



WILEY-  
BLACKWELL



---

Protected Space: Politics, Censorship, and the Arts

Author(s): Mary Devereaux

Source: *The Journal of Aesthetics and Art Criticism*, Vol. 51, No. 2, Aesthetics: Past and Present. A Commemorative Issue Celebrating 50 Years of The Journal of Aesthetics and Art Criticism and the American Society for Aesthetics (Spring, 1993), pp. 207-215

Published by: Blackwell Publishing on behalf of The American Society for Aesthetics

Stable URL: <http://www.jstor.org/stable/431387>

Accessed: 09/10/2009 16:48

---

Your use of the JSTOR archive indicates your acceptance of JSTOR's Terms and Conditions of Use, available at <http://www.jstor.org/page/info/about/policies/terms.jsp>. JSTOR's Terms and Conditions of Use provides, in part, that unless you have obtained prior permission, you may not download an entire issue of a journal or multiple copies of articles, and you may use content in the JSTOR archive only for your personal, non-commercial use.

Please contact the publisher regarding any further use of this work. Publisher contact information may be obtained at <http://www.jstor.org/action/showPublisher?publisherCode=black>.

Each copy of any part of a JSTOR transmission must contain the same copyright notice that appears on the screen or printed page of such transmission.

JSTOR is a not-for-profit service that helps scholars, researchers, and students discover, use, and build upon a wide range of content in a trusted digital archive. We use information technology and tools to increase productivity and facilitate new forms of scholarship. For more information about JSTOR, please contact [support@jstor.org](mailto:support@jstor.org).



Blackwell Publishing and *The American Society for Aesthetics* are collaborating with JSTOR to digitize, preserve and extend access to *The Journal of Aesthetics and Art Criticism*.

<http://www.jstor.org>

## Protected Space: Politics, Censorship, and the Arts

Anniversaries are appropriate times for reflection. On this, the 50th anniversary of the American Society for Aesthetics, I want to explore a complicated and confusing situation currently facing Anglo-American aesthetics. Works of art were once esteemed as objects of beauty.<sup>1</sup> In the past several years, however, artists have been accused of encouraging teenage suicide, urban rage, violence against women, and poisoning American culture. Museum directors have been indicted on obscenity charges, and artists and organizations receiving federal grants have been required to sign pledges that they will not promote, disseminate, or produce materials that may be considered obscene. Today in America, as in other times and places, artists face demands for their art to conform to religious and moral criteria. These demands are not new, but they challenge the view that artistic expression falls under the protection of speech guaranteed by the First Amendment.<sup>2</sup>

Also in the past several years, aestheticians have had to face a theoretical assault on the division between art and politics. That division is sacrosanct to the formalist aesthetics that has largely dominated the ASA since its founding. Now, the idea of aesthetic autonomy, so dear to professional aestheticians, has itself come under attack.

We can begin to bring some order to these chaotic and disturbing events if we cast them in terms of two debates. The first is taking place in the “real world” of politics and art, outside professional aesthetics. It centers on the role the National Endowment for the Arts (NEA) plays in providing federally financed support for the arts. The second debate is taking place within the profession of aesthetics. It centers on a specifically philosophical issue, namely, the ade-

quacy—even feasibility—of an aesthetics built around the idea of art’s autonomy.

The two debates might at first appear to be completely unconnected. One takes place in the world of politics outside the academy, the other within it; moreover, whereas the NEA debate appears to be concerned with wholly practical matters such as the allocation of tax dollars and the role of government in supporting the arts, the autonomy debate is primarily philosophical and theoretical in character. But in fact, the two debates are connected. Both are concerned with the issues of art, politics, and autonomy. And both present us with a choice between the same unattractive alternatives: either we embrace the political character of art and risk subjecting art and artists to political interference, or we protect art and its makers from political interference by insisting upon their “autonomy,” but at the cost of denying the political character of art and its broader connection with life. If we are ever to get beyond these stale alternatives—both of which require the sacrifice of something essential to the understanding of art—we must look closely at what is meant by the autonomy of art.<sup>3</sup>

Suggesting that we reconsider the autonomy of art may make it sound as if I plan to take the standard liberal line against the politicization of the artworld. I don’t. I want to argue, on the contrary, that political art—the work of Hans Haacke, Barbara Kruger, Judy Chicago, Faith Ringgold, Vito Acconci, Scott Tyler, David Hammonds, and others—is important, both for political reasons and for artistic ones. But, whether or not one agrees with this judgment, political art is at the center of what is happening in contemporary art. Thus, I will demonstrate, it is increasingly important to understand the challenge that polit-

ical art presents to aesthetic theories which analyze art in primarily non-political terms.

I will show that the current situation in the arts can be understood in terms of the two debates I have mentioned. In Section I, I lay out the issues that divide the opposing camps. In Section II, I aim to do two things: first, to show in detail where the two debates intersect and, second, to show that they pose a common problem. Having explained what this common problem is, I then conclude, in Section III, by suggesting the direction we must move if we are to solve this problem.

### I

Turning first to the real world, I want to begin by observing that concerns about art have, in recent years, come to the center of political debate in questions about the value and limits of freedom of expression, the role of government in the enforcement of morals, the function of art, and the direction of public arts policy. The NEA controversy came to public attention in 1989 when questions were raised over the funding of Robert Mapplethorpe's homoerotic photographs of a gay subculture and his innocent but sexually candid portraits of children, and Andreas Serrano's *Piss Christ*, a photograph of a crucifix submerged in urine. However, concern over what kind of art the government was funding emerged as early as 1972 when then first-term Senator Jesse Helms objected to NEA support for Erica Jong's "obscene book," *Fear of Flying*.<sup>4</sup> These and subsequent demands for restricting the content of federally financed art stand opposed to the "climate encouraging freedom of thought, imagination, and inquiry" called for by the 1965 legislation creating the NEA.<sup>5</sup>

The NEA's conservative opponents are, of course, primarily concerned with art as a vehicle of moral and social education. Their understanding of "good art" has less to do with artistic value than with "decency" and the promotion of a certain (largely Christian fundamentalist) conception of ethical life. From this perspective, modern art reflects the spiritual degeneracy of 20th century America. On the other side of the debate, naturally enough, are artists (concerned with protecting their work from interference), civil libertarians and "classic" liberals (concerned with First Amendment issues and the freedom of

expression), gay rights advocates (concerned with the civil rights of homosexuals), and traditional aestheticians (concerned with defending the formalist division between art and politics).

Art has emerged as an important political issue not only for these groups, but also for the general public. That it has is striking especially in light of the common view that art really "doesn't matter." The continuing public debate, charted in editorials and "letters to the editor" from *The Washington Post* to the *Cincinnati Enquirer*, demonstrates quite unexpectedly that art *does* matter. It matters not only to artists and museum directors, but also to record store owners, politicians, and "ordinary taxpayers"—even perhaps to policemen.

How art matters is less clear. To some, art matters because it is—or they take it to be—of irredeemable value. To others, art matters because it is—or they take it to be—pernicious, something we must guard against and control. Furthermore, art has become a litmus test of beliefs about sexuality, public decency, obscenity, and the limits of tolerance. It has also become a battleground on which competing groups fight to define (or redefine) America's view of itself as a nation.

In brief, the political battle over art is interesting because of its suddenness and depth. It is also interesting because behind the clamor about when art is obscene and whether it merits public funding lies what amounts to a *philosophical* discussion about the nature of art. I suggest that the real world battles fought over the photographs of Robert Mapplethorpe, performance art, and political art in general are actually driven by a theoretical conflict between two opposing conceptions of art. According to the now familiar, modern conception, art is intrinsically valuable, deserving of a separate "autonomous" sphere within which artists can be guaranteed protection from government and other forms of outside interference. Aestheticians will readily associate this position with Kant, 20th century modernism, and formalist theories of art.

According to a second, more traditional conception, the value of art is inextricably linked to political considerations. Thus, for example, art cannot be evaluated apart from considerations of its ideology and social value. In one version of this political conception of art, if a work offends

the state, the state may—indeed should—control or suppress it. This offense may take different forms, so, for example, a work may be censored because it is seen as socially disturbing or frivolous even if not politically threatening. The view that such offenses warrant restriction is a position associated with the Plato of *The Republic* and with Marxist theories of art.<sup>6</sup>

The theoretical discussion underlying the NEA controversy thus concerns a conflict between political and non-political conceptions of art. On the one hand, a formalist conception of art does not allow art to be seen politically; on the other hand, political conceptions of art require that it must be.

Now, admittedly, this is a complex debate and, like most frameworks, the one I'm introducing here is somewhat artificial. For one thing, so-called non-political conceptions of art may themselves rely upon political assumptions and have political implications. (This charge has been made repeatedly, for example, with respect to formalism.) So, obviously, there is a question here concerning just how non-political "non-political" conceptions of art are. And, of course, there are participants in the NEA debate who do not espouse simply one or another of these views. The advantage of setting things up in this way is that it makes the main lines of debate visible.

Alternatively, someone might object that, by framing current artworld controversies as a struggle between two underlying conceptions of art, I make the debate appear overly theoretical. This is not my intent. Clearly, the outcome of the battle over political and non-political conceptions of art has real consequences for artists and the artworld generally.<sup>7</sup> Let's consider what these consequences are.

In the wake of anger over public funding for work by Mapplethorpe and Serrano, Helms convinced Congress to pass legislation that threatened artists with loss of support for work deemed obscene or indecent. "Obscene" or "indecent," according to the Helms Amendment, meant depictions of sexual activity, material deemed homoerotic, material that denigrated the objects or adherents of a particular religion, and other offenses which, if committed, would result in the artist's loss of funding. As was widely reported, this amendment was ruled unconstitutional by a federal court in January 1991; further legal restrictions on art have also been strongly

opposed by civil libertarians and many members of the arts community. What effect, then, aside from increasing vocal opposition to certain forms of art, have Helms' efforts had on artists? Should we simply dismiss Helms as a hypersensitive, but harmless, critic of contemporary art?

The answer, I think, must be "no." Although Congressional restrictions on federally funded art have not withstood judicial scrutiny, Helms and his supporters have nevertheless managed to control the funding process through other, more subtle means, e.g., partisan appointments to the NEA directorship and boards. They have also succeeded in creating a *climate* in which artists and those who exhibit, publish, and sell art feel threatened in ways having little to do with the availability of public funding. Thus, to give two examples, an obscenity complaint was brought against artist Richard Bolton for his exhibition *The Emperor's New Clothes: Censorship, Sexuality, and the Body Politic*, and the Boston television station WGBH was investigated by the FCC for broadcasting certain Mapplethorpe photographs on its Ten O'clock News program.<sup>8</sup> In neither of these cases were federal tax dollars at issue.

The increasing public suspicion of, and perhaps even hostility towards, art centers on the moral rather than artistic failings of contemporary art. So, in the Mapplethorpe controversy, public outrage centered not on the question of artistic value (that question being largely left to artworld "experts") but on whether the funded art was obscene (the assumption being that obscene art can't have been worth the money the taxpayers "paid for it").

A related sign of the threatening climate toward art is the growing number of court cases directed at artists, museum directors, and commercial distributors of art. Recent court cases have targeted not only the authors of "offensive" opinions such as Ice T, the author of "Cop Killer," but also those who display and sell such material. Thus, Charles Freeman, a Florida record store owner, was charged and convicted for selling the music of the rap group, 2 Live Crew. Art has even come under attack for its so-called "subliminal message," as in the suit brought by parents of an adolescent suicide against the heavy metal band, Judas Priest. The band's repeated lyric "do it," they alleged, was responsible for their son's decision to end his life.<sup>9</sup>

The result of such cases is to discourage and penalize certain forms of art: art dealing with sexuality (especially gay or lesbian sexuality); explicitly political art; offensive, obscene, or irreligious art, and so on. As one observer of the Endowment noted, what we are seeing is a “very real attempt by conservatives to stop certain kinds of art dead in its tracks.”<sup>10</sup> What I am suggesting is that such efforts now extend far beyond the Endowment and the arena of public funding. The effort to penalize those who make, distribute, or promote difficult or disturbing art has now broadened to include privately funded art, such as the Bolton exhibit mentioned above, and commercial work, such as the music of 2 Live Crew and Ice T.

One thing, then, about the present political situation is clear. Artists can no longer rely on the indulgence of a public convinced that art and artistic autonomy are worth protecting at all costs. Nor can they assume that works that challenge the status quo will have a chance at even the modest support offered by the NEA or at winning public exhibition. Of course, from the standpoint of the history of art, guarantees that art will be protected or funded are a relatively recent phenomenon. No government needs to have publicly funded arts programs. But, once such programs are in place, the demand that artists meet content restrictions is arguably a form of censorship. In the present climate, the financial, artistic, and personal costs of using certain words, representing certain body parts, or advocating certain beliefs effectively threaten to relegate whole bodies of opinion to silence.

Let’s step back for a moment. So far, Helms and his opponents appear to be simply replaying an old debate between the perceived needs of the republic and the demands of art. Seen in these terms, Mapplethorpe and his photographs offended Senator Helms and members of Congress by seeming to promote homoeroticism, sadomasochism, and the sexual exploitation of children. Mapplethorpe’s opponents argued that the acts these photographs depict, and the values they endorse, have a negative effect on individual conscience and the quality of public life.<sup>11</sup> In response to this perceived threat, Helms attempted to use the power of the state and the political force of outraged taxpayers to bring the NEA (and indirectly, artists concerned with these or related issues) in line with the conser-

vative values of the political party in office. This aspect of the current situation makes it natural to associate a political conception of art with those on the political right. While not wrong, this association can be misleading. Although art *is* under attack from the right in the NEA controversy, the situation is more complicated.

Elsewhere in the public arena, art is also under attack from the left, that is, from feminists and progressive social theorists generally. Here the claim is not that art is “obscene,” or “indecent,” but that it is misogynist, racist, violent, or exclusionary. Thus those on both the right and the left of the present political spectrum may be seen to link art inextricably to political considerations. A “political conception of art” thus defines a generic conception of art held by people who (may) possess opposing political beliefs.

Both conservatives and radical feminists—odd bedfellows though they may be—have advocated restrictions on certain kinds of art. And both have political agendas they wish to see reflected in the reading lists of literature courses and the criteria used to fund public art. Of course, the first-order political views of Jesse Helms and Catharine MacKinnon are different. And this first-order difference is obviously important. But, the point I’m trying to make here is that, despite their first-order disagreement with Helms, many feminists agree with him about the second-order point concerning the relevance of political considerations to the evaluation of art. That is, they *agree* with Helms in holding that it is appropriate to judge art by *political* standards.

I want now to turn to the second debate, the debate within aesthetics over the autonomy of art. As an academic discipline, aesthetics is witnessing a growing challenge to the old notion that art is, or should be, independent of politics. The separation of the aesthetic from other values—moral and religious as well as political—has, since Kant, largely defined the discipline of aesthetics. At least within the Anglo-American philosophical tradition, aesthetics has come to mean “autonomous aesthetics.”

It is this traditional autonomous aesthetics that is under attack, largely by feminist theorists advancing a political conception of art.<sup>12</sup> From a feminist perspective, the charge against traditional aesthetics is that it (a) isolates art from the contextual and historical factors that, in this view, its proper understanding requires; (b) con-

fuses the interests of particular groups (mainly the interests of male property owners of European descent) with universal human interests, wrongly attributing universality to partisan artwork; and (c) disguises standards of evaluation, which are implicitly if not explicitly committed to existing power relations, as “purely aesthetic”.

In adopting a politics of art, feminist theorists confront traditional aesthetics head-on.<sup>13</sup> First, in place of an autonomous but isolated art, they substitute a conception of art rooted in life, rooted, for example, in social movements and immediate cultural concerns. Thought of in these terms, art moves from a separate, protected realm to the everyday world of social and political praxis. It gains a history that transcends the bounds of art history, as they have been traditionally understood. Second, feminist theorists challenge art’s claim to speak for all of us. Traditional aesthetics may be right that art speaks for “mankind,” but, as feminist critics point out, *mankind* includes only some of us. To question art’s autonomy and universality need not imply that art lacks value—quite the contrary—but this questioning may yield answers that differ from what we once supposed. Lastly, having sought to show that “purely aesthetic” standards of evaluation are not politically neutral, feminist theorists urge a third proposal. They ask that we rethink our relationship to established artistic traditions in terms that do not assume such traditions are uniformly enlightening and liberating.

In summary, aesthetics within the academy finds itself embroiled in a debate between two main camps: feminist theorists advocating a political conception of art and traditional aestheticians defending a non-political, basically formalist, conception of art.

## II

If we stand back from this somewhat rarefied philosophical debate, we can see that it mirrors, in interesting respects, the grittier NEA debate. For at the heart of the debate between traditional aestheticians and feminists lie the same three issues—art, politics, and autonomy—that underlie the conflict between Helms and his opponents. In both cases, the conflict centers on the nature and function of art.

These debates have more in common than a shared set of issues. They also share a common

situation: the intrusion of politics into what were formerly believed to be “apolitical” arenas. In both the arena of Helmsian-inspired debate and the academy, American aesthetics and its practitioners face the erosion of the line dividing art from politics. On both fronts, politics has intruded into what were once “purely aesthetic” deliberations. To be sure, political considerations have always played a role, however inadvertent or unacknowledged, in the deliberations of the artworld. But what we have now, at least with feminist theorists, is the overt assertion that the role politics plays in aesthetic deliberations is necessary and desirable.

Within the academy, and to some extent in the culture at large, what we are seeing is evidence of a change from the prevailing non-political conception of art to a political one. The growing recognition of art’s political dimensions (and the corresponding shift to a more political conception of art) is the result of the interplay of many factors. Dissatisfaction with the limits of formalist art criticism, the growth of interest in more broadly cultural approaches to art, the end of the dominance of analytic philosophy, the influence of postmodernism, and most especially, the impact of feminism—both as a social movement and as a theoretical discipline—have all shaken the conviction of mainstream analytic aestheticians that political considerations have nothing to do with art. Those who remain committed to the separation of the artistic and the political, and the theory of aesthetic autonomy which demands it, now find themselves called upon to defend what they could once assume with little or no argument.

What are we to make of this transformation? The most welcome feature of adopting a political conception of art is in broadening the framework in which art is discussed and evaluated. Expanding this framework has had several positive consequences. The first is that it immeasurably enriches our understanding of representation, the pleasures and powers of art, and aesthetic experience.

A second, related consequence of adopting a political approach to art is the increased potential for art to arouse controversy and engage widespread public interest. As a result of the NEA controversy, the museums were packed—many of the people who were there, were there for the first time.<sup>14</sup> Of course, not everyone who

came to see this work came out of “pure,” i.e., aesthetic, motives. Yet even those who came to gape, leer, or express moral outrage found themselves face-to-face with questions about whether *anything* is a legitimate subject for art and whether publicly funded art should have limits that are not imposed on art in general.

Lastly, the sudden infusion of politics into discussions of art has initiated important reflection at the level of public policy. Questions about the role of art in a democratic and pluralistic social order, the value of “public art,” and the responsibility of the artist, once funded, to render his or her creative expression intelligible, and to whom, are now engaging participants on all sides of the NEA controversy.<sup>15</sup> Quite unintentionally, Helms’ efforts to bring art into line with conservative values—again, like feminist attempts to bring art criticism into line with “progressive” values—have brought to public attention issues which lie at the root of thinking about artists and their role in society.

If, therefore, one function of art is to broach issues, to force us to look at ourselves and to ask deep questions, we might conclude that the intrusion of politics into the artworld has been beneficial—reinvigorating and broadening interest in the arts as well as provoking reflection on what role the arts play in our individual and communal lives.

In the academy, too, the growing acceptance of a political conception of art has resulted in welcome changes. The merging of art and politics evident in feminist theory provides an attractive alternative to the formalism of traditional aesthetics. As a wide variety of critics of formalism have successfully argued, the exclusion of political or any considerations other than narrowly formal ones leaves us ill-equipped to understand or explain the kinds of issues posed by contemporary works such as July Chicago’s *Dinner Party* or Mapplethorpe’s *X Portfolio*. These works and countless others—Marion Rigg’s documentary film about gay black men, *Tongues Untied*, Karen Finley’s angry performance pieces—are themselves part of a political debate, partly fueled by arguments about the NEA and driven by powerful questions about homosexuality and homophobia, reproductive choice and women’s issues, AIDS and the politics of AIDS. These works can’t be understood—can’t be understood as the works of art

they are—in terms of the critical preoccupations of Modernism, i.e., in terms of formal values. But then, neither can much of art. The arguments against approaching Duchamp’s *Fountain* or most of the history of art prior to this century in these terms are too well-known to need repeating. What we need and what we get, once political considerations are allowed to play a role in the discussion of art, is a way of recognizing the tensions between aesthetic responses and a whole range of complicated human responses: sexual or erotic, emotional, religious, moral, or political.

Thus, within the academy, as outside it, the shift from a non-political to a political conception of art has resulted in a more complex and nuanced understanding of the various purposes and functions of art, and the complex emotions it is capable of arousing. For these as well as other reasons, the appearance of a viable alternative to formalism is a welcome occurrence.

Less welcome, however, are certain other features of this shift. As we have seen, one characteristic of a political conception of art is a blurring of the distinction between strictly artistic issues and political ones. In blurring this distinction, a political conception of art poses two risks, neither of which arise with formalism.

The first risk is that in emphasizing the political character of art we lose sight of or underestimate the many “non-political” elements that make art art. It would be difficult, if not impossible, to give a definitive list of these “art-making” elements, but the general idea is familiar enough. One wants to be able to talk about stylistic or formal features, not only “what the work says,” but “how.” The worry is that in abandoning the separation of art and politics, we reduce art to propaganda.

The second risk posed by a political conception of art is that art may be exposed to various forms of political interference. The worry here is that once art is thought of, and evaluated, in political terms, it loses its independence. In discussing the risks of political interference in the arts, it is government interference that often comes first to mind. Equating “political interference” with government interference uses “political” in its strict sense. A second threat to art’s independence involves political interference more broadly understood—what Mill calls the “tyranny of the majority.” Like government

action, this sort of activity is designed to restrict or suppress art of certain kinds—art that is obscene, indecent, unpatriotic, racist, misogynist, and so on. Consumer boycotts, like the one implemented by police organizations against Ice T’s anti-police lyrics, fall into this category.

Thus, while bringing art to public attention and integrating it more closely with life, a political conception of art risks making artists and their works dependent on popular opinion and the whims of political fashion. Traditionally, artists and their supporters have responded to government enforced “standards of decency” and other forms of political interference by appealing to a principle of aesthetic autonomy. It is this autonomy, they argue, that makes such interference illegitimate.<sup>16</sup> The irony of the current situation is that just when artists find themselves most in need of the protection that appeals to autonomy traditionally provided, art theorists are struggling to discredit the very idea of aesthetic autonomy.

I do not mean to imply that advocates of a political conception of art—feminist or otherwise—are responsible for the current plight of artists. Nor do I mean to imply that individual theorists intend to align themselves with Helms’ political agenda. But I am suggesting that in attacking the idea of aesthetic autonomy, feminists are attacking a conception of art that provided certain principles to which artists and their supporters could appeal when forced to defend themselves against government enforced “standards of decency” and the tyranny of public opinion. Hence, abandoning autonomy has important practical consequences—consequences its critics have not clearly thought out.

Aesthetics thus faces a double dilemma. At the level of theory and criticism, we seem forced either to recognize art’s political character and sacrifice its specifically artistic character or to recognize its specifically artistic character and ignore the political. At a more practical level, we seem forced to choose between a formalist conception of art which protects art from the exigencies of changing political fashion but isolates art from life, and various political conceptions of art which integrate art with life but sacrifice its autonomy.

This dilemma appears insoluble, for what we want is to combine two apparently incompatible things: the recognition of the political character

of art and the recognition of its artistic character. And we also want to separate two apparently inseparable things: the autonomy of art and formalism. This dilemma is, as I have been suggesting, at the heart of current aesthetic concerns.

I want to conclude by arguing that this dilemma turns on a misunderstanding—a misunderstanding of what autonomy demands. This misunderstanding is shared by both traditional aestheticians and many feminists.

### III

In this final section, I want to clarify this misunderstanding by offering what I take to be a correct account of aesthetic autonomy. At its core, the autonomy of art refers to the idea that art deserves a protected space. By “protected space,” I don’t mean the obvious safeguards needed to preserve artworks from vandals and the overly curious, such as railings, velvet ropes, and alarm systems. Nor do I mean a domain cut off from the social and political world. If we interpret autonomy as a demand for an “apolitical” or otherwise disengaged art we would be right to reject it.

By “protected space” I mean the principle of granting artists control over both their subject matter and means of expression. It is this figurative space, that is, the space in which artists can work without outside interference, which the literal spaces of the museum and gallery concretely embody. Historically speaking, the idea that artists deserve such control is recent; the separation of artistic institutions from institutions of church and state did not occur until the eighteenth century and then primarily in Europe.<sup>17</sup> In the past, artists were not granted independence. What, then, explains the modern view that artists deserve independence? What is the basis of the idea that this independence ought to be protected?

One source of this idea, of course, is the liberal democratic conception of individual liberty whereby artists, like everyone else, have a right to individual expression. It is this concept of individual expression that is embedded in the American Constitution. So artistic liberty *can* be protected by appealing to Constitutional guarantees. Here the independence of art is simply a consequence of Constitutional protections



of free speech. An appeal to the First Amendment does not, however, distinguish art from any other form of expression. It thus cannot explain the idea that artists deserve *special* protections. The demand for special protections rests on the intuition that art is not just any kind of expression—in burning all the existing copies of *The Grapes of Wrath* we lose more than just Steinbeck's opinions.

In seeking an explanation for the idea that artists deserve *special* protections, we might do better to look to a concept of genius that has its roots in Kant, namely, the view that artists possess an inborn imaginative talent that enables them to “see” in ways others cannot. In this conception, the genius has a natural capacity for originality, i.e., for breaking with tradition and making his or her own rules. Romantic tradition comes to understand artistic vision as transcending ordinary experience or penetrating beneath it to a realm deeper or more primordial than ordinary reality. The artist becomes a god-like visionary, or even a “mad genius,” who is due extraordinary indulgence. From this problematic perspective, the talents of Gauguin or van Gogh exempt them from the normal demands of family life or social responsibility.

Basing the argument for the special protection of art on the madness of the artist is vulnerable to the objection that such “madness” deserves not more liberty, but less. However, the argument for special protection needs only the assumption that artists possess talent and training that make them capable of showing us what we might not otherwise see or see clearly. This is *a* conception of genius, but it is a modest and, indeed, a familiar one.

Artists may not be the only people who can do these things. But if we accept that artists *are* specially equipped—technically and imaginatively—to help us see things, then they naturally have a special social role to play. They can function as critics, reformers, revolutionaries—or even, as defenders of unappreciated aspects of the status quo. Historically, of course, artists have often served these functions.

Seen in this way, art has a high social value. It makes us think twice, think differently, relive the past, imagine the future. It is this social value, not the mad genius of its makers, that warrants protection, according to the principle of autonomy. In allowing art the independence

to function in these ways, we seek to protect a political good.

What does it mean to grant the principle of the autonomy of art? And what are the consequences of doing so? Well, one thing it means is that, where artistic and government interests conflict, the presumption should be in favor of the artist. The autonomy of art, properly understood, takes this principle as fundamental. But it is not absolute. You can have yourself shot and wounded in the service of art, as Chris Burden did in a performance piece entitled *Shoot*, but you can't expect the government to sit still while you have someone else shot. The point of advocating autonomy is not, as Helms and his supporters have charged, to grant artists absolute license, but rather to make it clear that in cases of conflict, the presumption should be in favor of the artist.

One important consequence of granting the principle of the autonomy of art is that we cannot demand that the government impose our own partisan agendas with respect to art. Thus, we cannot consistently endorse autonomy and also pass legislation requiring that publicly funded art promote conservative family values. Nor could we endorse laws prohibiting phallogocentric works of art.

So far, there is little in this account of autonomy to which traditional aestheticians would object. But what of the feminist objection that adopting autonomy commits us to a non-political conception of art? Doesn't autonomy go hand-in-hand with formalism? I want to end by suggesting that the principle of the autonomy of art, properly understood, does *not* commit us to formalism. Of course, autonomy does not *preclude* formalism; it does not, however, *require* it. One can both insist on the importance of a protected space for art *and* maintain that an apolitical, disengaged art is undesirable. There is no inconsistency here. Indeed, one good reason for endorsing the principle of autonomy is precisely *because* one thinks art has a political function, i.e., because one thinks the kind of independent, critical voice art often provides is worth protecting. Thus, a political conception of art need not leave art unprotected against political interference.

Nor, I might add, does commitment to a political conception of art require that criticism become solely the assessment of the ideological import of art. One can allow that art has politi-

cal content and that its content is important in discussing and evaluating it without giving *priority* to political considerations, as Helms does in dismissing artistic questions in favor of judgments about decency.

Politics does have an explicit role to play in evaluating art. But we need not determine the political value of art *simply* by the content of the work. In ignoring not only Mapplethorpe's style, but also the interrelationships between his photographs and the context in which they appeared, Helms parts ways with both formalism and the far more sophisticated politics of art advanced by feminist critics like Linda Nochlin, Lucy Lippard, Rita Felski, and others.<sup>18</sup> Their work demonstrates how political criticism can take stylistic innovation and the changing meaning of textual forms into account.

In valuing creativity and the stylistic values of art, these feminist theorists are closer to traditional aesthetics than one might initially suppose. This is not to say that political conceptions of art run no risk of reducing criticism to politics. But it is to say that we now have examples of sophisticated feminist criticism that point in the direction of a politics of art that is not reductionistic.

In sum, I have argued, we need not accept the narrow critical constraints of formalism in order to guarantee artistic liberty. The autonomy of art, properly understood, does not *require* formalism. We can banish formalism and still protect art and artists from political interference. And given that we can, we should.<sup>19</sup>

1. The idea that art reflects nature at its best and most perfect is prevalent among the Greeks and during the Renaissance. I am not claiming that art has been regarded as an object of beauty throughout the history of art. My aim here is simply to draw a broad contrast between the current suspicion of art and the veneration of art typical of periods such as the Renaissance.

2. For the judicial opinion that obscenity law exempts the classics and works of art, see *The United States of America vs. Samuel Roth*, The U.S. Court of Appeals, Second Circuit, reprinted in *Pornography and Censorship*, eds. David Copp and Susan Wendell (Buffalo: Prometheus Books, 1983): 343–344.

3. See my "The Philosophical and Political Implications of the Feminist Critique of Aesthetic Autonomy," in *Turning the Century: Feminist Theory in the 1990s*, ed. Glynis Carr, *Bucknell Review* 36 (1992): 164–186.

4. *Culture Wars: Documents from the Recent Controversies in the Arts*, ed. Richard Bolton (New York: New Press, 1992), p. 333.

5. Bolton, *Culture Wars*, p. 332.

6. Whether we should attribute to Plato himself the desire to banish the poets raises complex questions of interpretation. See, for example, Julius A. Elias, *Plato's Defense of Poetry* (State University of New York Press, 1984).

7. Here and throughout my discussion, I am using the term "artist" generically, to include writers, musicians, film-makers, and dancers, as well as painters and sculptors.

8. Bolton, *Culture Wars*, p. 359.

9. Those who object that "Cop Killer" or "As Nasty As I Wanna Be" aren't art simply confuse the classificatory use of the term "art" with its evaluative use. "Cop Killer" is provocative, outrageous, entertaining, and moving. It's a good song; the music of 2 Live Crew is junk. In any case, nothing in my argument rests on classifying heavy metal or rap music as art since, at this point in the paper, I am claiming only that "commercial art" is also under attack. Part of the problem with formalist theories of art is that they make it difficult to see what makes a song like "Cop Killer" good art.

10. Christopher Belden, "Letters to the Editor," *New York Times* (Aug. 16, 1992).

11. For a version of the argument that Mapplethorpe's art threatens the body politic, see the editorial "Body Politics," *Commonweal* CXVII, no. 19 (Nov. 9, 1990).

12. Devereaux, "Autonomy," pp. 173 ff.

13. Here I draw on analysis developed in my earlier essay, "Oppressive Texts, Resisting Readers, and the Gendered Spectator, the 'New' Aesthetics," *The Journal of Aesthetics and Art Criticism* 48 (1990): 337–347.

14. How many people would have seen Mapplethorpe's X Portfolio or a performance by Karen Finley were it not for Helms' well publicized objections to this art? This is the irony of Helms' campaign.

15. Rachel Newton Bellow, "What artists want" in *Deciding What to Do. An Occasional Paper of The Center For Effective Philanthropy* (Dec. 1986). It was condensed and revised from "The Needs of the Individual Creative Artist, A White Paper," prepared for the American Council for the Arts (Jan. 1985).

16. One can also, as in the case of 2 Live Crew, defend art on traditional, liberal, democratic grounds. Here the appeal is to Constitutional protections of free speech.

17. For an analysis of how artistic practice emancipated itself from religious and ritual practice, see Lydia Goehr, *The Imaginary Museum of Musical Works: An Essay in the Philosophy of Music* (Oxford: Clarendon, 1992).

18. See Linda Nochlin, *Women, Art and Power and Other Essays* (New York: Harper & Row, 1988); Rita Felski, *Beyond Feminist Aesthetics: Feminist Literature and Social Change* (Harvard University Press, 1989); Lucy Lippard, *Mixed Blessings: New Art in a Multicultural America* (New York: Pantheon, 1990).

19. For helpful comments and criticism, I thank Michael Hardimon, Catherine Blair, Deborah Lefkowitz, and the copy editor for this special issue.