpe case, with the decision that Jessie and Honey/Rosie were "moral innocents" ostensibly solving the ambiguity of whether or not they really were "exposing themselves." Indeed, it is curious that notions of infantilized sexuality

¹⁸Stanley cites the following reports as evidence: Illinois Legislative Investigating Commission (1980), Sexual Exploitation of Children: A Report to the General Assembly; and Lawrence A. Stanley (1989), "The Child Porn Myth," Cardozo Arts and Entertainment Law Journal, 7(2), pp. 295-358.

are brought into the Mapplethorpe debate; his images of adults are seen as sophomoric (i.e. the product of immature sexual drives), his images of children lacking innocence. William F. Buckley sees in the S/M shots a "childish fascination for . . . kinky sex" (Cembalest et al., 1989, p. 139). And by way of explaining the common aversion to Mapplethorpe's adult images, Eleanor Heartney (1991) quotes Susan Griffin's feminist anti-pornography rhetoric:

Erotic feeling brings one back to this state of innocence before culture teaches us to forget the knowledge of the body. To make love is to become like this infant again. We grope with our mouths toward the body of another being, when we trust, who takes us in her arms. We rock together with this loved one. We move beyond speech. Our bodies move past all the controls we have learned. We cry out in ecstasy, in feeling. We are back in a natural world before culture tried to erase our experience of nature. (Griffin, 1981, p. 254)

Both Griffin's and Buckley's statements point to the fact that children are sexual beings, an issue independent from "moral innocence." Father Andrew L.J. James points this out in a letter to The New Art Examiner. He mistakenly observes that Rosie/Honey is "fingering her vagina," perhaps because the image he based his judgement on was a shot of this portrait projected onto the Corcoran walls (the only version the journal printer would accept — a manifestation of the effects of censorship). Despite this perception that the child was actually *acting on* her sexuality, one step beyond mere exposure (she was in fact fingering her toes), James is willing to point out: "surely we all know children masturbate? Sigmund Freud said that was one of the first of his discoveries; 'any children's nurse could have told you that,' he said" (James, 1990, p. 3).

That these children were photographed behaving sexually cannot be substantiated. That they were harmed in the process of being photographed, or photographed without parental consent cannot be substantiated. Jessie McBride was nineteen when the trial in

Cincinnati occurred; in a show of symbolic support for the defense, he was photographed nude again, in the same pose, the image printed in the Village Voice (Dubin, 1992, p. 188). And one might say that the opposition to these images was of the same character: symbolic. Symbolic in its equation of Jessie McBride and Honey/Rosie with products of the child porn industry.

Mapplethorpe's Sadomasochism

Finally, the subject which dared not speak its name, or be defined. UCLA photography lecturer Connie Samaras tells us this was not just a product of the discourse, but an element to the show itself. She travelled from Chicago specifically to see the S/M images in the "X Portfolio" and, missing them entirely on the first round of the show, later found them on "the far side of the first room," "tucked in the corner in the kind of case reserved for viewing decaying texts," "sequestered in the back of a three-row deep grid of eight-by-ten photos," obscured by "the glare coming off the slanted glass" and randomly interspersed with "small flower studies — no doubt placed there in an O'Keeffeian gesture to assure us that what we were viewing were simply repetitive forms (i.e., Art), not sexual politics" (Samaras, 1989, p. 14). She was not impressed.

Images of sadomasochism are highly effective in arousing fears that porn is tortuous and degrading, because sadomasochistic *sex* can be tortuous and degrading — these are aspects of sadism and masochism. They are roles chosen as fantasy identities, acted out and dramatized during play, for sexual pleasure. Practitioners are skilled; an S/M culture and its networks exist (in part thanks to magazines and printed reproductions) not only to find

people to play with, but to pass on information about who is qualified and who is not, what kinds of equipment are available, and what the latest is in safety information. Sadomasochistic practices take many forms: from solo to paired to group sex; from monogamous relationships to many-partnered casual sex amongst peers; displays of affection range from flower-giving to boot-licking; toys may be used and include fetish clothing, restraint gear, toys to stimulate the outer skin and more genitally-oriented toys (Califia, 1994c, p. 172). "Scenes" sometimes involve punishment and discipline, and this sometimes takes the form of what would be physical pain to the *non-aroused* person. In a state of non-arousal, pain is unpleasant, jolts, hurts, often violates. In a state of physical arousal within a planned context of S/M, pain is expected; pain can be endured for a goal seen as worthwhile (i.e. winning a race for the long-distance runner, sexual gratification for the sexual masochist); it can frighten, anger, urge on, or turn on, or all of the above; and it is experienced as pressure, or heat, or cold (Califia, 1994c, p. 170). It is applied with skill, sensation built up slowly and alternated with pleasure. It is deliberate, and warranted. Sadomasochism makes clear that violence has both physical and psychological dimensions; if pain is administered with prior negotiation and shared understanding of what the pain signifies, it is not violent. S/M involves high degrees of skill, in communication and in physical action, to ensure that the experience is not physically or psychologically dangerous or violent. And this is why images depicting S/M are not depicting *violence*.

Anti-pornography feminists would argue that S/M realizes and enforces the social violence of inequality. Pat Califia, an S/M practitioner and activist for free sexual expression, would argue that S/M eroticizes the "exchange of power" omnipresent in society

(1994c, p. 170). The culture is egalitarian, a meritocracy, assigning privilege according to skill and needs, not according to race, gender, and socio-economic status. In fact, if feminists and antipornography feminists have made substantive gains in convincing public society that traditional hierarchies are unjust and forbidden, S/M acknowledges their achievements by eroticizing what is known to be forbidden, paying tribute to it by virtue of the very fact that the culture is itself suppressed in society (Califia, 1994c, p. 170). Califia writes that S/M is precisely about pushing limits: "S/M is scary. That's at least half its significance. We select the most frightening, disgusting, or unacceptable activities and transmute them into pleasure. We make use of all the forbidden symbols and all the disavowed emotions. S/M is a deliberate, premeditated, erotic blasphemy. It is a form of sexual extremism and sexual dissent" (1994a, p. 158). It subverts the socially acceptable, replacing surface etiquette masking private mistrust (often seen as the result of enforced, public, gender dynamics) with overt power structure and implicit trust. Trust is embodied in the agreement of a "safe word" which will stop the play: the masochist trusts the sadist to respect its use, the sadist trusts the masochist to know when to use it. Both partners understand the play, have consented to it, and agree that it is not acted out or adopted for social interactions outside the particular sexual arena.

The dynamics of sadomasochism are explained in detail here for two reasons. First and foremost, no one in the literature on the Mapplethorpe debate made reference to any explanation of S/M accompanying the images at the show, thereby suggesting that none was offered. Similarly, no one in the literature themselves came forward to do the explaining; some, like Carol Vance, Allan Sekula, Donald Kuspit, Lisa Duggan, Eleanor Heartney, and

Lawrence Stanley did offer cogent interpretations of sex panics and why they exist. But no one shed light on the sexuality portrayed. Perhaps a reluctance to provide an explanation might have stemmed from a discomfort to directly describe sex, a fear that in doing so, one would be creating "pornography." On the contrary, one does not have to "talk dirty" to describe sadomasochism, as is evident in the above description. Or, concerns were such that one who explains would be associated with a culture ostracized in society, or would be seen as promoting it. This is precisely a reason to speak about it. If one is willing to say, as the writers above do, that suppression of sexual materials serves ungainly political purposes and that suppression works by intimidation, the best way to practice what one preaches is to defy intimidation — identifying it isn't enough. Perhaps no one felt qualified to speak about it. That no one who was qualified was asked to contribute to the discussion is also irresponsible; First Amendment lawyers were called to share their specialized skills with art world readers in several of the journals examined, but as Vance says, this "attack on art and images requires a broad and vigorous response that goes beyond appeals to free speech . . . In addition to defending free speech, it is essential to address why certain images are being attacked — . . . Mapplethorpe's photographs for making minority sexual subcultures visible" (Vance, 1989, p. 43).

Sadomasochism misunderstood by players or by witnesses (anti- or pro-porn) will be seen as violence, and not for unfounded reasons. Therefore, that S/M is non-violent needs to be explained. With regard to viewers of Mapplethorpe's images of sadomasochism, this is simply providing a service to viewers who were anticipated to react negatively to these

images. Without an explanation, witness the following interpretations of Mapplethorpe's photographs.

Akin to Hilton Kramer's reference to "social pathology" were "sympathetic" defenses of Mapplethorpe's "search for understanding, not unlike Vincent van Gogh painting himself with his ear torn off," or, "a troubled portion of his life that he was trying to come to grips with" (trial witness Robert Sobieszek, quoted in Cembalest, 1990, p. 139; Merkel, 1990, p. 47). CAC director Dennis Barrie said of Self-Portrait (1978), "this is a very tortured photograph. . . . It's an excellent example of an artist working through these issues" (Wilkerson, 1990, p. A19). And museum director Frank Robinson charitably asks:

who decides which values are the approved ones? Who fits in and who doesn't? Will we begin to make judgements on who the artists are — Churchill's paintings versus Hitler's architecture? Caravaggio killed a man in a fight over a tennis game, Rembrandt had his former mistress locked up in an insane asylum, Picasso was a womanizer. I'd hate to work in an office with any of them, and so would "the public" if you asked them. But somehow, these fallible human beings managed to leave behind something that helps a large number of people get through life more easily, and this may even happen with the photographs of Robert Mapplethorpe. (Robinson, quoted in "Against intimidation," 1989, p. 27)

Others saw the sadomasochistic imagery as brutal, animalistic. Senator Patrick Leahy (D-VT) said to members of the Senate that he saw in them "people performing . . . unnatural sex acts" (Bolton, 1990, p. 27). Samuel Lipman chose the words "gross images of sexual profligacy, sadomasochism and the bestial treatment of human beings" (Lipman, 1989, p. A29). Artist Louise Bourgeois took note of Mapplethorpe's "deeper truth": "S and M reveals the fact that man is wolf to man. Who will quarrel with that?" (Cembalest et al., 1989, p. 140). And on a more amusing note, the editors of the New York Times described

Self-Portrait (1978) as the "one of the photographer himself, exposed and mimicking an animal's tail with the aid of a bullwhip" ("Justice in Cincinnati," 1990, p. A22).

The equation of sex and death is a popular one, particularly so in the context of sadomasochism. Art critic Michael Brenson observes that "in the 'X Portfolio,' the obsession with sexuality and death is pushed almost to the end" (1989, p. A16). Prosecution witness Judith Reisman is more specific, claiming the "X Portfolio" "encourages" the "sadistic acts, which, on the evidence, facilitate AIDS" (Duggan, 1989, p. 27).

Some supporters and critics, intentionally or not, manage to capture qualities of sadomasochism in their critiques. Michael Brenson is worth quoting at length:

Mapplethorpe fought against sexual secrets. He saw sexuality as the root of everything, and seems, at least at one point, to have held the widespread assumption that it is only by realizing all sexual fantasies and liberating all sexual energy that full freedom and ecstasy are possible. . . . Mapplethorpe is not a marginal figure. On television, desire is turned loose in a hundred different directions and there is hardly a product that is not sold by arousing a wish for sexual possession and power. American culture swings back and forth between domination and submission — rushing to put people on pedestals and then rushing just as hard to prove they are indeed no different and perhaps worse than you and I. (Brenson, 1989, p. A16)

Mapplethorpe's harshest critics, Judith Reisman and Hilton Kramer, clearly understand the power of the polarized roles Brenson describes. Reisman calls Mapplethorpe a "Nazi," "his photos and fascistic art both homoerotic, both glamorizing dominance . . . 'supermen,' and sadism"; she summarizes Jim and Tom, Sausalito (1977) as "not something people consider highly dignified" (quoted in Bolton, 1990, p. 26; Wilkerson, 1990m, p. A20). Similarly, Hilton Kramer observes "erotic rituals involving coercion, degradation, bloodshed and the infliction of pain" (Kramer, 1989, p. 7).

The following passage encapsulates the final point: the sexuality of Mapplethorpe's images of adults needed to be discussed in the controversy, was begging to be discussed, but was not adequately aired, the role of "expertise" granted instead to formalists in the art world. This brief discussion took place on the stand in Cincinnati, between prosecution lawyer Frank H. Prouty, Cincinnati police specialist Donald Ruberg, and defense lawyer H. Louis Sirkin, in reference to Helmut and Brooks, N.Y.C. (1978):

Prouty: "Have you ever heard of fisting?"

Ruberg: "It's a practice within the gay community where a fist is inserted..."

Prouty: (interrupting) "What is the purpose of that activity?"

Sirkin: "Objection! Unless he's qualified as an expert..."

(Merkel, 1990, p. 47)

Chapter Four

The First Amendment, Censorship, and Counterspeech

Chapters two and three examined the discourse on Mapplethorpe's photographs in terms of their subject matter, and by extension, their status. The images were funded by an arts endowment and presented to the public in an art world context; consequently, when their status as art was questioned, the art world responded with appropriate arguments for artistic value. When the art world was pushed to consider the relationship between art and pornography, however, it became apparent that the relationship was not always well defined; a "clear and present difference" had been argued to the general populace by Gloria Steinem and, later, by anti-pornography feminists Andrea Dworkin and Catharine MacKinnon, with a certain degree of success. But a closer examination of these premises as applied to Mapplethorpe's photographs, as well as consideration of the actual sexuality shown in the photographs revealed the weaknesses in this line of reasoning: its focus on a generalized, male proclivity to violence is overarching, ill-informed of the consensual power dynamics within sex itself, and in its popularity is too readily available as a substitute for thoughtful analysis of sexual imagery.

Those defending Mapplethorpe's images had to confront community standards of offense with generalized standards of art, following the guidelines of Miller. When that approach lacked efficacy, rather than attempting to educate community standards (i.e. discussing what exactly was the source of offence) they combated local concerns with appeals to freedom of speech, deserved by everybody. This line of argument is predicated on the

First Amendment of the American Constitution, which states that "Congress shall make no law... abridging the freedom of speech" (Hoffman, 1991a, p. 40). As we know, free speech (which includes images) *can* be abridged if it is obscene; it can also be hindered if the money necessary to produce it is required from the government (i.e. the National Endowment for the Arts), and government is not willing to dispense it. But the government did fund "The Perfect Moment," setting up the expectation that the show as a result of government approval constituted free speech. Therefore those involved in the Mapplethorpe controversy translated the First Amendment, "the greatest document ever written" according to defense lawyer H. Louis Sirkin, as the freedom to exhibit works of art by museums which have received "permission" by government (through prior funding) to do so (Sirkin quoted in Wilkerson, 1990n, p. A6).

Such is the premise guiding this chapter, which translates into the following question: how did the controversy unfold with regard to the concerns, rights and responsibilities of the hosting museums, the funding agency, and the public, as perceived by participants in the debate? In answer to this issue for museums, writers collectively revealed that there is an implicit tension between a museum's expectation to show its provocative and its educational value as a culture laboratory for healthy debate; that a museum's role to serve its various communities (and be served by its various communities) is not easily maintained; and that a concern for continued funding was not a priority of the Corcoran alone. With regard to the National Endowment, there exists in the literature a conflict between top-down and bottom-up conceptions of financial support: that national funding is dispensed by experts, and serves as a legitimizing agent which shapes the realm of shown art and public

perceptions of it; and that national funding should also reflect the views and values of the public who finances it. This final section examines the role of public "counterspeech." This is the ability of a suitably informed public to make its own decisions about what it sees: to value debate by adding to it or abstaining, but not by suppressing it.

The First Amendment Argument

It is a valid argument — that what is purportedly agreed to be free speech cannot be suppressed by congressional law. Congress was silent (read uninformed, trusting the decisions of another branch of government) when the National Endowment for the Arts provided Philadelphia's Institute of Contemporary Art with \$30,000 to organize and tour the Mapplethorpe show. Its silence presumed overall governmental approval of the exhibit. Consequently, and not illogically, when Congress took to penalizing tactics, cutting funding from the ICA, temporarily banning the NEA from funding artwork based on content as well as artists who refused to sign "loyalty oaths," intimidating the Corcoran and setting up the debate which would characterize the Cincinnati trial, this was interpreted as a violation of First Amendment rights.

Whose First Amendment rights? Everybody's, according to nervous members of the art world. It was a violation of artists' rights as supported by the NEA, who in its original stature of 1965 claimed: "it is the intent of the committee that in the administration of this act there be given the fullest attention to freedom of artistic and humanistic expression. One of the artist's and the humanist's great values to society is the mirror of self-examination which they raise so that society can become aware of its shortcomings as well

as its strengths" (cited by Tannenbaum, 1991, p. 76). It was a violation of museums' rights to show the public, according the CAC director Dennis Barrie, "difficult" artwork "whether you're disgusted by" it or you "embrace" it; a right which was seen by a collective of Washington arts groups as yielded by the Corcoran "at the mere anticipation of political and economic censure" which is outrageous "at a time when students are dying for freedom of expression in Beijing (Barrie, 1991, p. 32; Fox, 1989a, p. 39). It was a violation of the rights of "disparate members of a diverse public" to respond to the work in different ways, say Ida Panicelli, Anthony Korner, and the editors of Artforum, in a special editorial (1989, p. 2). In short, it was a threat to "the sanctity of the First Amendment as the right and privilege of all Americans," as quoted in the April 1990 resolution passed by the Association of Art Museum Directors (Cembalest, 1989, pp. 51-52).

Again, this is likely true. Congress in its enacted laws and in its process of enacting laws successfully abridged free speech: Mapplethorpe's speech as shown in the Corcoran, as well as future speech (for the duration of the laws' effects) shown to the NEA (through restrictions on artists' submissions), accepted by the NEA (through content limitations), and shown by the ICA (with the aid of the \$30,000 which was cut). But one must also point out that arguments upholding First Amendment rights are highly effective in arousing nationalist, patriotic sentiment, something not lost on defendants of Mapplethorpe's work. Note the tone of the following statement, made at a National Press Club luncheon, by the director of Washington's National Gallery of Art, J. Carter Brown:

There is a principle involved here, which is at the heart of what it means to be an American, and that is freedom. . . . All of us in this country emigrated here, and a great number [did so] for a reason, which was to achieve the kind of freedom denied under other systems. And as we watch the other systems

and historically look at them in the degenerate art show that Hitler had, or what the Soviets did to suppress their artists, and what is happening in capitals in the Far East, we have to recognize how fragile our freedoms are and how important it is to defend the process and to keep a sense of our First Amendment. (quoted in Glueck, 1989, p. 9).

Andy Grundberg writes that this popular sentiment upholding freedom of speech stands in contradiction to the equally popular belief that society is entitled to withhold certain speech from the public, a contradiction which lies at the heart of the Mapplethorpe debate and trial. His explanation for why it exists: "Americans, by and large, still bear the traces of their colonial heritage: they are at once predisposed to Puritanism and deeply resentful of governmental interference in their daily lives. Asked to decide between the two, they often opt for a libertarian position" (Grundberg, 1990, p. C19). Attorney and writer Skip Kaltenheuser suggests that the offended "puritans" Grundberg refers to started the debate on First Amendment terms in the first place, forcing the art world to argue them out. He cites a Washington artist's opinion that the show was "attacked for the flimsiest of reasons, yet given the flimsiest defense: just talking about artistic freedom instead of explaining the thematic elements of the work in a way that provides the public with insights beyond shock value" (Kaltenheuser, 1990, p. 27). Anti-censorship feminist Lisa Duggan agrees that confronting the sexuality of Mapplethorpe's images is a necessary part of their validation, claiming that appeals to government promotion of free speech took the safe, rational route offered by the attacking side; the other route, generally avoided by the art world, called for mounting a defense against "irrational panic and hate-filled attacks on 'deviant' sexuality" (Duggan, 1989, p. 26). Duggan adds that the art world's silence about sex encourages "moral conservatives" to continue restricting images in the future. Securing creative freedom

is not achieved by "reasoned appeals to the First Amendment"; "arts activists must seize the opportunity to push back in the other direction. The time has come to argue forcefully for the complete deregulation of consensual sexuality and its representations. Nothing less will move us forward" (p. 27).

A First Amendment line of argument is incomplete; it overlooks the source of controversy, and can easily be simplified by unsympathetic observers as argument for one's right to *cause* controversy, a "last refuge of the modern scoundrel" as perceived by syndicated columnist Patrick Buchanan (quoted in Fox, 1989a, p. 40). It is also, in some ways, irrelevant — as a reason to show the work, and as a means of protecting it. Noting such appeals in the context of the Cincinnati bust, the board president of Philadelphia's Institute of Contemporary Art David Ross retorted: "this show is about elegance and beauty. We're not showing Mapplethorpe because we have a legal right to do so, because of the First Amendment — we're showing him because we believe in his work" (quoted in Petty, 1990, p. 14). And Stephen Weil, deputy director of the Hirshhorn Museum in Washington, suggested that regardless of calls for freedom of speech, and despite his belief that the actions of the Cincinnati police were wrong, "in a way it doesn't matter because throwing their weight around will have had its effect. . . . Smart cops know that" (Mansnerus, 1990, p. C15).

The Censorship Argument

Like the word "pornography," "censorship" resonates strongly in the public mind. What is the legal definition of censorship? As American Civil Liberties president Nadine Strossen

explains, the use of government authority to limit the flow of speech (ideas, information, or expression), *based on its content*, is constitutionally prohibited censorship, violating the basic principle of "viewpoint neutrality" (Strossen, 1995, pp. 65, 41). This is qualified, however, if such speech is obscene, if it is forcibly exposed to viewers, or if it is seen to incite violent or unlawful conduct in an intentional, imminent way and no other means are available to avert this incitement other than suppression of the speech in question (pp. 41, 44, 69). (If it simply "advocates" such behaviour, it is protected by the First Amendment.) "Limiting" the flow of speech takes various forms, including prohibiting, restricting, regulating, punishing, deterring, or threatening expression. Similarly, censorship can occur at various levels: "governmental, through legislatures and school boards and art councils; nongovernmental, through decisions by editors and producers, publishers and studios, booksellers and theatres [and museums]; and the personal" (LaMarche, 1991, p. 58).

Most of those writing about the Mapplethorpe controversy felt strongly that incidences of censorship had occurred in the funding cuts, the cancellation of the Corcoran show (self-censorship) and in the Cincinnati busts ("Welcome to CENSORnati" boasted a doctored freeway sign; see Mannheimer, 1990, p. 35). Acts of censorship are based on "extremist reasoning," the reaction to demands placed on the broad freedoms provided by the First Amendment, explains Steven Henry Madoff, executive editor of ARTnews; it is reasoning which forces Mapplethorpe's photographs to unduly represent "every kind of art and artist in America" (1989, p. 204). Censorship requires the use of, and the popular belief in, the power of those wanting to censor. Art and entertainment lawyer Barbara Hoffman writes that the events of this particular controversy "are indications of the presence of a

powerful and active conservative segment of the American population. With a battlecry of "decency" and "civility," these radicals seek to purge from the realm of public discourse words, symbols, or images perceived as offensive to the community or a challenge to its social pieties and conventions, and to redefine the consensus as to the boundaries of artistic freedom protected by the First Amendment" (Hoffman, 1991a, p. 40). And acts of censorship require resources, tools with which to control action. Appropriately, Nicholas Fox concludes that "ultimately this is a fight about money — which is the form censorship takes in a free, democratic, capitalistic society" (1989b, p. 22).

But questions of censorship become confused when the case is congressional pressure on a branch of government — the funding agency in place to support the production and exhibition of artists' work. Indeed, Helms and colleagues used government authority to limit the flow of speech based on content, sexual content which was not obscene, did not imminently threaten to incite violent behaviour, and which was not forcibly imposed on viewers. They had the effect of limiting speech by their threats to do so (resulting in the Corcoran cancellation), by punishment (budget cuts to the museum in Philadelphia), by prohibiting speech based on content (in NEA submissions and awards), and by regulating these measures throughout the duration of the show's tour (thereby supporting Cincinnati officials' subsequent actions). Their actions, however, were targeted at the NEA, not at the primary source of expression, artists. This left open the argument that artists could still produce whatever they liked; they just might have to fund it themselves.

But that is a separate argument, which involves discussion of the material circumstances which makes artistic production possible at all, of the potential for self-

censorship on the part of artists, and of the percentage of artists who actually do get funding as opposed to the many who must subsidize their work with their own resources. The issue here is limitations imposed on the NEA's freedom to judge and award works of art, on punishments to the agency for previous decisions, and, most importantly, on the expectations placed on the government (NEA and congress) to maintain the support it granted to a show for the course of its duration. That a show consisting of legal, free speech was funded, and thus "legitimized" by the government, and later attacked by the same government in ways which directly saw limitations placed on its exposure and on the NEA by means of threats, punishment, prohibition and regulation would indeed seem to support charges of censorship.

Showing the Provocative in a "Neutral" Space

The controversy over Mapplethorpe's photographs embodies the contradictory perceptions of the museum's role in society. On the one hand, as many emphatically stated in defense of Mapplethorpe, art is supposed to provoke; art in museums can and should provoke within the safe confines of an educational space, where debate is encouraged and contained. On the other hand, as critics like the American Family Association's Judith Reisman would argue, museum art is public art, chosen for its appeal and interest to a wide range of people; a museum's stamp of approval on a work of art is a public message that the portrayed (i.e. sadomasochism) is socially acceptable, and thus should be interpreted as being socially acceptable. Once again, we return to the balancing act of artists, exhibiting institutions, and funding agencies to navigate between challenging the norm and reflecting the norm.

The art world that defended Mapplethorpe's work as art naturally defended the role of the museum as provocateur. Judith Tannenbaum, acting director of Philadelphia's Institute of Contemporary Art, explained to readers of the Art Journal that "as a contemporary art museum, our job is to expose the public to recent work with which it may be unfamiliar, not to limit or shield people from new experiences" (1991, p. 73). After the Corcoran cancelled "The Perfect Moment" and felt the effects of art world protest, Orr-Cahall lamented that the artists who were subsequently boycotting the gallery had planned to present work which "had a capability of dealing with some of the political issues now raging and we hoped they would use the Corcoran as a forum, as a way to address those issues" (quoted in Gamarekian, 1989c, p. C19). Similarly, David C. Levy's subsequent acceptance of the position of Corcoran director was predicated on the drafting of a policy statement which promised the museum's commitment to the "preservation and enhancement of freedom of speech, thought, inquiry, and artistic expression through its exhibition and educational programs," thereby ensuring that no critic would "prevent an idea from being voiced, a work from being seen, or a performance from being held" (quoted in Wallis, 1991, p. 37). Dennis Barrie of the Cincinnati Arts Center was more succinct, saying "We're here to present the most current trends in contemporary art and to challenge . . . I think we had every right and every reason to bring the exhibition to Cincinnati" (Wilkerson, 1990l, p. A19).

This sentiment was echoed outside the institution. Artist Larry Rivers was quoted in the New York Times as observing: "there will always be shows that provoke and disturb people. The point is that the controversial should be included with the beautiful. I think

it's childish for the Congress to punish an organization that was acting in an established tradition by showing art that's disturbing" (Yarrow, 1989, p. C18). Arts reporter Grace Glueck followed up Hilton Kramer's condemnatory article with the point that "museums are traditionally the neutral sanctuaries — entered voluntarily by the public — for [artistic] expression. What we see there may not always be esthetic, uplifting, or even civil, but that is the necessary license we grant to art" (Glueck, 1989, p. 9). And Art in America reader Dik F. Liu wrote in to say "the NEA grant enables museums to fulfil their obligations of informing and educating the public. Occasionally, this task includes exhibiting works that some might consider provocative. These exhibitions [of Serrano's and Mapplethorpe's work] present the diversity of opinions that is the essence of American culture. The freedom to express these opinions is the foundation of the constitution" (Liu, 1989, p. 33).

But if museums show provocative art, it is also true that by being in a public institution this art is granted a degree of acceptability — it is legitimated. This point is used to question the judgement of museums hosting Mapplethorpe's "pornography"; Judith Reisman feels that when looking at the images of sadomasochism, "one then receives information that this is an appropriate activity, and certainly because it is in a museum" (quoted in Merkel, 1990, p. 45). Conversely, lawyers used this argument to support the status of the images as art. First Amendment lawyer Floyd Abrams assured members of the American Association of Museum Directors in February, 1990 that "just about anything you are interested in [for] your museum is almost certain to be considered not obscene for that reason"; Dallas lawyer and Meese consultant Tex Lezar told readers of the New York Times that he "thought as long as it appeared in a museum it was safe" (Lewis, 1990, p. A26;

Mansnerus, 1990, p. C15). Perhaps this is one reason why Judge David Albanese ruled that the Cincinnati Arts Center was a "gallery," not a "museum," which was an attempt to weaken its legal rights and its legitimating power. Consequently, when the CAC won its case, a handwritten poster appeared on the front door proclaiming "In other words, it is a museum!" (Wilkerson, 1990o, p. A27).

This shows that the balancing act is just that: a museum should be a free zone for artistic provocation and debate, but it is also an institution which is interpreted as telling the public what is acceptable, a gesture not always appreciated by members of that public. Healthy debate does not always remain within a museum's shell; as ARTnews executive editor Steven Henry Madoff writes, "the museums of America can never again be a purely neutral territory in which art of every stripe is pondered. For even those who consider themselves pragmatists are dreaming if they think that privately funded exhibitions of provocative work will not provoke visiting congressmen" (Madoff, 1989, p. 204). Specifically, the Corcoran was dragged into the "political arena" that director Christina Orr-Cahall had so wanted to avoid; the Cincinnati Arts Center was labelled a "controversial" space after the trial (Tannenbaum, 1991, p. 71).

Museums and their Communities

Not only did the Mapplethorpe case reveal the tensions between provocation and neutrality in a museum space; it also showed the difficulties involved when museums try to meet the needs of various communities. To start with, a museum is a public institution, supported by public money, located in a specific community of individuals. As such, there is a certain

expectation that it must satisfy the tastes of both the nation of taxpayers, and the community of residents. When it is seen as *failing* to do so, the public has a right (based on invested interest) to respond. Hilton Kramer makes this point in his article, stating that "the public's right to have an interest in the fate of this exhibition began on the day that tax dollars were allocated for its public display" (Kramer, 1989, p. 7). Interestingly, curator Lynn Warren adds that if a nation represses and censors certain art, a museum, like the Corcoran, "must reflect this reality" (quoted in "Against intimidation," 1989, p. 27). Furthermore, prosecution lawyer Frank H. Prouty states that if a museum's local community dislikes certain art works shown, it is entitled to ask "at what point do you say, 'enough's enough,' as to what can go into an art gallery; enough's enough as to what you want to give credibility to?" (quoted in Merkel, 1990, p. 45).

While this is true, that the opinions of a dissenting public should be taken into consideration, the reality was such that the public at large was not grossly offended, as politician (read public representative) Jesse Helms had anticipated. Instead it sought out the shows in record-breaking numbers, ostensibly offering support by its attendance. Nicholas Fox describes the scene at the Washington Project for the Arts:

At its closing, more than 47,000 people had wandered past the controversial photos and stood in a long, meandering line to get into the back room where the "X Portfolio" was on display. They looked, as it neared its final days, like a cross-section of average America — like Mom and Pop from Iowa, come to see what all the fuss was about. In an informal survey taken at the door by this writer, not one viewer interviewed objected to the exhibition's being funded by tax dollars — even though quite a few admitted to being shocked. (Fox, 1989b, p. 23)

In Cincinnati the numbers rose to 80,000, which equals approximately one-sixth of the population ("Justice in Cincinnati," 1990, p. A22). Furthermore, a poll conducted by the

University of Cincinnati Institute for Policy Research during Cincinnati's showing of "The Perfect Moment" (April, 1990) found that 59 percent of the city's public believed the CAC should be allowed to display the photographs, while 38 percent did not (Merkel, 1990, p. 45). These numbers are, of course, reflective of the fact that controversy breeds curiosity; the public right to take offense usually results in a successful run of a show.

But the general public is just one of a museum's numerous communities. The art world is another; so too, particularly for the Corcoran in Washington, is the National Endowment for the Arts and politicians on Capitol Hill. One can see the interconnectedness of these communities in the case of the Corcoran. Director Christina Orr-Cahall was caught (in her decision whether or not to cancel the show) between the rights of the public to see Mapplethorpe's work, the actions of politicians who disapproved of it, their threats to the endowment, and the scorn of the art world. Orr-Cahall felt "this exhibit was at the wrong place at the wrong time" (Kastor, 1989b, p. C1). According to her resignation statement she had wanted to give "the public the opportunity to decide for itself what is art or, if they wished to ask, what is pornography and the relationship between the two," but legal counsel had advised her on the potential costs: the Corcoran could be used as "a target and test case for the law, to establish the legal relationship between art and pornography, particularly child pornography"; and the potential existed for the "erosion of support for the NEA itself, or for its funding, which has been critical to artists and museums throughout the United States," based on the interpretation that the NEA was responsible for "funding pornography" (Orr-Cahall, 1990, p. 7). Indeed, as Orr-Cahall states, there were "no precise precedents to follow. Accordingly, decisions had to be made after weighing all

the institutional, cultural, and legal factors" (p. 7). And Gary Indiana's observation that "while the Corcoran has never been exactly on the cutting edge of contemporary art, its decision seems to have been motivated by genuine fear rather than anything deeper" is clearly true, reinforced by the fears of the individuals who did end up being charged for showing porn; CAC director Dennis Barrie said after the trial that he was convinced he would lose in court (Indiana, 1989, p. 11; Barrie, 1991, p. 30).

But the difference between the two institutions was that one bowed under the pressure, and one did not. An interpreter of the conflict would not want to undermine the courage required of the CAC to stand up and fight; however, unlike Orr-Cahall at the Corcoran, Dennis Barrie had been offered a precedent, a perspective from which to observe the costs of *not* standing up and fighting. Orr-Cahall claims she was offered little support from the art world prior to her decision; she was granted even less after it. During her efforts to protect the NEA, the organization, she states, "didn't tell us anything. We felt if we didn't do something that no one would ever realize this was as serious and as deep as it was. We were crying out and nobody was listening. . . . There was a curious lack of support" (quoted in Fox, 1989a, pp. 38-39). If one suspects her credibility, observe the reaction from a member of the NEA advisory board on the cancellation:

It was pusillanimous and dishonest in the extreme There was absolutely no pressure on them from the endowment, and to say that they were defending us is ridiculous. It is our job to take the heat, and our process knows how to deal with controversy. But they betrayed the process by acting as censors. In doing so, they raised the stakes. Had they not, the whole thing would've gone away. A Congressman or two might have visited the show and complained, and that would have been the end of it. Now it will never go away. (Dr. Jacob Neusner, quoted in Glueck, 1989, p. 9)

Neusner has a point; the NEA probably could have defended itself, and perhaps if the Corcoran had not tried to intervene, exhibiting the show as planned, the issue would have died down. But the element of disassociation in the above statement stands in sharp contrast to the (presumably) sincere efforts of the Corcoran to protect the arts community as a whole, and specifically the NEA, from attacks by the political community.

The Corcoran did acknowledge that the decision to cancel was "naive . . . in terms of the impact" (Hochfield, 1989, p. 62). They were naive in thinking the problems over "The Perfect Moment" would be resolved following their decision; a staff member to Senator Jesse Helms confirmed that "the fact that the Corcoran is not going to open the show is not the end of the matter" (Fox, 1989a, p. 40). Likewise, the Corcoran was naive in thinking art world support, or at least sympathy, would follow the decision. When they issued an apology for the cancellation of the show, voicing their "deep" regrets that they had "inadvertently offended many members of the arts community," the theme of the overall response may be summed up by boycotting artist Donald Lipski's retaliation: "the only thing they mentioned having some regret for is the fact that they inadvertently offended some members of the art community. And that to me wasn't really enough. I think they should have said, 'We made a mistake.' Not understanding the nature of what happened there seems to be their big problem" (Hochfield, 1989, p. 62).

If it is true that the concerns and decisions of the Corcoran and the CAC affected the entire art world, as Corcoran-protesting artists said of the former and the Association of Art Museum Directors said of the latter, shouldn't the said art world have supported the Corcoran when support was necessary and constructive? Words of praise were granted to

this institution by those who believed the images were not art to start with — Hilton Kramer, Samuel Lipman, and Joseph Veach Noble, past president of the American Association of Museums and director emeritus of the Museum of the City of New York (Kramer, 1989; Lipman, 1989; Noble, 1989). But few showed the clarity of mind to separate the issues, as displayed in New York Times reader Robert Keil, in his letter to the editors of that newspaper:

the government, while a great money supply (if you can make the political connections to tap it), will more or less subtly require adherence to an agenda unconnected to the prerogative of the creative act. The Corcoran made a reasonable choice in cancelling the Mapplethorpe exhibition — politically reasonable, that is. It has nothing to do with art. People who expect government to support absolute freedom in art don't understand government — or art. (Keil, 1989, p. 3)

His point: trapped within the conflicting interests of several communities, the Corcoran decided in favour of one community over others, that being the one controlling the purse. In the "wrong time" and the "wrong place," economic concerns outweighed other factors.

The backlash against the Corcoran was driven, perhaps, by the same concerns. As Kathryn Mannix points out in a letter to editors of Art in America, many museums and public collections are steeped in a "current financial turmoil," "a problem that has everything to do with what happened at the Corcoran last summer" (Mannix, 1990, p. 33). The Corcoran needed to protect not only the status of the NEA for everybody, but its own \$292,000 in federal funding needed to maintain its annual budget. Theatre artistic director Robert Brustein noted, "the threat is real" (1989, p. A29). And to take the other example in the controversy over showing Mapplethorpe's work, few organizations would have felt prepared to foot the legal bills and other financial costs accrued by the Cincinnati Arts

Center. As museum director Frank Robinson explains, every museum worker is affected by financial concerns similar to Orr-Cahall's: "there isn't a museum in this country that isn't supported by tax dollars, in the form of direct subsidies for everything from the leaky roof to general operating support and, even more importantly, by the fact that we are all tax-exempt" (quoted in "Against Intimidation," 1989, p. 27). That spokesperson for the American Council for the Arts Bruce Cohen is one of the few to admit that as a result of the controversy, "people will be looking over their shoulder Not because they believe they'll be convicted of obscenity. Everyone's afraid of their funding" (quoted in Cembalest, 1990, p. 140-141). This suggests that what was said of the inclination to censor can be said of the inclination to scapegoat the Corcoran; when one's own unpleasant drives (i.e. the struggle for financial survival) are repressed, he or she who stirs them is suitably punished

The Equally Contradictory Roles of an Arts Funding Agency

As we now know, the decisions and supposed roles of the National Endowment for the Arts were questioned in the Mapplethorpe controversy, the organization suspected of promoting pornography. And like the questions raised about museums as intermediaries between artworks and the public, the NEA is seen as serving dual roles of legitimator and social transmitter. For NEA funding is "both anchor and magnet for additional state, city, corporate, foundation and private support" (Collins, 1989, p. C14). And as New York Times art critic Andy Grundberg (1989, p. 33) states, the NEA's relatively recent efforts to acknowledge photography as worthy of funding stands as a "clear and as-yet-unstudied example of how Federal dollars can affect what the art public sees and buys." Previously

considered a "special case in need of nurturing," photography has now become so intertwined with the art world at large "that it would be impossible to imagine contemporary art without it."

Senator Jesse Helms understood the validating power of NEA funding. He claimed that awards granted for the exhibition of Mapplethorpe's work "transformed the photographs into Government-approved art, making it impossible for a jury to declare them obscene." When this was borne out in the Cincinnati obscenity trial, Helms retorted "this merely proves my point that taxpayers' money should not be used to subsidize filthy and offensive art in any form" (quoted in Wilkerson, 1990n, p. A6). Since the status of government-approved art was conferred on Mapplethorpe's work, critics like George Bush and NEA apologists felt forced to conclude that its funding, as well as that for Serrano's Piss Christ, were "little mistakes that slipped through an otherwise OK process" (Allen, 1990, p. 22).

Critics also tried the alternative approach — that NEA funding should reflect the interests of the society at large, the "public standards of decency and civility" which leave little room for sadomasochism or child nudity (Kramer, 1989, p. 1). But the corresponding counter-argument is that "there are evidently members of society throughout the land who pay their taxes and like Mapplethorpe's work, too": taxpayers who are also "sadomasochists, lesbians, gays, sex radicals, artists, curators, educators, civil libertarians, and the intellectually curious" (Madoff, 1989, p. 204; Samaras, 1989, p. 13). If this is unconvincing, says artist and writer Richard Bolton, look at the marketplace, seen to be the true realm of democratic participation by critics of public funding. Helms said in Congress: "no artist has a preemptive claim on the tax dollars of the American people; time for them, as President

Reagan used to say, 'to go out and test the magic of the marketplace.'" Bolton argues that if this standard is applied to Mapplethorpe, he emerges as "a great popular artist, one that reflects the will of the people, who are said to vote with their wallets. The controversies surrounding his work have even *increased* its market value. Obviously, although the Right trusts the marketplace to be a stabilizing force, the marketplace also places great value in transgression" (Bolton, 1990, p. 28).

But others argue both of these points: that the NEA did not let "little mistakes" slip through "an otherwise OK process," nor did it pander to public standards of indecency. It made its decision to fund "The Perfect Moment" based on the expertise of its own jurors, its peer review board. Just as art experts successfully defended the images in Cincinnati, people with similar credentials chose to support the images in the first place. In addition, the NEA peer review process serves not only as a financial service to artists, it also fulfills a *legal* purpose. It acts out legal "prior restraint": the governmental review of voluntarily submitted speech prior to its public exhibition. This measure acts in part to prevent what was planned (but did not happen) in Cincinnati, the *illegal* restraint or seizure of artwork by authorities prior to or during exhibition (Strossen, 1995, pp. 64-65; Wilkerson, 1990c, p. A26). As such, philosopher David Hoekema writes that if members of congress show a legitimate concern for the responsible allocation of federal funds and the display of protected artwork (speech), their efforts must be directed towards "reaffirming and refining, not undermining, the procedures of peer review" (Hoekema, 1991, p. 48).

As to the quality of past judgements made by NEA peer review boards, they have been criticized by members of the art world as being both "too elitist" and "too folksy"

("Make art, and peace," 1990, p. A24). But they are seen by Robert Keil as an improvement over populist judges of government funding from the more distant past which, in France for instance, ensured the rise to superstar status of artists only historians would know today, at the time rendering Cézanne, Gauguin, van Gogh "virtually unknown" (Keil, 1989, p. 3). His point is that judging from history, with increased professional knowledge about art comes more accurate decisions as to which art is deserving of funding. David Hoekema agrees, noting that today's peer panels are in place to prevent the subordination of quality to "populist demagoguery and the idiosyncratic artistic tastes of senators" (Hoekema, 1991, p. 48). Associate Dean of the School of the Art Institute of Chicago, Carol Becker explains that decisions to fund the Mapplethorpe show and others are informed and thoughtful, "based on careful, educated evaluation by serious artists of serious artists whose work broadens, stimulates, intensifies the public's understanding of art. There should be no apology for, or fear of, work that provokes controversy and debate in a (supposedly) pluralistic and democratic society" (Becker, 1991, p. 68). The individuals making these decisions are from, and should be respected as, a class of professionals; Judith Tannenbaum from the Institute of Contemporary Art gives the following analogy:

Few people question that scientists and medical clinicians — not congresspeople and senators — should evaluate which projects will get funded by the National Institutes of Health and other government-supported agencies involved in research in their particular disciplines. There are no guarantees that every experiment a grant funds will be productive, and it is difficult to determine which will come up with a cure for cancer. The situation of experimental contemporary art is no different. (Tannenbaum, 1991, p. 74)

If critics of Mapplethorpe reject the specialist skills and careful analysis required in executing legal prior restraint, in favour of state-patrolled, illegal prior restraint, this is a

vote for blatant censorship, says museum director Linda Shearer (quoted in Cembalest et al., 1989, p. 141). It is censorship because it is a government-enforced dismissal of constitutional values, a public relations gesture to create "the perception that they tried to root out his awful stuff," which in itself should be penalized, says Frederick Schauer, professor at the University of Michigan Law school and (interestingly) a member of the (largely conservative) Meese Pornography Commission of 1986 (quoted in Mansnerus, 1990, p. C18). It is illegal censorship based on content, as George Bush betrays in his plea: "I don't know of anybody in the government that should be set up to censor what you write or what you paint or how you express yourselves. I'm against censorship I am deeply offended by some of the filth that I see into which federal money has gone and some of the sacrilegious, blasphemous depictions that are portrayed by some to be art, so I will speak out strongly against that" (quoted in Robinson, 1990a, p. 41). It is the government's problem with art, targeted at the endowment, admits Senator Daniel Patrick Moynihan; he told fellow senators "I would accordingly suggest to the Senate that the issue is not "them" but us. Do we really want it to be recorded that the Senate . . . is so insensible to the traditions of liberty in our land . . . that we would sanction institutions for acting as they are meant to act?" (quoted in Cembalest et al., 1989, p. 143).

But, as Richard Bernstein notes in the New York Times, the controversy over the endowment represents the basic rift between transgressive artists and established patrons that financial need creates. Bernstein's "dilemma" is worth quoting at length:

Is it intellectually consistent for creative artists to take the money of the establishment — indeed to complain of "censorship" if Government grants are withheld — and still maintain their identity as rebels, anarchists, enemies of convention? If the community that has the standards supports the artists who

flout those standards, doesn't that mean that the artists' vision of the community as repressive and intolerant is wrong? Paradoxically, those who think that there should be an avant-garde may owe a debt of gratitude to the likes of Senator Jesse Helms and [the AFA's] Donald E. Wildmon . . . who have led the assault on the National Endowment for, in their view, subsidizing pornography and blasphemy. The idea that some art could send people into paroxysms of repressive rage has a strangely atavistic ring, coming after a long period when there seemed to be no outrage expressed at all. The Endowment's detractors have helped restore to artists their role as provocateurs. (Bernstein, 1990, p. 1)

Once again, the tension amounts to the legitimating function of the establishment's institutions (museums, the NEA) in contrast to the provocative functions of the artist's work. This tension remains in place as long as the belief prevails that what the institution legitimates is the *art work*. But what museums and national funding agencies supporting museum shows are supposed to legitimate is constructive *debate*, amongst the public, stimulated by the artist in the work, about what the artwork shows (versus debate about whether it should exist at all). These institutions are in place to bridge this gap between art and the public. What appeared to happen in this controversy was an overemphasis in debate on alliances between the institutions and the art work; the roles, rights, and responsibilities of the public were largely underestimated.

The Rights and Responsibilities of the Viewing Public

Efforts to suppress Mapplethorpe's photographs have been interpreted as attempts serving political ends to keep the viewing public ignorant of sexual diversity, transgression, 'deviancy,' for fear that the acquisition of such knowledge results in socially disruptive, anti-family attitudes and behaviour. This reflects a more charitable opinion of the public; that if exposed to such information, members of the public would readily understand it, adopt

its tenets, and begin to see through the controls on sexuality imposed by the state. Less charitable is the drive to "protect" members of the public from the shock such imagery would likely create — the "devastating" impact such imagery might have on the "moral sensibilities" of young and old alike (Kramer, 1989, p. 7). One reflects a concern for the powers Mapplethorpe's photographs might give to the public; the other marks a concern for the personal trauma, the subjugation experienced upon viewing them.

Either way, such "populist" arguments are offered up to prevent the public from seeing the photographs and making their own judgements, to enlist public trust in authorities who believe the images shouldn't be seen, and as a result of these measures, to curtail public discussion and debate over the content of the photographs. Censoring the images by restricting their exhibition in museums is "to pre-empt the public's chance to make its own judgements" in the words of arts reporter Grace Glueck; "an insult to that public's intelligence" says Jock Reynolds, the director of the Washington Project for the Arts (Glueck, 1989, p. 9). Hilton Kramer's claim that "I cannot bring myself to describe these pictures in all their gruesome particularities," and his doubt that a newspaper would print a description even if provided, was confirmed in a lack of both description and the reproduction of the controversial images (Kramer, 1989, p. 7). Of this form of suppression (preventing readers of the controversy to access the subject of the controversy), MOMA curator Robert Storr says "it was Kramer, not Mapplethorpe, the transgressive artist, who in this instance refused to rely on the judgement of an independent citizenry" (Storr, 1991a, p. 13). UCLA photography lecturer Connie Samaras concludes that "(despite the New York Times's liberal posturing), the paper's decision to absent all the images under discussion

(even the innocuous, rather corny flower images) only serves to underscore conservative claims that sexual imagery of any kind is unprintable and best kept out of the public eye" (Samaras, 1989, p. 14).

Art critic John Russell reminds New York Times readers of the primary importance of personal judgement: "we do not need a bunch of politicians to tell us what we can read, what we can listen to, what we can see on the stage and what we can look at in our museums. We are perfectly capable of judging that for ourselves, just as we are capable of knowing how rarely there has been a tribune of people who did not sometimes get too high on the leaded fuel, the sanctified pollutant, of moral indignation" (Russell, 1989, p. 33). This point was at times lost within a complex discourse that saw critics voicing disapproval over issues with which members of the public were also uncomfortable. In other words, if a person reads an article which condemns the upcoming exhibition of "pornography" at the local museum and which describes action to prevent its display, and if that reader also disapproves of "pornography," then that reader is likely to trust the author's decision that the exhibition does contain "pornography" and that action will be taken against it, rather than taking it upon him- or herself to go and look at the images and make a personal decision, or fight for the right to make that decision.

Writers in the controversy outline three choices available to members of the public faced with a controversial exhibition. These are alternatives to suppressing the exhibition: choices based on an understanding that individuals in a democratic state of many, diverse populations can make up their own minds about what they would like to spend time looking at, and can respect the rights of others to do the same; knowledge that debate amongst

individuals is an educational experience provided by museums; and an understanding that if one wants to participate in debate, there are constructive ways to do. One can exercise one's choice to go to the exhibit and look at the images and make one's "own, informed judgement" (The American Federation of the Arts, quoted in "Going to bat for Barrie," 1990, p. 47). Or, members of the public can exercise their right "*not* to attend exhibitions, instead of electing to go and, in most cases, pay admission to be 'offended' by what they see. People can protest by staying at home, allowing others their right to attend, observe, and be challenged by the art of our times" (Gregory G. Knight, Director of Visual Arts in the Department of Cultural Affairs, Chicago, quoted in "Against intimidation," 1989, p. 25). Along these lines, arts and entertainment lawyer Barbara Hoffman cites the advice of Justice John Marshall Harlan in Cohen v. California (1971), that offended parties who respect difference of opinion can react by "averting their eyes" (Hoffman, 1991b, p. 14).

Or, one can add one's opinion to the debate. This choice is based on the philosophy of former Supreme Court Justices Oliver Wendell Holmes and Louis Brandeis: "the appropriate response to speech with which one disagrees in a free society is not censorship but counterspeech — *more* speech, not *less*. Persuasion, not coercion, is the solution" (Strossen, 1995, p. 41). It is reinforced to readers of the New York Times by Barbara Berman-Lee, who writes: "as a feminist I am deeply offended and disturbed by much material (with or without the label 'art' attached) on display in both the public and private sectors. But in a free society, art that shows all sides of public esthetic *should* have the opportunity to be seen — to encourage informed, healthy debate" (Berman-Lee, 1989, p. 3). MOMA curator Robert Storr sees the value of counterspeech as breaking taboos created

by silence, its efficacy dependent on a confidence "that people will of their own accord choose whether to pay attention or walk away, read or turn the page, watch and listen or flick off the switch" (Storr, 1991a, p. 13).

In terms of the events surrounding the Mapplethorpe show, we see how counterspeech was used to pre-empt controversy. When Cincinnati's Council for Community Values was informed of the upcoming exhibit, it was within its rights to try persuading the CAC to cancel it by engaging in a "systematic, well organized campaign of letter-writing," based on president Monty Lobb, Jr.'s belief that "somebody else is coming into our city and trying to tell us what our community standards are. . . . If we do not alert people to what some of these pictures are, our silence condemns us" (Wilkerson, 1990a, p. A21; Petty, 1990, p. 14).¹ Similarly, when the show was en route to Boston, its final destination, local PBS television station WGBH made an effort to prepare viewers for its contents by broadcasting the controversial images on the evening news (Storr, 1991a, p. 13). It appeared to work — the show's run there was successful and devoid of controversy. And CAC director Dennis Barrie warned a room full of eighteen hundred College Art Association members that the trial in Cincinnati did not mark the end of artwork suppression; he told them "you can stand whenever an exhibition is threatened, whenever a play is threatened, whenever a work is not hung in your institution. Stand there. Make your voices heard. Write those letters. You know, it actually does work" (Barrie, 1991, p. 32).

¹Dennis Barrie complained that such actions were the work of "an organized minority trying to enforce their world view" (quoted in Wilkerson, 1990a, p. A21). The CCV's efforts to persuade were not out of bounds; however, its later attempts to coerce CAC board members into closing the show by means of threats did indeed cross that line.

Special co-editors of the Fall issue of the Art Journal used counterspeech as a means of balancing and informing debate. Robert Storr and Barbara Hoffman's issue of the journal was created a year after the Cincinnati trial — it contained, amongst other pieces, articles on Dennis Barrie's experience of the controversy (Barrie, 1991), a history of censorship (Atkins, 1991), the limits and applications of First Amendment law (Hoffman, 1991a), the tensions between liberals and conservatives in the Mapplethorpe debate (Hoekema, 1991), and an experience of a different museum controversy (Becker, 1991). It was prefaced by the reproduction of the full "X Portfolio," as a means to inform the reading of the subsequent articles, and to counteract the removal of specific images from the Portfolio and exhibition context, as was done in the Cincinnati trial. The editors' advice to readers: "we have the right to do so; you have the right to look, or to look away" (Storr, 1991a, p. 13).

Finally, counterspeech can effectively do what it purports to do — persuade people to believe in the other point of view (i.e. win the debate). This is the premise underlying prosecution and defense testimony in court; somewhat cynically, Judge David Albanese commented during the trial that "I learned a long time ago, when I was in law school, that it's not whether you're right or wrong, but who has the last word" (quoted in Wilkerson, 1990l, p. A19). Donald Kuspit laments the Corcoran's and the NEA's inability to take action in this way, to argue their case: "incidentally, the way Southern and Orr-Cahall capitulated to political intimidation, offering not the least resistance, suggests their complete failure of nerve, collapse of will. Haven't they yet learned that fire must be fought with fire? They allowed a few loud mouthed, brazen, yahoo members of Congress to make a

mockery of democratic process and debate" (Kuspit, 1989, p. 42). The success of counterspeech is seen, of course, in the Cincinnati trial. Jurors took note of the persuasive power of the defense: Martin J. Hall said "the law is what we made the judgement on The experts helped me form an opinion on the law"; Stacey Burton noted that "when the experts said this is why it's art, they were very convincing," so convincing that she had taken an interest in art as a result of the experience, and hoped the Mapplethorpe exhibit would return to Cincinnati so that she could attend; and juror Anthony Eckstein concluded that "I think we all learned from this. . . . I know art has some meanings I don't see" (Cembalest, 1990, pp. 137, 140, 141). Of the prosecution's shortcomings, jurors said the following: "we felt the prosecution did not prove its case" (James Jones); "if the prosecution could have come up with just one credible witness — a sociologist, a psychologist, somebody, anybody — maybe we would have voted differently. The prosecution basically decided to show us the pictures so that we'd say they weren't art when everybody else was telling us they were" (Anthony Eckstein); "we didn't understand why [the Citizens for Community Values and the American Family Association] didn't show up. Their opinion could have mattered" (Jennifer Loesing) (Merkel, 1990, p. 51; Cembalest, 1990, p. 140).

Indeed, it has been noted that the experts from the art world succeeded in arguing their point because their point was very specific: these photographs possess artistic value. The defense provided sufficient counterspeech around a specific issue that was effective in persuading the panel of jurors to believe them over the prosecution. It was strategic counterspeech. Anti-censorship feminist Lisa Duggan reminds readers that counterspeech must be strategic, but it must also take note of and convey the central issues, for a debate

such as Mapplethorpe's is usually about issues much broader than those immediately identified, especially by the critics who set the terms of debate in the first place. She writes:

Everyone knows what to say: art isn't supposed to be tamely popular, it *should* provoke, question, enlighten; the public purse is best served by the peer review process, which places evaluation of art where it belongs, in the hands of artists, not crudely partisan politicians. But nearly everyone goes strangely mute when faced with completely unhinged hysterics of interracial homoeroticism, sadomasochism, and nude children. This muteness is expected; it is enforced by the logic of a sex panic. (Duggan, 1989, p. 26)

If Senator Helms was embarrassed to talk about interracial homoeroticism, sadomasochism, and nude children, as he claimed he was, it would appear that the defense of Mapplethorpe's images in the trial and in the broader debate was also. The trial concluded with the verdict in favour of the defense, but, as Duggan states, the lack of a specific type of counterspeech leaves one problem unsolved: "this muteness about bodies and sexuality implicitly concedes that the particular images are indefensible" (Duggan, 1989, p. 26).

Chapter Five

Conclusions: What to Draw from this Controversy

Because Mapplethorpe's imagery was sexual, or in the photos of children, perceived as sexual, its status as art and its value to the public was called into question. As any suitably effective, strategic force would, the opposition managed to fracture party lines, weakening and confusing an appropriate defence of these photographs in relation to the issues the images were supposed to raise. Members of the art world would have been expected, under normal circumstances, to describe the photographs as high art photography (which is on the low end of high art); seen in the context of Mapplethorpe's oeuvre they explore the boundaries between manipulated bodies and inert flowers, high-amped sexual personae and frozen personalities of celebrities and children, art and pornography, form and content.¹ Seen in isolation from the retrospective "The Perfect Moment," as they were in the debate, they explore dynamics of power, interchanging plays of dominance and submission: between the photographer and the subject(s), between portrayed individuals adopting sexual roles, between parts of one's own male body, and between image and viewer. Because the opposition (Wildmon, Helms, Kramer, Lipman, Reisman) was so discomfited by this and preferred that these images be removed from the public eye, many members of the art world found themselves in a position of defending the photographs as high-art-at-the-high-

¹These are the themes which appear in earlier exhibition catalogues on Mapplethorpe, from shows at the Institute of Contemporary Arts in London (1983), Mai 36 Galerie in Lucerne (1987), the Whitney Museum of American Art in New York (1988), and the National Portrait Gallery in London (1988). See Conrad, 1988; Hollinghurst, 1983; Howard, 1988; Marshall, 1988; Morgan, 1983, 1987; and Sischy, 1988.

end-of-high-art, formally impeccable, deserving of public support and exhibition, absolved from criticism. Art world critics of art world defendants (Vance, Sekula, Kuspit, Duggan, Heartney, Stanley) saw through this line of argument, explaining that it was offered up because simplistic charges of "pornography," devoid of analysis, sufficient explanation or nuance in observation were based on a societal fear and suppression of sexuality. Nobody in the debate wanted to talk about the sex actually shown in the sexual photographs, and everybody outside of the debate wanted to see the pictures.

As James T. Demetrion, director of the Hirshhorn Museum and Sculpture Garden in Washington, D.C. observes, it is tempting to see party lines divided between Right and Left political alliances ("Against intimidation," 1989, p. 25). Indeed, Helms is a Republican, Kramer's and Lipman's The New Criterion is funded by a major chemical and munitions manufacturer, Wildmon and Reisman are associated with a conservative, religious, and prosperous family values association, and, conversely, the Left is commonly associated with "the art avant-garde and its several critical establishments" (Schor, 1991, p. 36). But Demetrion is wise in taking caution of this dichotomy ("Against intimidation," 1989, p. 25). For it does not always hold in controversies of this kind, as is evident in the history of conflict described in chapter one and indicative of the polarized actions of the Corcoran and the Contemporary Arts Center. If it were a simple case of Left and Right, reliable and predictable, the logistics of showing sexual imagery would have been sorted out long ago. But when it comes to issues of sexuality, fears of reprisal, disclosure, and guilt by association cause people to speak (or refuse to speak) in ways which might contradict their otherwise consistent political leanings.

Offended and defensive parties in the controversy walked a precarious line between elitist and populist arguments. Mapplethorpe's work was morally repugnant in subject matter *and* brilliant in technique, socially disruptive *and* socially reproductive, devastating to young and old *and* empowering to the like-minded pervert and the state-controlled, sexually-uninformed masses. This is why it should be censored, suggests Kramer; this is why it should be shown, say the "experts" in Cincinnati, and Hugh Southern and Helen Frankenthaler of the NEA (Kramer, 1989; Cembalest, 1990; Kastor, 1989a; Frankenthaler, 1989). It was artist Barbara Kruger who angrily broke down the barriers flimsily erected between Left and Right, art and pornography, that transgressive art betrays. Her response to the surface questions of the controversy is worth quoting at length:

What constitutes pornography? When is something art and when is it obscenity? Where do you draw the line? These questions of pornography, obscenity, and line-drawing have always been the calling cards of conservative, if not reactionary, forces. The fact that ARTnews has chosen to ask them of contemporary cultural practitioners is a sad reminder of how powerfully the Right has defined the terms of the debate (any debate) that concerns what it means to be alive today. The Right speaks its desires, telling us what it wants and doesn't want over and over again, collapsing all meaning into a thoughtless mantra, lulling us into silence and absence. It plays every position on the field. The Left (or shall we say its pithy remains) is caught in a brutal squeeze play of exhausted platitudes and resolute ineffectiveness. In the face of burgeoning fundamentalists that have no tolerance for any emancipatory work around gender, race, and pleasure, we must begin speaking out and acting up. We must stand up and be counted, we must talk that talk, and walk that walk, and recapture the debate with a kind of canny zeal. We must keep a sharp eye on the agendas implicit in every question and think more than twice about replying. (Kruger, quoted in Cembalest et al., p. 142)

In debates over sexual imagery, such as the Mapplethorpe controversy, arguments for artistic value and First Amendment rights do play an important role. In analysis of sexual imagery such as that of Mapplethorpe's, these lines of discussion are valuable.

Mapplethorpe was a pornographer and an *artist*, his work shown in places where other artistic expressions are shown, the images deemed free speech under a law that, strangely, will protect sexual imagery only if it is artistic. Mapplethorpe employed conventions of art, flouted established standards of art, influenced still more art, confused and enraged and inspired people who value the time they spend looking at art. This is interesting to consider, and adds dimension to an understanding of, appreciation for, or hatred for his work. Furthermore, the First Amendment rights and responsibilities of members of the public to act on their neutral understanding, admiration for, or angry displeasure with these images in ways which are constructive should be known by this public, just as museums should understand their rights to expect grants (and government-granted acceptance) which have been promised to them, and should know when cases of illegal prior restraint are occurring and how they will be challenged.

But the "third prong" of discussion of sexual imagery must not be overlooked, because it is usually what is most obvious about the image (particularly for those who take offense to it); because it is the reason why the status of the image and of its access by the public is questioned in the first place; because its interpretations are multiple; because it is a subject whose educational value in an anxious society that limits such speech and analysis is boundless; and because it can be misinterpreted in ways which truly are hurtful to an uninformed public. This is, of course, sexual subject matter. If Mapplethorpe's S/M images had been explained in terms of the established culture from which they emerged, members of that culture possessing shared meanings of the behaviours they engage in, participants using and feeling pain for consensual reasons, specific purposes and gratifying results, this

controversy might have taken a different turn. Instead, the premises of sadomasochism were wholly ignored, leaving interpreters bereft of understanding and open to a powerful and popular body of theory which sees any form of pornography as violent, never mind that which appears to be violent to the untrained eye. It also cast unnecessary suspicion over the artist's intentions as armed with a camera, and over the sexually ambiguous images in the show, portraits of nude, non-sexually engaged children, taken in their homes with parental permission and accompaniment.

Sexual subject matter must not be overlooked, because it is important to an understanding of the image, and because avoidance of the subject perpetuates the taboo in place to avoid it. It must be confronted because sexuality-as-lived should be as valuable a subject of museum attention as is the notion of sexuality-as-annihilator celebrated by the art world each year on December 1st, known as a "Day Without Art." This annual gesture to members of the art world who confront, experience, or have died of AIDS began in 1989, one year after Mapplethorpe died of the disease. By 1991 the event involved the memorializing and AIDS educational efforts of 3,500 American museums and galleries, monthlong exhibitions on the subject in some of these institutions, and a 15-minute blackout of the cityscapes of New York, Chicago, Los Angeles and San Francisco (Robinson, 1991, p. 27). In other words, it is a significant event that attempts to overcome the debilitating stigma that this deadly disease carries, and carries to the art world because gays and lesbians lead the fight for the rights of people with AIDS (PWAs) and gays and lesbians make up large numbers of the art world. But, as Pat Califia notes:

One of the major consequences of the AIDS epidemic has been a retreat from sexual politics. The gay movement has been transformed from a broad-

based attempt to address several issues (sodomy laws, antigay discrimination, homophobia in religious institutions, military witch-hunts, porn laws, police crackdown on public sex, registration of so-called "sex-offenders," the age of consent, child custody, etc.) to a crusade for a cure. Our agenda has pretty much shrunk to one item. (Califia, 1994e, pp. 19-20)

When it comes to analysis of sexuality as exhibited in museums and galleries, and particularly in the case of "The Perfect Moment" exhibition, Califia's words ring true. AIDS cast a shadow over references to Mapplethorpe's subject matter in the controversy (i.e. Collins, 1989; Honan, 1989; Wilkerson, 1990). It was used to preface Corcoran director Christina Orr-Cahall's resignation statement in a way which had no obvious bearing on the rest of her message (Orr-Cahall, 1990, p. 7). It was also used as a publicity stunt at the Washington Project for the Arts, the gallery which purportedly showed the courage to take the exhibition that the Corcoran dared not; the show's opening party, a \$250-per-plate AIDS research benefit, overshadowed all publicity on the reasons why the institution felt it was important to exhibit the show, sexual imagery and all (Risatti, 1989b, p. 7).

A high-maintenance, immobilizing, alienating, fatal attack on the physical and psycho-social immune system, AIDS is not something to take lightly; nor are efforts to combat it and its stigma. Its role in museum and gallery programming is the one overt way that the art world pays tribute to the sexual dissidents in its midst and to sexuality in art, and it is about *death*. Or rather, it serves to explore the value of artistic expression, and celebrate the freedoms of mind and imagination. Does this sound familiar? Sexuality-as-lived must be offered up in the same amounts, with the same degree of careful research, preparation, interpretation, and expertise, if the stigma around AIDS (which is a stigma around sex) is to be successfully challenged.

To Museum Educators

Where were the voices of museum educators in articles on the Mapplethorpe controversy in Art in America, Art Journal, Artforum, ARTnews, The New Art Examiner, and the New York Times? Nowhere to be found. Perhaps they were too busy working in their institutions to write, as is often the case with members of this profession. This is unfortunate, as their insights on their involvement as intermediaries with the public, with the media, with other institutions, with other "experts," and with members of their own staff is invaluable in a time of controversy.

The controversy over the exhibition of Mapplethorpe's photographs gives rise to a number of suggestions for museum educators working with sexual imagery, which are listed in Appendix B of this thesis. They advise on the nature of risk which is attendant to working with sexual imagery; the need for fully-rounded discussion of such imagery which addresses their artistic, public, and sexual dimensions; the need for research on the opposition and defense of sexual imagery; and the possible forms of public programming to which such material lends itself. This advice emerges from conclusions which were drawn from a controversy that ran its own course; the debate over Mapplethorpe's images involved hundreds of people, from various backgrounds, with no one in the centre to coordinate its participants or direct its path. Ostensibly, it has resolved itself, for time will only make room for so much discussion before the dominant issues transform and mutate, participants willing to stay directly involved until saturation sets in, exhibitions (the focus of controversy) staying intact for as long as exhibiting or storage space will allow. This is natural, the process organic. But as we know from history, the "perfect moment" reappears regularly and

frequently, the need to embrace it, add dimension to it, and make meaning from it widely felt. From moments like these, educators who will be placed in the centre of future discussions as part of their programmes can learn the issues relevant to showing sexual imagery, how they might be discussed and debated, and what their broader significances are in the context of a public gathering space like a gallery, the context of a city with specific populations and needs, and the context of a country with its own historical and present discourse on art and sexuality. Be informed, be patient, and speak out.

I conclude with a statement by Robert Storr, MOMA curator and special editor of the Art Journal's twin issues on the Mapplethorpe controversy and censorship: "the reality is that we cannot, as a society or as individuals, describe or debate the sources of our displeasure — or pleasure — if we cannot openly name them by name" (Storr, 1991b, p. 15).

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Appendix A

Locating Reproductions of Mapplethorpe's Images

The images that figured in the controversy over "The Perfect Moment" do not appear in this thesis. Reproductions of Jessie McBride (1976), Honey/Rosie (1976), and the full "X Portfolio" may be found in the Fall, 1991 issue of Art Journal, Volume 50, Number 3.

Suggestions to Museum Educators Working with Sexual Imagery

The following lists ways of preparing oneself, one's institution, and the public for exhibiting sexual imagery in a museum or art gallery. It also offers advice on how to discuss and programme for such material, and how to deal with the consequences which might arise. These points were compiled from an analysis of the controversy over Robert Mapplethorpe's 1988 retrospective "The Perfect Moment" — the issues which were and were not talked about during the eighteen months that debate flared. Use them as a personal checklist, share them with staff and volunteers.

1. Be aware of the reality that when you show sexual imagery in a public space, you are taking a risk. It is a risk in the sense that many people have many opinions on sexuality, on the portrayal of sexuality, on the exhibition of sexual imagery by a public institution, and on the funding of such an exhibition. These are opinions which are very personal to the people who possess them and are very likely to be aroused by the viewing of such imagery, or by the knowledge that such imagery will be viewed by others, positively or negatively. As the Mapplethorpe controversy shows, the risk is real: you could face public outcry, you could be accused of pandering pornography, and you could face censorship by restriction, prohibition, regulation, punishment, or intimidation. If you make the commitment to show sexual speech, make an informed commitment.

2. One's premises as an educator are to provide opportunities for members of the institution's various communities to interpret the work shown in ways which draw on viewers' prior knowledge; add to viewers' knowledge base; challenge the viewer to think critically about the images, about the issues they raise, and about the assumptions they bring to the images; and which stimulate debate in ways which are constructive. Debate is a good thing — one's efforts do not need to focus on making the images wholly palatable to everybody, nor on condemning those disturbed by the images, but rather on working with debate in constructive, educational ways. As was noted in the controversy, the potential for this to occur successfully is diminished when interpreters and viewers feel forced into positions of defense, once conflict has begun. Sexual imagery can raise the emotional pitch of an educational climate. Prepare for this, considering ways to work with it so that emotional defenses do not guide the discussion and its terms. In Mapplethorpe's case, negative reactions to "pornography" had the effect of setting the tone and criteria for the remainder of the controversy.

3. Remember that self-censorship is the quickest, easiest, most efficient and least expensive way of preventing sexual imagery from being shown to the public.

4. Know your own, personal stand on the sexuality portrayed, on the portrayal of sexuality, and on the public presentation of sexual material. Just as public education is effective when it draws on prior knowledge and understandings, education of oneself is based on the same

premises. As an educator you will have to speak about these issues to various communities (i.e. staff, docents, colleagues from other institutions, funding bodies, the media, the public) in ways which will inevitably reflect not just your stand as a public facilitator, but as a private individual. Understand your own assumptions.

5. Educate yourself on these issues. A lack of education on the sexuality Mapplethorpe portrayed resulted in misinformed perceptions of violence in his images. The sexuality portrayed in the images shown in your institution will likely have its own culture, its own networks, its own body of literature. This is because sexuality is ingrained in us as individuals, because it has experienced years of fine-tuning, because sexuality is largely social, and because the public suppression of sexuality breeds organized efforts to make itself manifest in other realms. No matter what state of sexual interaction (i.e. sadomasochism, prostitution, interracial sex, intergenerational sex), sexual identity (i.e. queer, gay, bisexual, lesbian, transgendered), sexual practice (i.e. body modification, masturbation, fetishization) you are showing, it likely has a discourse on its dynamics, its methods, and the rights to engage in it. You won't find the literature in the public library, and you might not be able to identify its practitioners on the street. Seek out bookstores, adult toy stores, and networks (telephone lines, social gatherings) which specialize in sexuality. This applies to the representation of *sexuality*; some of the literature on *pornography* has been cited here. The anti-pornography material will likely be found on the lending shelves, the pro-pornography literature in sexual bookstores. As for the presentation

of sexual material, seek out precedents. This thesis serves as one example; use it as a resource for the many, divergent opinions on the public display of sexual imagery. Research and contact other institutions that have shown sexual imagery and find out about their experiences. (Eli Langer's work, seized from Toronto's Mercer Union Gallery in December, 1993, and referred to in chapter one of this thesis, was announced in May, 1995 to have artistic merit, the works returned to the artist. The judge who tried the images is reconsidering the search and seizure provisions of the kiddie porn law as a result of the case, finding them "unreasonable.")

6. Know the arguments of the opposition *and* the defense on showing sexual imagery. You will hear both, and will need to respond to both. As the Mapplethorpe controversy demonstrated, current opposition to the representation and presentation of sexual imagery is grounded in anti-pornography feminist theory generated by Andrea Dworkin and Catharine MacKinnon. The opposition to *that* (the defense of porn) is outlined in feminist and humanist terms by the anti-censorship faction described in chapter three.

7. Educate staff members and docents in your institution using the research you have done on portrayed sexuality, the portrayal of sexuality, and the exhibition of sexuality. The most effective way to handle controversy is through collective, informed effort. The Mapplethorpe controversy saw the fracturing of party lines, suspicions and feelings of betrayal, and a lack of information which allowed the controversy to perpetuate itself.

8. Know the laws involved in showing sexual imagery. The American obscenity law as defined by Miller was discussed in this thesis. The Canadian version was defined by the 1992 case Butler v. The Queen. It is similar to Miller in its protection of sexual speech which is artistic, and in its consideration of works taken as a whole. Such is the theory; in practice, since its enforcement, it has been used to seize materials from over half of all Canadian feminist bookstores (where sexual literature is largely dispensed), to detain material at the Canada-U.S. border, and to detain shipments of books to major gay bookstores in the country (Glad Day's owner and manager in Toronto was arrested for selling lesbian porn, and Little Sister's in Vancouver decided to take Canada Customs to court on charges of government harassment) (Strossen 1995, pp. 231-33). It was responsible for the seizure of Dworkin's books, Caught Looking, and Eli Langer's work. Its application is based on MacDworkinite conceptions of pornography, with effects that have frightened Dworkin and MacKinnon themselves (p. 243). Also inform yourself of laws against child pornography (locally defined) and forcible exposure to imagery (applicable, for instance, if images are visible from the street or if they are shown in a well-travelled hallway).

9. Frame the sexual material in the show so that viewers are prepared to see it or prepared to make the choice not to see it. This can be done without airs of apology (i.e. cloistering it, diluting it with "safer" images, obscuring its visibility). Provide warning signs, age restrictions if necessary, its own room — these methods were used by museums hosting "The Perfect Moment."

10. Stimulate education and debate amongst viewers on the artistic value of the images — as was noted above, this is an important aspect of sexual art. Interpreters of Mapplethorpe's work found meaning in the images' art contexts (its significance in museums in relation to the rest of Mapplethorpe's work, to art history, and to contemporary art), in its relationship as art to social norms and margins, in its affective qualities, and in its formalist construction.

11. Educate the public on the roles of art and museums to show society the norm and to subvert or challenge it. Educate the public in, and provide outlets for, their rights to see or not see the images, to object to or praise them, to discuss them with professionals and with the viewing public. Educate and provide outlets for public counterspeech on the issues raised by the images — workshops, discussion groups, bulletin boards next to the images inviting the viewer to respond.

12. Expect promises of support made prior to the show to be kept — just because the imagery is sexual doesn't mean consistent and reliable support, if called into question, should be threatened or removed. If you have ensured that your exhibition and educational programming are within your legal rights, act on that premise.

13. Seek out support from local facilities and organizations, and offer your own to others. One reason for the success of "The Perfect Moment" in Boston was that museum's coordinated efforts with local galleries (who exhibited "solidarity" shows), and with the local

television station (which publicized the controversial images on the evening news). Other resources are the print media for publicity, and local activist groups for solidarity and potential funding.

14. Provide public programming which makes use of the *range* of expertise available. Art "experts" may be brought in to work with staff and the public on issues pertaining to the medium, the form, the history of the genre in art, and the role of museums in showing such material. Legal experts may be incorporated to educate members of the institution on the rights to exhibit sexual material, artists on the rights to create sexual material, and everyone on the history and nature of censorship. And sexual experts may be brought in to discuss the meanings of the sexuality portrayed, the rights to engage in this sexuality, and the history and dynamics of its culture. Their knowledge can be used in posted material in the galleries, public lectures, tours, workshops, discussion groups, and computer data bases.

15. Finally, know there is only so much you can do to prepare for the showing of sexual material, and to facilitate its exhibition and interpretation. Sexuality is a powerful issue with which individuals interact on many different levels; what people bring to an exhibition is informed by personal experience, judgement, and knowledge.