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Elizabeth Deichmann

University of Missouri-St. Louis, liz.deichmann@gmail.com

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The Public Muse in Congress: The Punctuation of American Federal Arts Policy

by

Elizabeth Deichmann

M.A., Public Policy Administration, University of Missouri-St. Louis, 2018

B.A., Art History, Saint Louis University, 2008

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Todd Swanstrom, Ph.D., Chairperson

David Kimball, Ph.D.

Liz Strom, Ph.D.

Adriano Udani, Ph.D.

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Abstract

In 1989, American federal arts policy changed suddenly and drastically when the National Endowment for the Arts (NEA) gained unprecedented attention in Congress for controversial grant awards that supported two visual artists. Prior to this, federal arts policy was an insulated subsystem run by experts applying high art aesthetic standards to grantmaking. Informed by punctuated-equilibrium theory (PET), this investigation of congressional rhetoric shows that Republican policy entrepreneurs during this time effectively set a new, more negative tone about federal arts policy by harnessing conservative culture wars messages. The change in tone preceded federal arts policy's arrival on the broader congressional agenda that resulted in substantive changes to policy, including prohibiting the NEA from supporting "obscene" artwork and fellowships for individual artists, diversifying advisors and grant panelists, restricting types of grant funding, and more. These policy changes effectively addressed the vagueness of the agency's enabling legislation, introduced a new decision-making paradigm to the grantmaking process, and increased public accountability. The federal arts policy subsystem was punctuated and it is likely that political polarization, and especially the efforts of Republicans, amplified the macro-political intervention. By the end of the crisis, American federal arts policy had achieved a more democratic partial equilibrium. The punctuation of the American federal arts policy subsystem, especially changes to the policymaking process, continues to define American federal arts policy to this day.

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I. Introduction

I must study politics and war, so that our sons may have liberty to study mathematics and philosophy. Our sons ought to study mathematics and philosophy, geography, natural history and naval architecture, navigation, commerce and agriculture in order to give their children a right to study painting, poetry, music, architecture, statuary, tapestry and porcelain. - John Adams (Hyde, 274: 1999)

For almost 200 years, American society considered the arts to be outside the purview of the government. It was characterized as a non-essential, luxury and a low order concern for the distant future, and as such, properly supported by private patronage. However, a confluence of societal trends and political events in the 1950s and 1960s made funding the arts in America much more palatable: increased arts consumption, heightened concern over equitable access to the arts, economic instability of arts organizations and artists, and the advent of “low art,” like television and rock n roll. The most salient political impetus to fund the arts was the Cold War. A so-called “cultural offensive” sought to deploy American culture as a peaceful alternative in the fight and project positive images of America across the world that emphasized freedom, creativity, innovation, and sophistication. Liberals spurred the institutionalization of federal arts policy as part of “The Great Society,” successfully arguing that the federal government had a responsibility to support the arts for the benefit of all Americans. The result was the creation of the National Endowment for the Arts (NEA) in 1965 by President Lyndon B. Johnson with the justification that “...it is necessary and appropriate for the Federal Government to help create and sustain not only a climate encouraging freedom of thought, imagination, and

inquiry but also the material conditions facilitating the release of this creative talent” (Pub. L. No. 89-209 1965 1965: 845).

There were reservations about the new agency, especially among Republicans: the arts was not a legitimate governmental concern, financial support was better put towards more essential ends, and private philanthropic support of the arts might decrease with public support (Binkiewicz 2004, 31; Taylor and Barresi 2013, 44; Shipley 1991, 252; Moen 1997, 186). Even NEA supporters and potential beneficiaries were concerned that federal support of the arts might result in content restrictions or censure (Brenson 2001, 9; Binkiewicz 23; Shipley 1991, 252). These concerns diminished over the next twenty years as the NEA, the embodiment of American federal arts policy, grew significantly in funding, capacity, and professionalization. The agency’s creation, in turn, resulted in the establishment of other public arts funders, advocacy groups, and arts nonprofits across the nation in a short amount of time. It was a golden age for public arts in America. In these years, the NEA was tucked away in the artworld and received little attention from Congress or the public. By the mid 1980s, the end of the Cold War, new aesthetics in American arts, the culture wars, deficit hawks, and increased political polarization signaled that trouble might be on the horizon for the small federal arts agency.

Crisis rocked the NEA in 1989 when it came under intense scrutiny for grants awarded to institutions that exhibited controversial artwork by Robert Mapplethorpe and Andres Serrano. Almost overnight, federal arts policy became a topic of national concern with conservatives and liberals entering into a bitter

fight over the federal government's support of the arts. It ignited an intense battle in Congress over two questions: Should America fund the arts? If so, what standards, if any, should there be for federally supported art? These questions even rose to the attention of the White House and Supreme Court. Over the next six years, Republicans and Democrats wielded rhetoric and legislation in order to gain power and influence over the future of the NEA. Most Republicans sought to curtail the agency's appropriations and hold it accountable for indirectly funding "offensive" artwork, however, conservative Republicans sought to eliminate the agency. The Republican Revolution of 1994 only strengthened the position of the latter that aggressively attacked the NEA. Most Democrats struggled to protect and defend the NEA, but many were disappointed in the agency's funding of "offensive" artwork. Polarization and the culture wars only seemed to amplify the debate over the federal government's funding of the arts, a subject that already proved to be an excellent medium for liberals and conservatives to dispute American values. Almost as quickly as the arts gained the attention of Congress and the public, it had lost it. By the mid to late 1990s, Congress moved onto other policy matters and the attention paid to federal arts policy diminished.

Congress drastically changed federal arts policy in these years, so that the NEA no longer operated as it had since its inception. The agency had its budget slashed in 1996 by 40% and, as a result, lost almost half of its workforce. Congress mandated individual artist fellowships be eliminated, members of Congress permanently serve on the National Council on the Arts, "obscene" artwork could not be supported, increased funding to state arts agencies, and

more. It was clear that Congress wanted to increase the agency's accountability to policymakers and the American public as well as prevent any further controversies. The NEA wanted to prevent further conflict, too, which could lead to its elimination. The Chair made the unprecedented decision to restructure grant programs that had existed since 1965 to reflect congressional mandates. The changes made by Congress and the NEA impacted the agency's operations, finances and beneficiaries; the art sector at large, especially other public funders; and the general public's access to the arts. It marked a new period in federal arts policy, one that was decidedly more polarized and democratic than at any time before in American history.

The conflict over the NEA in Congress in the 1990s profoundly affected American federal arts policy. It is the basis for the two main research questions that will be examined throughout this paper:

- Why was there a sudden, drastic change in American federal arts policy between 1989 and 1995?
- How, if at all, did the federal arts policymaking process change during this time? What were the resulting policy outcomes?

In order to answer these questions, it will be necessary to thoroughly investigate the federal arts policy landscape in America through the lens of political science. The dissertation will document the history, especially controversies, of the NEA; the federal arts policymaking process, including congressional rhetoric, conflict and visibility, and agenda-setting; and federal arts policy outcomes. By answering these research questions, the author hopes to gain new insights into the federal

arts policy process that can contribute to both the political science and arts policy fields.

1. Significance of the Study

Academic Significance

While arts research—or the more broadly defined, cultural research—has become a more serious academic endeavor over the past 20 years, it is still an emergent and small field compared to other academic fields. There are maybe a dozen graduate programs that specialize in cultural policy in America.

Unsurprisingly, the field seems to be better supported in nations like the United Kingdom, Canada, Australia, and Ireland, where cabinet-level federal arts and culture agencies exist and direct government support is three to fifteen times greater per capita than in America. In America, arts research generally falls between the cracks of academia and is largely the domain of consultants who are hired by funders to conduct one-off research studies or program evaluations to solve practical problems. David Pankratz aptly summarizes the pallid state of domestic arts research:

Even a sympathetic observer would be hard-pressed to conclude...that arts research is a healthy enterprise. Many issues remain uninvestigated, alternative research methods go underutilized, researchers struggle amidst limited support systems, and arts policymakers treat research with indifference, when they are aware of it at all (1990, 137).

The field has rightfully earned a reputation for being undertheorized (Salamon 1987, 30; Mercer 2012, xxi). As a result, research and analysis tends to focus on

qualitative methodologies and descriptive statistics which makes it difficult for the field to generate generalizable and comparable findings.

A considerable amount of research on the arts is cross-disciplinary. Theory and concepts from more developed academic fields like sociology, anthropology, history, and urban planning are frequently applied to the arts sector to produce new knowledge. In the past decade, there has been increased interest in studying the instrumental value of the arts in education, health, community development, and other contexts. The arts are being studied to understand their contributions to physical health, cognitive development and function, emotional and physiological wellbeing, and social connection and cohesion. It seems that topics that center on the arts or arts sector itself (e.g, arts appreciation, arts participation, arts labor markets, arts nonprofits) are less studied.

The arts are at the periphery of political science, a rare research subject eclipsed by more traditional inquiries, despite its ubiquitous presence and significant role in American life. There are only a handful of political scientists whose research interests include the arts, and there are very few published research articles on the topic in leading American political science journals.¹ There are few examples of political scientists who rigorously apply the field's theory and concepts to the arts (eight are identified in this dissertation).

¹ A keyword search for "National Endowment for the Arts," "arts policy," and "arts research" in the *American Political Science Review*, *Perspectives on Politics*, and *PS: Political Science and Politics* for all years of publication returned only five book reviews and two research articles.

This dissertation is a meaningful opportunity to draw the arts and political science closer together. Rarely investigated topics in arts research, like power dynamics and the policymaking process, will be systematically studied to advance knowledge of American federal arts policy.² The research that has been conducted has not been systematic and is conflicting. Generally, arts literature casually and broadly describes power dynamics in the American arts landscape as democratic, however, a handful of authors who conducted more rigorous investigations of power largely described the arts sector as elitist. Findings could produce a more accurate and nuanced understanding of power dynamics in the federal arts policy and how it might have changed over time.

Federal arts policy will also provide a new, and in some ways unique, context for investigating the policy process. For example, the highly subjective and symbolic nature of the arts presents an unusual, but excellent, means to study the role of values in the policymaking process. It will be essential to understand how opposing ideologies formulated an answer to the rather novel question of what, if any, standards should exist for publicly funded art. It presents an opportunity for the author to provide new, original findings about federal arts policy from a political science perspective that can advance understanding of events and topics in the arts and political science. This is especially important for arts literature which has typically paid much more attention to policy outputs, not

² Arts literature generally is more concerned with cultural democracy—how pluralistic, participatory, and equitable cultural life and / or policy is in an area—than political science theories of democracy. The author only knows of two works that discuss or investigate power in the political science tradition: *The Unfulfilled Promise* (Arian 1989) and “Controversies in Arts Policymaking” (Wyszomirski 1982). The aforementioned works are authored by political scientists.

the policy process. With such little overlap between political science and the arts, the application of political science concepts and theories to American federal arts policy is itself a novelty.

The widely circulated and untested theory in arts literature that the culture wars were responsible for the dramatic changes to federal arts policy in the 1990s will be investigated. The culture wars is a formal theory in sociology, first authored by James Davison Hunter in 1991, that argues “culture underwrites politics” and politics is an avenue for resolving cultural conflict across established religious ideologies (Stanton 2021). However, arts literature does not employ the culture wars as a sociological theory, but as an atheoretical historical event. While it is likely that the culture wars contributed to the dramatic changes in federal arts policy, I think it’s worthwhile to look closely at the political and policy dimensions of the crisis. After all, the NEA is a federal agency that is subject to political processes and policymaking, like the authorization and appropriations process. It is expected that political science will provide answers about the emergence, timing, scale, and nature of federal arts policy change that occurred between 1989 and 1995.

Practical Significance

Federal arts policy occupies a precarious place in American politics: there are continued calls for the abolishment of the NEA, it is narrowly defined, per capita public funding is remarkably low compared to other global north countries, and it is sometimes perceived as elitist (McCaughey 2005, 1; Honan 1989, 1).

Most importantly, it has become a highly partisan topic over the past two decades and many arts supporters bemoan the NEA being used as a political football (Andrews 2017; Lyman 1998; Boucher 2017). This contrasts with the reality that Americans participate in the arts at very high rates and a majority are in favor of increased federal spending in the arts (Activate Research Inc. 2019; Americans for the Arts 2015). The discrepancy between the federal government's weak support for the arts and high levels of arts participation and support in the country is curious and deserves exploration. The research will examine why federal arts policy is often at odds with arts support and participation in American society.

Like George Lakoff's *Don't Think of an Elephant!*, the original research in this dissertation attempts to be instructional to supporters of strong federal arts policy who are often thwarted in their advocacy efforts. There is a sincere interest in analyzing and communicating how institutions in the federal arts policy arena effectively, and ineffectively, framed issues and shaped the policy process. Hopefully, supporters of strong federal arts policy will find practical lessons so they are better equipped to devise winning policy strategies in the future. This is especially important for arts practitioners who have often attempted to be apolitical and, to their detriment, avoided mixing arts and politics.

2. Hypotheses

Political science provides a new lens to examine the policy and political dimensions of the controversy surrounding the NEA in the 1990s. Political science provides the tools to address critical gaps in knowledge about the origin

and consequences of fundamental changes to American federal arts policy. Punctuated-equilibrium theory (PET) will underpin my approach to the original research conducted herein and is summarized below. This section will also present two sets of hypotheses about federal arts policy, based on PET, that will be empirically tested.

PET is a generalizable theory that posits policy change is “disjoint and episodic” (Baumgartner and Jones 2002, xvii). The theory describes how serial processing and bounded rationality in government creates conditions in which a few issues receive government attention at a time. Most policy issues do not receive much political attention and are controlled by a small group of experts who prefer small, incremental changes to policy that are biased by their own values. However, if policies are questioned and gain the attention of political actors—through a focusing event or cumulative grievances—it can cause a macro-political intervention to occur. This infrequent event can lead to astounding policy change in a very short amount of time as political actors outside the policy arena gain legitimacy and authority to make decisions about issues that were previously within the purview of a small group of experts. This policy punctuation is a kind of seismic wave that can reinforce cumulative policy change. Eventually, the pendulum swings back and the attention of political actors to the policy issue will diminish and fade, leaving experts in charge once again—albeit of a very different policy arena than before the intervention.

Two agents of change in PET are central to the dissertation: issue definition and agenda setting. Issue definition focuses on the meaning and tone

of language that describes a policy, especially the emotions and values that it evokes and represents, and how it resonates with different populations. People are not tabula rasas—they have deeply ingrained beliefs that successful issue definitions harness to impact their view and understand policies. When there is one prevalent, positive understanding of a policy arena or issue controlled by experts, then it is more likely that political attention will be elsewhere; however, if outsiders introduce a competing, critical understanding of an issue then it could incite conflict. This is the time that policies or policy arenas can be deeply questioned by government, public, and the media and stand on the precipice of immense change.

The dissertation seeks to understand the tone of congressional rhetoric about federal arts policy—through an expanded examination of a tapestry of policy images and issue frames, and narrative stories—before, during, and after the controversy in the 1990s. In doing so, it will be possible to track how, if at all, understanding of the NEA changed and why it changed among political actors. The author is interested in understanding if a change in tone, which deeply shapes perception of and response to an issue, preceded the incredible conflict in Congress over a very small federal agency that previously had garnered minimal attention (Mettler and Soss 2014, 62; Schneider and Ingram 1990, 91). The author proposes the following hypotheses to examine the relationship between tone and conflict expansion:

H₁: If policy entrepreneurs successfully change the tone of federal arts policy, the visibility and scope of conflict over federal arts policy will quickly increase.

H₀: If policy entrepreneurs do not successfully change the tone of federal arts policy, the visibility and scope of conflict over federal arts policy will not change.

It seems likely that the Mapplethorpe and Serrano controversies acted as a focusing event that prompted conservative policy entrepreneurs, political actors who use their knowledge of the policymaking process to further their own policy ends, to introduce language that presented a new understanding of the NEA (Kingdon 1984, 21; 104). Based on the work of Baumgartner and Jones, Schattschneider, and Kingdon, it seems likely the “emotional weight” of a new tone would bring widespread attention to the NEA and mobilize previously “uninterested” policymakers in Congress thereby causing immense conflict over the NEA.

Agenda setting, the second change agent in PET, is a process in which groups or individuals seek to shape the perception of policy issues in an effort to inspire government attention and action. (Conversely, agenda setting can be used to also suppress both attention and action.) The purpose of agenda setting is to advance an individual’s or group’s own preferred ends by influencing the policymaking process. While experts typically control the agendas of policy arenas, it is possible in times of conflict for agenda-builders to successfully get policy issues on the agenda of a political institution, also known as a venue, and make them a priority. This is a critical prerequisite for policy change; issues must rise to the attention of the government, or groups outside of the policy arena, in order for a policy punctuation to occur. Once the government takes up an issue, it

will use a very different set of values from that of experts to make policy decisions that result in very different, and often very drastic, outcomes. These changes will permanently impact how the policy arena operates moving forward, even after the pendulum swings back and experts are once again in control.

A second set of hypotheses seeks to examine if federal arts policy got onto the agenda of a new venue, Congress, and how, if at all, policy changed as a result. Typically, discussion of federal arts policy is contained to the Senate and House Appropriations Subcommittee on Interior, Environment, and Related Agencies (Appropriations Interior Subcommittee) when the NEA's annual funding is set and does not reach the floor. The unprecedented changes to federal arts policy discussed earlier—a 40.0% reduction in appropriations, elimination of individual artist fellowships, ineligibility of federal support for “obscene” artwork—were the result of Congress paying more attention to and gaining control over federal arts policy. Policymakers had the opportunity to exercise their “political judgment,” which emphasized legal norms as well as democratic values, to shape federal arts policy. These values were in stark opposition to artworld elites and experts who previously set the NEA's agenda and shaped policy outcomes. The relationship between the tone of federal arts policy and the emergence of conflict in the policy arena will be tested with the following:

H₂: If federal arts policy gets on the broader congressional agenda, then policy will change substantially.

H₀: If federal arts policy does not get on the broader congressional agenda, then policy will not change substantially.

This second set of hypothesis builds on the first to describe an expected sequence of events: if policy entrepreneurs present new perceptions of the NEA, it will incite conflict in Congress that can lead to federal arts policy getting on its agenda, with some help from the aforementioned policy entrepreneurs (or agenda-builders), and, ultimately, substantial policy change informed by these new perceptions of the NEA.

3. Research Design

Baumgartner's and Jones's work in PET undergirds my approach to conducting original research from hypotheses to longitudinal design to the operationalization of variables. To the extent possible, I used the same definitions and measures for all variables as described in the PET literature authored by the two political scientists. In some cases, small adjustments were made to adapt their work to federal arts policy and Congress. For example, Baumgartner and Jones determined if a policy issue was on the public's agenda and its prioritization by looking at the frequency of newspaper articles that mention the issue. My dissertation is scoped to examine Congress, and as such, looks at Congressional Records, not newspapers, to identify if an issue is on the agenda and its prioritization.

Content analysis, a qualitative research methodology, was used to "interpret meaning" from textual information in the Congressional Record (Hsieh and Shannon 2005, 1277). The methodology allows for the examination of two different types of content in the Congressional Record: manifest and latent

content. Manifest content refers to “elements that are physically present and countable” in a written text (Neuendorf 2017, 31; Potter et al. 1999, 259).

Congressional Records were analyzed to determine when and how many times the NEA appeared by name in the Congressional Record. The count was used to measure the scope and visibility of conflict over federal arts policy, the dependent variable of the first set of hypotheses, as well as to examine the presence and prioritization of federal arts policy on the congressional agenda, the independent variable of the second set of hypotheses.

Latent content describes qualitative characteristics of textual data including “unobserved concepts that cannot be measured directly but can be represented by one or more indicators” (Neuendorf 2017, 31). Content analysis was well-suited for studying the rhetoric of policymakers including what was said, who said it, how they said it, and to what effect as it related to the NEA (Vaismoradi et al. 2013, 401; Holsti 1969, 28). I generated a coding scheme from a representative sample of Congressional Records to summarize and quantify congressional rhetoric that shaped understandings of the NEA, the independent variable of the first set of hypotheses. I focused on studying how the tone of language used to describe the NEA changed over time.

To study if and how federal arts policy changed substantially, the dependent variable of the second set of hypotheses, I analyzed legislation and roll call votes. To study agenda-setting, legislation introduced to Congress was categorized by the type of change it intended to or did bring about to budgets, authority to make policy decisions, and rules that govern policymaking. This

allowed me to describe what federal arts policy issues got on the congressional agenda as well as what subsequent changes were made to federal arts policy. NEA annual reports and other documents also provided high-level information about federal arts policy change. An analysis of congressional roll call votes on legislation introduced to Congress about federal arts policy provided information about the effects of partisanship and polarization on the federal arts policy process.

4. Research Impacts

The federal arts policy is generally a “black box”; there is knowledge about policy inputs and outputs, but not much understanding of the systems and factors that lead from one to the other. It results in an incomplete understanding of the federal arts policymaking process. Research findings will make it possible to better understand the American federal arts policy process and policy outcomes that set the policy arena’s course for the next two decades. In the 1990s, long-standing challenges raised in the NEA’s enabling legislation—namely the tension between subsidizing artistic freedom and promoting artistic excellence—were resolved which transformed the policy landscape. Many of the changes made to federal arts policy in the 1990s are still in effect today and continue to shape the policymaking process.

The federal arts policy provides a new context in which to constructively explore political science theories and concepts. A new policy context can generate new insights about the policymaking process from language to agenda

setting to policy outcomes. Again, federal arts policy seems a particularly interesting case study for the policy process as art is highly subjective and symbolic. As Paul Cézanne said, “A work of art which did not begin in emotion is not art” (Hodge 2011). It is possible that the nature of the policy arena itself will intensify an already value-laden process. Moreover, the federal arts policy arena is constructed differently from others: the NEA is by far the most dominant institution. It works only in limited ways with other national arts organizations, like the National Assembly of State Arts Agencies and Americans for the Arts, which serve very different functions than the agency. Like a thin market, it is a thin policy arena with few institutions, players, and advocacy groups compared to larger, more developed policy arenas that are typically the focus of research in political science. Moreover, the agency is incredibly small and unusual compared to other federal agencies. It is expected that the composition of the federal arts policy arena will provide an interesting comparison with other policy arenas and processes which can lead to new insights.

A particular interest will be to understand how, if at all, the culture wars, and to a lesser degree, political polarization, contributed to the conflict over the NEA in the 1990s. It could be a very valuable exercise to parse out the effects of both. While Baumgartner and Jones looked at the influence of partisanship on policy change, to the best of my knowledge, there has been almost no investigation of the culture wars relationship to PET.

II. Arts Literature Review

1. An Awkward Embrace: Art and Government in America

Great nations write their autobiographies in three manuscripts: the book of their deeds, the book of their words, and the book of their art....of the three the only quite trustworthy one is the last.- John Ruskin (n.d.)

The development and character of arts patronage in America is a result of its history, institutions, and past policy. As is described below, America's puritanical roots, republican government, and laissez-faire ideology make it distinctly different from many other Western countries (Toepler and Zimmer 32, 2002). Moreover, Americans opposed the social, political, and religious influences that undergirded robust, foreign patronage systems.

Protestants who settled in colonial America brought with them a healthy skepticism of the arts, not to mention arts patronage, deeply rooted in iconoclasm and opposition to "sensual indulgence of any sort" (Harris 1997, 5; Toepler and Zimmer 32, 2002).³ Protestants generally restricted the creation of art and believed dance, music, theater and other artistic disciplines could lead to promiscuity, adultery, or sin. John Adams, a deeply religious man of Puritan descent, shared these sentiments and feared that, "too great an interest in fine arts might corrupt... fellow citizens and the new American nation" (Cummings

³ During the Reformation, both Catholics and Protestants weaponized art for their own purposes. The Protestant movement rejected Catholic art and opted for smaller scale and fewer visual artworks that depicted intimate scenes of individuals in everyday life to reflect their divergent religious beliefs. In extreme cases, Calvinists, who feared idolatry, white-washed or destroyed Catholic images in churches. In response, the Catholic church promoted Italian baroque art, which was grandiose, ornate, and detailed (Heal 2011).

1991, 32). The suspicion of the arts in America, fueled by religion, would prove to be evergreen and reverberate over the centuries (Wyszomirski 1999, 6).

The new, decentralized republican government in America lacked the means and interest to promote the arts and its patronage. Early statesmen, like John Adams and James Madison, toured Europe and viewed opulent art in royal courts, aristocratic estates and villas, and cathedrals. These travels impressed upon them that fine art was an excessive luxury, status symbol, and propaganda of the ruling classes paid for by citizens via involuntary means, like taxes, tithes, etc. (Hyde 1999, 255; Harris 1997, 5). The predominant model of arts patronage was a consequence of absolutism and there was no appetite for replicating a system that valued elitism over egalitarianism (Miller 2000, 1430; Toepler and Zimmer 32, 2002). Plus, it was incredibly costly and a low priority for a burgeoning federal government preoccupied with building a nation. As John Adams aptly explained, America's young government needed to concern itself with more practical matters than the arts:

I must study politics and war, so that our sons may have liberty to study mathematics and philosophy. Our sons ought to study mathematics and philosophy, geography, natural history and naval architecture, navigation, commerce and agriculture in order to give their children a right to study painting, poetry, music, architecture, statuary, tapestry and porcelain. - John Adams (Hyde 274: 1999)

Though these early statesmen did not pursue serious patronage of the arts, they were not altogether inattentive. Adams in-part drafted what is commonly known as the Constitution's "copyright clause" (Amendment I, Section 8, Clause 8) that gave Congress the power to "promote the progress of science and useful arts, by

securing for limited times to authors and inventors the exclusive right to their respective writings and discoveries” (Wyszomirski and Mulcahy 1995, 121). Additionally, the federal government commissioned artworks to commemorate military and other achievements—only some of which were well received by the public and policymakers (Cummings 1991, 37). For the next two centuries, the government largely pursued a *laissez-faire* approach to arts and culture.

The lack of direct, public patronage for the arts and the advent of tax-exempt organizations, led to private interests, like private foundations, wealthy individuals, and businesses, primarily funding the arts in America (Toepler and Zimmer 32, 2002; Mulcahy 2000, 140). Wealthy individuals in particular drove the development of and wielded tremendous influence over the arts nonprofit sector. These social and economic elites became the primary supporters and beneficiaries of high arts institutions—like museums, symphonies, ballets, and operas—which drove the growth and status of these organizations (DiMaggio and Useem 1978, 153; Harris 1997, 6). While elites claimed their financial contributions served the public good, in reality, they worked “to exclude other classes from acquiring their artistic interests as a means of preserving elite boundaries and dominance from generation to generation” (DiMaggio and Useem 1978, 144; Marquis 1995, 5). These elites were the primary drivers of cultural policy for much of America’s history and to this day remain the primary funders of the high arts (Toepler and Zimmer 32, 40, 43; Marquis 1995, 251). As a result, America’s arts landscape has been dominated by large high art organizations and private provision of art.

The influence of puritanism, a laissez faire approach, and private interests continue to shape America's federal arts policy and distinguish it from other Western countries. By comparison, American federal arts policy continues to be less robust, more conservative, and directly funded by the federal government at a much lower level (Toepler and Zimmer 30, 32, 41, 2002). The arts also lack cabinet-level representation in America while many other countries have long established a secretarial position to spearhead arts and cultural policy.

2. The National Endowment for the Arts

God help the government that meddles with art. - Lord Melbourne (Cummings, 1991, 37)

By the early 1960s, "a number of social and political trends seemed to be coming together" that primed the federal government to take a larger role in America's arts and cultural life (Cummings 1995, 117). Most important was the deployment of cultural policy in fighting the Cold War, but several other events and trends legitimized the need for federal arts policy: increased arts consumption, heightened concern over equitable access to the arts, economic instability of arts organizations and artists, and the advent of "low art," like television and rock n roll. Democratic control of the presidency and Congress in 1964 made it possible for elected officials who supported the arts to capitalize on these trends and establish the National Endowment for the Arts, the first government agency tasked with federal arts policy.

More leisure time, expendable income, and mainstream media led to a swell in the number of middle-class Americans enjoying the high arts. The latter

was aided in no small part by President John F. Kennedy and Jacqueline Kennedy who bolstered public opinion of the arts with their sophisticated, art patron personas and attention to arts institutions and renowned artists. President Kennedy's "Camelot" elevated art and Americans took notice (Brenson 2001, 1, 3; Cummings 1995, 117; Bauerlein and Grantham 2009, 5). With increased demand, large institutions, like symphonies, expanded their seasons; small and mid-sized arts nonprofits sprung up between the coasts; universities established arts undergraduate and graduate programs; and the number of amateur and professional artists surged (Cummings 1991, 47; Marquis 1995, 27). By the 1960s, the number of American symphonies and museums began to rival or surpass that of Western Europe, America's cultural standard (Moen 1997, 186). The unprecedented proliferation of and attention to the arts marked its shift from the private to the public domain in America.

While the high arts became more available to some Americans, they did not become available to all Americans. Those with higher levels of education and wealth, living in large, coastal cities were more likely to gain access to and participate in the high arts resulting in "skewed audiences" (Urice 2003, 11; Harris 1997, 25; Cherbo and Wyszomirski 2000, 10). Unsurprisingly, these Americans were also more likely to see themselves and their cultures represented in the high arts as well. As the arts became more valued in public life, there was a call for both equal access to and more representation in high-quality art (Livingston 3, 1988; Moen 1997, 186). Federal government intervention appeared the best and most legitimate tool for addressing the economic and geographic barriers some

Americans faced in accessing the high arts (Harris 1997, 25; Toepler and Zimmer 31, 2002).

Elected officials and public figures expressed their concern for “America’s soul”— mainstream culture’s preoccupation with materialism and conformity— and “national preoccupation with science and technology” (Brenson 2001, 3, 27; Urice 2003, 10; Moen 1997, 186). The corruption and commodification of American culture was symbolized by the explosion of low art, or popular art, like television and rock n’ roll, that was deemed vulgar and insipid. The prescribed cure for American cultural malaise was investment in and promotion of the high arts, especially leading artists (Wyszomirski 1999, 5; Harris 1997, 25). Artists in particular were painted as “virtuous individuals and the alternative to decadent materialists” who were disciplined risk-takers, an image steeped in the romanticized notion that artists produced masterpieces in their solitary studios (Binkiewicz 2004, 58; Miller 2000, 1434). President John F. Kennedy gave several speeches in which he praised artists and highlighted their role in prosperous societies:

There is a connection, hard to explain logically but easy to feel, between achievement in public life and progress in the arts. The age of Pericles was also the age of Phidias. The age of Lorenzo de Medici was also the age of Leonardo da Vinci. The age of Elizabeth was also the age of Shakespeare. And the new frontier for which I campaign in public life, can also be a new frontier for American art (Cummings 1995: 117).

President Kennedy’s attention to artists and America’s cultural life was paramount to federal arts policy gaining political traction.

The growth of the arts nonprofit sector fueled fierce competition over resources and made it harder for the sector to provide “quality” arts to culture-hungry citizens (Wyszomirski 1995a, 39; Cummings 1995, 117). While the income of high arts nonprofits rose with record audiences, it did not keep pace with expenses, and private contributions failed to keep their bank accounts out of the red (Harris 1997, 25; DiMaggio and Useem 1978, 141). Additionally, there was acute concern artists were not able to live off their work (Taylor and Barresi 1984, 43; Binkiewicz 2004, 32; Brenson 2001, 4). The financial difficulties of the performing arts caught the attention of national private philanthropies—first the Ford Foundation and then the Carnegie and Rockefeller Foundations—that commissioned seminal reports on the stature and economic need of the sector. They found performing arts organizations in particular “were inherently prone to cost overruns” and “the very values of live performance—its mutability and uniqueness—set limits on its profitability” (Miller 2000, 1431). The attention of powerful philanthropies and evidence of inherent economic hardship of arts nonprofits, especially symphonies, theaters, and museums, further legitimized art as worthy of public and political attention (Urice 2003, 14; Toepler and Zimmer 32, 40).

In 1946 when America was on the precipice of the Cold War, the State Department, later followed by the Central Intelligence Agency, deployed American art in a “cultural offensive.” Deploying American art became an especially popular strategy with liberal policymakers as a peaceful alternative to fighting the Cold War after the disastrous Bay of Pigs exemplified the dangers of

nuclear brinkmanship (Binkiewicz 2004, 63; Brenson 2001, 21; Binkiewicz 2004, 36, 53; Brenson 2001, 7). As Representative Jacob Javits (R-NY) described, “[I]f we do not want to fight the Russians with the atom bomb, then we have got to defeat their effort with two other weapons—economic and cultural... but in the cultural field we have not even touched it” (Bennett 2017, 79). American art was seen as a means for projecting a positive image of America across the world, thereby increasing its political and cultural influence. In particular, abstract art—an emerging, critically acclaimed (though not entirely popular within mainstream society) American visual art style à la Jackson Pollock, William de Kooning, and Mark Rothko—was the ace up the state’s sleeve (Binkiewicz 2004, 19; Brenson 2001, 7, 25; Bennett 2017, 84). Abstract art, dubbed “free enterprise painting,” was considered innovative, high brow, and symbolized American freedom, democracy, and cultural achievement. It countered totalitarian propaganda that valued conformity, not creativity, and became an ideological weapon quickly and strategically exported through touring exhibits and cultural exchange programs (Binkiewicz 2004, 20). In the end, the Cold War—increased arts consumption, heightened concern over equitable access to the arts, economic instability of arts organizations and artists, and the advent of “low art,” like television and rock n roll—became the driver of federal arts policy (Harris 1997, 9).

A nascent federal arts agenda built during Kennedy’s administration was able to come to fruition during President Lyndon Johnson’s second term. His landslide victory in 1964 gave him the necessary legitimacy and legislative

support to take action on federal arts policy. With the election, there was notably less opposition and greater support for federal arts policy in Congress as a long-standing coalition of arts champions grew in number to include: Hubert Humphrey, J. William Fullbright, Jacob Javits, Frank Thompson, John Lindsay, and Claiborne Pell (Cummings 1995, 116; Zeigler 1994, 15; Binkiewicz 2004, 25). Together, President Johnson and congressional supporters emphasized that the arts played a vital role in the Cold War and “encouraged a marriage of arts issues with the national push for the human welfare of the ‘Great Society’” (Binkiewicz 2004, 75). As the idea for a new national arts foundation, the NEA, gained popularity, these key players sought political compromise to make it a reality. They joined forces with those interested in the creation of a national humanities foundation as “the humanities had the political muscle to deliver the bill” thanks to a large political constituency and universal appeal that the arts lacked (Cummings 1991, 51; Zeigler 1994, 16; Binkiewicz 2004, 79). On September 29, 1965, President Lyndon Johnson signed the National Foundation for the Arts and Humanities Act (NFAH) into law which created the National Endowment for the Humanities and the National Endowment for the Arts as independent government agencies (Bauerlein and Grantham 2009, 18).

In the first days that the NEA was established, a number of concerns were raised about its existence and mission. There were several objections to the creation of the NEA among policymakers, especially Republicans: arts and culture were not legitimate government concerns, programs would be too expensive, and private philanthropic support of the arts would decrease with

public support (Binkiewicz 2004, 31; Taylor and Barresi 2013, 44; Shipley 1991, 252; Moen 1997, 186). By far, the greatest concern was about the vagueness of the enabling legislation and how the NEA would fulfill its purpose to “create and sustain not only a climate encouraging freedom of thought, imagination, and inquiry but also the material conditions facilitating the release of this creative talent” and meet criteria that required artwork to be of “significant merit” (Public Law 89-209, 1965: 845). Critics believed that there would be significant challenges to subsidizing “artistic freedom” as well as the NEA’s power to broadly define “artistic excellence” (Binkiewicz 2004, 23; Shipley 1991, 252). Artists, especially those that remembered the “contempt for artists in the fifties and sixties,” were wary of the NEA on the grounds government invention in the arts could result in content restrictions or censure (Brenson 2001, 9).

A. *About the National Endowment for the Arts*

While the NEA is “only one among an estimated 300 hundred federal programs, activities, and services for the arts and humanities,” it is the flagship arts program in America and the largest public funder for the arts (Marquis 1995, 249; Mulcahy 2000, 140). The NEA is foremost a public foundation that grants awards that supports the arts much like the National Science Foundation supports and advances science in the nation. Grants are awarded in every congressional district in America to arts nonprofits, colleges and universities, arts agencies, tribal communities or tribes, and artists and leverage private investment in the arts. Moreover, grants provide critical support to the arts nonprofit sector which generates millions of jobs and billions of dollars in taxes

every year (Coyle 1998, 352). In addition to grantmaking, the NEA also convenes meetings of arts leaders and organizations on key issues impacting the field and produces research on the value and importance of the arts in America for the public.

While the NEA is “responsible for comprehensive cultural policymaking” and synonymous with American federal arts policy, the bulk of America’s cultural policy and public funding is decentralized and administered at the state, regional, and local level in a complex and dynamic intergovernmental system (Wyszomirski & Mulcahy, 1995,123; Mulcahy 2000, 143).⁴ The NEA uses its national perspective to great effect, shaping arts policy through grantmaking criteria and eligibility, the panel review process, and, occasionally, initiatives of the Chairman or National Council member (DiMaggio 1991, 249; Cummings 1991, 76). It is also credited with tremendously impacting the nation’s arts landscape by generating and mobilizing a diverse constituency including state art agencies, Congressional Arts Caucus, and numerous professional and advocacy groups as well as granting a notable portion of funds to projects of national impact (Wyszomirski 1988b, 130, 133; DiMaggio and Useem 1978, 141; Miller 2000, 1432; National Endowment for the Arts 1992, 8).

The National Foundation for the Arts and Humanities Act’s Declaration of Purpose identifies NEA’s the main responsibility to “foster American artistic creativity, commission works of art, create opportunities for individuals to develop

⁴ America is credited with the creation of a federalist cultural policy paradigm (Miller 2000: 1431).

artistic talents..., develop and enhance public knowledge and understanding of the arts” (Public Law 89-209, 1965, 847). It also provides several causes for the establishment of the NEA, justifies federal government involvement, and outlines grantmaking criteria. The latter describes the NEA’s duties to provide federal grants to eligible organizations and artists that meet these criteria:

- Have substantial artistic and cultural significance, giving emphasis to American creativity;
- Would otherwise be unavailable to our citizens in many areas of the country;
- Encourage and assist artists and enable them to achieve standards of professional excellence; and
- Encourage and develop the appreciation and enjoyment of the arts by citizens (Public Law 89-209, 1965: 846-847).⁵

Importantly, the vagueness of the enabling legislature provided the agency enormous latitude to implement criteria, guidelines, and grantmaking activities as it sees fit. It also overviews the process and responsibilities of the NEA’s grantmaking activities which placed significant power in the hands of the NEA Chair and National Council of the Arts—a group of twenty-six presidentially appointed private citizens recognized for their arts experience charged with

⁵ By law, the NEA can only award program grants to organizations up to 50% of the total cost of an applicant’s project or production. There are two exceptions: 1) grant awards for the creation of state art agencies which can cover 100% of the cost of the project; 2) the Challenge Grant program only funds 33% of the total cost of a project (Public Law 89-209, 1965: 848; National Endowment for the Arts 1992: 8; National Endowment for the Arts 1989: iv). The purpose of matching grants was to encourage private investment in the arts and is yet another example of how America’s federal arts policy encourages private provision of arts in comparison to other countries (Coyle 1998: 352). Individual artist grants are not subject to matching requirements.

advising on policy, programs, procedures, and grant applications (Public Law 88-579, 1964, 905; Walter et. al 1991, 14).

B. The Grantmaking Process

The NEA's original grantmaking process begins with program directors and other staff reviewing grant applications to ensure they meet all eligibility criteria and are complete. The programs, which organized around 17 artistic disciplines, "are the building blocks of the NEA's administrative structure" and the "locus of decision making" at the NEA (Weaver 1988, 39). Completed applications are then sent for peer review by advisory panels—committees of 5 to 15 appointed arts experts including arts administrators, arts writers, and artists—who read for a particular program (Brenson 2001, 45). The advisory panels evaluate the merit of each application and rate it according to established criteria before recommending an application be rejected or approved, and if the latter, a dollar amount for the grant award (Shipley 1991, 253; Walter et. al 1991, 8). They also consult on program guidelines, policies, and priorities (NEA 1995, 9). Program directors then gather all panel recommendations and disseminate them to the National Council on the Arts, which reviews applications and recommends a slate of grantees to the NEA Chair (Public Law 89-209, 1965, 847). The Chair makes final decisions on all grant awards. Each grant program is highly competitive and only about 20% to 25% of applicants each year receive grant awards (National Endowment for the Arts 1995, 8; National Endowment for the Arts 1991, 7).

C. Criticisms

Since the establishment of the NEA, several key criticisms emerged about the review panel as well as grant awards. The most important is cronyism in the grant review process. There are numerous reports of a “closed circle” of arts professionals who serve on panel reviews despite clear conflicts of interest (Marquis 1995, 68, 230; Henderson 2005, 12, 20; Bauerlin and Graham 2009, 81). For example, “it is not uncommon for one individual to be chairman of a state arts agency, a member of an NEA program panel, a contract employee of the NEA, and an advisor to the NEA functions” (Washington International Arts Letter 1979, 2222). The Congressional Black Caucus also compellingly argued that NEA panelists, staff, contractors, and grantees did not represent the ethnic and racial composition of America (Henderson 2005, 20). The panel reviewers—who were predominately white, well-educated, and influential arts professionals—have been described as cultural elitists, and by extension the NEA, with tastes that significantly diverge from mainstream America (Wolff 1993, 16, 19, 29; Arian 1989, 32; Coyle 1998, 356). Some, even intended beneficiaries, believe that grant panelists contributed to a skewed distribution of grant awards that disproportionately favored Western European performing arts institutions as well as artists and organizations in large, coastal cities, the latter of which has been contested (Henderson 2005, 20, 42; Gray and Jenkins, 1556; Arian 1989, 43; Marquis 1995, 68; Gray and Jenkins 2021, 1562). Moreover, review panels were believed to be responsible for a handful of “controversial” grant awards that eventually prompted a proposal prohibiting “awards to artists whose work could

be considered ‘patently offensive to the average person’” (Bauerlin and Graham 2009, 81).⁶ Despite these criticisms, the NEA remained relatively unknown and encountered little serious political attention as it matured into a stable institution orbited by a number of arts actors across two decades (Shockley 2011, 272).

3. Years of Crisis

To say the NEA should be preoccupied with subsidizing the leading edge of art is, I think, a highly suspect position. The leading edge of creativity in any field is always thin, sharp, and liable to get nicked. - Charlton Heston (Zeigler 1994, 61)

After 25 years of attracting very little political and virtually no public attention, The NEA suddenly became embroiled in controversy starting in 1989 as it faced its biggest crises to date: Robert Mapplethorpe’s *The Perfect Moment* and Andres Serrano’s *Piss Christ*. This was in no small part due to a dramatic shift in social and political conditions that made for a considerably more hostile environment for the NEA and, in turn, fueled a years-long battle over federal arts policy. These conditions provide essential context for understanding how the aforementioned crises unfolded between 1989 to 1995.

The end of the Cold War signaled the victory of American freedom, democracy, and culture over communism. For many, the need for promoting American cultural excellence and freedom of expression—the primary reason for the creation of the NEA—had passed (Binkiewicz 2004, 226; Brenson 2001, 21,

⁶ There were several notable examples of “controversial” NEA grants in the 1970s and 1980s. The three most important are: Aram Saroyan’s “concrete poem” which was composed of one word, “lightght,” included in the *American Literary Anthology*; NEA Literature Fellow Erica Jong’s *Fear of Flying*, a sexually explicit book; and Metropolitan Opera’s updated staging of Verdi’s *Rigoletto* set in Little Italy that stereotyped Italian-Americans (Bauerlin and Graham 2009: 35, 81; Bennett 2017: 181).

98; Bennett 2017, 188). It was perhaps the first time many arts supporters appreciated the NEA was primarily a product of historical circumstance. As it had done after the end of World War I and II, America turned inward after the end of the Cold War to examine its own internal demons and found the arts and artists to be a prime target (Dubin 1992, 14).

As the Cold War ended, the culture wars—symbolic battles between liberals and conservatives over moral issues that led to extremism—began to sizzle (Eck 1996, 95; Birkland 2015, 213). Throughout the 1980s, a coalition of Christian fundamentalists interested in the preservation of traditional religious and family values began to mobilize over issues of mortality in art and entertainment (Dubin 1992, 3, 19; Houchin 2003, 225). Art, both commercial and highbrow, was an attractive battleground in a much larger ideological war because it is highly subjective and symbolic in nature, priming unconscious, moral values (Dubin 1992, 11).

In commercial art and entertainment, Christian fundamentalists successfully stopped Pepsi-Cola from airing a commercial featuring Madonna's "Like a Prayer," boycotted Martin Scorsese's *The Last Temptation of Christ*, and even got CBS to censor *Mighty Mouse* (Steiner 1995, 16). By 1989, the culture wars were at a fever pitch with a number of high-profile clashes over morality and free speech that played out in national media and the courts: under pressure from the American Family Association, 2 Live Crew's third album, *As Nasty As They Wanna Be*, was the first sound recording to be ruled obscene; visual artist Dread Scott's display of an American flag on the ground as well as his act of

burning an American flag prompted the Supreme Court Case *United States v. Eichman* which ruled the First Amendment allows citizens to desecrate the flag; Judas Priest was sued for damages when two young fans attempted suicide based on the content of band's album, *Stained Class* (Wyszomirski 1995b, 3; Dubin 1992, 11). In this highly polarized environment, "exaggeration, misrepresentation, and passion substituted for reason, accuracy and balance," especially in art, entertainment, and culture (Wyszomirski 1995b, 66; Dubin 1992, 3).

In high art, there were also notable developments in American aesthetics over time (Wyszomirski 1995a, 34; Sperling, 1992, 230). Abstract expressionists—Franz Kline, Jackson Pollock, Willem de Kooning, Lee Krasner—became popular in the 1960s for their non-representational "bold, gestural abstraction." Their large painted canvases of these artists emphasized intangible dimensions of art, like ideas, themes, and subjects, over art objects or content themselves (Museum of Modern Art n.d.). By the 1980s, representational art (i.e., graffiti, street-art, and photography) reigned and often dealt with politically charged themes: HIV/AIDS, racism, and censorship. While Mark Rothko's color field paintings might have been unconventional in the 1960s, they did not subvert mainstream cultural values like Robert Mapplethorpe's intimate, homoerotic black and white photographs.

Similarly, artists producing high art came under attack as well. Throughout the 1980s, modern visual art became a profitable investment with "a higher rate of return than stocks, bonds, gold, diamonds, or even old masters" (Dubin 1992,

20). Soaring prices for artworks and the media's increased attention to high-profile artists became misleading examples of wealth and success in the field. The economic argument for federal support of struggling artists was undercut despite the reality that the overwhelming majority of them could not support themselves with the money they made from their art (Cummings 1995, 99; Dubin 1992, 20). Artists were no longer seen as intellectuals at the periphery of society, but increasingly entrenched in mainstream society as the lines between commercial and high art blurred. In effect, the romanticized image of artists from the 1960s was corrupted (Brenson 2001, 100; Cummings 1995, 103, 113). As Great Society programs came under attack from conservatives, the NEA's grants to artists were increasingly criticized as "prop[ping] up artists unable to attract audiences" and as a "welfare scheme for artists" (Marquis 1995, 165; Jeffri 1991, 113; Cummings 1995, 103, 113). These trends troubled some arts advocates who saw trouble on the horizon for the small agency. Eventually the culture wars would engulf the NEA as conservatives took issue over a small number of grant awards which were used to to represent federal arts policy overall (Wyszomirski 1995a, 32; Zeigler 1994, 88).

Republicans began to attack federal funding of the arts as early as the 1970s as they called for limited government and moved to rollback "Great Society" social programs. Republicans characterized the NEA as a prime example of government waste and favored private, not public, support of the arts (Moen 1997, 191; Wyszomirski 1995a, 1; Bauerlein and Grantham 2009, 28, 34,70). Spurred by the increase in partisanship in the 1980s, Republicans began

to more aggressively assail the NEA. In 1980, President Ronald Reagan considered a 50% budget reduction, or possible elimination, of the agency on the grounds that “[the] federal government should not be the financial patron and first resort for both individuals and institutions engaged in artistic and literary pursuits” which many in his party echoed (Bauerlein and Grantham 2009, 34,70; Best 1995, 75). While NEA avoided the threat of elimination, the event bolstered Republican opposition which took seed and grew. By 1985, about one-third (31%) of House Republicans voted against reauthorizing the NEA fueled by allegations of controversial grants and cronyism made by Representatives Tom DeLay (R-TX), Dick Armey (R-TX), and Steve Bartlett (R-TX) (Moen 1997, 191; Gray and Jenkins, 1556; Bauerlein and Grantham, 2009, 81, 82). By the late 1980s, Republicans saw a new reason to question federal arts funding: to appeal to Christian fundamentalist voters. By supporting Christian fundamentalist attacks on offensive art and entertainment, Republicans hoped to keep control of the presidency as well as unify their party (Dubin 1992, 284; Zeigler 1994, 132). Republicans and cultural conservatives were united in their efforts against the NEA, seeking to hold it accountable for grant awards that both described as supporting artwork that was “immoral,” “blasphemous,” “obscene,” and “pornographic” (Bauerlein and Grantham 2009, 79; DeGrazia 1994, 136; Dubin 1992, 3; Steiner 1995, 16).

A. 1989: Mapplethorpe-Serrano Crisis Erupts

The controversy sparked when The Southeastern Center for Contemporary Art (SECCA) exhibited the artist Andres Serrano’s *Piss Christ*, a

photo of a crucifix in the artist's own urine (Plate 1). The artist was awarded a \$15,000 fellowship, or subgrant, from SECCA which was funded by a \$75,000 NEA grant award (Heins 1993, 130). Importantly, the NEA did not directly fund the artist or even know the artwork was to be displayed as part of the exhibit (Zeigler 1994, 71). Christian fundamentalist groups condemned the idea that tax-payer money would go to fund artwork that attacked their religion. They quickly and effectively mobilized large letter writing campaigns to their elected representatives (Frohnmayr 1993, 40). As a result, a cadre of Republican policymakers began to attack the NEA calling the artwork a “deplorable, despicable display of vulgarity” as well as a “morally reprehensible trash” and demanded the resignation of the NEA Chair as well as new grant award guidelines (Phelan 1989, 6; Bauerlein and Grantham 2009, 91; Zeigler 1994, 75).

Almost at the same time, another controversy erupted. A traveling retrospective of Robert Mapplethorpe's photography, funded in-part by a \$30,000 NEA grant and curated by the University of Pennsylvania's Institute of Contemporary Art Institute (ICA), came under congressional scrutiny at The Corcoran Art Gallery in Washington D.C (Plate 2 and 3). The exhibition contained a wide range of images and some dealt with themes that contest strict social hierarchies and norms—homoeroticism, sadomasochism, and interracial relationships—which were called “obscene” (Gamarekian 1989, 1; Dubin 1992, 5). The Corcoran preemptively canceled the show, worried that the retrospective would call unwanted attention to it and the NEA (Cummings 1991, 63; Zeigler 1994, 74). The Corcoran Director said, “Our institution has always remained

outside of the political arena, maintaining a position of neutrality on all such issues. In a city with such a great federal presence, this has been essential" (Gamarekian 1989, 1). The decision was criticized among arts supporters. "It is an outright cave-in to conservative political forces who are once again trying to muzzle freedom of expression in the arts... Let Mapplethorpe's work speak for itself," said the Director of The Washington Project for the Arts, an art gallery that stepped in to mount the show (Gamarekian 1989, 1). The controversy over Mapplethorpe's retrospective exhibition didn't stop with the cancellation. Shortly after, Cincinnati's Contemporary Art Center (CAC) showed the exhibit which led to the Executive Director and the institution being charged with obscenity by County Prosecutors, the first time that criminal charges have been leveled over an art museum exhibition (Dobash 2015, 1; Zeigler 1994, 96).

Normally contained to Arts and Culture sections at the *Washington Post* and *New York Times*, media's coverage of the NEA increased ten-fold from 1988 to 1990 (Koch, 1998). The shock value of the Mapplethorpe and Serrano controversies was fodder for sensationalized articles, letters to the editor, and opinion pieces that catapulted the NEA into the mainstream news (Zeigler 1994, 118, 119; Wyszomirski 1995a, 7). Media coverage of the maelstrom showed that "a single questionable grant could outweigh a thousand meritorious ones" (Bauerlein and Grantham 2009, 149). Art supporters were keen to point out that media coverage was disproportionate for relatively small grant awards and an agency that received less than one-one hundredth of one percent of the federal budget (Dubin 1992, 279). Overall, the voices of arts supporters were drowned

out by a comparatively large number of Republicans and Christian fundamentalists. The latter were very effective in using emotive, value-based appeals to broadcast their belief that the NEA was out-of-touch with American values and used tax-payer money to fund offensive artwork.⁷ In their own words, the conservative coalition aimed to “make the issue clear—mom and apple pie against perversity. It’s a bunch of smug Ph.D. types telling us what art is” (Honan 1989, 1; Cummings 1991, 67). Conservative success was built on a message that they alone represented the “will of the people” in the fight over the NEA (Koch 1998; Bolton, 1992, 10).

B. 1990: Helms Amendment, NEA Four, The Arts and Humanities Amendments

Unfortunately for the NEA, the Mapplethorpe and Serrano controversy came just as Congress was examining the agency's 1990 appropriation proposal. In both the House and Senate, appropriations proposals were put forth to hold the NEA accountable for indirectly funding Serrano’s and Mapplethorpe’s artworks (Cummings 1991, 64). In the House, four amendments were submitted and went to a vote:

- Charles Stenholm (D-TX) Amendment: a budget reduction of \$45,000, symbolic of the total amount granted for the Mapplethorpe and Serrano exhibitions;
- Cliff Stearns (R-FL) Amendment: a 5% budget reduction;
- Dick Armey (R-TX) Amendment: a 10% budget reduction; and

⁷ Reverend Donald Wildmon of the American Family Association went so far as to purchase a *Washington Times* advertisement calling out elected officials who did not support reforming the NEA (Houchin, 2003:233)

- Dana Rohrabacher (R-CA) Amendment: complete defunding of the NEA.

The first passed and the appropriations bill went to the Senate for approval (Bauerlein and Grantham 2009, 93; Moen 1997, 193). In the Senate, bills were introduced to cut NEA funding by \$400,000, ban the Southeastern Center for Contemporary Art and Philadelphia Institute of Contemporary Art from receiving funding for five years, and required a large transfer of funds from the Visual Arts Program to the Folk Arts and Local Art Program (Zeigler 1994, 79; Koch 1998, 4). Senator Jesse Helms also proposed the language below that would prohibit NEA grants supporting:

(1) Obscene or indecent materials, including but not limited to depictions of sadomasochism, homoeroticism, the exploitation of children, or individuals engaged in sex acts; (2) material which denigrates the objects or beliefs of the adherents of a particular religion or non-religion; or, (3) material which denigrates, debases or reviles a person, group, or class of citizens on the basis of race, creed, sex, handicap, age, or national origin (Phelan, 1989:7).

The final appropriations bill included the symbolic budget cut of \$45,000 to “send a message” and the first item in the “obscenity clause” above as well as created an independent commission tasked with reviewing the NEA in the next year (Bauerlein and Grantham 2009, 93; Moen 1997, 193).⁸

In 1990, NEA Chairman John Frohnmayer made the decision—contradicting a vote by the National Council for the Arts—to include a

⁸ It barred the funding of art that is “obscene” as defined by the Supreme Court’s decision in *Miller vs. Sullivan* (1973). The landmark case defined obscene art as works that an average person, applying community standards, finds prurient; depict or describe sexual conduct in a patently offensive way; and taken as a whole, lack serious literary, artistic, political, scientific value (Cummings 1991, 70; Zeigler 1994, 81).

new anti-obscenity clause in NEA grant terms and conditions (Cummings 1991, 70; Zeigler 1994, 112).⁹ It required that grantees sign an “obscenity oath” in which they promised not to use their NEA grant award to fund any projects that were obscene. The requirement had an immediate chilling effect on the nation’s artists and art organizations (Shipley 1991, 243). While most grantees signed the oath, a number saw it as “a symbol of repression” and choose to not apply, rejected their awards in protest, or filed suit (Bauerlein and Grantham 2009, 97; Wyszomirski 1995a, 5; Zeigler 1994, 115). Later, Frohnmayer said he adopted the language as “an invitation to a lawsuit, which I hoped would lead to a finding that the language was unconstitutional” (Bauerlein and Grantham 2009, 97; Zeigler 1994, 112).

Against this backdrop, the theater advisory panel recommended a slate of 18 performance artists for individual grants to the National Council for the Arts. Of the artists who received funding recommendations, four were singled out as controversial: Karen Finley (Plate 4), Holly Hughes, John Fleck, and Tim Miller. These performance artists came to be known as “NEA Four” and raised eyebrows over their subject matter— HIV/AIDS epidemic, homosexuality, nudity, race and gender discrimination—and performance styles (Frohnmayer 1993,

⁹ In October of 1989, President George H. W. Bush appointed John Frohnmayer, an Oregon lawyer, the fifth Chair of the National Endowment for the Arts. He was the first Chair from west of the Mississippi and, unlike his predecessors, had never worked in Washington D.C. or a major east coast arts institution. He was truly an outsider (Zeigler 1994, 68; Cummings 1991, 62). His decisions as Chair would prove to alienate both NEA supporters and conservative policymakers on multiple occasions (Zeigler 1994, 109; Bauerlein and Grantham 2009, 98). Many believed he was “doomed to failure from the beginning,” but his weak leadership in a time of crisis certainly sealed his fate (Zeigler 1994, 68).

156; Brenson 2001, 94).¹⁰ Chair Frohnmayer alerted the White House saying he was prepared to deny the artists grant awards on the grounds their work violated the obscenity clause and received a supportive response.¹¹ The National Council on the Arts and Frohnmayer made the almost unprecedented decision to overturn the theater advisory panel's recommendation and not award the individual artist grants (Zeigler 1994, 105; Bauerlein and Grantham 2009, 97). Karen Finley quickly filed a lawsuit, *Finley v. NEA*, citing Chairman Frohnmayer's decision to refuse her grant as a violation of her First Amendment Right to artistic freedom. After unfavorable rulings, the NEA appealed the case all the way to the Supreme Court, which upheld the obscenity clause in a 1998 decision (DeGrazia 1994, 137; Rushton 2000, 276).

It wasn't until the spring of 1990, approximately a year after the Mapplethorpe and Serrano crisis surfaced, that arts advocates responded (Zeigler 1994, 83). The delay was caused by the lack of financial resources, political organizing experience, and developed networks among arts supporters (Zeigler 1994, 77; Cummings 1995, 110; Jeffri 1991, 108; Miller 2000, 1441; Wyszomirski 1988b, 135). Moreover, there was a strong belief among arts organizations that they should remain apolitical, as evidenced by The Corcoran Art Gallery, instead of engaging in politics to promote support for the arts

¹⁰ Of particular note was Karen Finley. She became widely-known through a *Washington Times* article, "The NEA's Suicide Charge," in which her practice was described as "the performance of a nude, chocolate-smearing young woman" and predicted she "could become the Mapplethorpe case of 1990" (Rowl and Novak 1990, 1). The article became a self-fulfilling prophecy.

¹¹ Frohnmayer received a note from President Bush that he had seen the *Washington Times* article about Karen Finley and that he did not want tax-payers money to subsidize "filth and patently blasphemous material" (Frohnmayer 1993, 161).

(Wyszomirski 1988a, 29; Weaver 1988, 36). The crisis birthed three major art advocacy groups (United Arts Group, American Arts Alliance, and National Cultural Alliance) that worked alongside established advocacy groups, like Americans for the Arts and National Assembly of States Arts Agencies, to defend the NEA via letter writing campaigns, lobbying, and other activities (Zeigler 1994, 85, 101). However, these groups were limited by their small numbers, lack of strategy, and infighting.¹²

Artists and arts audiences were largely untouched by these organizational efforts and, for the most part, did not enter into the fray (Zeigler 1994, 144; Wyszomirski 1995c, 25). Even when artists did respond to the crisis they were generally perceived as powerless and ineffective (Jeffri 1991, 110). Artists, already weary of bureaucracy and institutions, were not keen to rally in support of the NEA after its poor treatment of artists during numerous crises (Arian 1989, 104; Shockley and McNeely 2009, 18; Brenson 2001, 96). In fact, some artists began to actively and visibly oppose the NEA and those artists that received federal support (Bauerlein and Grantham 2009, 97; Bennett 2017, 191).

After a yearlong investigation, the blue-ribbon independent commission tasked with investigating the two main criticisms of the NEA—grantmaking procedures and standards for publicly funded art—issued a report that proves to be very influential in that year’s reauthorization and appropriations processes as

¹² The National Assembly of State Art Agencies (NASAA) tried to take advantage of the NEA’s troubles instead of supporting their federal counterpart. In 1990, NASAA recommended state art agencies share of NEA program funds increase by 20% (for a total of 60%) (Zeigler 97; Moen 1997: 195).

well as beyond (Bauerlein and Grantham 2009, 104; Zeigler 1994, 127). First, the report sought to explain the causes of the NEA crisis:

Today, twenty-five years after its creation, the system no longer works as it once did, for reasons that the NEA's founders could not have foreseen. On certain social and cultural issues, the nation has become more polarized. As with other federal agencies, these developments affect the NEA and the environment in which it operates... (Bauerlein and Grantham 2009: 104)

It then made clear that “the NEA belongs not solely to those who receive grants but to all people in the United States” and that the “the standard for publicly funded art must go beyond the standard for privately funded art” (Bauerlein and Grantham 2009, 107; Cummings 1991, 73). It was a strong call for the NEA to shift its focus from beneficiaries and panelists to the American public (Zeigler 1994, 127). A key recommendation advanced NEA policy on both fronts—significantly changing the grantmaking process (Independent Commission, 1990). It called for nine different changes to the peer panel process, such as lay persons on peer panels and the elimination of any real or perceived conflicts of interest (Cummings 1991, 73).¹³ In the end, the report affirmed the NEA's strong track record and the need for “unusual wisdom, prudence, and most of all, common sense” in balancing artistic freedom and public accountability (Bauerlein and Grantham 2009, 105).

¹³ The report specifically calls for, “people who do not earn their living in the arts should be part of the pool.” The Commission endorses the effort of the Endowment to place on panels more persons who are knowledgeable about the discipline under review but do not earn their living in the arts” (The Independent Commission, 1990). Clearly, lay people, as opposed to arts experts, were seen as more likely to make sound judgements about grant awards and avoid controversy.

C. The “Arts and Humanities Amendments of 1990”¹⁴

After another year of controversy and with the Independent Commission’s report top of mind, Congress started the NEA’s authorization and appropriations processes. The appropriations process—which slightly increased the NEA’s FY1991 budget to \$174.0 million—proved much easier than the reauthorization process which decided who had the authority to rule on the obscenity clause (National Endowment for the Arts n.d; CQ Almanac 1990). Historically, the NEA’s authorization term was five years and the Independent Commission’s report recommended it as well, however, with all the tumult and chaos surrounding the NEA, Congress only reauthorized the NEA for three years (Independent Commission 1990; Moen 1997, 197). The shorter reauthorization period indicated that Congress viewed the NEA’s “performance as questionable” and sought to increase “its control over the agency and its policies” (Wyszomirski 1988a,10). The following key amendments were made to the NEA’s enabling legislation:

- The Chair is not responsible for determining if artwork is “obscene,” but must ensure that beneficiaries take into consideration “general standards of decency and respect for the diverse beliefs and value of the American public”;
- The courts, not the NEA, will determine obscenity, and any artwork deemed obscene will require the beneficiary to return the amount of their

¹⁴ There are multiple references to the Arts And Humanities Amendments of 1990 in arts literature, however, legislation with the title never became a law. Representative Pat Williams (D-MT) introduced legislation with the same title (H.R. 4825, 101st Cong.(1990)) which passed in the House and Senator Claiborne Pell (D-RI) also proposed legislation with the same name (S. 2724 101st Cong. (1990)), but it was never voted on. The amendments were added to the 1991 appropriations bill en grosse (November 5, 1990, P.L.101-512, Sec. 104 Stat. 1961).

grant award to the NEA;

- Grant peer panels must include lay people and are free from conflicts of interest;
- The NEA must increase pass-through funding to State Arts Agencies from 20% to 27.5% in 1991 and then 35% in 1993; and
- The NEA must increase funding to arts education programs (Zeigler 1994: 129; Cummings 1991: 75; Coyle 1998: 354).

The National Council was also tasked with “being more active” in the grantmaking process (Bauerlein and Grantham 2009,107; Marquis 1995, 24).

Other amendments required grantees to submit interim reports and receive grants in installments to ensure they complied with grant policies (Walter et. al 1991,18). As stated in the NEA’s 1990 Annual Report, “the provisions of this new legislation will significantly affect the Endowment’s grantmaking in coming years” and “will enhance and broaden the work of the Endowment” (NEA 1991, 5). By 1991, the NEA implemented its own changes, albeit much weaker than those mandated by Congress.¹⁵

D. 1992: Presidential Election

President Bush was campaigning for re-election in a tighter than expected primary race against Pat Buchanan, a longtime and vocal critic of the NEA.

Buchanan found success and gained considerable attention among conservatives by speaking out against the NEA. Buchanan had called the NEA

¹⁵ In the same annual report, NEA Chair John Frohnmayer announced new initiatives to increase access to the arts and broaden cultural diversity. There were also changes to the grantmaking process (minimum and maximum dollar awards as well as limits on the number of applications per grantee) and conflict of interest policies (National Endowment for the Arts 1990, 5-7, 12).

"the upholstered playpen of the arts and crafts auxiliary of the Eastern liberal arts Establishment" adding that it should be closed down and the building fumigated (Bauerlein and Grantham 2009, 108). At one point, he compared the artwork funded by the NEA as "modernist dreck" and said it was sickening society (Brenson 2001, 95). In a national campaign ad attacking Bush over the agency, Buchanan said that Bush was subsidizing blasphemous, pornographic, and filthy art "too shocking to show" in a national television ad (DeGrazia 1994,136). It was the first time that the NEA became a political liability in a presidential election (Bauerlein and Grantham 2009, 108). President Bush, already struggling to keep a fragile coalition together, knew he could easily appease his most extreme followers by standing firm against offensive art (Dubin 1992, 284).

Frohnmayr announced his departure the same day that the Buchanan ad aired. While the official record states that the Chairman resigned, many believe otherwise based on the circumstances and timing. Two aides to President Bush are on record confirming that Frohnmayr had become an election issue and that his departure was political (Honan 1992, 1; Zeigler 1994, 135). A longtime supporter of the NEA, Representative Sidney Yates, said Frohnmayr's departure was a sign that, "the radical right had triumphed" (Haithman 1992, 1).

E. 1994-1996: Republican revolution, budget crisis and impacts

In 1994, Republicans took control of Congress for the first time since 1952, before the creation of the National Endowment for the Arts, in a victory known as the "Republican revolution." They found success with a political

platform called the “Contract for America” that outlined a series of actions to be taken in their first 100 days in Congress including balancing the federal budget via budget cuts, with focused on federal welfare programs, and zero base-line budgeting (Gray and Jenkins, 1556; Miller 2000, 1436). The NEA, which had been characterized as a “welfare scheme for artists” and budgetary luxury by Republicans, once again, became a symbolic target (Jeffri 1991, 113; Cummings 1995, 103, 113; Eck 1996, 90; Shockley 2011, 276).¹⁶ Conservative Republicans who called for the NEA to be eliminated—on the grounds of budgetary responsibility, elitism in the grantmaking process, and, of course, funding controversial art—now had the power to act (Miller 2000, 1438; Bauerlein and Grantham 2009, 116; NEA 2000, 54; 104 Cong. Rec. H 3855 (1995)). Many congressional supporters of the NEA were quick to counter Republican calls to defund the agency. They pointed out that the elimination of the NEA would do little to relieve the national deficit as its annual appropriation accounted for one one-hundredth of the federal budget and cost each American about 65 cents.¹⁷ Moreover, defenders pointed out that only 0.04% of NEA grants resulted in controversy and were economic multipliers (142 Cong. Rec. S.1295, 1995; 142

¹⁶ The elimination of the NEA was described as “a trophy on their [Republicans] wall” (104 Cong. Rec. S11980 (1995); Shockley 2011, 276). Representative David Dreier (R-CA) aptly describes Republican House members sentiment about the NEA as they rose to power in Congress, “Many of us have tried for a number of years to delete taxpayer funding of the National Endowment for the Arts, and that is obviously one of the major items of real controversy here.”

¹⁷ NEA congressional supporters—like Representative Sanders (D-VT), Senator Frank Lautenberg (D-NJ), and Senator Dale Bumpers (D-AR)—found deficit reduction an especially unconvincing argument for elimination when Republicans proposed spending bills that appropriated The Department of Defense billions of dollars more than requested (104 Cong. Rec. H 6925 (1995); 104 Cong. Rec. S11987 (1995)).

Cong. Rec. H. 7034 (1995)). The stage was set for the Republican electoral victory to “reverse a 30-year tradition of bipartisan support” that defined much of the NEA’s history and further destabilize it (Shockley 2011, 274; Brademas 1996, 41).

While congressional supporters, especially Representative Sidney Yates (D-IL), defended the NEA’s budget during its years of controversy, it still declined by 7.7% from \$175.9 million in FY1992 (the agency’s largest appropriation ever until FY2022) to \$162.3 million in FY1995 (National Endowment for the Arts, n.d.).¹⁸ With a Republican majority in Congress, NEA faced a difficult 1996 reauthorization and appropriations process that proved to be its biggest crisis yet. The agency was the focal point of the Department of the Interior and Related Agencies Appropriations Act and became the subject of considerable and raucous debate. Much like the unprecedented media attention the agency received during the Mapplethorpe and Serrano crises, Congress paid a disproportionate amount of attention to the agency during this time. By comparison, agencies with far larger budgets were not subject to the same scrutiny as the NEA. It signaled that the NEA was still in the eye of a storm, and gave the agency more to fear than celebrate as it marked its thirtieth anniversary.

¹⁸ During this time, the NEA’s budget diminished due to continued Republican attacks—which proposed much steeper budget cuts each fiscal year—and the Clinton administration’s focus on deficit reduction (Moen 1997, 197; Gray and Jenkins 2021, 1556).

F. 1996 Budget Crisis

The new Speaker of the House Newt Gingrich (R-GA), buttressed by the new Chair of the House Appropriations Interior Subcommittee, Environment, and Related Agencies, Ralph Regula (R-OH), strategically advanced legislation intended to severely weaken and eventually eliminate the NEA (Gray and Jenkins, 1556; Bauerlein and Grantham 2009, 116).¹⁹ Republicans advanced three main proposals: introduction of block grants to states or increased state pass-through funding; privatization of the NEA; and elimination of the NEA (104 Cong. Rec. H 3855 (1995); 104 Cong. Rec. S. 11980(1995); 104 Cong. Rec. H. 6925 (1995)). The basis for both of these proposals was, as Speaker Gingrich said, Republicans' opposition to "self-selected elites using your tax money and my tax money to pay off their friends" (Pear 1995). To him, and many other conservative Republicans, the NEA symbolized cultural elitism and, in the throes of the culture wars, an attempt by liberals to advance their values and dominate society (Best 78). Of course, some Republicans, as well as their allies at the American Family Association and Christian Action Network, continued to raise the point that the NEA's funding of "offensive" and "immoral art" was grounds for the above proposals as well, but the argument had become less popular over time (Trescott 1995; Pear 1995).

¹⁹ At the first House Appropriations Interior Subcommittee hearing Chair Regula "set the symbolic tone for the committee's new Republican majority" calling "witnesses from four conservative public policy groups whose main role in the past had been to criticize spending" and who "offered their usual list of spending cuts, with proposals to eliminate the National Endowment for the Arts..." While in the past these testimonies were largely shrugged off, this time "their suggestions did not appear to be dead on arrival." (CQ Almanac 1995).

In the end, moderate Republicans won with a bill sponsored by Representative Bill Gooding (R-PA) that stated “the encouragement and support of national progress and scholarship in the arts and the humanities is primarily a matter for private and local initiative” and proposed repealing the National Foundation on the Arts and the Humanities Act of 1965 in 1998 (104 Cong. H.R.1557 (1995)). It was amended to include a budget of \$97.5 million in 1996, and a two-year reauthorization (104 Cong. H. Rept. 104-170 (1995)). This approach was known as the "glide path" as it provided “the NEA three years to line up alternative funding for its programs” and compared to other Republican proposals was relatively tame (Best 1995, 78).²⁰ It was expected that the NEA could continue on after 1998 as a non-governmental foundation with a diverse portfolio of private funds.

There was considerable opposition to the House’s bill from both the White House and Senate. President Bill Clinton, who came to the defense of the NEA several times, requested \$136 million for it in FY1996 and threatened to veto a bill that eliminated or funded it at a lower amount (Gray 1997; Bauerlein and Grantham 2009, 123). In the Senate, where the NEA has historically enjoyed more generous funding proposals compared to the House, Senator James Jeffords (R-VT) proposed a bill with an appropriation of \$153.9 million dollars and

²⁰ Various other activities and proposals from Republicans in the House and Senate included: 1) Cliff Stearns (R-FL) proposed a two-year phase out and that the NEA receive “only those funds necessary for the agency to close its door with all deliberate speed” (104 Cong. Rec. H 7030 (1995)); 2) Speaker of the House Newt Gingrich’s proposed to replace the NEA with equivalently funded state block grants which passed the House with a 217-to-216 vote (Bennett 2017, 190; National Endowment for the Arts 200: 54; Gray 1995); 3) Phil Crane (R-IL), a long-time critic of the NEA, proposed immediate elimination of the NEA (104 Cong. H. R. 209 (1995)).

reauthorization for five years (104 Cong. S.856 (1995);104 Cong. S. Rept. 104-135 (1995); Moen 1997, 187). The higher proposed appropriation was justified by the inclusion of several key articles that drastically altered the NEA's grantmaking and administrative operations.²¹ A joint House and Senate Committee eventually reached a compromise bill closer to the House recommendation that reduced NEA funding by 40% to \$99.5 million dollars and retained the aforementioned key articles (Best 1995, 78). Reportedly, Democrats in support of a larger appropriation knew they were in a losing fight. Senator Dale Bumpers (D-AR) felt it was a futile effort saying, "I knew if I chose the NEA, I would lose" (Trescott 1995). Needless to say, the significant drop in appropriations was a devastating blow to the NEA, especially after decades-long declines in its budget (Miller 2000, 1436).

The FY1996 budget cuts triggered a major restructuring of the NEA and led to a 47% reduction in staff (NEA 2000, 54; Bauerlein and Grantham 2009, 118; Shockley 2011, 276). With reduced budgetary and staff capacity, the agency also braced its constituency for the allocation of fewer grants—the number of grant awards dropped from 4,000 in 1995 to 1,100 in 1997 (Bauerlein and Grantham 2009, 124). While the NEA keenly felt these impacts, the most serious consequences of the appropriations and reauthorization process were the congressionally mandated as well as NEA initiated policy changes that altered

²¹ Senator Jeffords explained the Senate's approach to the NEA to the appropriations process "...We.. changed the law such that the chance of having the American public offended by grants for projects that they consider less than acceptable is totally eliminated. ...The current law prevents the kinds of grants that have, in the past, caused a great deal of trouble." (104 Cong. Rec. S.11980 (1995)).

the NEA's grantmaking and administrative operations. These new policies included:

- Elimination of individual artist fellowships with the exception of the literature fellowships (Bauerlein and Grantham 2009, 119; NEA 2000, 54);
- Revision of grantmaking from 17 discipline-based programs to four interdisciplinary programs: Heritage and Preservation, Education and Access, Creation and Presentation, Planning and Stabilization (Bauerlein and Grantham 2009, 119; NEA 200, 54);
- Creation of a "combined arts panel" with the responsibility of providing an additional layer of grant application review (Bauerlein and Grantham 119; National Endowment for the Arts 1995, 3);
- Limit of one application per organization (National Endowment for the Arts 1995, 3);
- Prohibition of awarding general operating support, only project support to organizations is allowed (NEA 2000, 54; National Endowment for the Arts 1996: 5; Bauerlein and Grantham 2009, 120);
- Prohibition of awarding grants to a project that "depicts or describes sexual conduct in a patently offensive way" (104 Cong. R. S11980 (1995); Best 1995, 79); and
- Restriction of subgrants to third party organizations (except for regional, state, and local arts agencies), artists, and seasonal support grants (NEA 2000, 54; National Endowment for the Arts 1995, 3).

Unsurprisingly, these changes, especially those to the grant program design, were not warmly welcomed by NEA staff and its constituents. The new structure had "a project by a symphony orchestra...compete against one by a dance company or literary magazine for funding," which was troublesome to staff and a field that specialized in specific arts disciplines (Kimbis 2007, 139; NEA 1996, 5). Organizational constituents were panicked about losing the NEA's financial support, which some had become greatly accustomed to, and felt "the NEA is

more about these four themes and less about art” (Kimbis 2007, 140). They also forecasted that the NEA would prioritize grants to organizations with innocuous, not excellent and creative, projects (Best 1995, 80; Kimbis 2007, 141). Of course, artists were the most affected with the revocation of fellowships which “would remain an ongoing point of controversy in the artistic community for the next decade” (Bauerlein and Grantham 2009, 119)

In the NEA’s 1995 annual report, Chair Jane Alexander acknowledged the need to streamline and reinvent the agency as the past year brought, “fundamental change... [that] moves [it] toward a more integrated consideration of the impact that art has on communities” (NEA 1995, 3). It was clear that the controversy of the past six years caught up with the agency and required it to establish a new public image if it were to survive (Kimbis 2007, 143; Best 1995, 79). The NEA had long struggled to balance its dual charges of promoting artistic quality and public access to the arts, and was regularly criticized for prioritizing the former in its grantmaking. Moreover, the agency had a reputation for being elitist . The 1995 policy changes represented the agency’s move towards a new constituency, the public (Shockley 2011, 279; Zeigler 1994, 90; Wyszomirski 1996, 41). The Director of OPERA America, Marc Scorca, and an annual recipient of NEA grant awards, described the transition as, "now the NEA is...less about art. The agency seems to be avoiding a perception of being elitist or risky. Politically, these themes [the four new grant programs] make the NEA seem more stable, a less-threatening institution..." (Kimbis 2007, 141). The move to fund public purposes instead of artistic disciplines showed an acute

understanding of the political reality that, “funding is an outcome of public support, and public support is evoked by serving public purposes” (Wyszomirski 1996, 41). Simply put, the NEA could no longer afford to be seen as only serving its historic, core constituencies in the arts and needed to be seen as benefiting all Americans.

The elimination of arts fellowships, except for literature fellowships, was, arguably, the most remarkable congressional mandate in 1996. It marked a definitive end to the elevated role artists enjoyed in government in the 1960s that in-part led to the creation of the NEA (Zeigler 1994, 90). The country had come a long way since President John F. Kennedy said, “I see little of more importance to the future of our country and our civilization than full recognition of the place of the artist” (“Remarks at Amherst College” 1963). The fellowships were seen as the wellspring of controversy across the NEA’s thirty year history. Those who advocated for the end of artist fellowships believed artists were best supported by private foundations that operated under different content restrictions than the federal government.²² Furthermore, the elimination of individual artist grants would prevent further “embarrassment” to the federal government and controversy over offensive art (Garment 1995; 104 Cong. Rec. S.11982 (1995)).

In truth, artist fellowships were largely misrepresented, and as Representative Esteban Torres (D-CA) said, were “the targets of the revolutionaries from the GOP” ((104 Cong. Rec. H. 7036 (1995)). While

²² At the time, *Finley v. NEA* was still ongoing leaving the question of the public funding of freedom of expression undecided. Congress had just passed additional content standards and there seemed to be a growing consensus that public funding did not come with unlimited rights to artistic freedom.

controversy did surround artist fellowships, organizational grants were just as much of a problem. The Mapplethorpe and Serrano crises were over grants awarded to the University of Pennsylvania's Institute of Contemporary Art Institute and The Southeastern Center for Contemporary Art, not the artists. This point was lost on Congress and the public causing endless frustration for the NEA's Chair Jane Alexander as she advocated to keep fellowships for individual artists (Zeigler 1994, 95). They were simply an easier target for elimination because their beneficiaries were weak and often negatively characterized in mainstream media, which was sometimes based on their identities and lifestyles as marginalized people. Often, these identities and lifestyles of NEA funded artists, who were more likely to see their work as political, often stood in opposition to conservative values (Miller 2000, 1433; Zeigler 1994, 96; Jeffri 1991, 113; Dubin 1992, 2). Senator Jesse Helms' homophobic attacks on the NEA serves as an outstanding example. His 1990 Helms Amendment equated "obscene as indecent materials" with homoeroticism and later referred to some artists as "homosexual or otherwise perverse mentalities" and "human cockroaches" (Coyle 1998, 357; Cummings 1991, 67). Artists' independent existence at the periphery of society was no longer seen as an asset, but a burden and risk for the NEA. Defunding artist fellowships was the price the agency paid to save itself.

III. Political Science Literature Review

This review of political science literature will describe and summarize key theories and concepts that will be applied to the federal arts policy subsystem. The chapter will first discuss two topics that are foundational to the author's original research on the events described in the last chapter: political polarization and Baumgartner and Jones' punctuated-equilibrium theory (PET). The author proposes that the latter can be applied to a new policy domain, federal arts policy, to understand why there was a sudden, drastic change in American federal arts policy between 1989-1995. The chapter will then provide more detailed information about political science concepts central to PET and its application to federal arts policy in this dissertation: policy images, issue frames, problem definitions, agenda-setting, visibility and scope. It will conclude with an investigation of how the arts are understudied in political science literature and the implications of gaps in knowledge for the dissertation.

1. Political Polarization

What people often miss is that polarization is not a soloist, but part of an ensemble, partnered with many other fundamental changes in American society and economy (McCarty, Poole, Rosenthal 2016, 22).

Political polarization is the clear division of politics into staunchly liberal and conservative camps. It is often associated with the disappearance of political moderates and the alignment of ideology with partisanship in which "conservative and liberal have become almost perfect synonyms for Republican and Democrat" (McCarty, Poole, Rosenthal 2016, 4; Dimock et al. 2014, 18). Political polarization

is not new; in fact, scholars have documented its ebb and flow in America since the Civil War (McCarty, Poole, Rosenthal 2016, 44). For the purposes of this dissertation, I will provide a brief history of polarization since the 1960s, the decade in which the NEA was birthed, until the mid-1990s, when the NEA endured severe changes, to provide important context for the examination of the punctuation of federal arts policy. While the discussion below will focus primarily on political parties, there are other “engines of polarization” in America: technological and content changes to the media landscape, shifts in the demographic and geographic characteristics of party members, income inequality, and more (Walter 2006, 6; DeSilver 2022; Hare and Poole 2014, 417).

In the 1980s, American federal arts policy was increasingly studied by a small number of political scientists who were alarmed by increasingly partisan support of the arts that signaled trouble for the NEA in the near future (Weaver 1988, 53; Wyszomirski 1988a, 28-29; Gray and Jenkins, 1559). The “partisan bent” of federal arts policy support meant that some Democrats rallied around the NEA while most Republicans grew increasingly dissatisfied and suspicious. Over the decade, these positions grew further apart as an increasing number of House Republicans voted not to reauthorize the NEA as well as found fault with several of the NEA’s grant awards (Moen 1997, 191).

Polarization is now an accepted fact of life in America and bemoaned by the media, politicians, and society at large as a threat to the nation’s wellbeing. It might seem unbelievable from the perspective of contemporary America, but it was only a few decades ago that polarization was not a part of everyday life. In

the 1960s, politicians and pundits didn't worry about polarization, but instead, very high levels of consensus and bipartisanship. At the time, it was believed that the lack of distinction between political parties "stifled progress while blurring accountability to voters" (Rosenfeld 2018, 5; Brennan 1995). Political advisors, political scientists, and other pundits (including the influential E.E. Schattschneider) believed that the solution was for political parties to become nationalized institutions with discernible party agendas. The effect would be highly influential on political actors for decades as they worked to realize "a sorted and defined party system" (Rosenfeld 2018, 5, 267).

There were important events in the 1960s that sowed the seeds of political polarization. The first was the passage of the 1964 Civil Rights Act and the 1965 Voting Rights Act which led to the "southern realignment," wherein Southern whites began voting en masse for Republican candidates (Hare and Poole 2014, 415). The other was the reinvention of conservative Republicans. At the beginning of the 1960s conservative Republicans were divided and weak, but eventually grew stronger through new alliances and "develop[ing] their own organization within the [Republican] party" (Brennan 1995). The coalition building and planning that conservative Republicans began in 1960 would have incredible long-term impacts on the political party and polarization.

By the 1970s, bipartisanship began to expire and both political parties became "more ideologically consistent and, as a result, further from one another" (Dimock et al. 2014, 19). This was not accomplished without the monumental efforts of activists, reformers, and politicians from both political parties (Rosenfeld

2018, 4, 267; McCarty, Poole, Rosenthal 2016, 292). The Republican party was especially deft at investing in winning strategies during this time. Their “southern strategy,” an appeal to southern states and suburbia that used language “based on coded racism,” as well as the creation of party-aligned think tanks resulted in massive long-term gains.²³ The Republican party also saw their “message of lower taxes and more limited government resonate with an increasing population of affluent voters” thanks to issue polarization, as the Democrat’s New Deal message withered (McCarty, Poole, Rosenthal 2016, 292; Theriault 2013, 21; Roberts and Smith 2003, 306). These strategies were instrumental in the Republican party’s rightward move in the 1970s (Grohsgal and Kruse 2019; Fagan 2020, 23). The emergent dissonance between the two parties grew as America experienced deep divisions over the Vietnam War and a struggling economy with a large budget deficit (McCarty, Poole, Rosenthal 2016, 44; Roberts and Smith 2003, 306). These events set the stage for modern party politics and the exponential growth of polarization over subsequent decades (Theriault 2013, 36; Fagan 2020, 23).

During President Reagan’s two terms, polarization accelerated as congressional party leaders on both sides of the aisle began to “coordinate legislative behavior and articulate coherent programmatic positions that set them starkly apart from their predecessors” (Rosenfeld 2018, 268; Roberts and Smith

²³ The realignment of the South led to the substantial increase of Republican House Representatives starting in the 1970s. In the 1960s 10% of southern representatives were Republican, by the 1970s the proportion doubled to over 20%, and in the 1980s, over one-third of southern representatives were Republicans (Roberts and Smith 2003, 306). The Heritage Foundation, Cato Institute, and Manhattan Institute were created in the 1970s and proved to play an important role in Republican politics and strategy (Fagan 2020, 29).

2003, 307). By the end of the 1980s, a “new kind of ‘party period’ was ushered into American politics” by the efforts of leaders in both parties, but especially Representative Newt Gingrich (R-GA) (Therault 2013, 25; McCarty, Poole, Rosenthal 2016, 66; Rosenfeld 2018, 267).

The success of Republican strategy in the 1970s, paired with the election of President Ronald Regan, prompted Democratic party leaders, especially in the House, to employ more aggressive tactics. House Speakers Thomas "Tip" P. O'Neill (D-MA) and Jim Wright (D-TX), tightened “their procedural grip over the agenda” to try and bring more cohesion to House Democrats (Roberts and Smith 2003, 307, 315; Rosenfeld 2018, 268). While their efforts were only moderately successful, the Democratic party moved further to the left in the mid to late 1980s (Roberts and Smith 2003, 306).

Representative Newt Gingrich, dubbed “the most skillful practitioner of the politics of polarization,” blazed a new trail for the Republican party by embracing polarization (Roberts and Smith 2003, 307; Rosenfeld 2018, 268). His tone and style embodied a growing sentiment among conservative Republicans that favored confrontation over compromise to advance the Republican agenda (Therault 2013, 22; Rosenfeld 2018, 270). Under the banner of the Conservative Opportunity Society (COS)—a group of newly elected, conservative House Republicans—and then GOPAC—a Republican state and local political training organization—Gingrich used several legislative strategies to recruit congressional candidates and improve their chances of winning elections (Therault 2013, 24). These strategies ranged from the "rule or ruin" strategy,

which called for Republicans to oppose Democrats legislative efforts to differentiate the two parties, to the recruitment and financial support of Republican congressional candidates (Roberts and Smith 2003: 307). By the end of the 1980s, Gingrich was elected the Minority Whip and, by the end of the decade, his strategies became the mainstream of the party (Theriault 2013, 25). Lastly, the Republican party was at the forefront of mobilizing and coordinating interest groups, especially those of the Christian right, leading to the “near-complete convergence of ideological advocacy with partisan politics” in the 1980s (Rosenfeld 2018, 274).

In the 1990s, polarization was rampant and favored Republicans who continued to move rightward—their reward was the party’s control of Congress for the first time in 40 years. Democrats’ leftward move stalled as they sought to improve electoral results by adapting a centrist agenda policy. The result was a hostile political climate towards social policy and spending that contributed to dramatic changes to welfare programs. Overall, politics during this time reached new heights of gridlock, animosity, and extremism (Dimock et al. 2014, 18).

Democrats continued to be on the defensive in the 1990s thanks to the breakdown of the New Deal political order and strategic gains made by Republicans. Democrats sought to improve their electoral prospects by reforming their image on issues like taxes, crime, and welfare policy (Soss and Schram 2007, 112). The result was the emergence of the New Democratic movement that “advocated centrist positioning on cultural and foreign policy issues and neoliberal approaches to economic and fiscal policy in contrast to the liberal

agenda of the party's congressional base" (Rosenfeld 2018, 275). Democrats in particular sought to redefine their relationship to welfare programs, namely Aid to Families with Dependent Children (AFDC) that was discredited and tainted by Republicans (Soss and Schram 2007, 113). Democrats attenuated their move to the left in favor of centrism; the party did not resist the strong rightward pull of the Republicans party (McCarty, Poole, Rosenthal 2016, 61). In fact, the party has "not been able to move further left than where the party was in the 1960s" (Hare and Poole 2014, 417).

While Democrats bet on centrism, Republicans bet on conservatism, and it paid off. In the 1990s, Republican polarization peaked with the proliferation of Representative Gingrich's strategies on the right side of the aisle in both houses (Roberts and Smith 2003, 306, Theriault 2013, 31). The sum of these strategies was an ambitious undertaking, the Republican congressional takeover, or Republican Revolution, of 1994. Leading up to the 1994 national midterm election, Representative Gingrich convened House Republicans to articulate a common policy agenda that became the Contract with America, "a pledge to communicate our [Republican] vision of America through clearly defined themes, programs, and legislative initiatives" (Rosenfeld 2018, 271). The Contract with America included ten policy items that House Republicans promised to take on in their first 100 days in office. For the purposes of this dissertation, there were three noteworthy policy items in the Contract with America:

- Fiscal Responsibility Act that called for a balanced federal budget;
- Personal Responsibility Act that promised to cut welfare spending; and

- Family Reinforcement Act that proposed stronger child pornography laws (Schram 1997, 64).

The Contract with America employed proven conservative narratives and images that resonated with voters, like the dangers of an inefficient, inflated government and the importance of personal responsibility (Schram and Neisser 1997, 8, 12; Schram 1997, 65). The Contract with America gained a massive amount of attention in the lead up to the 1994 midterm election, with all but two House Republicans running for office in 1994 signing it (Rosenfeld 2018, 271; Theriault 2013, 27). The election itself was a major upset with Republicans winning control of the House of Representatives and Senate for the first time in 40 years. As the Republican party ascended, Representative Gingrich did as well and became Speaker of the House. It signified the transformation of the House of Representatives “into an image very much like that personified by Newt Gingrich and his supporters” (Theriault 2013, 22). Thanks in large part to Gingrich, Republicans remained the majority in both the House and Senate for the rest of the 1990s.

2. Punctuated-Equilibrium Theory

In sum, the American political system is a mosaic of continually reshaping systems of limited participation (Baumgartner and Jones 2009, 6).

Frank Baumgartner and Bryan D. Jones are the architects of punctuated-equilibrium theory (PET) in the political science field and introduced their first work on the subject in 1989. Their seminal book *Agendas and Instability in American Politics* presented a generalizable theory that “the course of public

policy in the United States is not gradual and incremental, but rather is disjoint and episodic” which built on the work of Emmette Redford, Rodger Cobb and Charles Elder, John Kingdon, and E. E. Schattschneider (2002: xvii). A core idea of PET is that political institutions and systems, like people, have limited attention spans and ability to make rational decisions that result in the best course of action. Generally, political institutions, like Congress, employ serial processing and are only able to address a small number of issues at one time. The policy issues that rise to the attention of political institutions and the public are those that are questioned in public discourse and incite conflict; policy issues that are not questioned tend not to receive attention (Baumgartner, Jones, Mortensen 2014: 59, 63). Policy arenas tend to be left alone for long stretches of time during which only small adjustments are made, but when they are questioned, policy change can be great and occur suddenly before dying down. This is known as policy punctuation—a unique event in a policy arena that has long-lasting impacts on policymaking and policy outcomes. It is only possible to observe these periods of calm and turmoil over the course of years and years with longitudinal studies (Baumgartner and Jones 2009, 47).

The locus for policymaking in a policy area, subsystems, are a major focus of PET. The theory also identifies two parts of policymaking that can induce attention and conflict, thereby reinforcing stability or creating instability, in a policy area: issue definition and agenda setting (Baumgartner and Jones 2009, 5, 16, 43; Baumgartner, Jones, Mortensen 2014, 59). The role that these three concepts play in PET will be discussed in detail in this section and subsequent

sections will provide additional information about issue definition and agenda setting.

A. Subsystems

Subsystems are central to American politics as they allow for parallel processing of policy issues. Policy subsystems are decentralized locations of decision making in government, organized around specific policy issues, where structural arrangements benefit “players in positions” and “ad hoc players:” leadership of peak associations, members of Congress, subject matter experts, and media (Allison and Zelikow 1999, 296; Birkland 2001, 269; Baumgartner and Jones 2009, xviii, 3; Baumgartner, Jones, Mortensen 2014, 67). Subsystems are like mycelium; there is a vast network of them and they thrive when they are out-of-sight and undisturbed. Schattschneider referred to subsystems as “systems of limited participation” because a small group of appointed, not elected, specialists are believed to be uniquely qualified for their roles, thereby discrediting and precluding the involvement of outsiders (Baumgartner and Jones 2009, 7; Cobb and Elder 1972, 5; Elder and Cobb 1983, 130). Subsystems tend to mobilize elite biases in the policymaking process so that subsystems not only generate policies, but shape the policymaking process (Schattschneider 1975, 71; Cobb and Elder 1972, 89; Baumgartner and Jones 2009, 16).

I identified three political scientists studying arts policy who recognized the emergence and existence of a national federal arts policy subsystem, issue network, or iron triangle. Margaret J. Wyszomirski—arguably the leading and

most prolific political scientist who studied federal arts policy—made a case that there was first an iron triangle and subsequently an issue network as American federal arts policy matured over the decades (Weaver 1988, 56, 131; Shockley 2011, 268).²⁴ Most importantly, she describes the policy community as a monopoly that “institutionalizes value consensus and uses it to legitimize policy purposes, to operationalize issue definitions” and “discourage the participation of ‘outsiders’ who may not share their values or interests” (Wyszomirski 1999, 3). Additionally, one political scientist, Gordon E. Shockley, employed both PET, albeit in a more limited manner than this dissertation, as well as Peter Hall’s “three orders of policy change” to examine policy change at the NEA in the 1990s. While Stockley’s paper does not discuss subsystems by name, he indirectly refers to them (Shockley 2011).

B. Harbingers of change: policy images and agenda setting

Subsystems rely on both formal and informal rules as well as positive policy images to keep outsiders at bay, and in turn, maintain stability (Allison and Zelikow 1999, 22). Elites gain control over a subsystem by convincing others that they offer “a solution to a long-standing policy problem” and maintain it with a positive policy image (Baumgartner and Jones 2009, 8; Cairney 2020, 152). A

²⁴ The iron triangle has been described by Wyszomirski, Weaver, and Shockley as including “the agency, its congressional oversight and appropriations committees, and the organized arts constituency” (Wyszomirski 1988: 125; Weaver 1988: 56; Shockley 2011: 270). However, it seems that one piece of the iron triangle is missing: congressional committees. There is no dedicated congressional committee for arts policy. The NEA traditionally only interacts with Congress only during the authorization and appropriations process. Weaver even writes “the link between the endowment and Congress is tenuous” (Weaver 1988:41). In sum, it seems there is reason to question whether the arts policy arena was ever truly an iron triangle.

lack of competitive elections, low visibility, and the general public's apathy towards a policy arena also help elites control a subsystem. These conditions "systematically dampen pressures for change" in a subsystem, also known as a negative feedback process, and result in voluntary, incremental policy change (Baumgartner, Jones, Mortensen 2014, 64). It is known as an "institutionally induced equilibrium" or partial equilibrium because decision making is limited to a small group of elites who share a common set of preferences and values. A partial equilibrium is "profoundly undemocratic" because institutional structures prevent broad participation, like voting, in a policy arena (Baumgartner and Jones 2009, xviii, 17-18).

However, subsystems can be punctuated when elites lose control over positive policy images and venue (Baumgartner and Jones 2009, 16, 37-38; Kingdon 1995, 80). If policy entrepreneurs successfully champion a competing policy image, they can incite conflict and disrupt the status quo, thereby gaining control of the subsystem's agenda (Allison and Zelikow 1999, 280). If conflict expands, the previously "uninterested" are mobilized so subsystem elites are "forced to share power with agencies or groups that gain new legitimacy;" the subsystem experiences instability as it moves away from elitism and towards pluralism (Baumgartner and Jones 2009, 39; Baumgartner, Jones, Mortensen 2014, 64). At this time, it is likely that the subsystem will experience positive feedback, a period in which changes are reinforced or amplified, further driving instability. It can culminate in a macro-political intervention that drastically alters subsystem politics and "operating rules" creating a new partial equilibrium

(Baumgartner and Jones 2009, 21; Baumgartner, Jones, Mortensen 2014, 60, 65).

3. Persuasive Stories: Policy Images, Issue Frames, and Problem Definitions

Language is essential to understanding, argument, and individual group expression, which all figure into the definition of social problems for public attention. If policymaking is a struggle over alternative realities then language is the medium that reflects, advances, and interprets these alternatives (Rochefort and Cobb 1994, 9).

Language is at the heart of policymaking: it animates ideas, values, and perspectives that influence how the public and media view problems, policies, and proposed solutions. In fact, policies themselves are narratives or literature that tell important stories to the public, media, and policymakers. Narrative stories and symbols, like in so many policy topic areas, are essential to understanding why and how federal arts policy changed in the 1990s. The NEA itself even became an important symbol employed in the discussion of federal arts policy. The agency was a shorthand for a host of things: the arts and culture sector, the role of public funding for the arts in America, and, of course, federal arts policy. Moreover, narrative stories and their close relations—policy images, issue frames, and problem definitions—were the front lines for the political battles over the NEA. As was made clear in the discussion of PET, language is an important tool for policy change that can either incite or dampen conflict, especially when it resonates with deeply held values and beliefs.

A. Narrative Stories

Narrative stories abound in politics. These stories explain how the world works, “mediate reality,” and do not need to be factual (Schram and Neisser 1997, 2, 5; Stone 2012, 158; Schneider and Ingram 1997, 3). Like any other narrative, these stories have a “beginning, middle, and end, involving some kind of change or transformation” as well as “heroes and villains and innocent victims, and they pit the forces of evil against the forces of good” (Stone 2012, 158). They employ symbols, metaphors, tropes, stereotypes, and other devices to convincingly communicate a narrative to intended audiences (Schram and Neisser 1997, 4; Stone 2012, 159). The language and visuals of these stories are powerful tools for advancing one’s story or stymieing an opponent’s story.

Deborah Stone described two common narrative stories told in politics—stories of change and stories of power. The former are about the decline or rise of an issue over time and imply that action needs to be taken to reverse the trend before a problem gets worse. For example, a policymaker could tell a story of how crime rose over several years and now presents a threat to public safety that must be addressed by a prescribed action before it gets worse. Stories of power are about control or helplessness and often focus on liberty and choice, especially if someone or some organization has the ability or decides to control something in particular. For example, a policymaker might urge governments to take more control over human causes of climate change, like regulating business and activities, in order to prevent crises (Stone 2012, 158, 166). These two types of stories were told by opposing sides in the conflict over

the NEA—the story of decline was a particularly effective narrative and rallied significant support among NEA detractors.

B. Symbols

Symbols are “anything that stand for something else,” like “an organization, set of ideas,” and are communicated through “words, songs, pictures, logos, and events” (Stone 2012, 157; Elder and Cobb 1983, 29). While meaning is collectively bestowed onto symbols, agenda-builders often use symbols to persuade or control citizens by capturing and communicating relevant ideologies and values (Stone 2012, 160; Elder and Cobb 1983, 31). Symbols link citizens to political parties, institutions, and other groups with common beliefs or identities as well as spur collective action (Elder and Cobb 1983, 1, 29). Since symbols are ripe in narrative stories, it is no surprise that they are often used by agenda-builders to incite or suppress political conflict (Soss and Schram 2007, 114; Elder and Cobb 1983, 16; Stone 2012, 160). When these agenda-builders find it politically advantageous, like at a focusing event, they may create or repurpose symbols for their own ends (Elder and Cobb 1983, 31).

C. Policy Images

Policy images are a “mixture of empirical information and emotive appeals” that define a policy problem and justify government action (Baumgartner and Jones 2009, 25; Rochefort and Cobb 1994, 184; Walgrave and Varone 2008, 367). They are associated with a venue and constructed by political and media elites (Baumgartner and Jones 2009, 7, 25; Schön and Rein

1994, 29). These agenda-builders construct policy images with the intent of achieving dominance, so they can win “problem ownership” giving them control over causes and solutions (Rochefort and Cobb 1994, 5,14, 191; Baumgartner and Jones 2009, 25; Pal 2014, 239; Frameworks Institute 2002, 14). By extension, this means that elites, especially from different venues, can create competing images to invoke conflict over a particular policy area as a strategy for gaining, and eventually exercising, power over the policy arena.

D. Issue Frames

Frames are internalized “organizing principles” that meaningfully structure how individuals see the world from “the goals we seek, the plans we make, the way we act, and what counts as a good or bad outcome of our actions” (Frameworks Institute 2002, 2; Lakoff 2014, xii). Frames are tacit, so deeply ingrained that they are exempt from attention or reasoning and constitute “what counts as a fact” (Schön and Rein 1994, 23). If individuals are presented with new facts they will most likely interpret them so they are consistent with these frames; if the facts are contradictory to these frames, it is likely they will legitimize frames over facts since the frames support their existing worldview (Elder and Cobb 1983, 11,13; Soss and Schram 2007, 122). It is therefore unsurprising that when two competing issue frames clash “disputes are resistant to resolution” and conflict can ensue (Schön and Rein 1994, 23).

Four best practices for effectively framing an issue were identified across the work of George Lakoff, Roger Cobb, Shanto Iyengar, Charles Elder, and

David Rochefort and are considered here.²⁵ The first practice of effective issue framing is to use “high-level frames” with emotive appeal. High-level frames, like freedom, justice, responsibility, and community, are compelling because they resonate with people’s identities, values, and worldviews which inform reasoning (Frameworks Institute 2002, 2,5; Cobb and Elder 1972, 56, 58; Rochefort and Cobb 1994, 188). An effective frame will also assign or imply a cause of a problem and, therefore, the solution. An agenda-setter must choose if the frame is episodic, which indicates individual responsibility, or thematic, which indicates societal or governmental responsibility (Iyengar 1991, 15). Language or word choice is critical as it needs to evoke the ideas and emotions that underpin the fame (Frameworks Institute 2002, 2,5; Lakoff 2014, 2). “Right to work,” a policy that supposedly gives workers a choice about becoming labor union members, for example, clearly evokes high-level frames like fairness, justice, and freedom. Another best practice is to develop a frame consistently over time ensuring it is sticky. That is, people need time for language and ideas to take root so that they can be easily activated by an issue frame; a clever slogan will not change minds or hearts (Lakoff 2014, 33). Lastly, Lakoff offers one of the most important things to do: ignore your opponent’s issue frame. Do not even criticize your opponent’s frame as it will only strengthen it at the expense of your own frame (2014, xii, 1).

²⁵ Schön and Rein posit a model of frame choice in four criteria: 1) ethical evaluation, 2) parsimony of chains of inference, 3) coherence or “to what extent does framing of the policy situation integrate a large number of disparate values and beliefs into a single, self-consistent perspective that ‘makes sense’,” 4) utility: “to what extent does framing the situation suggest interventions that will plausibly achieve our purposes?” (Schön and Rein 1994, 44). These largely do not overlap but are with the list of items above that describes what makes an effective frame. It is an instructive example of additional items to consider when studying issue framing.

E. Problem Definition

A key part of agenda-setting is problem definition, the process of articulating and interpreting causes of problems, formulating solutions, and presenting the best means for implementation (Rochefort and Cobb 1994, 6,15). Problem definition is “pervasive, constant, and central to political maneuver, a linguistically generated process that creates concerned groups [and] pits them against one another for varying time periods” (Edelman 1988, 20). It is inherently contentious as competing problem definitions represent “conflicts over meaning” and gain definition by their comparative differences to other problem definitions (Edelman 1988, 15, 104). Importantly, problems must be seen as conditions that the government can do something about in order to find a place on any policy agenda (Birkland 2001, 106, 270; Stone 1989, 299; Cobb and Elder 1972, 14, 86).

Problem definition is a “perceptual, interpretive” and “contestable” process because it is based on values, social norms, expert advice, and advocacy (Kingdon 1995, 11; Rochefort and Cobb 1994, 11-17; Birkland 2001, 106; Frameworks Institute 2002, 13; Dery 2000, 40; Rochefort and Cobb 1994, 4). It is advantageous to define problems so that they reinforce overlapping conventional social cleavages, or recognized social “problems,” which, as needed, can either build coalitions or introduce tension and conflict into the policymaking process (Edelman 1988, 20, 182; Rochefort and Cobb 1994, 5). If agenda-builders are successful, their problem definition will be used to set an agenda and bring change or stability to a subsystem. If they are unsuccessful, there could be

competing problem definitions that alter or replace their preferred one which will upend the policy agenda (Rochefort and Cobb 1994, 6; Kingdon 1995, 115; Baumgartner and Jones 2009, 16).

In *Old Pictures in New Frames: Issue Definition and Federal Arts Policy*, Elizabeth Strom and Angela Cook study issue definition in American arts policy since the establishment of the NEA. They find that issue definition in arts policy changed significantly over time “in response to shifting political currents, to the changing arguments of their adversaries, and to the opportunity to form alliances with new partners” (2004, 505). Arts advocates shifted from making intrinsic valuation arguments that focused on “the intangible, individual benefits of cultural participation” to making instrumental valuation arguments that focused on “the positive externalities of the arts...those claiming that the arts are useful in achieving unrelated goals” (2004, 509).²⁶ Reframing issue definitions represented a new strategy by arts advocates to change the terms of the national debate on federal arts policy. While it is unclear if the strategy worked, the use of the strategy suggests two important insights:

- arts advocates did not feel as though their original intrinsic valuation arguments were impactful over time; and
- arts advocates believed the most compelling arguments for support to be made outside their subsystem was in terms of instrumental value.

²⁶ From 1964 to 1989, the most common argument made by arts advocates for federal support of the arts was the civilizing effects of the arts. It wasn't until the policy punctuation in 1989 that the most common arguments of arts advocates was the NEA's successful history, accomplishments, and benefits to Americans (Strom and Cook 2004, 510).

The point emphasizes that issue definition is highly dependent on the social, political, and ideological landscape at the time.

4. Conflict: Visibility and Scope

To a great extent, the whole discussion of the role of government in modern society is at a root a question of the scale of conflict. Democratic government is the greatest single instrument for the socialization of conflict in the American community. Government in a democracy is a great engine for expanding the scale of conflict (Schattschneider 1975, 68).

Conflict expansion happens when an “uninterested” group takes sides or demands government action on a policy issue thereby playing a decisive role in its outcome (Schattschneider 1975, 63, 64; Baumgartner and Jones 2009, 7; Stone 2012 99; Lakoff 2014, 19). It is “essential to the democratic process” and a critical part of agenda setting since it seeks to understand why actors want to change or preserve the status quo (Baumgartner and Jones 2009, 11). It is largely the result of an alchemical process and is often defined by the interplay of subsystems, problem-definitions, policy images, and more. While these dimensions of conflict are variously conceptualized by political scientists, two dimensions are worth focusing on here: visibility and scope.²⁷

An issue’s visibility is impacted by a wide variety of factors: public opinion, election results, changes in administration, crisis, disaster, technological breakthroughs, and more (Kingdon 1995, 18; Gerston 2004, 23, 30). A latent

²⁷ Several different dimensions of conflict are discussed across literature: scope, intensity, visibility, time, resources, specificity, social significance, and categorical precedence (Cobb and Elder 1972, 43, 96; Gerston 2004, 25; Schattschneider 1975, 63).

issue can become highly visible if it receives intense, sudden negative attention from the media and public, which is called a focusing event (Baumgartner and Jones 2009, 40; Gerston 2004, 23). The public learns about problems in society, often for the first time, through focusing events which informs their perception of a problem (Birkland 2001, 115). If they are moved by a focusing event to demand political action—either moving a condition to a problem, seeking a new solution, or more of the same solution—it can create the conditions for policy change (Gerston 2004, 23, 29; Kingdon 1995, 98).

Scope refers to the number of “previously uninterested” people who were drawn into a conflict (Mettler and Soss 2004, 58; Elder and Cobb 1983, 10). Opposing sides in a conflict strategically mobilize publics in unequal numbers, and these numbers fluctuate as the conflict increases; success is determined by the extent to which each side can restrict or encourage mobilization based on their interests (Schattschneider 1975, 63; Rochefort and Cobb 1994, 5, 47; Gerston 2004, 25). Subsystem elites, unsurprisingly, have a vested interest in limiting the scope of conflict, so they can retain their monopolistic power. These elites may voluntarily modify their subsystem’s operating rules to avoid or stop conflict (Schattschneider 1975, 68, 69; Baumgartner and Jones 2009, 21).

5. Agenda setting

...Within the spotlight of macro politics, some issues catch fire, dominate the agenda, and result in changes in one or more subsystems. The explanation for the same political institutions producing both stasis and punctuation can be found in the processes of agenda setting (Baumgartner, Jones, Mortensen 2014, 63).

Agenda setting is the process by which groups articulate problems and solutions in an attempt to make them viable issues for government attention.²⁸ Issues gain, lose, or are prevented from gaining attention in the first place, by the activity of various players: public officials, bureaucrats, interest groups, political parties, and media (Cobb and Elder 1972, 13, 91; Birkland 2001, 265; Baumgartner, Jones, Mortensen 2014, 59). Working alone or together, these political players, agenda-builders, influence the agenda-setting process and promote their preferred governmental decisions or actions (Gerston 2004, 52; Allison and Zelikow 1999, 280). Importantly, agenda setting rests on the limited attention spans of individual decision-makers who are subject to bounded rationality (Baumgartner, Jones, Mortensen 2014, 59, 63). In times of stability, presiding elites set agendas, however, new issues might be able to gain access during times of instability caused by conflict expansion (Cobb and Elder 1972, 14; Mettler and Soss 2004, 62; Birkland 2001, 109).

As previously discussed, a key part of agenda-setting is problem definition, the process of articulating and interpreting causes of problems, formulating solutions, and presenting the best means for implementation (Rocheftort and Cobb 1994, 6, 15). Agenda-builders use the subjective nature of problem definition to their advantage by employing “existing social, political, and ideological structures of the time” in an attempt to dominate problem definition,

²⁸ There is no one singular agenda, but a constellation: the government agenda, the list of all topics worthy of attention; decision agenda, topics up for governmental decision making; Presidential agenda; congressional agenda; institutional agendas; specialist subsystem agendas (Kingdon 1995, 4; Birkland 2001, 268).

often for their own purposes (Rocheffort and Cobb 1994, 6; Elder and Cobb 1983, 24).

6. What's Missing: Gaps in Literature

Given the historical and sociological bent to arts literature, it is perhaps unsurprising that it largely ascribes the crisis over the NEA to the culture wars and, to a lesser extent, to the divisive politics of the 1980s and 1990s. Arts literature treats the culture wars as an atheoretical historical event, not as a formal theory in sociology. The displacement of the culture wars from its theoretical context as well as arts literature's aversion to empirical research, precludes the rigorous or systematic testing of the explanatory variable.²⁹ Art literature's interpretation of the culture wars cannot fully explain the emergence, timing, scale, and nature of federal arts policy change that occurred between 1989 and 1995. As a result, only limited insights to questions about American federal arts policy in the 1990s currently exist.

I don't believe that arts literature is all wrong about the culture wars. It appears as though the culture wars, and political polarization, had a role to play in the crisis over the NEA in the 1990s. After all, art is emotional and subjective. The controversial artworks of Mapplethorpe, Serrano, Finley, Dunye, Athey, and other artists that dealt with sexuality, religion, and race were fertile ground for a battle over morality and religion in Congress. However, the culture wars, either as

²⁹ With the exception of Arian, Wyszomirski, and Cummings, the author is not aware of arts literature authors who conceptualize the culture wars as the "mobilization of political resources around certain positions on cultural issues" which more closely, but not fully, aligns with the research question (Stanton 2021).

a formal theory or an atheoretical historical event, does not provide a vantage point to understand an inherently political subject matter, American federal arts policy. It is necessary to turn to political science in order to gain a more comprehensive understanding of the crisis over the NEA in the 1990s.

In my research for this dissertation, I found eight political scientists who applied political science theories and concepts to arts policy topics. These authors primarily considered partisanship's impact on arts policy and, to a lesser extent, policy change. Two authors, Elizabeth Strom and Angela Cook, wrote about problem definitions over time, work that helped inform the coding scheme presented in chapter five. The article provides insightful findings about the congressional and public discourse surrounding the NEA over time, but it is not concerned with the punctuation of American federal arts policy in the 1990s. As previously mentioned, Gordon E. Shockley, wrote a journal article that examined the relationship between the stability of the American federal arts policy subsystem and magnitude and type of resulting policy changes. While it references PET, it does not discuss policy image and pays only some attention to the agenda-setting process. Additionally, the article operationalized concepts like policy change much differently than the original research in my dissertation. In short, the work of these political scientists informed this dissertation, but does not answer the proposed research questions about what led to a punctuation in American federal arts policy and how it changed. My dissertation has the opportunity to provide new, original findings about federal arts policy from a

political science perspective that can contribute knowledge to both the arts and political science fields.

IV. Methodology

For the 25 years that the federal arts subsystem was latent, NEA grant awards only occasionally sparked controversies that were quickly extinguished. Then, in 1989, the Mapplethorpe and Serrano crises brought unprecedented attention to the NEA. Conservative religious groups and policymakers—who objected to federal support of artwork that offended them—presented the NEA as out of touch with mainstream American values and its beneficiaries as immoral. The conservative attacks on the NEA were well organized and resourced, which caught NEA supporters, who lacked the experience, will, and resources to effectively fight back, off guard. Conflict over the purpose and content standards of publicly funded art was so great at times that it rose to the attention of the White House and Supreme Court as well. When the dust finally settled, the NEA no longer operated as it had for decades—policies had significantly changed as had the larger federal arts subsystem.

American federal arts policy development, especially in the 1990s, is underexplored in both arts literature and political science resulting in substantial gaps in knowledge. In particular, little is known about the political and policy dimensions of the crisis. I think that an in-depth investigation of these topics can explain the emergence, timing, scale, and nature of federal arts policy change that occurred between 1989 and 1995. In particular, punctuated-equilibrium theory, issue framing, agenda setting, and other related theories and concepts in political science will be used to answer:

- Why was there a sudden, drastic change in American federal arts policy between 1989 and 1995?; and
- How, if at all, did the federal arts policymaking process change during this time? What were the resulting policy outcomes?

The author proposes two sets of hypotheses to answer these questions: the first set of hypotheses examines the emergence of the crisis over federal arts policy, and the second set examines policymaking, especially the timing, type, and impacts of policy change. Political science provides a new lens to examine the policy and political dimensions of the controversy surrounding the NEA in the 1990s. This approach can address critical gaps in knowledge about the origin and consequences of fundamental changes in American federal arts policy.

The NEA will be a proxy for American federal arts policy in my original research. In upcoming chapters, I will use the two terms synonymously. As the flagship arts organization in America “responsible for comprehensive cultural policymaking” and the largest public funder for the arts, the NEA is the embodiment of federal arts policy (Marquis 1995: 249; Mulcahy 2000: 140, 143). While arts policy is interwoven across the federal government—from the Institute for Museum and Library Services to the Department of Defense’s military bands to the General Services Administration’s Art in Architecture Program—the NEA is the most visible example of federal arts policy in America. It also has outsized influence in its own subsystem thanks to its political and monetary resources that are significantly greater than other players. The NEA has often been employed as the symbol for American federal arts policy in Congress, mainstream media,

and even the artworld. This precedent underscores the validity of using the NEA to study congressional tone towards and changes in federal arts policy.

1. Hypotheses

A. Tone and conflict expansion

In arts literature, there is little explanation of why and how federal arts policy rose to national attention. It seems the crises over NEA grant awards that supported Mapplethorpe, Serrano, and other artists prompted Congress to change its tone towards federal arts policy that, ultimately, incited conflict. The tone of language is important as it “gives meaning and defines origins of social problems, solutions, and target groups which substantively shapes perception of and response to an issue” (Mettler and Soss 2014, 62; Schneider and Ingram 1990, 91). Based on the work of Baumgartner and Jones, Schattschneider, and Kingdon, it seems likely that a new tone brought widespread attention to the NEA and generated political demands among the previously uninterested in Congress. The proposed relationship between tone and conflict will be tested with:

H₁: If policy entrepreneurs successfully change the tone of federal arts policy, the visibility and scope of conflict over federal arts policy will quickly increase.

H₀: If policy entrepreneurs do not successfully change the tone of federal arts policy, the visibility and scope of conflict over federal arts policy will not change.

The federal arts policy subsystem was historically a small, homogeneous domain of experts where decisions were made without the public (Soss and Schram 2007, 121; Mettler and Soss 2004, 63; Mettler and SoRelle 2014,162).

Subsystem elites controlled both venue and tone for nearly 25 years while the subsystem was at a partial equilibrium. During this time, less than 100 major newspaper articles were published annually about the NEA and conflict over grant awards was quickly resolved and not widespread (Koch 1998). However, a series of events in the 1980s began to test the relative calm of the subsystem and NEA supporters began to worry about the NEA's future.

In 1989, the NEA became a lightning rod for controversy. The Mapplethorpe and Serrano artworks that launched the NEA into crisis were unique focusing events. Unlike natural disasters, industrial accidents, international incidents, or any type of focusing event common in political science, these artworks did not physically "harm...a particular geographical area or community of interest" and were observed in-person by, at most, a few hundred members of the public (Birkland 1998, 54). They are also poor examples of government waste. In total, \$45,000 in grant awards went to support the exhibition of these works, an amount federal arts policy supporters were quick to point out paled in comparison to the reported cost of toilets and hammers at the Pentagon (Heins 1993, 130; Zeigler 1994, 71; Dubin 1992, 5). Conservative policy entrepreneurs attempted to use "synecdoche"—employing Mapplethorpe, Serrano, and other NEA grants to represent decades of NEA grantmaking—to raise questions about the NEA's policies and practices (Stone 2012, 159). In short, these controversial artworks were a ripe opportunity for conservative policy entrepreneurs who hoped to advance their preferred policy solutions in Congress (Birkland 1998, 55). Conservatives likely increased the scope of conflict, or broke

open the subsystem to those previously excluded, by engineering high-profile crises over public funding of the arts. The amount of attention given to controversial artworks fanned the flames of crisis and led to more negative assessments of federal arts policy, which in turn, helped the cause of cultural conservatives (Baumgartner and Jones 1993, 104).³⁰

It seems likely that conservative attempts to redefine the federal arts policy subsystem's tone was built on the success of Christian fundamentalists. For decades, Christian fundamentalists employed a "Level 1" frame of morality and a narrative story in which arts and entertainment contributed to America's moral decline to mobilize their followers. The frames resonated with "deeply held values and worldviews" and signaled appropriate policy preferences and solutions to like-minded conservatives (Mettler and Soss 2004, 57; Frameworks Institute 2002, 1,4-5; Lakoff 2014, 33). As a result of consistent use over time, these issue frames became "sticky" and were redeployed in the battle over the NEA. It introduced a new, negative tone for the federal arts policy subsystem that gave conservatives a toehold for creating policy change.

³⁰ Strom and Cook studied the composition and change in issue definition of the NEA and found that arts advocates modified issue definition over time "to broaden their appeal...[to] face new and more threatening opposition" (2005, 505). They found that between 1989 and 1995 "the number of [congressional] floor statements opposing the NEA and its policies increased dramatically" (2005, 516). In response, arts advocates began to use instrumental arguments that stressed the ability of the arts to deliver benefits by the 1990s. It was a major departure from previous arguments that emphasized the value of arts and culture as a source of personal fulfillment and national pride.

B. Agenda setting and policy outcomes

The intense scrutiny the NEA came under for awarding grants that supported “obscene” artwork and elitism eroded public trust in the subsystem’s standards and judgment (Arian 1989, 35, 51; Zeigler 1994, 22; Bauerlein and Grantham 2009, 81). With the agency’s legitimacy diminished, there was an opportunity for other institutions to address federal arts policy issues. It seems that Congress stepped in to resolve a question central to the crisis: what, if any, standards should there be for publicly funded art? For the first time in many decades, federal arts policy had the rapt attention of Congress. Congress introduced new norms, values, and “organizational behavior paradigm” to the policymaking process that oftentimes were in stark opposition to the NEA’s own values. According to Baumgartner and Jones, any venue outside the subsystem taking up federal arts issues is a prerequisite for policy to change drastically, quickly, and by coercion (Baumgartner and Jones 2009, 16, 37-38; Kingdon 1995, 80). The proposed relationship between venue and policy change will be tested with:

H₂: If federal arts policy gets on the broader congressional agenda, then policy will change substantially.

H₀: If federal arts policy does not get on the broader congressional agenda, then policy will not change substantially.

For most of the NEA’s history, there was little appetite in Congress for federal arts policy to change; when, if at all, policy change occurred it was largely incremental and by the hands of subsystem elites (Baumgartner and Jones 2009,

xviii). As federal arts policy gained unprecedented attention in Congress, conservative policy entrepreneurs found that the conditions were favorable to advance “their preferred governmental decisions or actions” by quickly and substantively changing federal arts policy by coercion (Gerston 2004, 52; Allison and Zelikow 1999, 280). Even some liberal policymakers who supported the NEA found the controversial artworks offensive and joined the call for new policies that created standards for publicly funded artwork. These circumstances ushered in a period of positive feedback that culminated with federal arts policy issues “spilling over into the macro-political system, making possible major change” (Baumgartner, Jones, Mortensen 2014, 64, 67). During this time, federal arts policy changed substantially and established a new equilibrium.

2. Data

In order to test the proposed hypotheses, four primary data sources were collected:

- Congressional Records;
- legislation introduced to Congress;
- roll call votes; and
- NEA annual reports, appropriations, and other historical documents.

Each data source was collected from 1984 to 2000 to assess long-run change and safeguard against misleading point-in-time observations (Baumgartner and Jones, 2009, 39, 53). To fully investigate the punctuation and understand lasting impacts on the subsystem and federal arts policy, five years of data was collected

before and after the crisis engulfed the NEA. In arts literature, the controversy surrounding the NEA is believed to have started in 1989 and ended in 1995. As such, data is categorized into the pre-crisis period (1984-1988), crisis period (1989-1995), and post-crisis period (1996-2000) in order to isolate temporal effects. The longitudinal design allows for a complete view of policy punctuation in the federal arts policy subsystem and the opportunity to understand if it occurred as described in PET literature.

Congressional Records are the daily account of activities in the House of Representatives, Senate, and their committees. To study the tone of federal arts policy in Congress, the author conducted a content analysis of Congressional Records. The Congressional Record was also employed to examine the presence and prioritization of federal arts policy on its agenda. The Congressional Record provided detailed information about legislation introduced to Congress, opinions of experts, as well as the key policymakers who engaged in conflict over the NEA, especially conservative policy entrepreneurs. Congressional Records data was collected from Congress.gov. The author used the advanced search function to identify Congressional Records about the NEA.³¹ Congressional Records of interest were downloaded and a spreadsheet was created that included the date, chamber, heading, and hyperlink to a webpage on Congress.gov with additional information for each Congressional Record.

³¹ The advanced search terms included: search term ("National Endowment for the Arts"); limit your search (Congressional Records); Congress (1984-2000); Congressional Record Section (House, Senate).

Legislation was used to study if and how federal arts policy changed substantially and refers to the amendments, bills, resolutions, and laws introduced to Congress about the NEA. Legislative data about the NEA was collected from Congress.gov and identified with an advanced search function.³² Legislation about the NEA was downloaded as a spreadsheet which contained information about the legislative session, latest action date, sponsor, title, and a hyperlink to a webpage on Congress.gov with additional information. There were 120 pieces of legislation about federal arts policy identified and analyzed. For each piece of legislation included in the file, available roll call vote data was manually transcribed from Clerk.house.gov for the House and Senate.gov for the Senate.³³ Roll call data was then recorded for each piece of proposed legislation by ayes and noes and political parties.

NEA annual reports are an annual summary of the agency's operations and finances, including detailed information about grant awards and annual expenses. NEA annual reports provided high-level information about NEA activities, policy, and annual budgets. Annual reports from 1984-2000 were downloaded and selected financial information, primarily allocations for grant programs, was transcribed into spreadsheets for descriptive analysis. Along with annual reports, the NEA's history of appropriations was used to study if and how

³² The advanced search terms included: search term ("National Endowment for the Arts"); limit your search (Legislation); Congress (1984-2000); Congressional Record Section (House, Senate). Proposed legislation used for descriptive analysis also had to contain substantive information about the NEA's activities, purposes, policies, appropriations, etc.

³³ Roll call vote records were only digitized starting in the 101st Congress for the House and Senate and are unavailable before 1989 for the Senate and 1990 for the House (Roll call votes by the U.S. Congress, n.d.).

federal arts policy changed substantially. Other documents published by the NEA—namely *National Endowment for the Arts: A History* (2009) and *National Endowment for the Arts 1965-1995: A Brief Chronology of Federal Involvement of the Arts* (2000)—that chronicle the agency’s policies, decision making, and other relevant information also informed analysis and interpretation of findings. NEA materials were collected from Arts.gov.

3. Data Analysis

A. Content Analysis

Content analysis, a qualitative research methodology, was used to “interpret meaning” from textual information in the Congressional Record (Hsieh and Shannon 2005, 1277). As Strom and Cook pointed out in their study of arts funding arguments, the Congressional Record is an especially good source for studying “discursive shifts” over the “battles over arts funding” because much of it took place on the congressional floor in the 1990s (2004, 509). Systematic categorization and coding of the Congressional Record summarized, quantified, and aggregated textual and other types of content data to “determine trends and patterns of words used, their frequency, their relationships, and the structures and discourses of communication” (Neuendorf 2017, 17; Vaismoradi et al. 2013, 401; Hsieh and Shannon 2005, 1278).

Content analysis is well-suited for studying the rhetoric of policymakers including what was said, who said it, how they said it, to whom, and to what effect (Vaismoradi et al. 2013, 401; Holsti 1969, 28). It is a particularly helpful

approach for revealing the attitudes, values, and focus of policymakers—“whose rhetoric often can’t be taken at face value”—who participated in debates over the NEA in Congress (Weber 1990, 9; Krippendorff 2004, 31). The result is an analysis that tracks how the tone towards federal arts policy changed in Congress over 17 years. Additionally, content analysis was used to track venue and agenda access of federal arts policy (Baumgartner and Jones 2009, 52). The application of content analysis to political communication was essential to generate and interpret findings that provide new insight into the punctuation of the federal arts policy subsystem (Neuendorf 2017, 31; Krippendorff 2004, 34).

The date, chamber, and headings from each Congressional Record were also collected as they provide important contextual information about congressional rhetoric (Neuendorf 2017, 31; Krippendorff 2004, 19). For example, an analysis of dates of Congressional Records made it possible to understand the development of rhetoric over time. The analysis of textual data by chamber made it possible to gain insight into the role each institution played in setting the tone and agenda for federal arts policy.

B. Latent Content

Latent content describes qualitative characteristics of textual data and are “unobserved concepts that cannot be measured directly but can be represented by one or more indicators” (Neuendorf 2017, 31). The intention is to go beyond the literal meaning of a word, phrase, or other unit of text and provide connotative meaning to capture deeper insights about a subject. Latent content analysis, for

example, can be used to study framing, symbols, metaphors, patterns in language, and interpretation.

The latent content analyzed in my dissertation was the construction of policy images and problem definitions employed by policymakers as well as any patterns in their rhetoric (Potter et al. 1999, 261). Content analysis made it possible to efficiently classify a large amount of data, so that it could be distilled into summative findings. The approach was well-suited to studying tone, a prime example of latent content. A coding scheme was specifically created to more deeply study a subtler aspect of congressional rhetoric: contextual meaning (Hsieh and Shannon 2005, 1278; Neuendorf 2017, 31; Potter et al. 1999, 259). Like Baumgartner and Jones, the author coded the tone of congressional rhetoric as either positive or negative to track change over time (2009, 52).

C. Coding Scheme

Conventional content analysis is a “predominately naturalistic paradigm” that often presents problems for developing coding classifications a priori; instead, classifications are typically derived directly from text (Hsieh and Shannon 2005, 1277; Neuendorf 2017, 19). I created a coding scheme by following general principles described in content analysis literature: sample textual information, decide the unit of analysis, determine how many concepts to code, define and distinguish categories, test coding system, revise coding system, and assess reliability and validity (Holsti 1969, 95; Weber 1990, 21-24; Krippendorff 2004, 83). Due to how little is known about the federal arts policy

subsystem, an inductive approach, or open coding, was used to develop the final coding scheme; to a lesser extent, the work of Baumgartner and Jones, as well as Strom and Cook, also guided the development of the final coding scheme (Strom and Cook 2004, 510-511; Baumgartner and Jones 2009, 51).

To create the coding scheme, I selected a representative sample of Congressional Records from each of the three time periods: pre-punctuation (1985, 1986), punctuation (1989, 1994), and post-punctuation (1996, 1998) (Krippendorff 2004, 83). The Congressional Records were identified using a keyword search for “National Endowment for the Arts” on Congress.gov between 1984-2000. The search returned a total of 815 Congressional Records.³⁴ Congressional Records were included in content analysis if a substantive portion of the text discussed the purpose, activities, policies, or appropriations of the NEA. If a Congressional Record only mentioned the NEA in passing without any descriptive language it was not included in the sample; for example, executive or senate communications were often omitted as they provided no substantial information about the NEA.

The unit of analysis, phrases and words, were collected from a stratified random sample of six years of Congressional Records and act as a proxy measure for tone, which includes a collection of issue frames and policy solutions (Elo et al. 2014, 5; Neuendorf 2017, 108). The units of analysis were then sorted

³⁴ The search was limited to only the Congressional Record and did not include other items like nominations, legislation, or committee reports. Moreover, Congressional Records did not include the “Daily Digest” or “Extensions.” These search terms reflect the intention to collect and analyze textual information that accurately recorded the rhetoric of policymakers to answer what was said, who said it, how it was said, and to what effect.

into two mutually exclusive categories, pro-NEA and anti-NEA, to present summative findings about tone over time (Potter et al. 1999, 262; Vaismoradi et al. 2013, 401; Weber 1990, 24; Morse and Field 1995, 140). Anti-NEA refers to policy images that have a negative tone and disapprove of the NEA and federal funding of art while pro-NEA refers to policy images that have a positive tone or approve of the NEA and federal funding for the arts. Again, the coding scheme is based on the work of Baumgartner and Jones and makes it possible to track changes in the tone of congressional rhetoric over time (2009, 52). The final coding scheme is below and includes ten different policy images and one policy solution representing the tone of federal arts policy used by policymakers in Congress.

Anti-NEA³⁵

- Art Content: NEA grant awards benefit the creation or exhibition of artwork that is sexually explicit, shocking, and/or not legitimate to most Americans.
- Elite: The NEA is led by and benefits experts, elites, and wealthy individuals living in large cities who are out of touch with mainstream American values.
- Budget: At best, federal spending on the arts is a budgetary luxury and, at worst, a waste. There is no budgetary justification for federal spending on the arts.
- No need: American art would thrive without the NEA. Private funding for the arts is much greater than public funding of the arts and can fill the void left by the NEA if it was eliminated.
- Eliminate: The federal government should eliminate the NEA.

³⁵ When appropriate, affixes were removed from units of analysis and only the word stem will be used in content analysis. For example, “pornograph” will be used to capture “pornographic” and “pornography.”

Pro-NEA

- Education: NEA provides arts education and life-long learning opportunities to the American public.
- Quality of Life: NEA enriches and improves the lives and nurtures the soul of Americans through the promotion of creative expression, imagination, and innovation.
- Access: Since 1965, the NEA has made the arts more accessible to the American public, especially for those who face systematic barriers due to geography, income, or age.
- Economy: The arts have a positive impact on the economy.
- Excellence: The NEA has an excellent track record of serving Americans and distributing thousands of grant awards that successfully reward artistic excellence.
- Freedom of Expression: Artists and institutions that receive NEA grant awards have a right to freedom of expression and their artwork should not be censored.
- Invest: America's small monetary investment in the NEA, about 36 to 74 cents per person, generates enormous benefits for the arts sector and American society.

There were several terms frequently found in Congressional Records that were not included in the final coding scheme as they described both pro- and anti-NEA perspectives and did not demarcate a mutually exclusive tone. Others were omitted due to their infrequent use—they did not seem to capture critical rhetoric for studying tone. Lastly, it is worth noting that some policymakers used both pro- and anti-NEA issue frames and policy solutions; for example, NEA supporters in Congress who disapproved of the controversial artworks borrowed anti-NEA issue frames to express their displeasure with the agency.

The final coding schema ensures the systematic investigation of textual data generated with an inductive approach. It provides standards for coding textual data in order to establish validity, reliability, and replicability (Potter et al. 1999, 270; Neuendorf 2017, 156; Elo et al. 2014, 5; Poole and Folger 1981, 447).³⁶ As content analysis “tends to rely heavily on face validity” the coding scheme was checked against a random sample of 25.0% of Congressional Records to ensure the units of analysis, words and phrases, accurately measured the policy images and policy problem described above (Weber 1990, 19). There were several instances when units of analysis did not match the concept for an error rate of 9.1%. To improve the face validity, five units of analysis were added and three were removed from the final coding scheme.

Lastly, to improve validity, content about the NEA in Congressional Records was copied and pasted into a new document before analysis was performed. It was not possible to search for units of analysis in proximity to occurrences of the “National Endowment for the Arts” in Congressional Records, as is typical, because it was inconsistently used in congressional rhetoric. Often, Representatives and Senators discussed the NEA at length without naming or directly referring to the NEA. Instead, they often used a variety of terms (e.g. “National Endowment of the Arts,” “the Endowment,” “the arts,” “arts funding,” “foundation”) to refer to either the NEA or generally to federal arts policy.

³⁶ Lincoln and Guba’s four aspects of trustworthiness—credibility, applicability, consistency, and neutrality—are “the most widely used criteria for evaluating qualitative content analysis” (Morse and Field 144; Elo et al. 2104, 2). These four aspects were considered in the development of the content analysis approach and final coding scheme.

Moreover, Congressional Records in the sample, especially those dated before the mid-1990s, were hundreds of pages long. This additional step improved internal validity by making sure that units of analysis only referred to the NEA and did not refer to other agencies or policy arenas.

A suite of R packages (Text Mining, RQDA, and TidyText) was used to analyze Congressional Records. Unlike when humans manually code textual data, there isn't the possibility for deviation in identifying units of analysis and, as such, intercoder reliability is not a concern for the research design.

D. Manifest Content

Manifest content refers to “elements that are physically present and countable” in a written text (Neuendorf 2017, 31; Potter et al. 1999, 259). Congressional Records were analyzed to determine when and how many times the NEA appeared by name in the Congressional Record. The frequency with which the NEA appeared in the Congressional Record was used to measure the scope and visibility of conflict over federal arts policy. As evidenced by other arts researchers, the frequency with which manifest content appears in news media and other textual data is an appropriate measure of public attention before, during, and after the NEA crises of the 1990s (Koch 1998). Relatedly, units of analysis were aggregated to “represent the intensity of concern” with different policy images and problem definitions (Weber 1990, 39).

The analysis of manifest content also was used to study agenda setting, the presence and prioritization of federal arts policy on the congressional

agenda. Like Baumgartner and Jones, the author used manifest content analysis to trace a policy issue “as it moves from one venue to another” (2009, 52). It was possible to record when, if at all, federal arts policy gained access to the congressional agenda, outside the appropriations process, and, therefore, had legitimate decision-making power over federal arts policy at a specific point-in-time.

E. Policy Analysis

To understand if and to what extent federal arts policy changed substantially between 1984-2000, I conducted an analysis of federal arts policies. Baumgartner and Jones studied policy change with two items, structure of policymaking and expenditure data (2009, 54). Legislation introduced to Congress; Congressional Records; and NEA annual reports, appropriations history, and other documents were used to study federal arts policy change in the same manner.

Institutional structures of policymaking are “not easy to change, but when they do change, they often lead to dramatic and long-lasting changes in policy outcomes” (Baumgartner and Jones 2009, 12). The author studied two aspects of federal arts policy structures: jurisdiction—the institution that has the legitimacy to make decisions in a policy topic area—and rules of policymaking—the socialization and bias of an institution that shapes its policy process, and ultimately, policy outcomes (Baumgartner and Jones, 2009, 14, 16). An examination of jurisdiction revealed what new authorities were assigned to the

NEA and what authorities were removed, either temporarily or permanently, in regards to federal arts policy. The definition of jurisdiction provided by Baumgartner and Jones was expanded to not only apply to organizations, but individuals as well. At the individual-level, jurisdiction refers to the individuals who were given decision-making authority at the NEA, like grant panel reviewers and the National Council on the Arts. Rules of policymaking generally examined policies that applied to all NEA grant programs, like reporting requirements and the often-criticized panel review process (Wyszomirski 1995a, 26; Wyszomirski and Mulcahy 1995, 128; DiMaggio 1991, 249; Cummings 1991, 76).

Expenditure data from annual reports and NEA appropriations were used to assess government activity and priorities (Baumgartner and Jones 2009, 52). The NEA's annual budget—in regards to grant programs and the amount distributed by law to state arts agencies—was studied to monitor budgetary increases, decreases, and justifications. The NEA's expenditures made it possible to also study the NEA's intergovernmental grant structure, a prime example of fiscal federalism, that requires the agency to distribute a portion of its annual budget to state art agencies and regional arts organizations across the country in the form of formula-calculated and competitive block grants (Mullaney-Loss 2020, 5). Moreover, expenditures were used to determine if policy change was substantial. It was a relevant and appropriate measure given the growing calls of anti-NEA policymakers to cut funding or eliminate the agency over time. The inclusion of “eliminate,” “terminate,” “abolish,” and “privatize” in

the final coding scheme is a testament to how central public funding levels were to the crisis.

To track federal arts policy change, legislation introduced to Congress was categorized by the type of change it intended to or did bring about: “rules,” “jurisdiction,” “budget increase,” “budget decrease,” “elimination,” and “other.” The author chose to indicate the direction of budgetary change as, of course, increased spending on federal arts policy or a grant program typically signifies approval and success while decreased spending represents the opposite. Elimination is an important addition as it reflects the context of the policy topic area and is a distinct type of policy change separate from institutional structure and budget. While it could be argued that elimination overlaps with budget decrease, as defunding was proposed as one way to eliminate the NEA, elimination includes other proposed approaches to eliminate the NEA, like privatization and block grants. Moreover, decreased spending on federal arts policy is wholly different from the elimination of a federal agency. The other category was used for miscellaneous proposed legislation that did not substantively describe NEA activities, appropriations, policies, etc. To ensure proposed legislation was consistently and accurately coded, I created a short set of coding rules as well as reviewed the categorization of a stratified random sample of 25.0% of proposed legislation. I found that six pieces of legislation were miscategorized for an error rate of 5.8%; I then assigned the six pieces of legislation to a new, more accurate category. Overall, these six non-mutually

exclusive categories make it possible to summarize policy change by period, sponsor, political party, and other dimensions with descriptive statistics.

Proposed legislation that went to a vote either in the House or Senate required additional data collection and analysis. Of the 120 proposed pieces of legislation introduced in Congress about the NEA, voting data was available for 28 pieces of legislation. House roll call vote data was already available by total and political party on Clerk.House.gov and manually entered into the same spreadsheet with legislative data. Senate roll call vote data was available by total ayes and noes, but not political party. I downloaded and conducted descriptive analysis with voting records from Senate.gov to find the number of ayes and nays by political party.

4. Objectivity, Validity, Reliability, Limitations

Objectivity, validity, and reliability were top priorities to ensure research was high-quality and rigorous. As discussed, the final coding scheme provides detailed information about units of analysis and corresponding issue frames and policy solutions that, along with discussions of data sources and methodology, make it possible to replicate content analysis. The final coding scheme was tested and revised to improve the validity of manifest and latent content analysis (Neuendorf 2017, 156). Again, reliability was not a concern given that content analysis was conducted in R and not manually.

Of course, there are limitations to the proposed research. For example, the longitudinal analysis of the federal arts policy language, agendas, and

venues are not generalizable nor comparable (Baumgartner and Jones 2009, 47). With content analysis, it is possible there were instances when a unit of analysis does not describe the intended issue frame or problem definition in Congressional Records. Moreover, some Congressional Records might have been mistakenly included or excluded from the sample. The same is true for data collected for the analysis of federal arts policy, especially grantmaking policy at the NEA; it is possible that not all policy changes or controversies were collected.

The availability of NEA information is also a limitation. A Freedom of Information Act request for detailed budget information and other administrative documents, like National Council on the Arts meeting minutes, could not be fulfilled. The agency's retention schedule dictates that it does not need to retain most records for more than six or seven years, so it no longer had records from 1984-2000 on file to complete my request. The agency suggested referencing annual reports, which provided high-level budget data. As many of the annual reports were not in a machine-readable format, budget data had to be manually entered into a dataset. A random sample of 25.0% of the agency's annual budgets was tested against annual reports to calculate an error rate, which was 1.4%. The inaccuracies were corrected to and then descriptive analysis was conducted, as needed.

While I took many steps to ensure the objectivity of my dissertation's research design, it is impossible to eliminate all human error and bias in research. Still, the research design minimizes the influence of human error and

bias to an acceptable level so it would be possible for another researcher to replicate the study and arrive at similar conclusions (Holsti 1969, 4).

V. Tone and Conflict Expansion

The tone of federal arts policy in Congress will be studied to understand how, if at all, it changed over the course of seventeen years (1984-2000). The relationship between the tone of federal arts policy and the emergence of conflict in the policy arena will be tested with the following:

H₁: If policy entrepreneurs successfully change the tone of federal arts policy, the visibility and scope of conflict over federal arts policy will quickly increase.

H₀: If policy entrepreneurs do not successfully change the tone of federal arts policy, the visibility and scope of conflict over federal arts policy will not change.

Tone is the “the nature of attention,” either positive or negative, Congress gave to federal arts policy at a specific time. It describes “the public or elite understanding of an issue” and how it changes, if at all, as an “issue moves from one venue to another” (Baumgartner and Jones 2009, 51, 52). Similar to Baumgartner and Jones, tone will be used herein to characterize rhetoric that described federal arts policy in Congress with the intent of evoking certain perceptions or actions. Any attempt to redefine tone in Congress will be rooted in changing perceptions of policy problems in Congress, not changing realities (Baumgartner and Jones 2009, 51; Allison and Zelikow 1999, 280). In the case of federal arts policy, it might also be inspired by political opportunity. When a competing tone is introduced to Congress, it is possible that the visibility and scope of conflict over the subsystem will increase rapidly. If tone changes, it indicates that a subsystem is unstable and faces change.

I theorize that a handful of Republican policy entrepreneurs took action on federal arts policy with the eruption of the Mapplethorpe and Serrano crises. Their highly negative tone, and expertly crafted narrative stories about the role of the arts in the decline of America, contradicted widely-held perceptions of federal support of the arts in Congress. Their intent was to attract unwanted attention that would mire the NEA, a long-time problem for conservative Republicans, in political turmoil. It seemed a prime opportunity to get federal arts policy on the broader congressional agenda and, potentially, advance their preferred policy solutions.

To capture the tone of federal arts policy over time, two codebooks were created based on a stratified random sample of the Congressional Record from each period. Both codebooks present the anatomy of federal arts policy images—issue frames, policy problems, and policy solutions—across the pre-crisis, crisis, and post-crisis periods. At any point in time, members of Congress employed these various components to influence how Congress viewed federal arts policy problems, policies, and proposed solutions. While competing policy images existed at the same time, one policy image tended to dominate at any given time, especially in times of stability. Each codebook categorizes congressional rhetoric by tone, as either having an “anti-NEA” or “pro-NEA” tone. Figures 1 and 2 provide short descriptions of issue frames and policy solutions, but throughout the chapter, they will be referred to by their labels in bold.

Figure 1 visualizes the anti-NEA final coding scheme. It includes one policy solution, “Eliminate” and four issue frames: “Art Content,” “Elite,” “Budget,” and “No Need.” As issue frames are most effective when used consistently, it is unsurprising that some frames (i.e., “Budget” and “Elimination”) are not unique to federal arts policy, but employed by conservatives across diverse policy issues. Relatedly, it is likely that conservative policymakers borrowed language from Christian fundamentalists, who mobilized over issues of morality in art and entertainment in the 1980s and 1990s, to make their case against the NEA (Dubin 1992, 3, 19; Houchin 2003, 225). In particular, the “Art Content” issue frame is unique to the conversation about art and entertainment in America during the height of the culture wars. Interestingly, members of Congress who were opposed to the NEA not only used rhetoric to shape the interpretation of the policy problem, but to define the policy solution. By contrast, NEA supporters in Congress did not, or maybe did not have to, define their policy solution.

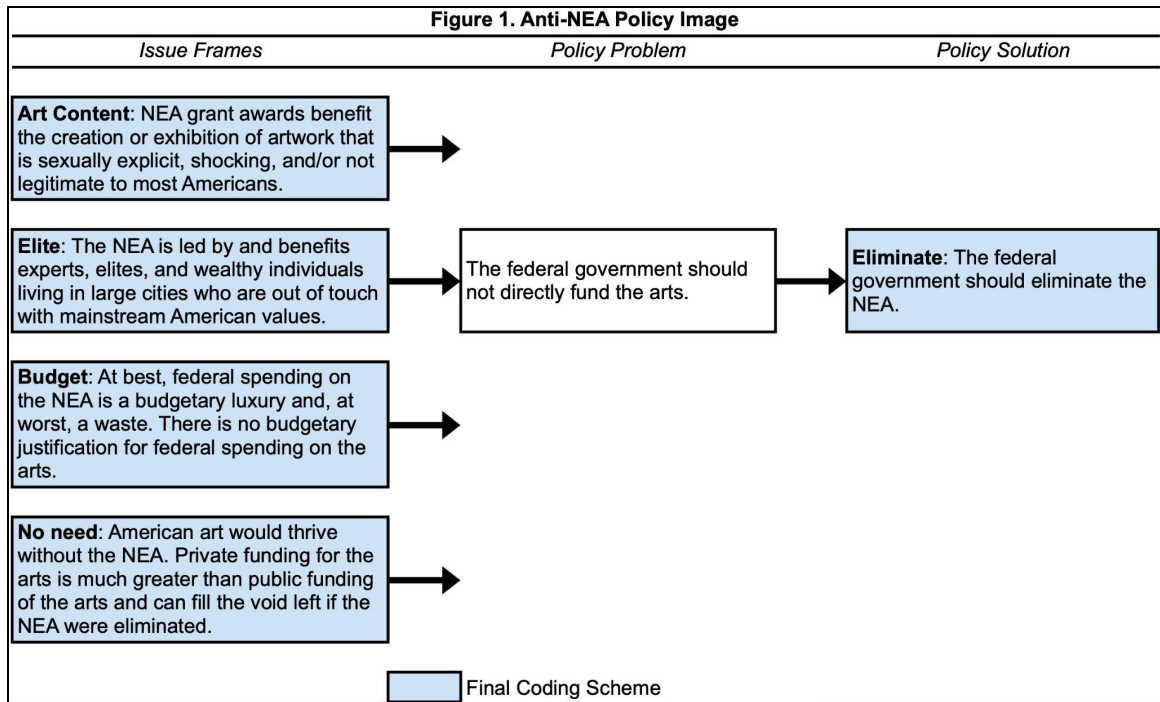
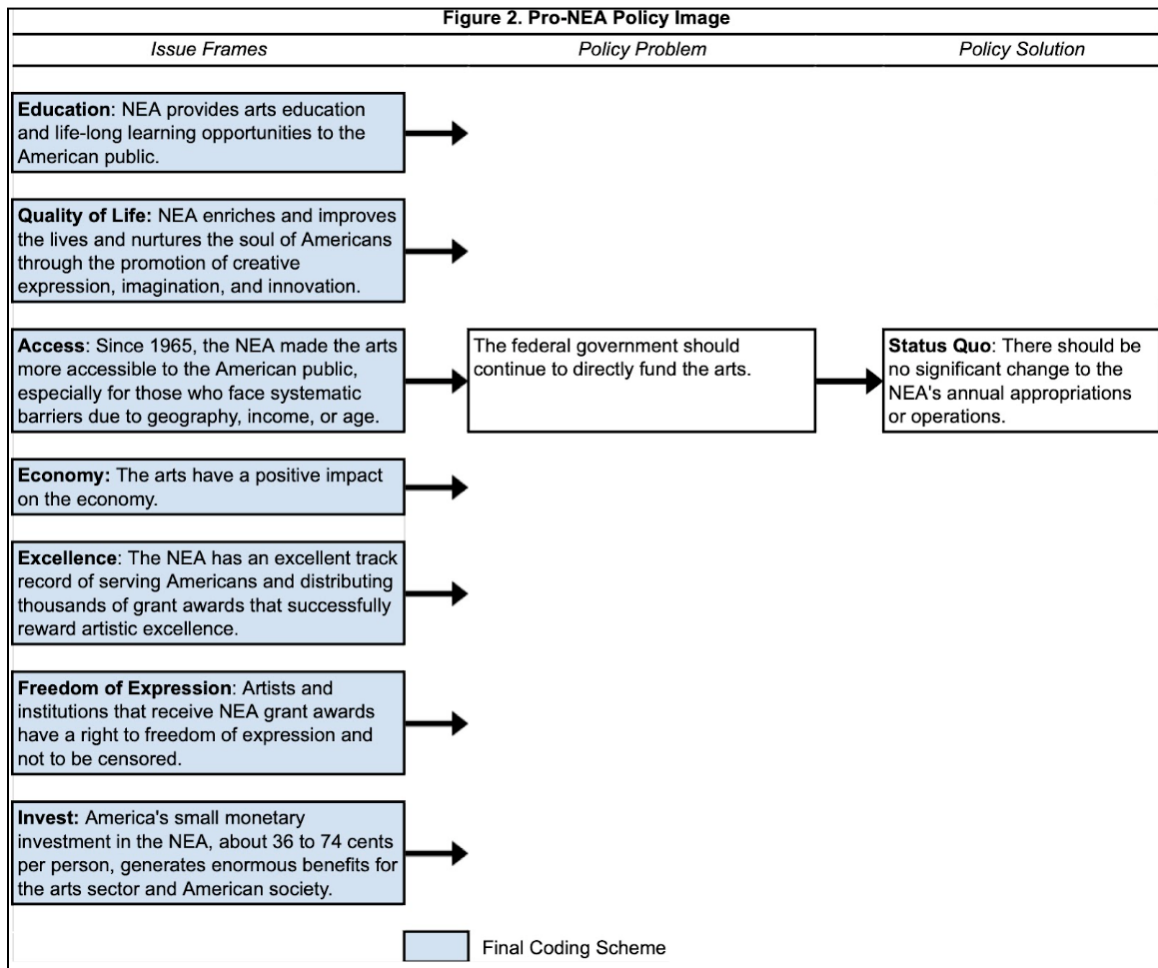


Figure 2 visualizes the pro-NEA final coding scheme. There were seven pro-NEA issue frames, almost twice as many as anti-NEA issue frames, identified in the Congressional Record: “Education,” “Quality of Life,” “Access,” “Economy,” “Excellence,” “Freedom of Expression,” and “Invest.” Similar to anti-NEA issue frames, the issue frames included in Figure 2 recall established liberal frames. For example, “Access” and “Quality of Life” are akin to rhetoric that liberals used to advocate for the federal government to take action on a wide-range of social policy issues. Conversely, “Invest” and “Freedom of

Expression" seem not to be widely used outside of federal arts policy.



The pro-NEA issue frames not only answer “why” the federal government should continue to fund the arts, but “how” it should continue to fund the arts. The “Freedom of expression” and “Excellence” frames defends the NEA’s track record and the historical precedent for rewarding artistic excellence without censorship. Both imply that the pro-NEA policy solution in Congress was to maintain the status quo—continuing to appropriate funds to the NEA as it had been done for decades without any changes. This position is well summarized by Senator Robert Stafford (R-VT) who said, “These programs [NEA, NEH, IMLS] have

worked in the past and I am confident that they will continue to be successful in the future. As the old adage goes, 'If it ain't broke, don't fix it.'" (131 Cong. Rec. 14853 (1985)).

The visibility and scope of conflict over federal arts policy represents the level of attention Congress paid to federal arts policy and is measured, similar to Baumgartner and Jones, by the total number of pro- or anti- NEA issue frames and policy solution, often referred to as statements by the author, identified in the Congressional Record at a specific point-in-time (2009, 50). It is expected that when, if at all, the tone of federal arts policy in Congress changes, it will trigger immense visibility and conflict due to the moralistic nature of the controversies.

The chapter will first examine the total number of statements and top three pro-NEA and anti-NEA issue frames by time period. To the extent possible, rhetoric from the Congressional Record is included to exemplify issue frames, policy problems, and policy solutions. The chapter will conclude with a discussion of longitudinal trends and key observances, including prevailing policy images in each of the three time periods, before the alternative hypothesis (H_1) is accepted or rejected.

1. Pre-Crisis Period: 1984-1988

The pre-crisis period accounted for the least total anti- and pro-NEA statements. In five years, there were 404 pro-NEA statements and 48 anti-NEA statements made in the Congressional Record for a total of 452 statements. Eighty-nine percent of total statements were pro-NEA statements, more than 8

times the number of anti-statements, signifying a clear advantage for those who supported the NEA. The large number of pro-statements in this time period reflect the relative stability of the subsystem and strong positive perception of the NEA. Still, there were two times congressional supporters of the NEA were put on the defensive: OMB's recommendation to reduce annual appropriations and two controversial grant awards. These concerns, however, paled in comparison to increasingly partisan support of the NEA in Congress, a development that signaled political trouble was on the horizon (Weaver 1988, 53; Wyszomirski 1988a, 28-29; Gray and Jenkins 2021, 1559).

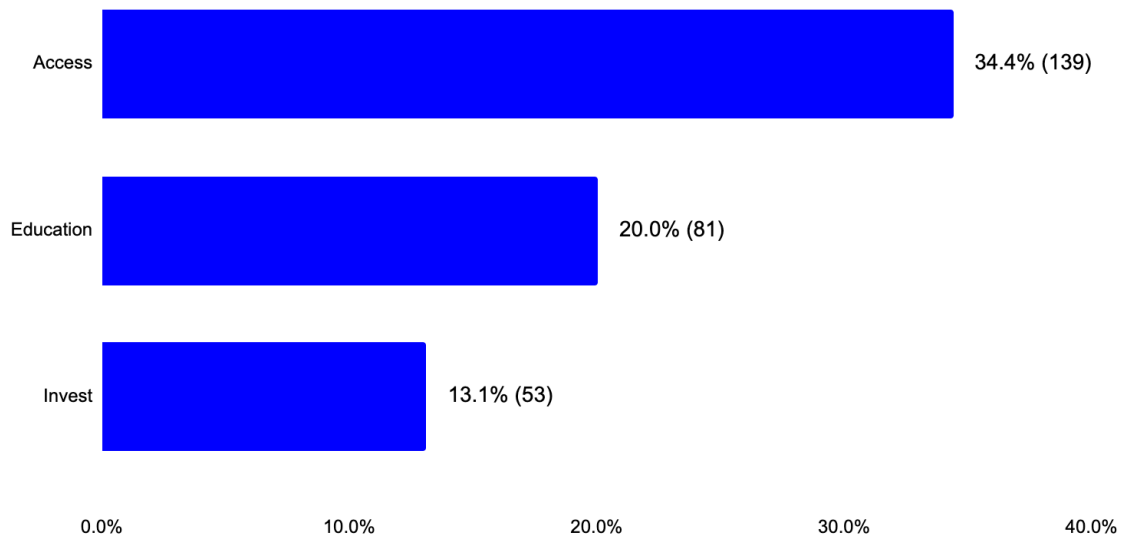
A. *Pro-NEA Analysis*

The most popular issue frame during the pre-crisis period was "Access" which accounted for about one-third of all statements (34.4%). Pro-NEA supporters argued how the NEA made it possible for all Americans, and especially those who faced structural and historic barriers, to access or participate in the arts. For example, Representative Steve Gunderson (R-WI) said the NEA's role was to, "promote the arts for people who otherwise would not have access to them, the low-income people, people in rural areas, et cetera, who [do] not have that opportunity to experience, appreciate and participate in the arts" (131 Cong. Rec. 27129 (1985)). Typically, geography and income were noted as the most difficult barriers to accessing the arts and there was a strong belief in Congress that the NEA diminished or removed them.

The issue frame was especially salient in 1985 as several witnesses testified that the NEA needed to increase its support of grant programs “available to emerging and underrepresented groups” in reauthorization hearings (99 Cong. H.R. 27126 (1985)). As a result, the Arts, Humanities, and Museums Amendments of 1985 required the NEA to “establish projects and productions which have substantial artistic and cultural significance and that reach, or reflect the culture of, a minority, inner city, rural, or tribal community” and “to give particular regard to artists and artistic groups that have traditionally been underrepresented” when selecting individual grant recipients. Moreover, the Amendments directed the president to “give due regard to equitable representation of women, minorities, and persons with disabilities who are involved in the arts” in the appointment of National Council on the Arts members (Arts, Humanities, and Museum Amendments of 1985, Pub. L. No. 99-194, 99 Stat. 1333,1335 (1985)). policymakers on both sides of the aisle attested to the NEA’s benefit to these publics, and that the Amendments assured that they would continue to receive particular attention from the NEA. Senator Dan Quayle (D-IN) said, “I strongly believe that one of the areas the Federal Government must be concerned about is the provision of cultural events to those that traditionally would not be served or have access to them. I very much support the NEA...continuing to provide... services to not only rural communities, but to inner-city and disadvantaged communities as well” (113 Cong. Rec. 14851 (1985)). As a note, many policymakers did not specify which publics the arts should be made more accessible to and instead discussed the benefits of the

NEA to “the public” or “all people” while a handful employed language like “expanding access” to the arts.

Figure 3. Pro-NEA statements in pre-crisis period



The second most popular key term for pro-NEA statements was “Education” at 20.0%. Senator Robert Stafford (R-VT) noted that arts education was a common theme in politics, “it has been stressed time and time again...that the combination of these three programs [NEA, NEH, IMS] is important...to the educational wellbeing of all our citizens” (131 Cong. Rec. 25812 (1985)). In the early 1980s, policymakers broadly discussed the benefit of arts education and did not focus on particular outcomes or publics.³⁷ With the Arts, Humanities, and

³⁷ Members of congress generally discussed education and learning benefits of the arts during this time. A typical comment, like this one made by Representative Ralph Regula (R-OH), simply acknowledged that the arts offered educational benefits: “The small portion of the money that comes from the national government goes to provide money toward..educational opportunities” (131 Cong. Rec. 21905 (1985)). Other policymakers similarly referred to “educational wellbeing,” “educational health,” and “the stimulation of quality in American education” (131 Cong. Rec. 25812, 24806, 14853 (1985)).

Museums Amendments of 1985, Congress sought to expand “educational opportunities in both the arts and humanities areas in elementary and secondary schools” to “both broaden participation and foster greater appreciation” of the arts (131 Cong. Rec. 24809 (1985)). In-school arts education programs were supported not only based on the educational benefits of the arts, but the ability of schools to be a vehicle for increased arts access.

The third most frequently used issue frame was “Invest” at 13.1%. The issue frame described the NEA’s annual appropriation as very small, especially compared to other federal agencies and other nation’s federal funding of the arts. It often also pointed out that the small investment generated enormous returns for Americans. For example, policymakers who supported the NEA often discussed the agency’s ability to leverage private support of the arts as grant awards required at least a one-to-one match of non-federal dollars. When the NEA faced reauthorization in 1985, Senator Paul Simon (D-IL) fully embraced this argument:

Our 65 cents per capita investment in the arts and humanities can be compared to the \$75 invested per capita by the Austrian Government. While Federal money is important, and the modest increases in the reauthorization bill recognize this, Foundation agencies have been very successful in generating private interest in arts and humanities program support. The Endowments leverage private support requirements of matching grants, and the substantial increase in private, foundation, and corporate giving over the past two decades is solid proof that the Endowments do spur private support (131 Cong. Rec. 25814 (1985)).

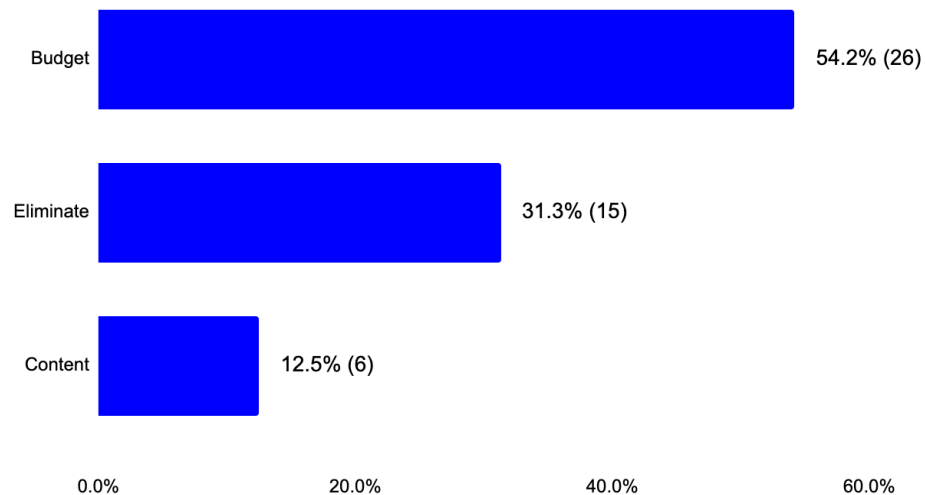
policymakers discussed other returns on the nation’s investment in the arts, from tax revenue to civility.

B. Anti-NEA Analysis

The most popular anti-NEA statement during this time was “Budget” which accounted for more than half (54.2%) of all anti-NEA statements. The call to cut federal spending on the arts began in 1981 when the Reagan administration considered a 50.0% budget reduction, or possible elimination, of the NEA (Bauerlein and Grantham, 2009, 34, 70; Best 1995, 75). While The President's Task Force on the Arts and Humanities saved the NEA from elimination, the agency was still hit with its first-ever budget reductions in 1982 and 1983 (NEA, n.d.; Bauerlein and Grantham 2009, 71; 130 Cong. Rec. 2768 (1984)). Unfortunately, these events set a precedent for the congressional debate over the NEA's appropriations and reauthorization in 1984 and 1985. Representatives Dick Armey (R-TX), Tom DeLay (R-TX), and Steve Bartlett (R-TX) proposed amendments to cut or freeze federal spending on the arts and other “non-essential” government programs. Representative Bartlett (R-TX) said, “I think we have perhaps indulged here a very important, but yet favored, interest [NEA] over that of many competing interests. It is for a budgetary reason that I rise to ask for the freeze, to ask the NEA to take the same cuts as somebody else.” Amazingly, even the Chair of the NEA at the time, Frank Hodsdall, agreed that a cut to the NEA's appropriation in order to reduce the deficit was “reasonable” and “would not interfere with the Endowment's ability to support the arts in this country” (131 Cong. Rec. 21902 (1984)). It was a testament to the widespread concern over the federal deficit during the Reagan administration which, ultimately, became a new justification for reducing the NEA's

appropriation.³⁸ As the Republican cry for fiscal conservatism grew in the 1990s, alongside opposition to funding the NEA, so did the popularity of the issue frame.

Figure 4. Top three anti-NEA statements in pre-crisis period



The second most popular anti-NEA statement was “Eliminate” which was used 15 times (31.3%). The policy solution gained traction as President Reagan considered eliminating of the agency and several outspoken critics of the NEA took issue over alleged controversial grant awards and cronyism in the grant review process (Moen 1997, 191; Gray and Jenkins 2021, 1556; Bauerlein and

³⁸ Director of Management and Budget, David Stockman, deserves credit for the application of the “Budget” frame to the NEA. He recommended elimination of the NEA on the basis of a “sluggish economy and large federal deficit” (Bauerlein and Grantham, 2009: 69). Another critical budgetary justification—that federal support of the arts negatively impacted private contributions—originated in the pre-crisis period with the Reagan administration. Some versions of it would be used for the duration of the time period studied (130 Cong. Rec. 1884 (1984)).

Grantham, 2009, 81, 82). One of these critics, Representative Tom DeLay (R-TX), described the NEA as a “horror story”:

We also found a number of problems at the agency. We found documentation which indicated that in the past, the NEA had funded poetry which was of extremely questionable taste. We found that panelists had been awarding grants to their friends in clear violation of NEA's conflict of interest rules. And we found documentation which indicated that the agency had an extremely poor record of scrutinizing the way taxpayer dollars were being spent. At a time when we are running record high deficits we can not afford to squander any taxpayer dollars on ridiculous projects. (131 Cong. Rec. 27131-2 (1985))

It was not Republicans alone though who used “Eliminate”—a number of policymakers who supported the NEA employed the language, too.

Representative Mel Levine (D-CA), Senator Robert Stafford (R-VT), Representative Cardiss Collins (D-IL), and a score of others often spoke of the negative consequences of elimination and their opposition to elimination. In doing so, these policymakers violated a fundamental rule of issue framing: to not use your opponent’s language because it activates and strengthens their frames and undercuts your own (Lakoff 2014, xii, 1). The adoption of language with such a negative tone was likely counterproductive and only worked to strengthen opposing, extremist ideas these NEA supporters hoped to defeat.

The next most popular issue frame was “Art Content” which was used six times (12.5%). Representatives Mario Biaggi (D-NY), Dick Armey (R-TX), and Tom Delay (R-TX) frequently discussed “Art Content” as they took offense to a handful of NEA grant awards: an updated version of *Rigoletto* which was advertised as set in New York’s Little Italy among mafia members and eight

poems written by individuals who received poetry fellowships from the NEA.³⁹ Although not acknowledged by conservatives, the NEA did not directly support the creation of the poems, but the poets themselves; the poems were not written while the poets were grantees. Still, these three representatives, along with Representative Steve Barlett (R-TX), proposed an amendment to the NEA 1985 appropriations bill to prohibit the NEA from awarding grants to artists whose work could be considered “patently offensive to the average person” (Bauerlein and Grantham 2009, 79,81; 131 Cong. Rec. 27127 (1985)). The amendment was a prophetic warning to the NEA. Much ink would be spilled on similar amendments, like the “obscenity clause,” in the crisis years as “Art Content” became the definitive issue frame employed by those who opposed federal arts funding.

2. Crisis Period: 1989-1995

The problem with funding art is you are not funding art. You are funding the artist.
Representative Fred Grandy (R-ID)

In 1989, the uproar caused by the Mapplethorpe and Serrano crises thrust the NEA into the congressional spotlight. The total number of anti- and pro-NEA statements rose from 452 in the pre-crisis period to 4,709 in the crisis period, a 941.8% percent increase. The surge in the number of statements represents the

³⁹*Rigoletto* offended Representative Biaggi (D-NY), and others, who judged it “demeaning to Italian-Americans.” In 1984, he proposed amendments to the NEA appropriations bill “aimed at combating the use of National Endowment Funds for programs or projects... [that] promote stereotyping or in any way serve to denigrate any ethnic, racial, religious, or minority group (Bauerlein and Grantham 2009: 79; 130 Cong. Rec. 2767 (1984)). The following year, Representatives Armey and Delay said that poems past NEA grantees wrote were “pornographic” and Representative Armey said that between him and “seven young, virile men...not one of us could read several of these poems aloud, they were that bad.” (131 Cong. Rec. 21902 (1985)).

increased visibility and scope of conflict over federal arts funding in Congress. It was driven in large part by a 31.0% increase in anti-NEA statements from the pre-crisis to the crisis period. Conservative policy entrepreneurs effectively used a few anti-NEA issue frames, especially “Art Content,” to introduce a new, more negative tone about federal arts policy in Congress.

Only 58.3% (2,748) of statements were pro-NEA in the crisis period, compared to 89.8% in the pre-crisis period. Still, pro-NEA statements outnumbered anti-NEA statements in the crisis period except in two years: 1989 and 1991.⁴⁰ Across the pre-, crisis, and post-crisis periods, these were the only years in which anti-NEA statements outnumbered pro-NEA statements. In the crisis period, there was a discursive shift among policymakers who supported the NEA. These policymakers relied on issue frames about the instrumental benefits of the arts to American society, like education and economic impact, in the pre-crisis period, but pivoted in the crisis period to issue frames that justified the NEA. Even then, a significant number of supporters agreed that the Mapplethorpe and Serrano artworks supported in-part by NEA grant awards were offensive. The latter muddied their message of support for the NEA and gave detractors a clear advantage in inciting conflict.

A. Pro-NEA Analysis

Despite dropping by 15.9%, “Access” remained the top issue frame in the crisis period. It seems that in the wake of high-profile controversy over a handful

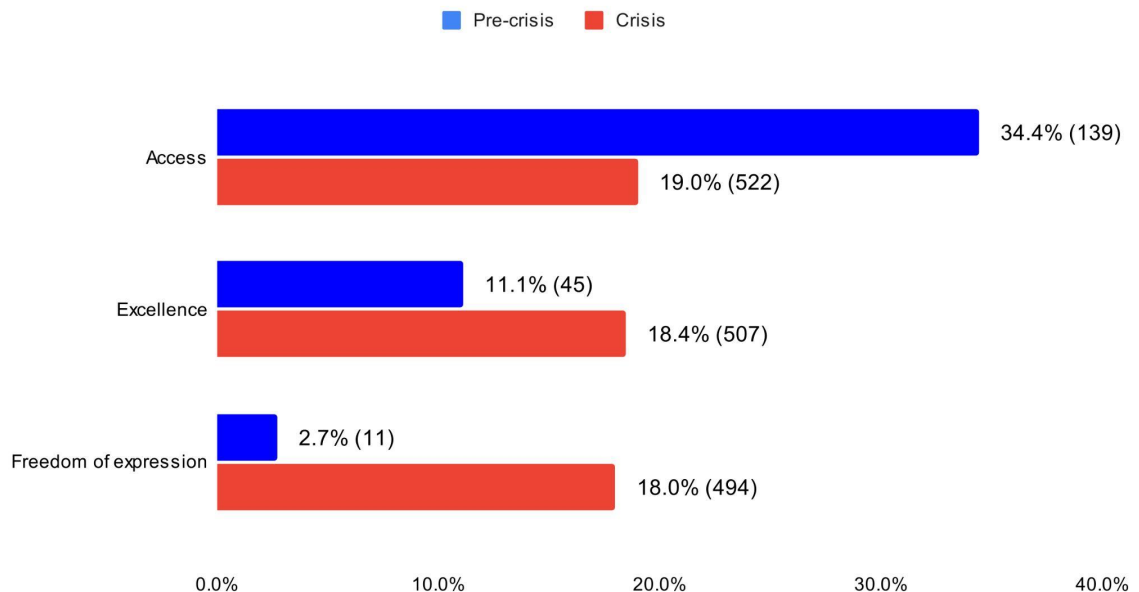
⁴⁰ By year, the counts were: 412 pro-NEA statements and 427 anti-NEA statements in 1989 and 285 pro-NEA statements and 312 anti-NEA statements in 1991.

of grant awards, NEA supporters sought to defend the agency with an established frame. It was a reminder to Congress that one of the central purposes in the creation of the NEA was to provide Americans—especially those who faced systemic barriers due to geography, income, or age—with equal access to the arts. As many policymakers and publics were introduced to the small federal agency for the first time, supporters wanted to emphasize “Access” because “the majority of people don’t realize to what extent the NEA has touched their communities. Most of us have probably taken part in NEA-sponsored events without ever realizing it” (136 Cong. Rec. 5941(1990)). It also countered the increasingly popular, anti-NEA issue frame “Elite” that contended out-of-touch art experts, elites, and wealthy individuals living in large cities were the real beneficiaries of the NEA.

The 1990 Independent Commission that reviewed NEA policies and procedures also touched on “Access.” The Commission called for the agency to shift its focus from beneficiaries and panelists to the American public and recommended enabling legislation “be amended to make clear that the arts belong to all the people of the United States” (Bauerlein and Grantham 2009, 107; Zeigler 1994, 127). Congress took up this recommendation and passed the Amendments to the National Foundation on the Arts and Humanities Act of 1965 which revised the preamble to first say “The arts and the humanities belong to all the people of the United States” and several technical amendments that further moved the agency towards serving all Americans (November 5, 1990,

P.L.101-512, Sec. 104 Stat. 1961).⁴¹ The rhetoric was in-step with the Arts, Humanities, and Museum Amendments of 1985 that provided more robust descriptions of the publics that Congress wanted the agency to serve (Pub. L. No. 99-194, 99 Stat. 1333,1335 (1985)). Despite the assertion by supportive policymakers that the NEA “democratizes the arts by making them available to everyone,” the passage of the Amendments suggests that there was political will to better define and strengthen the agency’s charge when it came to “Access” (139 Cong. Rec. 15605 (1993)).

Figure 5. Pro-NEA statements



⁴¹ Key technical amendments related to access included: i) Grant peer panels must include lay people who reflect “a wide geographic, ethnic, and minority representation as well as...diverse artistic and cultural points of view”; ii) the National Council for the Arts members must “represent equitably all geographical areas in the United States” and meetings must be open to the public; iii) a new section, “Strengthening Arts Through Arts Education,” which charged the NEA with increasing access “to all Americans, including diverse cultures, urban and rural populations by encouraging and developing quality education in the arts at all levels” (November 5, 1990, P.L.101-512, Sec. 104 Stat. 1961).

NEA supporters also sought to deal with controversy in the crisis period with the “Excellence” issue frame which described the small federal agency as having a superior track record. Often, policymakers evidenced the agency’s success with the distribution of hundreds of grants that recognized artistic excellence across the country since its inception. The controversial grant awards were described as an anomaly and the agency as “an institution that cannot be faulted on ordinary grounds” and as making “decisions [that] have been professional, fair, and productive” (135 Cong. Rec. 16281 (1989); Strom and Cook 2004, 517). Still, a majority of supportive policymakers were offended by the grants that supported the exhibition of Mapplethorpe’s *A Perfect Moment* and Serrano’s *Piss Christ*. These policymakers sought to recognize the success of the agency and at the same time their disappointment with the controversial grants. It was common for supporters to walk the line with comments like:

“In nearly 30 years, with nearly 100,000 grants, only a small handful of those projects have been controversial in any way. That is a pretty good track record, a handful of decisions in 30 years. I believe we could find a greater number of mistakes or oversights in many more Federal agencies, or perhaps even in the Congress itself!” (141 Cong. Rec. 11984 (1995)).

Pro-NEA policymakers argued that the opposition sought to distort and mischaracterize the NEA in order to disproportionately punish the agency for a few grantmaking failures, not reward it for its many successes. As Representative Owens said, “NEA critics focus on the handful of grants that have received negative attention, and seek to revise or destroy the whole NEA grantmaking procedure” (136 Cong. Rec. 14678 (1990)). In other words, NEA detractors were called out for their skillful use of synecdoche in their narrative

stories. They wanted to argue that the handful of controversial grants awarded by the NEA was the rule, not exception, as policymaking is often “based on examples believed to be representative of a larger universe” (Stone 2012, 159). “Excellence” was a powerful frame, yet, it seemed that “a single questionable grant could outweigh a thousand meritorious ones” (Bauerlein and Grantham 2009, 149).

In the crisis years, some pro-NEA policymakers introduced a new issue frame, “Freedom,” that advanced the idea that artists and institutions can use an NEA grant award to freely express themselves. At best a nascent frame in the pre-crisis period, “Freedom” became the third most common issue frame in the crisis period and accounted for almost one-fifth (18.0%) of all pro-NEA statements. Often, pro-NEA policymakers who supported freedom of expression characterized those who favored content restrictions as “Republican censors” (141 Cong. Rec. 12401 (1995)). These opponents often retorted by framing the issue as relating to government sponsorship, not censorship.

The incredible increase in “Freedom” was spurred by conservative attempts to regulate the content of artwork, especially in regards to sexuality and religion, supported by the NEA (Strom and Cook 2004, 517). There were two major ways in which the “Freedom” issue frame was employed by supporters in Congress. The first was as an objection to Congress restricting what content the NEA could fund and pointed out that non-experts were unqualified to do so. Representative Major Owens (D-NY) said, “We [Congress] are not artists. Very few of us would claim to be experts on art. So how can this body sit in judgment

over the country on art and even attempt to deem it appropriate and inappropriate or good or bad?” (136 Cong. Rec. 14680 (1990)). The argument also often described restrictions as a slippery slope. Policymakers provided examples of artworks that were controversial in their time, but now lauded as classics in mainstream society that might not be eligible for public funding based on proposed content restrictions. Supporters doubted even the bible would hold up to restrictions, not to mention works by Shakespeare, Michelangelo, Mark Twain, and others (135 Cong. Rec 22838 (1989); 136 Cong. Rec. 33486 (1990); 139 Cong. Rec. 24416 (1993)).

The second approach to the “Freedom” issue frame was ideological and founded on the belief that freedom of expression is an essential American value and an important premise for the arts to thrive. Representative Ted Weiss (D-TX) spoke to the latter, “No one realizes the importance of freedom more than the artist, for only in the atmosphere of freedom can the arts flourish” (135 Cong. Rec. 14442 (1989)). Others commented that freedom of artistic expression is “the bedrock of our national identity” and a heritage that should “be protected at all costs” (141 Cong. Rec. 12401 (1995); 135 Cong. Rec. 14443 (1995)). A handful of policymakers argued the NEA’s enabling legislation demanded freedom of expression, “it is necessary and appropriate for the federal government to help create and sustain...a climate encouraging freedom of thought, imagination, and inquiry” and the intent to “maintain intellectual freedom and preserve American culture for future generations” (141 Cong. Rec. 6945 (1995); 141 Cong. Rec. 7027 (1995)). However, by the 1990s, it seemed like the time to promote cultural

excellence and freedom of expression—the primary reasons for the creation of the NEA—had passed (Binkiewicz 2004, 226; Brenson 2001, 21, 98; Bennett 2017, 188).

B. Anti-NEA Analysis

Anti-NEA policymakers made their biggest mark in the crisis period with the “Art Content” issue frame which accounted for 54.6% of all anti-NEA issue frames in the time period. Utilization of “Art Content” increased over 17,000.0% in the crisis period and accounted for more than three-quarters of all anti-NEA issue frames in 1989 and 1991. It is also tied with “Access” as the most popular issue frame of all periods. “Art Content” described NEA-funded artwork as sexually explicit, shocking, and not legitimate art to most Americans. While the content of NEA-funded artwork was scrutinized over the years, “controversy over the content of funded art became more ideological, more strident, and far more central to the politics of arts funding” during the height of the culture wars prompting very different policy outcomes (Strom and Cook, 2004, 516; 135 Cong. Rec. 22384 (1989)).

The preeminent issue frame, which originated outside the political sphere with Christian fundamentalists, was convenient for conservative policymakers who wanted to re-shape perception of the NEA in Congress. The frame effectively manufactured focusing events by highlighting controversial artworks, some of which were not even supported by the NEA, including Karen Finley’s *We Keep Our Victims Ready*, Ron Athey’s *Four Scenes in a Harsh Life*, Marlon T.

Riggs' *Tongues Untied*, Annie Sprinkles' *Post-Porn Modernist*, and others. "Art Content" was an effective weapon on the ideological frontlines of the culture wars, and in-part responsible for a major tone shift in the debate over federal arts policy.⁴²

A number of pro-NEA policymakers voiced their dissatisfaction with NEA grant awards, too. Senator Claiborne Pell (D-RI), a co-sponsor of the NEA's enabling legislation and longtime advocate in Congress, described the artwork of Mapplethorpe and Serrano as "offensive, objectionable and obscene" and admitted "serious errors in judgment were made when such works were recommended for funding by their respective review panels" (135 Cong. Rec. 16284 (1989)). Like "Elimination" in the pre-crisis years, the "Art Content" frame was strengthened at the expense of pro-NEA policymakers.

Senator Jesse Helms (R-NC), Senator Orrin Hatch (R-UT), Representative Dana Rohrabacher (R-CA), Representative Dick Armey (R-TX), Representative Crane (R-ID), and Representative Ralph Regula (R-OH) led the verbal attack on the NEA. They described artists and artworks supported by the NEA as "pornographic," "homoerotic," "sexually deviant," "trash," and "garbage"—rhetoric that spread widely and quickly among conservatives in Congress. Senator Helms stood out thanks to his extreme homophobic language that demeaned NEA-funded artists. He described Mapplethorpe, Athey, and others as "human cockroaches" who had "perverse mentalities" and argued that

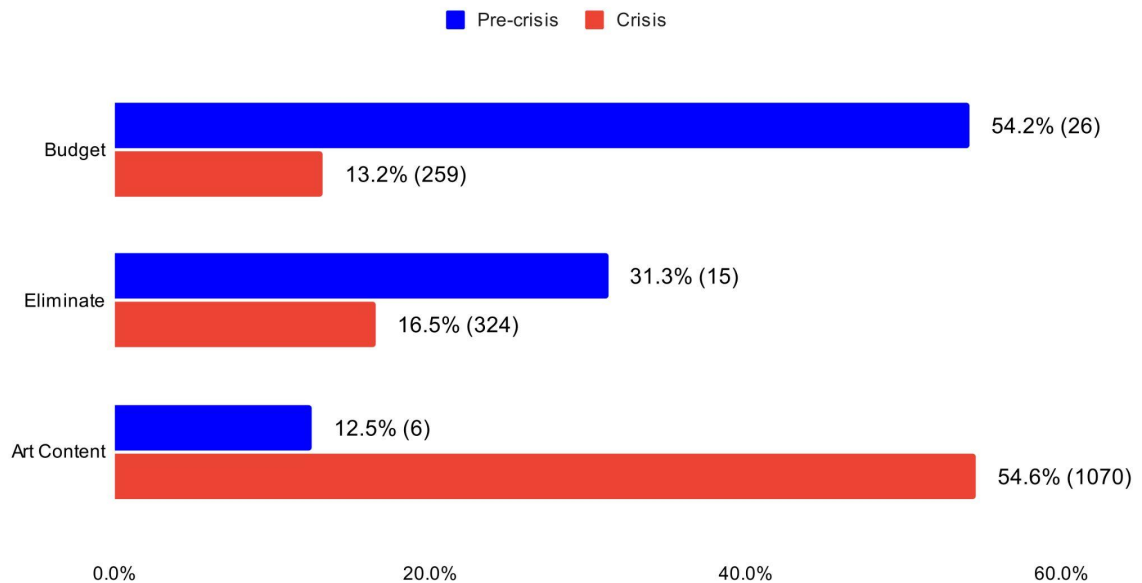
⁴² Patrick Buchanan, along with other Christian cultural conservatives, described contemporary American art as "a fearful indictment of our culture" and urged like-minded Americans to "become interested in art if they wish to see civilization survive into the 21st century" (135 Cong. Rec. 18025-6 (1989)).

their artwork was created in “an effort to gain wider exposure of, and acceptance for, homosexuality” (Coyle 1998: 357; Cummings 1991, 67). Conservative policy entrepreneurs made it clear that the content of NEA-funded artwork was offensive on moral and religious grounds. “Art content” became as much about the artwork as the artists during this time—the subject of artwork was intrinsically linked to the identity of the artist. Critics described the agency as “quietly pursuing policies rooted in identity politics” and emphasizing “racial, sexual and cultural differences above all else” in an effort to be politically correct (143 Cong. Rec. 9467 (1997)).

“Art Content” also argued that there should be standards for publicly funded artwork that reflect mainstream American values, not the values of artworld elites. Conservative policy entrepreneurs believed that the federal government had an “obligation to the taxpayer to see to it that their hard-earned money is not wasted on promoting ideas that the vast majority of people find offensive, if not downright immoral and destructive to society” (135 Cong. Rec. 12794 (1989)). The funding of offensive artwork was seen as a byproduct of a grantmaking process overseen by “elitist,” “self-appointed experts” at the NEA who were out-of-touch with mainstream American values and cared more for aesthetics than morals (135 Cong. Rec. 22372 (1989); 136 Cong. Rec. 13163 (1990)). The standards of experts were heavily criticized and seen as an attempt by the “radical left to give legitimacy to pornography and homosexuality” (136 Cong. Rec. 14939 (1990)). The public funding of offensive artworks was tantamount to “government support for indecency, rottenness, homosexuality,

sodomy, bestiality” (137 Cong Rec. 29495 (1991)). The frame also suggested that private funding was ideal for the arts as it guaranteed freedom of expression. As Representative Dana Rohrabacher (R-CA) said, “Artists can do whatever they want on their own time and with their own dime” (135 Cong. Rec. 20360 (1989)).

Figure 6. Anti-NEA statements



“Eliminate” was again the second most popular anti-NEA frame, however, it was used only half as much in the crisis period (16.5%) as in the pre-crisis period (31.3%). Once again, it was promoted as the preferred policy solution of policymakers who questioned the need for the federal government to fund the arts, especially given the controversies surrounding the NEA in the 1990s. The frame was still parroted by NEA supporters who often spoke of the negative consequences of or their opposition to elimination. In the crisis years, these policymakers began to point out the frequency of partisan calls to eliminate the NEA and the possibility that those who made them had ulterior motives (140

Cong. Rec. 14216 (1994); 141 Cong. Rec. 3288 (1995); 138 Cong. Rec. 23602 (1992)).

“Budget” fell from the most common issue frame in the pre-crisis period to the third most common issue frame in the crisis period at 13.2% (259). While the issue frame was evergreen for Republicans, it was employed with more vigor in the crisis period thanks to increased polarization over federal funding of the arts. In particular, the Contract with America, especially the Fiscal and Responsibility Acts, gave the issue frame teeth. It put the NEA squarely in the crosshairs of Republican “deficit hawks” (Rosenfeld 2018, 271; Schram 1997, 64). Much like the previous period, these policymakers opposed federal funding of the arts in order to “get a handle on the deficit and balance our budget...when we are struggling to come up with funds for prenatal care and some of those other programs...that are absolutely necessary and on which our people depend” (136 Cong. Rec. 1014 (1990); 141 Cong. Rec. 7134 (1995)). The frame increased by four-fold from 1994 to 1995 in the House as Representatives Newt Gingrich (R-GA) and Ralph Regula (R-OH) led a strategic attack on the NEA that resulted in a 40.0% reduction in the NEA’s 1996 appropriation (Gray and Jenkins, 2021 1556; Bauerlein and Grantham 2009, 116).

Many NEA supporters in Congress took a hard-line stance against “Budget.” They were quick to criticize the Contract on America and overspending on other government agencies, like the Department of Defense. Representative Carolyn Maloney (D-NY) exemplified these sentiments:

In many ways the Contract on America is a declaration of war. A war on children, a war on consumers, a war on the environment, a war on senior citizens. While they have taken defense off the cutting board, they're making mincemeat out of the arts. The new leadership invests in that which destroys, but destroys that which creates. (141 Cong. Rec. 3292 (1995)).

Many challenged Republicans who argued to cut funding or eliminate an agency that accounted for less than one-one hundredth of one percent of the federal budget on the basis it would save taxpayer money. As Representative Louis Slaughter (D-NY) said, "We have all listened to this debate before, and we should all know this is not about deficit reduction or about what we can afford—this is all about philosophy, plain and simple" (141 Cong. Rec. 12403 (1995)). Many NEA supporters argued that the Republican-led increases to the defense budget, which far outstripped the entire budget of the NEA, undermined their "Budget" issue frame. "Budget" was portrayed as a smokescreen for conservative policy entrepreneurs whose political ambitions included cutting funding for or eliminating the agency.

3. Post-Crisis Period: 1996-2000

In the post-crisis period the total number of statements made about the NEA dropped by one-third (33.2%) to 3,146 signaling an overall decline in the conflict over and visibility of federal arts policy. Unlike the crisis period, the tone about the NEA in Congress was decidedly positive and signaled that supporters largely recaptured the subsystem's positive policy image. Pro-NEA statements outnumbered anti-NEA statements 3 to 1 thanks to a 60.6% decrease in anti-NEA statements from the crisis period.

The majority of arts literature paints the NEA's 40.0% reduction in annual appropriations in fiscal year 1996 as the culmination of political conflict over federal arts policy. The analysis of congressional rhetoric, however, shows that conflict peaked in 1997, the year with the highest count of anti- and pro-NEA statements, 541 and 1,262 respectively. That year, pro-NEA policymakers responded in force to another call from House Speaker Newt Gingrich to eliminate the unauthorized agency, six attempts to zero out funding, and one proposal to fund the arts via block grants to states (Bauerlein and Grantham 2009, 122-123). In fact, the top three pro-NEA issue frames in the post-crisis period were used at a higher frequency than the crisis period. While these efforts likely saved the agency from elimination, it did not escape the post-crisis period unscathed. From 1996 to 1998, Congress imposed a number of reforms that dramatically changed how the agency operated. In some ways, the crisis over the NEA spilled into the early years of the post-crisis period.

A. Pro-NEA Statements

The top pro-NEA issue frame in the post-crisis era was, again, "Access" at 25.5%. The frame's use in Congress increased by 6.5% from the crisis to the post-crisis period. Congressional reforms and efforts to reclaim the subsystem's prevailing policy image by supporters likely contributed to the issue frame's prevalence. In 1997, Congress amended the Department of the Interior and Related Agencies Appropriations Acts to include "the Chairperson of the National Endowment for the Arts shall ensure that priority is given to providing services or awarding financial assistance for projects, productions, workshops, or programs

that serve underserved populations” (S.Amdt. 1226 to H.R.210 (1997); Bauerlein and Graham 2009, 120)). Bill Ivey, the Chair of the NEA, created a new grant program in response, ArtsREACH, which pro-NEA policymakers lauded as “a productive way to bring the Endowment’s programs to new audiences in small neighborhoods across the country” (144 Cong. Rec. 10376 (1998)). As NEA supporters touted the agency’s ability to increase access to the arts in the post-crisis period, they spoke particularly about doing so for “underserved,” “inner city,” and “at-risk” populations. Other times, as exemplified by Representative Jerrold Nadler (D-NY), the benefits to these populations were implied, “For 30 years...the NEA has brought art and culture to those who would not otherwise have access to it” (143 Cong. Rec. 7652 (1997)).

Otherwise, the pro-NEA policymakers likely employed “Access” to counter “Elite,” an increasingly popular anti-NEA issue frame in the post-crisis period that described the NEA’s beneficiaries as art experts, elites, and wealthy individuals living in large cities. Representative Sander Levin (D-MI) said, “Elimination of the NEA would not mean the elimination of the arts in America. What it would mean is that the arts could become inaccessible to many Americans. The arts should not be just for the well-to-do” (143 Cong. Rec. 5152 (1997)). The stark contrast in how pro- versus anti-NEA policymakers described the NEA’s beneficiaries is a potent example of how competing issue frames conflict and can’t easily be resolved.

Similar to the pre-crisis period, “Education” was again the second most popular pro-NEA issue frame. From the crisis to the post-crisis period, its use

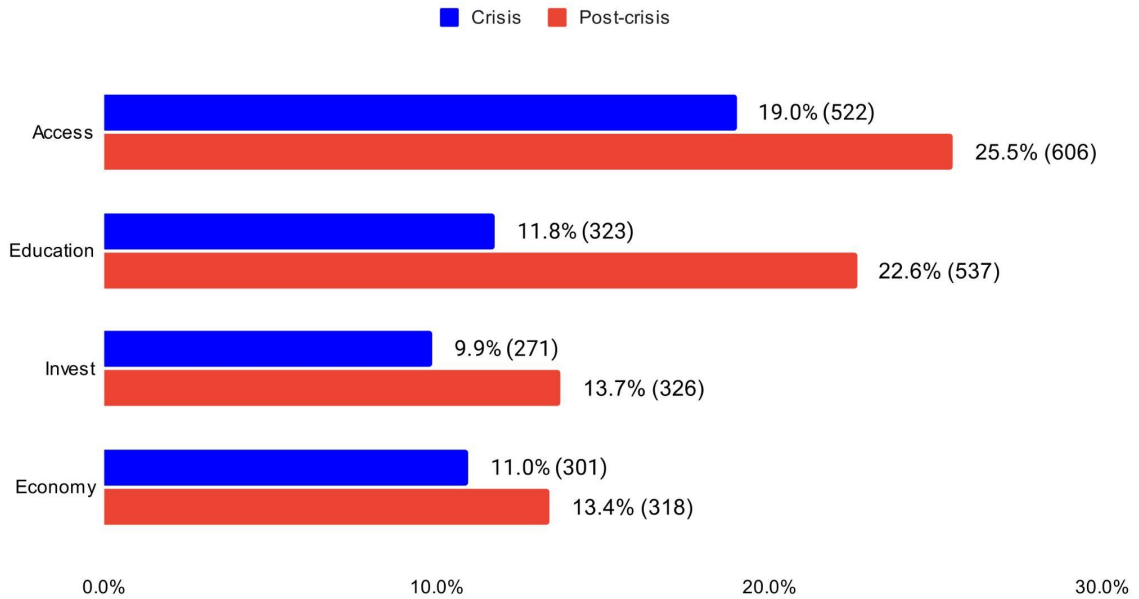
doubled to account for 22.6% of all pro-NEA issue frames. Much like “Access,” the frame had a high profile thanks to legislation that proposed the NEA fund arts education programs at higher rates (H.R.2156 (1997); S.1020 (1997)).⁴³ Despite the defeat of the legislation, it spurred congressional rhetoric about the educational benefits of the arts including the NEA’s provision of arts education and life-long learning opportunities to the American public.

At the same time, NEA supporters began to cite evidence that the arts improved educational outcomes, especially standardized test scores. As Representative Rick Lazio (R-NY) said, “Recent studies have shown higher SAT scores among high school students with an art background and stronger math skills among children who study music at an early age” (143 Cong. Rec. 945 (1997)). Other popular benefits of the arts for youth discussed in Congress included increased self-esteem, reduction in drop-out rates, and sense of achievement (143 Cong. Rec. 939 (1997)). policymakers were particularly fond of sharing examples of successful arts education programs in their home states and congressional districts that improved academic achievement outcomes. Since the 1960s, policymakers have sought to align federal arts policy with education to gain congressional support. The “Education” frame in the post-crisis period, yet

⁴³ The two bills were the Arts and Humanities Amendments of 1997, sponsored by Senator James Jeffords (R-VT), and Cultural Education Enhancement Act of 1997, sponsored by Representative Ralph Regula (R-OH). Senator Jeffords described how his bill came to be, “We began the reauthorization process...with a hearing which focused on education programs in the arts and humanities. It was clear...that arts education programs...make a real difference in the lives of individuals of all ages and from all corners of the country. The bill that I am introducing today directs the NEA to use any funds...for arts education programs (143 Cong. Rec. 7488 (1997)).

again, proved how critical the relationship was between the two and how effective the frame was over time.

Figure 7. Pro-NEA statements



Like “Education,” “Invest” returned to its pre-crisis rank as the third most popular issue frame at almost the exact same proportion (13.7%). The “Economy” issue frame, which described the positive impact of the arts on the economy, was not only equally as employed as “Invest,” but also was a popular issue frame in the pre-crisis period. The similarities between the two are unsurprising since both were often used in tandem by pro-NEA policymakers. For example, Representative Ellen Tauscher (D-TX) said, “The NEA continues to make a great investment in the economic growth of every community in America. The nonprofit arts industry alone generates \$37 billion annually in economic activity, supports over 1.3 million jobs and returns \$3.4 billion to the Federal

Government in income taxes. That is a huge return on a small investment” (143 Cong. Rec. 5061 (1997)). Policymakers often emphasized how such a small investment of federal funds in the arts produced outsized economic benefits. In the post-crisis period, the “Economy” issue frame increasingly described successful arts-based economic development in cities, “The economic impact of the arts is significant and especially dramatic in our great cities, large and small. Of all the urban economic development programs, arts funding has proven to be among the most important of our great cities” (143 Cong. Rec. 5149 (1997)). Strong advocacy from national arts advocacy groups, like Americans for the Arts and National Assembly of State Arts Agencies, was largely responsible for strengthening the “Economy” issue frame. In the 1990s, these groups strategically sought out support from the United States Conference of Mayors as well as the National Governors Association and, for the first time, regularly produced research that demonstrated the national economic impact of the arts (Strom and Cook 2004, 519; Americans for the Arts, 2002).⁴⁴

B. Anti-NEA Statements

“Eliminate” rose tremendously from about 16.5% in the pre-crisis period to 39.3% in the post-crisis period, the highest rate across the time periods studied, as the Republican party set their sights on defunding the agency. The 1996 Republican Party Platform stated, “As a first step in reforming government, we

⁴⁴ In 1994, Americans for the Arts produced a new national economic impact study, *Arts and Economic Prosperity*, that was very popular among pro-NEA policymakers. Many statements made in Congress about the economic impact of the arts in the post-crisis period can be traced back to the report which is currently in its sixth iteration (Americans for the Arts, 2022).

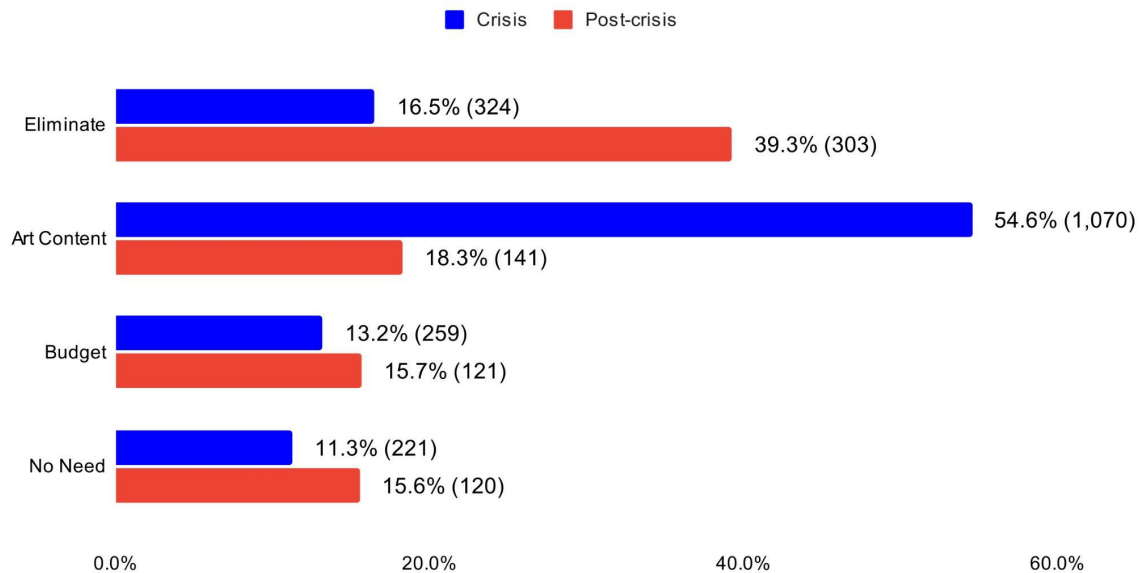
support...the elimination, defunding or privatization of agencies which are obsolete, redundant, of limited value, or too regional in focus. Examples of agencies we seek to defund or to privatize are the National Endowment for the Arts..." (The American Presidency Project, n.d.). It demonstrated the visibility of federal arts policy in national politics and the growing gap between liberals and conservatives over the NEA. Republicans, namely House Speaker Newt Gingrich and Senator Jesse Helms, responded to the party platform's call and, again, the NEA was targeted for elimination (Bauerlein and Graham 2009, 121).⁴⁵

In the post-crisis period, Republicans introduced eight pieces of legislation to eliminate the agency and five to reduce funding to the agency. Republicans also claimed that in 1995 there was a bipartisan deal, not included in the final appropriations bill, that appropriated funds to the NEA in 1996 in exchange for it being phased out in 1998.⁴⁶ While "Eliminate" was the second-most popular issue frame in the pre- and crisis periods, it seems that party support helped make it the most popular issue frame in the post-crisis period. As Republican perceptions of the agency grew more extreme over time, so did their policy solutions which pivoted away from disciplinary budget cuts to outright elimination.

⁴⁵ House Speaker Newt Gingrich made several comments about arts funding that expanded conflict in 1997. They are, "If the people who come to lobby us [for arts funding] who are famous and rich would simply dedicate 1% of their gross income to an 'American Endowment for the Arts,' they would fund a bigger system than the National Endowment for the Arts" L.A. Times, 1997)

⁴⁶ NEA supporters claimed, "Dick Arme y, the House majority leader, claims that a handful of Republicans worked out a budget agreement two years ago that pledged partial financing for the NEA in exchange for a phase-out of the agency over two years. As a result, he is now calling for this new Congress to uphold this alleged deal. But Mr. Arme y doesn't point out that this agreement was specifically excluded in the final appropriations bill two years ago. In fact, it was never included in any bill enacted into law. (143 Cong. Rec. 6973 (1997)).

Figure 8. Anti-NEA statements



“Art Content” decreased by 36.3% from the crisis period to the post-crisis period making it the second most popular issue frame at 18.3%. Compared to the crisis period, there were far fewer controversies over NEA-funded art in the post-crisis period. This was a result of the conflict over standards for publicly funded art being, at least partly, resolved with a number of congressional restrictions that prohibited NEA funding of “offensive” artwork and, eventually, individual artists in the crisis period.⁴⁷ Moreover, in 1998, the Supreme Court heard *Finley v. NEA* and upheld the “obscenity clause” which legitimized restrictions (DeGrazia 1994, 137; Rushton 2000, 276).

⁴⁷ Congressional restrictions included: the “obscenity clause”; The Arts and Humanities Amendments of 1990; 1995 authorization amendments including elimination of individual artist grants and prohibition of funding art that “denigrates the religious objects or religious beliefs of the adherents of a particular religion, or depicts or describes, in a patently offensive way, sexual or excretory activities or organs” (Omnibus Consolidated Rescissions and Appropriations Act of 1996, Pub. L. No. 104-134, 110 Stat. 1321-207 (1996)).

Despite the new restrictions on art content, anti-NEA policymakers still incited conflict over NEA-funded artwork. Anti-NEA policymakers took offense to Cheryl Dunye's *The Watermelon Woman*, a film about a young, Black, and lesbian film maker in an interracial relationship with a white woman. Critics described the grant award as a "classic example, of the Clinton administration, being in bed with the gay-lesbian movement, and funding a project through tax dollars, that can't get funded any other way"(142 Cong. Rec. 6484 (1996)). Senators Jesse Helms (R-NC) and John Ashcroft (R-MO) used it as yet another example of "the National Endowment for the Arts continuing to fund...garbage" and an opportunity to defund the agency (143 Cong. Rec. 9315 (1997); Bauerlein and Graham 2009, 123). Many policymakers agreed with Representative Sheila Jackson-Lee (D-TX) who said, "if it was not this grant [*Watermelon Woman*], the Endowment's critics would have dreamed up some other project that outraged them" (142 Cong. Rec. 6637 (1996)). It seems that "Art Content" was not only an increasingly unnecessary issue frame, but a tired one.

Both the "Budget" and "No Need" issue frames rose slightly from the crisis period and each accounted for approximately 15.0% of all issue frames in the post-crisis period. "No Need" contended that it was not appropriate or necessary for the federal government to support the arts and if the NEA did not exist, American art would still thrive. While "Budget" had declined over time, it was still one of the top three issue frames in each period; "No Need," however, had only become a top issue frame in the post-crisis period. The frame's popularity rose alongside attempts to eliminate the NEA. By the post-crisis period, anti-NEA

policymakers more frequently used the two frames together, similar to the “Invest” and “Economy” issue frames in the post-crisis period. Senator John Ashcroft shows how the two frames complement one another:

Simply put, the NEA has not proved itself necessary of federal funding. We have to change our mind set and stop expecting the federal government to fund all that we find useful. As a matter of fact, if one was to compare the art generated prior to the NEA to art that has come after NEA, I don't think it would be any problem to see we have had great art throughout the history of the United States and worthy art for our consideration and our heritage in the absence of the subsidy of the federal government. The growth of private sector charitable giving in recent years has rendered the NEA funding relatively insignificant to the arts community. Private funding of the arts has been rising consistently since 1965. (143 Cong. Rec. 9465 (1997))

These two frames reinforced one another: if federal spending on the NEA is a budgetary luxury, and paled in comparison to private support that could fill the void left if the NEA were eliminated, then there is no need for taxpayers to fund the arts. As in the crisis period, pro-NEA policymakers rebuked Republicans for their posturing.

4. Conclusion

Across the pre-, crisis, and post-crisis periods, there was considerable variation in the top pro- and anti-NEA issue frames as each side of the aisle attempted to control the subsystem's policy image. It demonstrates the dynamic nature of congressional rhetoric, an elaborate dance of conflicting issue frames that are constantly in motion and reacting to one another. The dance became distinctly different and more wild in the crisis period when congressional rhetoric shifted with the adoption of emergent issue frames: “Excellence,” “Freedom of

Expression,” and “Art Content.” The latter was a vehicle for change as it introduced a new, negative tone about federal arts policy in Congress. This negative tonal shift was a major contributor to the punctuation of the arts policy subsystem. It lingered into the post-crisis period so that the tone of federal arts policy improved, but was still not comparable to the pre-crisis period.

Again, a number of issue frames—“Budget,” “Access,” “Economy,” and “Education”—were already in use in other policy domains prior to the conflict over federal arts policy. These high-level, “sticky” issue frames had emotive appeal and transcended policy arenas to “signal to people how to think about various social issues.” They presented a convenient way to transmit values and reasoning onto lower level issue frames, like federal arts policy (Frameworks Institute 2002, 5). The previous success of these established frames might explain why they were so popular and consistently used in the conflict over federal arts policy.

A. Policy Image and Tone

The top issue frames in each time period describe the prevailing policy image and set the congressional tone of the federal arts policy. For each period, the prevailing policy image will be described in order to understand if and how it was redefined, as well as by whom, and any consequences. As per Baumgartner and Jones, it will be possible to identify when the federal arts policy subsystem underwent change with a longitudinal examination of policy images (2009, 51). Issue frames and policy solutions, the elements of the policy images, will be especially important for assessing the tone of congressional rhetoric at any point

in time. This section is an essential discussion for exploring the independent variable and, ultimately, rejecting or accepting the alternative hypothesis.

Rank	Pre-crisis			Crisis			Post- Crisis		
	Frame	#	%	Frame	#	%	Frame	#	%
1	Access	139	34.4%	Access	522	19.0%	Access	606	25.5%
2	Education	81	20.0%	Excellence	507	18.4%	Education	537	22.6%
3	Invest	53	13.1%	Freedom of Expression	494	18.0%	Invest	326	13.7%
3	N/A	N/A	N/A	N/A	N/A	N/A	Economy	318	13.4%

Rank	Pre-crisis			Crisis			Post- Crisis		
	Frame	#	%	Frame	#	%	Frame	#	%
1	Budget	26	54.2%	Art Content	1,070	54.6%	Eliminate	303	39.3%
2	Eliminate	15	31.3%	Eliminate	324	13.2%	Art Content	141	18.3%
3	Art Content	6	12.5%	Budget	259	13.2%	Budget	121	15.7%
3	N/A	N/A	N/A	N/A	N/A	N/A	No Need	120	15.6%

In the pre-crisis period, the subsystem’s policy image was positive and controlled by supporters as evidenced by pro-NEA issue frames accounting for 89.4% of all frames in the period. The prevailing policy image presented the NEA as an institution that increased access to the arts for all Americans (“Access”), supported arts education and life-long learning opportunities (“Education”), and leveraged private charitable contributions to the arts at a low-cost to taxpayers (“Invest”). To a lesser degree, pro-NEA policymakers also highlighted the positive economic impact of the arts (“Economy”) and the agency’s excellent track record awarding grants that recognized artistic excellence (“Excellence”). The prevailing policy image was strongly positive as was the tone of rhetoric in Congress. During the pre-crisis period, the positive policy image kept the subsystem stable

and in the power of elites, as had been the case since the establishment of the NEA.

The crisis period introduced a new, more complex tone about federal arts policy in Congress when “Art Content” made its debut (it was used only six times in the pre-crisis period). The issue frame accounted for 54.6% of anti-NEA issue frames in the crisis period and was tied with “Access” as the most popular issue frame of all periods. While nascent, “Art Content” was still potent because it appealed to higher-level beliefs about morality and religion and largely borrowed from language employed by Christian fundamentalists in the 1980s.

Similar to “Budget” in the pre-crisis period, NEA detractors rallied around “Art Content” in the crisis period. The success of “Art Content” allowed Republican policy entrepreneurs to gain some control over the subsystem’s policy image. These entrepreneurs regularly described NEA supported artwork as “pornographic,” “homoerotic,” “sexually deviant,” “trash,” and “garbage,” language that spread quickly and widely. The issue frame even resonated with policymakers who supported the NEA; albeit these policymakers described artwork more mildly, often as “offensive,” and assuaged their criticisms. In a time of polarized politics, it seemed like “Art Content” was one thing policymakers on both sides of the aisle could get behind. “Art Content,” likely bolstered by the culture wars, allowed Republican policy entrepreneurs to effectively advance negative perceptions of the NEA in Congress for the first time.

Pro-NEA issue frames in the crisis period were also different from the other two periods. The dominance of “Art Content” left some NEA supporters

scrambling to effectively respond. While “Access,” retained its top rank in the crisis period, two frames, “Excellence” and “Freedom of Expression,” were activated by NEA supporters in an effort to reclaim power over the policy image. It was the only period in which the latter two issue frames ranked in the top five pro-NEA frames. In particular, “Freedom of expression” experienced an enormous boost, rising 4,390.9% from the pre-crisis period. NEA supporters pivoted away from issue frames that described the instrumental benefits of the arts to American society, like “Education” and “Invest” to these more defensive issue frames. They seemed to pale in comparison to their competition, “Art Content” as they appealed to lower-level values and were used with less frequency.

In the post-crisis period, both pro- and anti-NEA frames largely resembled the pre-crisis period: top pro-NEA issue frames outnumbered anti-NEA issue frames and many of the issue frames were the same. The top three Pro-NEA issue frames were not only the same in the pre-crisis period, but had the exact same rank. Additionally, “Economy” increased slightly to tie for the third most popular issue frame. It is worth noting that “Elimination” peaked in this period. Those opposed to the NEA now favored describing their preferred policy solution over the policy problem. As federal arts policy became increasingly polarized, anti-NEA policymakers responded with more extreme rhetoric.⁴⁸ Overall, the policy image of the post-crisis period was largely positive, although partisanship

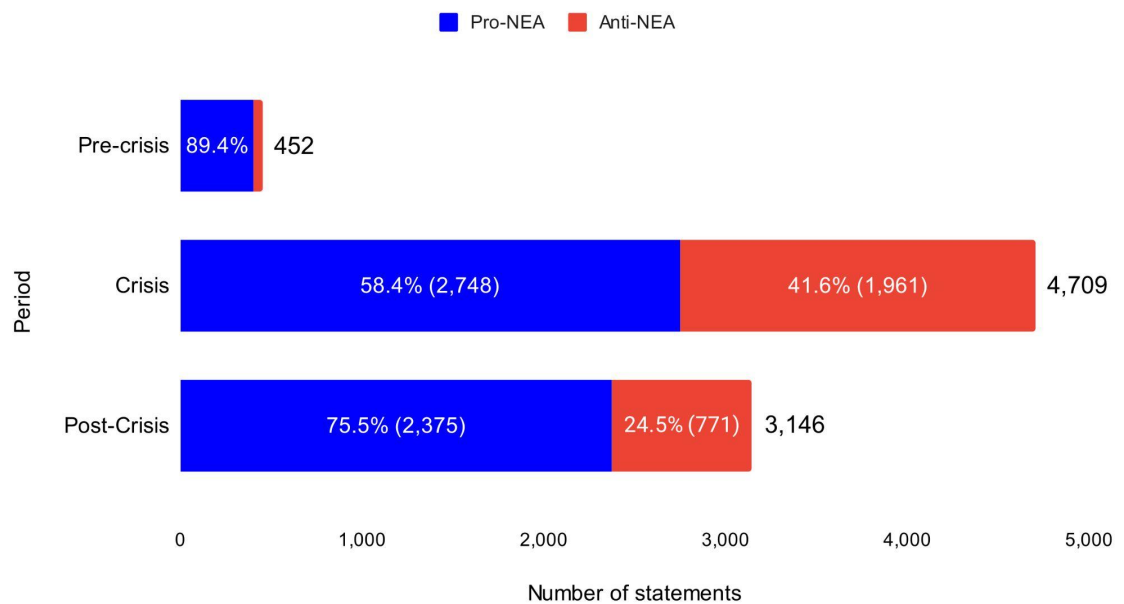
⁴⁸ The tacit was in line with the Republican party’s move rightward in the 1990s, especially Newt Gingrich’s embrace of confrontation and polarization to advance the Republican agenda (Therault 2013, 22; Rosenfeld 2018, 270).

had left its mark. The tone was once again positive, but not nearly as positive as in the pre-crisis period.

B. Visibility and Scope of Conflict

The visibility and scope of conflict over federal arts policy represents the amount of congressional attention paid to federal arts policy and is measured, similar to Baumgartner and Jones, by the total number of statements identified in the Congressional Record at a point-in-time (2009, 50). It was determined above that Republican policymakers successfully altered the tone of the federal arts policy in the crisis period, but it is unclear yet if it resulted in an increase in conflict and, if so, the speed at which conflict spread.

Figure 9. Anti- and Pro-NEA statements by period



The total number of congressional statements about the NEA jumped from 452 in the pre-crisis period to 4,709 in the crisis-period. The 941.0% increase in statements signals that conflict over federal arts policy quickly intensified. As

predicted by Baumgartner and Jones, congressional attention and questioning of federal arts policy in the crisis period incited conflict. During this time anti-NEA issue frames increased by a whopping 3,985.4%, six times that of pro-NEA issue frames (580.2%). The emergence of a new, more negative one about federal arts policy attested to the new legitimacy of conservative entrepreneurs as well as the disruption of the status quo. The subsystem had begun to move away from elitism towards pluralism.

While the total count of issue frames decreased by one-third (33.2%) in the post-crisis period, it was still relatively high compared to the pre-crisis period. Conflict over federal arts policy remained high in Congress signaling that subsystem elites still had to share legitimacy over the subsystem with conservative policy entrepreneurs. 1997 was an especially contentious year as anti-NEA policymakers advanced multiple proposals to eliminate or significantly restructure the agency (Bauerlein and Grantham 2009, 122-123). That year the total count of statements (1,803) was significantly higher than any other year studied; the next highest total count of issue frames was 1,117 in 1990. The findings challenge the majority of arts literature that paints the NEA's 40.0% reduction in annual appropriations in 1995 as the culmination of political conflict over federal arts policy. The reality is that conflict climaxed later and is largely unstudied.

C. *Tone and Conflict by Congressional Chamber*

The tone and visibility of federal arts policy is examined here by each chamber of Congress. The examination will make it possible to understand what, if any, effect each chamber had on the independent and dependent variable. Hopefully, new insights about the tone and conflict over the NEA in Congress will make it possible to uncover additional information that will inform the acceptance or rejection of the proposed hypotheses.

There were several distinctions in how each chamber employed anti-NEA issue frames. “Budget” and “Eliminate,” for example, were used more in the House than in the Senate in every period. The former was used between 8.2% to 12.2% more and the latter was used 3.7% to 16.2% more in the House across all periods. These differences do not seem to be a result of chance, but of party politics and Newt Gingrich’s influence on House Republicans. His Contract with America, which all but two House Republicans signed, took direct aim at federal agencies like the NEA with the Fiscal Responsibility Act. The 1996 Republican platform, which called for the elimination of the NEA, buttressed Gingrich’s long-standing proposal to do the same. Of course, Gingrich had help from other policy entrepreneurs in popularizing “Budget” and “Elimination” in the House: Representatives Dick Armey (R-TX), Tom DeLay (R-TX), Steve Bartlett (R-TX), and Ralph Regula (R-OH). In contrast, the Senate was much more likely to use “Art Content” than the House. In fact, “Art Content” peaked in the Senate during the crisis period at 63.8%. The moralistic attacks on the NEA by Senator Jesse Helms, and to a lesser degree Senator Orrin Hatch (R-UT), likely significantly

contributed to the popularity of the frame in the Senate. It is also expected that Senators who supported the NEA, but disagreed with controversial grant awards, contributed to its widespread use in the chamber as well.

In regards to pro-NEA issue frames, the difference between the two chambers was not as great as with anti-NEA issue frames. Still, there were some notable differences, many of which were instigated by an anti-NEA tone. The Senate was slightly more likely to use “Excellence” and “Freedom of Expression” than the House. In fact, “Freedom of Expression” was the top issue frame in the Senate in the crisis period at 21.7%, and it seems no coincidence that it peaked at the same time as “Art Content.” By comparison, the House slightly favored “Economy” and “Quality of Life. It seems that “Economy” was the best response to “Budget” in the House. The most interesting thing about pro-NEA issue frames is not their use by each chamber, but their use by period. In the pre-crisis and crisis periods, issue frames were less consistently used with only one or two issue frames having the same rank in both chambers. However, in the post-crisis period, four of the seven pro-NEA issue frames (“Access,” “Education,” “Invest,” and “Freedom of Expression”) had the same rank in each chamber. It seems possible that the crisis period—which introduced a new, negative tone and incredible conflict in Congress—was the impetus for more consistent use of issue frames. In order to quell the storm that erupted in the crisis period, NEA supporters had to use issue frames more consistently in order to regain control over the tone of rhetoric in Congress. The more unified front likely amplified a positive tone in the post-crisis period that de-escalated conflict over the NEA.

It seems that each chamber also shaped conflict and visibility over the NEA. There was more conflict in the House than the Senate, the two chambers accounted for 54.6% and 45.4% of all statements respectively. The difference between the House and Senate was greatest in the pre-crisis (38.3%) and post-crisis periods (11.3%) and lowest in the crisis period (4.9%). Again, it seems likely that Republican policy entrepreneurs in the House, led by Newt Gingrich, generated immense conflict with their aggressive and confrontational strategies. This is perhaps the reason why pro-NEA frames were more popular in the House (56.1%) than in the Senate (43.9%): Representatives that supported the NEA had an uphill battle to fight against Republican policy entrepreneurs who had enormous sway in the chamber, especially in the crisis and post crisis periods. By comparison, anti-NEA issue frames were used about equally in the House (48.5%) and Senate (51.5%).

There are a couple of findings to highlight about tone and conflict by each chamber in Congress. First, it seems that both policy entrepreneurs and the introduction of conflicting frames impacted the rhetoric of each chamber. The most popular anti-NEA rhetoric in each chamber reflected the beliefs and values of the leading policy entrepreneurs. Second, in the case of issue frames, opposites attract. That is, it seems that conflicting issue frames reinforce each other's use: in the Senate, "Freedom of Expression" and "Art Content" were opposites and in the House, "Budget" and "Economy" were opposites. Members of the House seemed to have an advantage in inciting conflict over the NEA,

however, NEA supporters successfully thwarted these sustained efforts by consistently using issue frames across chambers to reclaim a positive tone.

D. Hypothesis

There is ample evidence to support the alternative hypothesis: If policy entrepreneurs successfully change the tone of federal arts policy, the visibility and scope of conflict over federal arts policy will quickly increase. The introduction of the “Art Content” issue frame in the crisis period by conservative policy entrepreneurs, and resulting deterioration of the federal arts policy’s policy image, resulted in a quick increase in the visibility and scope of conflict over the NEA. It was a pivotal moment for American federal arts policy, and marked the end of the status quo and the start of disruption and chaos that would forever change how the subsystem operated.

VI. Agenda setting and Policy Outcomes

The last chapter showed that conservative policy entrepreneurs successfully changed the tone of federal arts policy discourse, primarily in the crisis period, which led to the visibility and scope of conflict over federal arts policy quickly increasing. As federal arts policy gained unprecedented attention in Congress, the subsystem became unstable. Conservative policy entrepreneurs had an opportunity to make the problems and solutions they articulated about federal arts policy viable issues for congressional attention. For decades, “the link between the endowment and Congress [was] tenuous,” and discussion of federal arts policy in Congress was limited to the Appropriations Interior Subcommittees. With the increased conflict over federal arts policy, conservative policy entrepreneurs could advance “their preferred governmental decisions or actions” by getting federal arts policy onto the broader congressional agenda (Gerston 2004, 52; Allison and Zelikow 1999, 280). Federal arts policy was poised to become the domain of policymakers, not subsystem experts.

According to Baumgartner and Jones, when elites lose control over policy image and venue it creates the necessary conditions for policy to change drastically, quickly, and by coercion (2009 16, 37-38; Kingdon 1995, 80). This chapter seeks to test the relationship between venue and policy change with the following hypotheses:

H₂: If federal arts policy gets onto the broader congressional agenda, then policy will change substantially.

H₀: If federal arts policy does not get onto the broader congressional agenda, then policy will not change substantially.

It seems likely that “destabilizing events, the accumulation of unaddressed grievances, [and] other political processes” were catalysts for federal arts policy change. These circumstances ushered in a period of positive feedback that culminated with federal arts policy “spilling over into the macro-political system, making possible major change” (Baumgartner, Jones, Mortensen 2014, 64, 67). It is expected that during this time, federal arts policy changed substantially and established a new equilibrium.

This chapter will study the agendas of the NEA and Congress in regards to federal arts policy. Two measures will be used to understand if federal arts policy issues were on the congressional agenda:

- Congressional Records, the daily account of activities in the House of Representatives, Senate, and their committees; and
- legislation introduced to Congress, which includes amendments, bills, resolutions, and laws.

These “agenda-setting measures” make it possible to track if an issue is on a venue’s agenda and, if so, the relative amount of attention given to the issue (Baumgartner, Jones, Mortensen 2014, 83; Baumgartner and Jones 2009, 52; Jones, Sulkin, Larsen 2003, 157). Using the advanced search function on Congress.gov, the author identified Congressional Records as well as legislation introduced to Congress about the NEA. Congressional Records and legislation were then downloaded, recorded, and analyzed by time period (pre-crisis, crisis, post-crisis) for this chapter.

Based on the work of Baumgartner and Jones, policy change will be measured by impacts to the NEA's budget and institutional structures (2009, 54). The former occurs when there is a macro-political intervention that results in "not a modest adjustment but a major change" to a budget (Baumgartner, Jones, Mortensen 2014, 71). Time and again, drastic budget changes have proven to be such a strong indicator of non-incremental policy change that "punctuated equilibrium has been classified as a 'general empirical law of public budgets'" (Baumgartner, Jones, Mortensen 2014, 77). The NEA's annual appropriations as well as expenditures were inspected to identify large, non-incremental changes that denote a substantial policy change. For the purposes of this chapter, large, non-incremental changes to budgets were measured by the size of an annual percent increase or decrease; generally, percent changes of at least one-third constituted a substantial change. Importantly, other contextual factors were also considered in determining the significance of a budget change.

Baumgartner and Jones state that institutional structures are often "the most important indicator of policy change" (2009, 54). Institutional structures are critical factors in determining the stability of a subsystem. If there are "alterations in the structure of policymaking," it is expected that the subsystem's partial equilibrium will quickly dissolve and drastic policy changes will result (Baumgartner and Jones 2009, 16, 54, 85). Institutional structures refers to both jurisdiction—the institution that has the legitimacy to make decisions in a policy topic area—and rules of policymaking—the socialization and bias of an institution that shapes its policy process, and ultimately, policy outcomes (Baumgartner and

Jones 2009, 14, 16). Shattschneider's famous proclamation, "organization is the mobilization of bias" speaks to the latter (1960, 71). Institutions are composed of rules which "are themselves the product of social decisions" that "inevitably favor some groups more than others" (Baumgartner, Jones, Mortensen 2009, 14). Given the size and nature of the federal arts policy subsystem, I broadly interpreted institutional structures based on the work of Baumgartner and Jones. This chapter considers jurisdiction not only at the organizational-level, but the individual-level (e.g., who has the legitimacy to make decisions). Additionally, an examination of the rules of policymaking often includes the NEA's grantmaking process, which is an entanglement of "big P" and "little p" policies.⁴⁹

In the case of federal arts policy, it is hypothesized that changes to jurisdiction happened as conservative policy entrepreneurs sought to bring the NEA into their sphere of influence (Baumgartner and Jones 2009, 37). Representatives Dick Armey (R-TX), Tom DeLay (R-TX), and Dana Rohrabacher (R-CA), for example, used rhetoric to position themselves, and by extension Congress, rather than experts, as the legitimate decision makers on federal arts policy issues. It seems subsystem elites were "discredited enough by policy failures to lose their influence" and forced to "share their power with groups or agencies that gained new legitimacy," namely Congress (Baumgartner, Jones, Mortensen 2014, 64).

⁴⁹ Similar to "big P" and "little p" politics, these two terms refer to different levels of policymaking (Collins 2019). Here, "Big P" policymaking refers to congressional policymaking while "little p" policymaking refers to policymaking at the NEA, especially in regards to the grantmaking process.

When jurisdiction changes, it often means the rules of policymaking will change, too. This is because each institution assimilates its members to different norms and beliefs that influences decisionmaking in ways that impact policymaking and policy outcomes. If federal arts policy gets onto the congressional agenda, it is likely to change quickly and drastically as Congress has very different norms, values, and decisionmaking paradigm than the NEA that culminates in a different set of policymaking rules. The NEA is deeply embedded in the artworld, which is often characterized as liberal and elite. Any of the controversial grants of the 1990s illustrate the large divide between the socialization, and therefore rules, of these two institutions. The NEA had grantmaking rules that made it possible for individual artists who made artwork about religion, gender, sex, and race to receive grant awards. Congress largely objected to these rules, and, eventually, prohibited the agency from supporting “obscene” artwork and awarding grants to individual artists. The socialization of these two institutions led to different interpretations of artistic merit and value between the two institutions and, ultimately, different rules about standards for publicly funded art.⁵⁰

Changes to federal arts policy are considered substantial if the NEA's existing institutional structures were altered. In regards to jurisdiction, this would mean that organizations or individuals either are given new legitimacy or no longer have the legitimacy to make decisions about federal arts policy. It is

⁵⁰ Several studies have found that conservatives tend to prefer visual artwork that is representational and dislike complex and abstract artwork. Liberals tend to prefer “more complex and abstract paintings.” (Carl, Richards, Health 2018; Wilson, Ausman, Mathews 1973). There is also a study that found conservatives tend to be less creative than liberals (Dollinger 2007).

expected, for example, that subsystem or artworld experts often lost the authority to make decisions about federal arts policy and were forced to share their power with new actors. Substantial changes to rules of policymaking or grantmaking are those that significantly impact policy or grantmaking outcomes. This might mean changing eligibility, criteria, or other requirements for grantmaking; it does not include changes to technical rules or, generally, singular grant programs.

It is important to note that there is much more publicly available information about federal arts policy available from Congress than the NEA, especially concerning budgets and institutional structures.⁵¹ Annual reports and historical accounts published by the agency do not provide detailed information about budgets or institutional structures. It is more difficult, though not impossible, to identify and describe substantial policy change at the agency compared to Congress. As a result, the policy analysis in this chapter may be asymmetrical and underrepresent substantive policy changes undertaken by the NEA.

1. Pre-Crisis Period: 1984-1988

The pre-crisis period was, as might be expected, rather quiet: it had the fewest pieces of legislation introduced to Congress as well as Congressional Records about the NEA and one substantive policy change. Only one piece of legislation introduced to Congress about the NEA—The Arts, Humanities, and

⁵¹ In the fall of 2022, the author submitted a Freedom of Information Act request to the NEA for detailed budget information and National Council on the Arts minutes from 1984-2000. The agency could not fulfill the request “due to the age of the information” as “records are minimal or no longer available due to the agency records retention schedule.” As a result, the author only had to rely on published materials which were authored and edited by the agency.

Museums Amendments of 1985—became a law.⁵² The law directed the NEA to broaden its purpose to include arts education, revised enabling legislation’s language to be gender-neutral, and addressed technical issues. In response, the agency made modest increases to related expenditures. Congress also directed the NEA to consider grant applications of “underrepresented” individuals and communities as well as diversify the National Council on the Arts.

A. *Agenda setting*

Of any time period studied, the pre-crisis period had the least legislation introduced to Congress (11) and Congressional Records that mentioned the NEA (154). It suggests that there was not much of an appetite at the time to put federal arts policy on the congressional agenda. The content of introduced legislation in this time period also suggests that the subsystem was stable and autonomous. Of the eleven pieces of legislation introduced:

- Four bills proposed the study and/or amendment of the copyright law so royalties from deceased authors’ works benefited the NEA (U.S. Congress, S.2796, H.R. 5722, S. 658; 1986, 99th Congress, 2d sess.; S. 1619, 1988, 100th Congress, 2d sess.);
- Two amendments proposed altering the NEA’s annual appropriations—one amendment increased and one amendment decreased the annual appropriations (U.S. Congress; H.Amdt. 401, H.Amdt. 400, 1985, 99th Congress, 1st sess.);
- Two bills proposed similar laws to The Arts, Humanities, and Museums Amendments of 1985 (U.S. Congress, H.R. 2296, H.R. 2245, 1985, 99th Congress, 2d sess.); and

⁵² Only thirty percent of legislation introduced to Congress about the NEA during the period of study (1984-2000) was not an amendment to an annual appropriations bill. The Arts, Humanities, and Museums Amendments of 1985 (Pub L. No: 99-194) was one of only two bills in the time period studied that became a law.

- One amendment sought to rescind the House of Representatives requirement that the NEA not change its panel process (S.Amdt. 2586, 1988, 100th Congress, 2d sess.).⁵³

The number and character of introduced legislation in the pre-crisis period suggests that Congress deferred to subsystem experts on federal arts policy matters. It seems likely that federal arts policy was considered an unimportant issue and unworthy of congressional attention. Of course, it is also possible that subsystem experts retained enough power to prevent policy issues from getting on the congressional agenda. Federal arts policy was a very low priority on the congressional agenda, if it was on the agenda at all, which provided few, if any, opportunities for policy to change substantively.

B. Legislation and Budgets

The most important legislation about the NEA in the pre-crisis period was the Arts, Humanities, and Museums Amendments of 1985. Congress described the law as an amendment to the NEA's enabling legislation to ensure it employed "gender-free language" and addressed technical issues (Pub. L. No. 99-194, 99 Stat. 1333,1335 (1985)). Congress extended the NEA's purpose to include "Americans should receive in school, background and preparation in the arts and humanities to enable them to recognize and appreciate the aesthetic dimensions of our lives, the diversity of excellence that comprises our cultural heritage, and artistic and scholarly expression" ((Pub. L. No. 99-194, 99 Stat. 1333,1335

⁵³ This is an incredible example of how quickly conflict ensued and NEA policy significantly changed. In 1989, before the Mapplethorpe and Serrano crises hit, the House did not want the NEA to change its panel review process. Within the next two years, however, Congress made substantive changes to the panelist review process.

(1985). Previously, the enabling legislation stated that the Office of Education was responsible for education in the arts and the humanities (Pub. L. No. 89-209 (1965)). It underscored the NEA's role in increasing access to and appreciation of the arts for all Americans (131 Cong. Rec. 24809 (1985)). Congress also mandated that the NEA produce "a study and report to the President and Congress on the state of arts education and what the Federal government should do to help" (NEA 1986, 3). The new directive represented the growing emphasis on the "positive externalities of the arts" that positioned the arts as "useful in achieving unrelated goals" in a number of diverse policy areas from urban renewal to educational outcomes (Strom and Cook 2004, 505,509).

In response, the NEA increased its programmatic focus on arts education. In the following years, the NEA encouraged state arts agencies to collaborate with state education agencies, partnered with the U.S. Department of Education to fund two national Arts Education Research Centers, and created a new category, arts education, for the Artists-in-Education grant program (NEA 1995, 41; NEA 1986, 3; NEA 1987, iv). While these policy changes at the NEA did not impact its institutional structure, they did impact its expenditures. Between 1985 and 1986, the NEA's arts education obligations increased by 13.1% (NEA 1985, 237; NEA 1986, 239). Despite the expenditure dropping by 3.9% in 1988, it was clear that the NEA was now in the business of arts education, thanks to a congressional mandate.

The Amendments also directed the agency's Chair to support grant applications that "reflect the culture of minority, inner city, rural, or tribal

communities” or “give particular regard to artists and artistic groups that have traditionally been underrepresented.” It also directed the president to “give due regard to equitable representation of women, minorities, and persons with disabilities who are involved in the arts” in the selection of National Council on the Arts members (Pub. L. No. 99-194, 99 Stat. 1333,1335 (1985)). These changes were most likely prompted by accusations that the agency only benefited arts experts, artists, and elites living in large, coastal cities. Congress sought to ensure that the NEA served all Americans, especially those who faced barriers to accessing the arts.

In response, the NEA revamped three grant programs—Challenge, Expansion Arts, and Advancement—meant to increase access to the arts. In the pre-crisis period, the obligated commitments for the Challenge and Advancement grant programs had years in which there were notable budget increases. In 1985, Advancement’s obligations rose 40.5% and in 1987, Challenge’s obligations rose by 16.1%, however, both ended the pre-crisis period with large decreases (NEA 1984, 303; NEA 1985, 237; NEA 1986, 239; NEA 1987, 228). The percent increase in Advancement’s obligations was not as impressive as it sounds; at its peak in 1985, grant program expenditures accounted for less than 2.0% of the agency’s overall budget (NEA 1985, 237). It should be noted, that in 1984, before the Amendments were introduced or passed, the NEA already signaled its intent to invest more in these three programs (NEA 1984, 2).

The NEA also modified the description of the Advancement and Challenge grant programs to emphasize arts access and service to “underrepresented”

populations. The NEA announced in 1985 a new iteration of the Challenge grant program that supported projects that advanced artistic access, artistic appreciation, and artistic excellence (NEA 1985, 3; NEA 1987, 222). Similarly, the NEA modified the program description of the Expansion Arts grant program. In 1985, the NEA changed the beneficiaries of the grant program to be “arts organizations...which are deeply rooted in and reflective of the culture of a minority, inner city, rural, or tribal community” populations (NEA 1985, 32).⁵⁴ The language was taken directly from the Amendments, an attestation of the power of congressional rhetoric.

There were other, less impactful technical amendments that applied to both the NEA and National Endowment for the Humanities (NEH). Congress required that the NEA:

- submit new reports on the selection of grant panelists and the criteria they use to recommend grant awards;
- require states to provide progress reports on grant awards; and
- “develop a national information and data collection system on the arts, arts groups, and their audiences” and use information collected to issue reports (Pub. L. No. 99-194, 99 Stat. 1333,1335 (1985)).

While these were not substantial policy changes, the first two foreshadowed more dramatic congressional policy changes that occurred in the crisis period.

Generally, the NEA’s annual appropriations continued to increase year-over-year in the pre-crisis period. The percent increase of the NEA’s

⁵⁴ In 1984, the NEA described the purpose of the Expansion Arts grant program “To assist professionally directed community arts organizations that provide programs in the performing arts, visual arts, media, design, literary arts, and interdisciplinary arts activities” (NEA 1984, 38).

appropriations in 1984 was 12.8%, a notable gain. In all other years, the budget modestly increased by 1.0% to 4.0%. In 1986, the NEA's appropriations decreased by 3.0% percent to \$158.8 million dollars (NEA Appropriations History, n.d.). The reduction was part of the Balanced Budget and Emergency Deficit Control Act of 1985 which aimed to cut the federal deficit by decreasing the federal government's expenditures (NEA 1995, 41). The NEA was one of many federal agencies whose budgets incurred small decreases that year. The NEA's chair, Frank Hodsdall, supported the budget decrease in order to balance the federal budget (131 Cong. Rec. 21902 (1984); NEA 1985, 2).

C. Substantive Policy Change

With the Arts, Humanities, and Museums Amendments of 1985, Congress directed the NEA to more broadly serve Americans through arts education and awarding grants to “underrepresented” communities and artists. The additions to the NEA's enabling legislation signaled that the agency should focus more on artistic access and representation. In the pre-crisis period, there were a small, but vocal number of conservatives who argued that the NEA's beneficiaries were out-of-touch art experts, elites, and wealthy individuals living in large cities. This contributed to a concern among policymakers that the agency focused on artistic quality at the expense of artistic access. Congress sought to correct for the agency's perceived preference for fine or high art that had elitist tendencies. Overall, the agency made small, incremental changes in response to the new law.

In the entire pre-crisis period, there was only one substantive policy change made by Congress: the transfer of responsibility for arts education from the Office of Education to the NEA. This changed the NEA's institutional structures by authorizing it to make decisions about arts education policy. In response, the agency created a new category for a grant program and increased obligations for grant programs that supported arts education. The NEA's investments, however, were relatively small and diminished by the end of the pre-crisis period.

The Amendment's call for the NEA Chair to support "underserved" communities and artists did not result in substantive policy change. Similar to arts education, the agency made small investments in grant programs aimed at these beneficiaries, but they were not significant nor sustained. The agency modified program descriptions of the Challenge, Expansion Arts, and Advancement grant programs to reflect language in the Amendment, but there's no evidence that grantmaking rules changed.

2. Crisis Period: 1989-1995

In the crisis period a macro-political intervention occurred in the federal arts policy subsystem that resulted in "politically induced organizational change" at the NEA (Shockley 2011, 278). Congress was primed to take action on federal arts policy given the unprecedented controversy over several NEA grant awards and the growing influence of Republicans in both chambers. The crisis period had the most legislation introduced to Congress (61.7%) and Congressional

Records (48.6%) about the NEA of all time periods. There were four substantive policy changes in the time period, four times as many as the pre-crisis period, but only half as many as the post-crisis period. Of the four substantive policy changes made in the crisis period, half had congressional precedents—an emphasis on arts education, addressing the panel review system—and the other half responded to controversial NEA grants.

A. *Agenda setting*

The Mapplethorpe and Serrano focusing events in 1989, the start of the crisis period, put the NEA on the broader congressional agenda. In the crisis period, there were 74 pieces of legislation introduced to Congress and 397 mentions of the NEA in the Congressional Record; a percent increase from the pre-crisis period of 572.7% and 157.8%, respectively. More than any other time period, it seems that federal arts policy had the attention of Congress. The unprecedented attention to federal arts policy created an incredible opportunity for substantive policy change at the NEA.

As legislation introduced to Congress about the NEA increased, its character also changed. In the crisis period, legislation introduced to Congress about the NEA was much more likely to take direct aim at substantively changing the agency's budget and institutional structures. One-third of introduced legislation (33.0%) in the crisis period sought to make substantive changes to the NEA's grantmaking rules. The proposed changes sought to prevent the agency from funding obscene artworks or individual artists, made the agency more

accountable to Congress, restricted grant funding by state, set limitations on annual appropriations, and more.⁵⁵ For the first time, there was also legislation introduced to Congress that proposed the elimination of the agency. Sixteen percent of legislation about the NEA introduced to Congress in this time called for the NEA to either be eliminated or dramatically restructured. Unsurprisingly, every call to abolish the NEA was made by a Republican. The same was true of proposed legislation to decrease the agency's annual appropriation, which was almost seven times greater than the proportion of legislation to increase the agency's annual appropriation. "Other" legislation primarily included appropriations acts, like the Department of the Interior and Related Agencies Appropriations Acts, a resolution rebuking the Screen Actors Guild and requesting members pay to fund the NEA, and technical changes to indemnity provisions (S.Amdt.2313, 104th Cong. (1995); H.Con.Res.70, 104th Cong. (1995)).

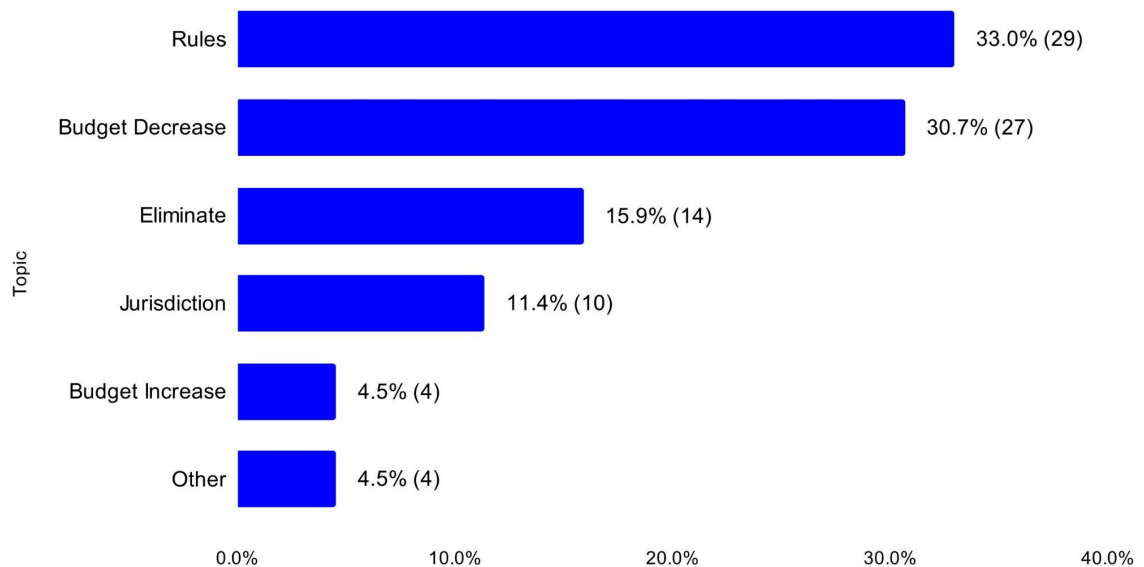
The drastic change in the character of federal arts policy issues on the congressional agenda, both the number of proposed legislation and topics, was likely driven by the Republican Revolution and increased political polarization. As Republicans rose to power in the 1990s, they had more control over the congressional agenda, especially what issues were put on or kept off of it. In the

⁵⁵ The legislation introduced to Congress on this topic evolved during the crisis period. In 1990, Congress proposed the agency had to consider "general standards of decency and respect for the diverse beliefs and values of the American public" when awarding grants (H.Amdt.849, 1990, 101st Congress, 2nd session). By 1994, Senator Helms proposed that the agency should not "provide financial assistance for projects or works involving the mutilation of living or dead human beings, or the drawing or letting of blood." (S.Amdt. 2396, 1994, 103rd Congress, 2nd session). It was in direct response to controversies in the mid-1009s and sought to more broadly define obscenity.

crisis period, legislation introduced to Congress about the NEA began to resemble the most extreme policy solutions proposed by Republicans, especially the elimination of the NEA and decreased appropriations. It suggests that the congressional agenda was particularly influenced by Republicans who established themselves as fierce opponents of the NEA in the crisis period: Senator Helms, Representative Cliff Stearns (R-FL), and Representative Phillip Crane (R-IL) (Eilperin 2000). These three policy entrepreneurs introduced a total of 24 pieces of legislation, more than one-quarter (27.3%) of all legislation introduced in the crisis period, and called for changes to the NEA's rules and budget, including its elimination.⁵⁶ Representative Spencer Bachus (R-AL), Representative Ralph Regula (R-OH), and Representative Dana Rohrabacher (R-CA) also proposed legislation that called for substantive changes to federal arts policy. This cohort of Republican policymakers embraced conservatism and confrontation, in the spirit of House Speaker Newt Gingrich, and shaped the congressional agenda in ways that would change public support of the arts forever (Theriault 2013, 22; Rosenfeld 2018, 270).

⁵⁶ The 24 pieces of legislation introduced by Senator Helms, Representative Stearns, and Representative Crane were: H.Amdt. 129, 1989, 101st Congress, 1st session; H.R. 4759, H.Amdt. 847, S.Amdt. 3119, 1990, 101st Congress, 2nd session; H.R. 299, H.Amdt. 217, H.Amdt. 215, S.Amdt. 1175, S.Amdt. 1299, 1991, 102nd Congress, 1st session; H.Amdt. 721, H.Amdt. 734, 1992, 102nd Congress, 2nd session; H.R. 146, H.Amdt. 203, H.Amdt. 204, S.Amdt. 893, S.Amdt. 900, S.Amdt. 899, H.Amdt. 359, 1993, 103rd Congress, 1st session; H.Amdt. 664, H.Amdt. 666, S.Amdt. 2396, 103rd Congress, 2nd session; H.R. 209, H.Amdt. 307, H.Amdt. 543, 1995, 104th Congress, 1st session.

Figure 10. Introduced legislation topics in crisis period



The number and character of federal arts policy topics put on the congressional agenda by Democrats contrasted with those of Republicans. Democratic policymakers introduced only one-third (29.7%) of legislation in Congress in the crisis period, far less than their Republican colleagues. Democrats proposed legislation that increased the agency's total appropriations and earmarks for arts education, reformed the NEA's rules, and addressed other topics. Rule changes included the Arts, Humanities, and Museums Amendments of 1990, 1993, and 1995 and Arts Endowing the Art Act of 1994, that sought to make moderate reforms to NEA institutional structures, reauthorize the agency, and secure new sources of public funding for the arts (S.2724, 101st Cong. (1990); H.R.4825, 101st Cong. (1990); H.R.2351, 103rd Cong. (1993); S.1218, 103rd Cong. (1993); H.R.100, 104th Cong. (1995); H.R.1520, 104th Cong. (1995)). Representative Pat Williams (D-MT) and Senator Claiborne Pell

(D-RI) were stalwart defenders of the NEA, even though they disagreed with some of the controversial grant awards, and together proposed seven pieces of legislation which made them the most active Democrats on federal arts policy issues (135 Cong. Rec. 16284 (1989)).⁵⁷ Interestingly, there was one Republican, Senator James Jeffords (R-VT), who sided with the Democrats on federal arts policy issues and introduced four pieces of legislation that increased appropriations or addressed technical issues. On the whole, Democrats proposed legislative reforms to the NEA's rules that were less severe than Republicans and sought to ensure the agency survived the crisis period. The strategy largely reflected the "New Democratic movement" that advocated a centrist approach on cultural issues (Rosenfeld 2018, 275).

The federal policy topics advanced by each party evidenced the enormous divide over federal arts policy in Congress. It also illustrated the alignment of ideology and partisanship: Republicans espoused culturally conservative views and Democrats espoused more culturally liberal views on federal arts policy (McCarty, Poole, Rosenthal 2016, 25; Dimock et al. 2014, 18). The federal arts policy subsystem was a microcosm of national politics that provided fertile soil for political polarization to thrive. Together, polarization and the Culture Wars were

⁵⁷ The 7 pieces of legislation introduced by Senator Pell and Representative Williams were: S. 2724, H.Amdt. 849, H.R. 4825, H.Amdt. 865, 1990, 101st Congress, 2nd session; H.R. 2351, S. 1218, 1993, 103rd Congress, 2nd session; H.R. 1520, 1995, 104th Congress, 1st session.

important factors in the federal arts policymaking process in the crisis period and likely influenced the number and nature of substantive policy outcomes.

B. Legislation and Budgets

The Department of the Interior and Related Agencies Appropriations Act of 1990 provides useful insights into the congressional mood towards the agency in the crisis period:

Although the NEA has had an excellent record over the years, it is possible for projects to be funded without adequate review of the artistic content or value of the work...recently works have been funded which are without artistic value and criticized as pornographic and shocking by any standards” (Pub. L. No. 101-121, 103 Stat. 741 (1990)).

It clearly indicated that Congress was dissatisfied with the controversial grant awards and implied that action needed to be taken on federal arts policy. In the two years following the Act, Congress passed seven major amendments to the NEA’s enabling legislation and reauthorized the agency for only three years, which “inaugurated a period of significant change” at the agency (NEA 1991, 11).⁵⁸ The amendments were wide-ranging and sought to address long-standing issues (e.g., the grant panel system, arts access, arts education) as well as rules that contributed to the controversial grant awards (e.g., standards for publicly funded artwork, Chair’s role in grantmaking). The amendments marked a new chapter for the agency in which the subsystem pivoted away from elitism towards

⁵⁸ Unfortunately, the amendments made to the NEA’s enabling legislation via the Department of the Interior and Related Agencies Appropriations Acts of 1990 and 1991 are often misidentified by arts literature as the “The Arts and Humanities Amendments of 1990.” While two versions of the “Arts and Humanities Amendments of 1990” legislation were introduced to Congress, neither passed and became a law. Instead, much of the proposed legislation amended the appropriations bills of 1990 and 1991.

pluralism due to macro-political intervention. The result was a long period of instability, positive feedback, and large-scale change to federal arts policy. The crisis period certainly lived up to its name.

The best known policy change in the crisis period was the adoption of the “obscenity clause,” an amendment championed by Senator Helms who introduced four amendments on the same topic in the crisis period. In 1990, Congress prohibited the NEA from granting awards to projects that “may be considered obscene...and do not have serious literary, artistic, political, or scientific value” (Pub. L. No. 101-121, 103 Stat. 741 (1989)).⁵⁹ The following year, Congress further specified that the NEA must “take into consideration general standards of decency and respect for the diverse beliefs and values of the American public” in the adjudication of grant awards. The amendments pointedly stated that “obscenity is without artistic merit,” and reaffirmed that public support of “obscene” artwork was prohibited. Additionally, if a grant recipient used their award to support obscene artwork, they had to return the total amount of the grant award to the NEA and were no longer eligible to receive awards in the future (Pub. L. 101-512, 104 Stat. 1963 (1990); Zeigler 1994, 129; Cummings 1991, 75; Coyle 1998, 354). Congress made the NEA responsible for determining if grantees used funds for projects that could be deemed obscene based on the “Miller Test” established in *Miller vs. California (1973)* (NEA 1995, 45; Cummings 1991, 70; Zeigler 1994, 81, 129; Coyle 1998, 354). To ensure that

⁵⁹ Obscenity was defined as including “depictions of sadomasochism, homoeroticism, the sexual exploitation of children, or individuals engaged in sex acts...or depicts or describes in a patently offensive way, sexual conduct.” (Pub. L. No. 101-121, 103 Stat. 741 (1990)).

NEA funds would not be used for obscene purposes, Chair John Frohnmayer required grantees to sign an “obscenity oath” as a condition of their grant award, which stated awardees promised not to use funds to support obscene artwork (Shipley 1991, 243). It alienated many of the NEA’s beneficiaries and had a profound chilling effect on the artworld.

A twelve-member Independent Commission was created by Congress in 1990 to review “the National Endowment for the Arts grant making procedures...and consider whether the standard for publicly funded art should be different than the standard for privately funded art” (Pub. L. No. 101-121, 103 Stat. 742 (1989)). The Commission delivered a written report to Congress that influenced the agency’s reauthorization and appropriations process (Bauerlein and Grantham 2009, 104; Zeigler 1994, 127). The Commission’s report stated that “the NEA must not operate solely in the interest of its direct beneficiaries” and that the “the standard for publicly funded art must go beyond the standard for privately funded art” (Bauerlein and Grantham 2009, 107; Cummings 1991, 73). The Commission identified the grant panel process as a critical mechanism for ensuring the agency served all Americans. The report stated, “It [publicly funded art] should be chosen through a process that is accountable and free of conflicts of interest.” It further stated that, “Insuring the freedom of expression necessary to nourish the arts while bearing in mind limits of public understanding and tolerance requires unusual wisdom, prudence, and most of all, common sense” (Bauerlein and Grantham 2009, 105). The report recommended the agency overhaul its peer panel process by including lay people on panels with experts

and eliminating any real or perceived conflicts of interest (Cummings 1991, 73). Given recent controversies, the Commission also recommended the NEA's authorization period be reduced from five years to three years (Independent Commission 1990; Moen 1997, 197). The shorter reauthorization period showed that Congress questioned the NEA's performance and, in turn, sought to increase "its control over the agency and its policies" (Wyszomirski 1988a,10). Lastly, the Commission determined the NEA was an "inappropriate tribunal for the legal determination of obscenity, for purposes of either civil or criminal liability" and that the determination of obscenity was best made by the legal system (Bauerlein and Grantham 2009, 107).

In 1991, Congress took action on the Commission's recommendations about the grant panel process. Congress required the NEA include lay people who are knowledgeable about the arts on grant review panels and not allow individuals to serve on panels that will review their own grant application (Zeigler 1994, 129; Cummings 1991, 75; Coyle 1998, 354). To further ensure there was no real or perceived appearance of conflict of interest, the NEA also significantly changed the membership of panels each year and did not allow panelists to serve for more than three consecutive years. Panelists also had to be geographically, ethnically, and racially diverse as well as reflect "diverse artistic cultural points of view" (Pub. L. No. 101-512 104 Stat. 1971 (1991); Shockley 2011, 278). To the extent possible, Congress sought to interject new, more mainstream perspectives into the NEA's adjudication process which had long been dominated by artists and arts professionals. In response to these

requirements, the NEA introduced split panels, to ensure there was no threat of conflict of interest, and recruited a record number of new panelists.⁶⁰ In its 1991 annual report, the NEA stated that the reforms increased the total number as well as racial and ethnic diversity of panelists by 20.0% and that 77.0% of panelists were new (NEA 1991, 11; NEA 1995, 47).

In 1991, Congress required that the NEA increase the total appropriations for state arts agencies (SAAs) and regional arts organizations (RAOs) as well as create new, competitive grant programs for SAAs and RAOs that served rural and inner-city areas (Pub. L. 101-512, 104 Stat. 1971,1991). In 1973, Congress required that one-fifth of the NEA's annual appropriations go to SAAs and RAOs. In 1991, the amount increased to about 30.0% with 25.0% percent reserved for Basic State Grants, Arts-in-Education Partnership Grants and 5.0% reserved for SAAs and RAOs to "address the needs of underserved communities, particularly in rural and inner-city areas" (NEA, 1995, 47; Lowell, 2004, 18; NEA, 1990, 6; NEA 1991,11). Dubbed the "Under-Served Communities Set-Aside," the latter had four participating grant programs (Expansion Arts, Folk Arts, Locals, and State and Regional) and awarded funds to arts organizations that were "deeply rooted in and reflective of culturally diverse, inner city, rural or tribal communities" to increase access to the arts (NEA, 1991, 265).

⁶⁰ The NEA conducted split panels in at least two ways. For large, national grant programs, the NEA had "two slightly smaller panels...[where] each reviews a balanced half of the application pool." For programs with multi-year applications, no one associated with an organization was allowed to serve on the review panel in years that it submitted an application. (NEA 1991, 11).

Congress also mandated that the NEA expand its support of arts education in 1991 (Zeigler 1994, 129; Cummings 1991, 75; Coyle 1998, 354). In response, the NEA launched a new arts education collaborative initiative, "Arts Plus," that supported partnerships between schools and their community's arts organizations (NEA 1991, 12). Congress also earmarked a small portion of the NEA's annual appropriations for the "Arts for Youth" grant program that supported "projects which involve the arts in addressing the needs of at-risk youth and to promote leadership initiatives to integrate the arts into efforts to strengthen and build communities" (NEA 1995, 131). These new initiatives required the NEA to invest more in arts education. Over three years, from 1990 to 1992, there was a 48.5% percent increase (\$2.7 million dollars) in arts education expenditures at the NEA. Arts education spending peaked in 1992 at \$8.2 million dollars and was the sixth largest investment at the agency ahead of Dance, Visual Arts, and Literature grant programs in 1992 (NEA 1992, 360). Beginning the next year, however, arts education spending began to decrease, and, by 1995, was down by 14.1% to \$7.1 million, about \$1.2 million more than at the start of the crisis period (NEA 1990, 334, NEA 1991, 297, NEA 1992, 360). Overall, the NEA's programmatic investments in arts education grew during the crisis period, but not significantly as the outlook for the agency continued to sour.

Congress also made changes to the NEA Chair's authority and grantee reporting. The Chair lost the authority to approve grant awards that the National Council on the Arts rejected and could only "provide to an applicant the amount of financial assistance recommended by the Council" (NEA 1991, 47; Pub. L.

101-512, 104 Stat. 1971,1991). As grant guidelines tightened, Congress required the collection of more information about beneficiary's projects for compliance and oversight purposes (Walter et. al 1991, 18; Shockley & McNeely 2009, 10). Applicants now had to submit project descriptions, which provided detailed information about how grant funds would be used if awarded, while grantees had to submit interim reports and no longer received their award funds in a lump sum payment, but in installments. Grantees were not allowed to receive the final installment of their grant without submission of an interim report (Shockley 2011, 278; NEA 1991,12).

In the crisis period, the agency's annual appropriations declined incrementally. In 1990, Congress reduced the agency's annual appropriations by \$45,000, the amount awarded to SECCA and the ICA Philadelphia that supported the exhibition of the controversial Mapplethorpe and Serrano artworks. The NEA was also required to notify Congress if there was any intent to award a grant to either institution in the future (Pub. L. No. 101-121, 103 Stat. 701(1989)). The NEA's annual appropriations declined again in 1993 and continued to do so through 1995, the end of the crisis period. In these years, the percent which appropriations decreased almost doubled every year: the 1993 appropriation decreased by less than 1.0%, the 1994 appropriation decreased by 2.4%, and the 1995 appropriation decreased by 4.7%. The small decreases in annual appropriations reflected the ascendancy of Republicans, who sought to make significant cutbacks, and foreshadowed major turmoil over the agency's budget in the post-crisis years. The 1995 decrease was primarily due to the passage of

an emergency recessions act that decreased the appropriations of many federal agencies. The NEA had a \$5 million dollar rescission of funds, the same as the National Endowment for the Humanities, which accounted for 3.0% of the budgetary reduction in 1995 (NEA 1995, 52; Pub. L. No. 104-19, Stat. 194 (1995)). The year-over-year decreases and the ominous outlook for the agency's 1996 appropriation prompted the NEA to "begin planning for a major restructuring" at the end of the crisis period (NEA 1995, 53).

C. Substantive Policy Change

The crisis period had four substantive changes to federal arts policy: two changes to rules and two changes to jurisdiction. The "obscenity clause" and increased appropriations to states and regions amended the NEA's rules. The stipulation that grant awards not fund "obscene" artwork resolved a longstanding question in the agency's enabling legislation about the standards for publicly funded art. The agency was put in the awkward position of checking artistic freedom of beneficiaries after decades of championing it. The 5.0% increase in funds reserved for SAAs and RAOs was substantive in that it essentially cut the agency's budget in favor of a more localized approach to arts funding, especially to address the needs of rural and inner-city areas. Both were major departures in how the NEA had fulfilled its primary purpose, grantmaking, for decades.

While jurisdiction typically refers to an institution's authority to make decisions in a policy topic area, it is amended here to include an individual's authority to make decisions within or on behalf of an institution. Based on this

criterion, the mandate from Congress to diversify grant panel membership was a substantive policy change. New grant panelists brought new values and perspectives to the grantmaking process that previously had been the domain of artworld experts. Arguably, the chair losing the ability to set recommendations for grant awards and veto a vote by the National Council for the Arts was also a substantive change to jurisdiction. While the chair, the National Council on the Arts, and grant review panelists rarely disagreed over grant award recommendations, it was an important event when they did. When Chair Frohnmayer contradicted the National Council on the Arts and included the anti-obscenity clause in grant terms or when the National Council on the Arts and Chair Frohnmayer contradicted the grant panelists' recommendation to fund applications from the "NEA Four," conflict erupted. The two changes to jurisdiction chipped away at the chair's power and authority which had previously only been augmented, not attenuated.

3. Post-Crisis Period: 1996-2000

While federal arts policy might have been deprioritized on the broader congressional agenda, the post-crisis period was the most tumultuous time for policy change. The period had eight substantive policy changes compared to four in the crisis period. In the post-crisis period, Congress tried to prevent further crises with the interjection of new, more mainstream values into the agency that shaped grant outcomes. Congress also reduced the agency's funding by 40.0% at the beginning of the post-crisis period, a testament to the precarious position

of federal arts policy in America. To weather the storm, the NEA voluntarily restructured 19 discipline-based grant programs into four interdisciplinary programs—an incredible transformation to the agency’s institutional structure that had existed since its establishment in 1965. As imagined, beneficiaries were angered and baffled. The macro-political intervention that erupted in the crisis period continued in 1997, if not intensified, before dying down for the rest of the period.

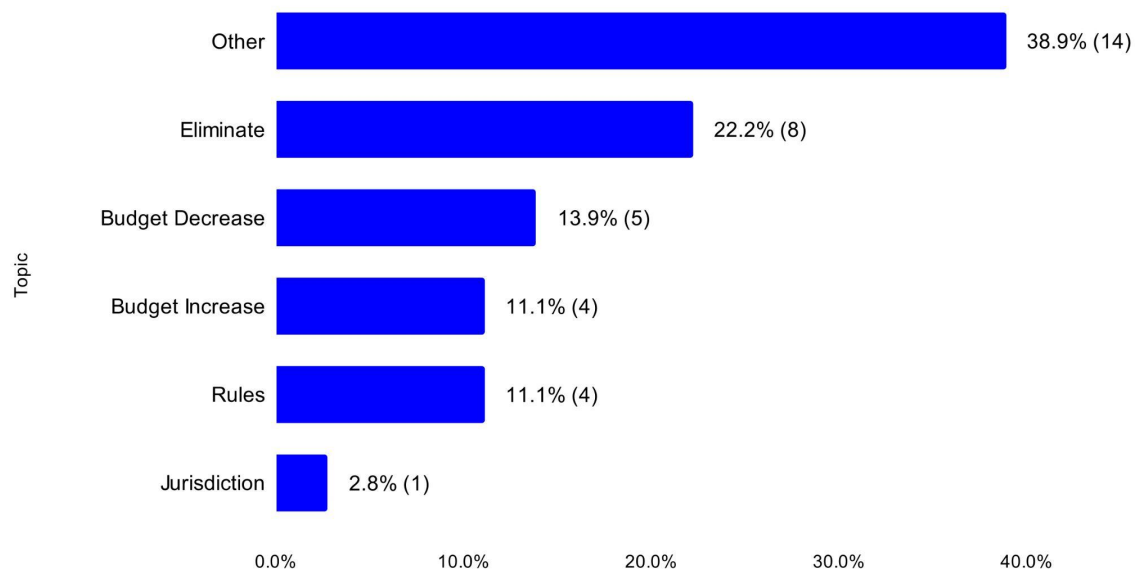
A. Agenda setting

In the post-crisis period, lower priority was given to federal arts policy on the congressional agenda. Thirty-five pieces of legislation were introduced and 266 Congressional Records mentioned the NEA in the post-crisis period, both of which accounted for about one-third (30.0%) of legislation and Congressional Records across all periods. The former decreased by a little more than half (52.7%) and the latter by one-third (33.3%) from the crisis period; however, agenda-setting measures in the post-crisis period were higher than the pre-crisis period. Importantly, federal arts policy was much higher on the congressional agenda than any other year in the post-crisis period. It had the second highest number of Congressional Records about the NEA (84) and fifth most pieces of legislation (11) introduced of any year. Clearly, the NEA was still embroiled in macro-political turmoil in the years immediately after the crisis period.

The topics of proposed legislation about federal arts policy shifted yet again in the post-crisis period. The increased political polarization over the NEA

during this time led to more legislation introduced to Congress that proposed the elimination of the agency or decreased appropriations, two policy solutions popular with conservative Republicans. Senator John Ashcroft (R-MO), who introduced two pieces of legislation to eliminate the agency, joined Senator Helms, Representative Cliff Stearns (R-FL), and Representative Phillip Crane (R-IL) as the agenda-setters of the period. Notably, Representative Ralph Regula (R-OH), who had authority over the agency's appropriations as the new Chair of the House Appropriations Interior Subcommittee, introduced legislation to abolish it in 1997 (Bauerlein and Grantham 2009, 117). House Speaker Newt Gingrich also continued to target the NEA for elimination. The Contract with America and the Republican party's 1996 platform underpinned the legislative attacks on the NEA (The American Presidency Project, n.d.; Bauerlein and Graham, 2009, 116).

Figure 11. Introduced legislation topics in post-crisis period



There were also a number of moderate Republicans who called for increased appropriations and commonsense changes to the NEA's institutional structures in the post-crisis period. Of the four pieces of legislation introduced to increase appropriations, one was made by Representative Louise Slaughter (D-NY) and three were made by Republicans: Representatives Robert F. Bennett (R-UT), Kay Bailey Hutchison (R-TX), and Nancy Johnson (R-CT). Senator James Jeffords (R-VT) again introduced legislation on technical issues and also proposed extending the agency's authorization (S.1020, 1997, 105th Congress, 1st session). Democrats were more subdued in the post-crisis period and only introduced three pieces of legislation. To some extent, Senator Dale Bumpers (D-AR) captured the spirit of congressional Democrats in this period when he said, "I knew if I chose NEA, I would lose" (Trescott 1995).

B. Legislation and Budgets

The post-crisis period was largely defined by an intense battle over the NEA's appropriations. Almost half (47.2%) of all legislation introduced to Congress in the period proposed changes, sometimes drastic ones like elimination of appropriations, to the agency's budget. The NEA's budgetary troubles started when Congress began to consider the agency's 1996 appropriation. Now firmly in control of the House and Senate, Republicans were able to act on their dissatisfaction with the agency. Representatives Gingrich and Regula leveraged their new positions and rallied a handful of conservative agenda-setters to propose the elimination of the NEA (Gray and Jenkins 2021, 1556; Bauerlein and Grantham 2009, 116). Republicans advanced three main

proposals that would have serious consequences for the agency's budget: decreased appropriations, elimination, or privatization (104 Cong. Rec. H 3855 (1995); 104 Cong. Rec. S. 11980 (1995); 104 Cong. Rec. H. 6925 (1995)). President Bill Clinton, who requested an appropriation of \$136 million for the agency, threatened to veto a bill that eliminated or funded it at a lower amount (Gray 1997; Bauerlein and Grantham 2009, 123). After a bitter partisan fight, the agency received a \$99.4 million, a 39.0% annual decrease, and a two-year authorization; it was the agency's lowest appropriation since 1977 and the least number of years it was authorized since 1973 (104 Cong. H. Rept. 104-170 (1995); Best 1995, 78; NEA Appropriations History, n.d.). As a result of the unprecedented budget decrease, the agency's staff dropped by almost half and the number of grant awards dropped by four-fold, from 4,000 in 1995 to 1,100 in 1997 (Bauerlein and Grantham 2009, 124; NEA 1995, 54). Republicans claimed that Democrats agreed to the privatization of the agency in 1998 in exchange for an appropriation; however, the bargain was never binding, and only verbally stated in Congressional Records (143 Cong. Rec. 6973 (1997)).

The 1996 budget fiasco foreshadowed the agency's continued trouble through 2000. In these years, the agency's appropriations were stagnant, then decreased in 1998 and 1999 before hitting \$97.6 million in 2000, the lowest appropriation since 1975 (Bauerlein and Grantham 2009, 134; NEA Appropriations History, n.d.). While the reduction to the 1999 and 2000 appropriations was due in-part to government-wide recessions, political polarization also contributed to the agency's budget woes throughout the period

(NEA 1995, 60, 62). For example, 1997 is distinguished as the year with the most legislation introduced to Congress that aimed to defund or privatize the agency. Similar to the previous year, there was a stand-off between congressional Republicans, led by Representative Gingrich, and President Clinton, who promised to “veto the appropriations bill if it did not contain at least \$99.5 million for the Arts Endowment” (Bauerlein and Grantham 2009, 121, 123). Additionally, congressional votes on legislation about the NEA were increasingly along party lines. The agency ultimately survived the tumultuous budget war thanks to a few champions, on both sides of the aisle, who defended the country’s investment in the arts.

As a result of the 1996 budget cut, the NEA voluntarily enacted a dramatic change to its grantmaking programs. Since its inception, the agency’s premise for grantmaking was the recognition of artistic excellence and merit by artistic disciplines, like Visual Arts, Dance, Theatre, Literature, and Music. In the same year, Jane Chu, Chair of the NEA, announced that the agency would no longer award grants by artistic discipline. The agency replaced its 17 artistic discipline-based grant programs with four interdisciplinary grant programs: Creation & Presentation, Heritage & Preservation, Education & Access; and Planning & Stabilization (NEA 1995, 54; Bauerlein and Grantham 2009, 119; NEA 200, 54). The NEA also limited the number of grant applications to one per organization and introduced a new layer of review for applications. The agency created “Combined Arts Panels” that included a review of applications by panelists with “expertise in many fields” (Bauerlein and Grantham 2009, 119;

NEA 1997, 4; Kimbis 1997, 139). These changes to institutional structures made it possible for the NEA to manage significant budget and staff cuts and helped the agency rebuild its public image and support. It was an announcement of the agency's move "away from artistic constituency-oriented grants to public interest-oriented grants" (Shockley 2011, 279; Zeigler 1994, 90; Shockley & McNeely 2009, 9). Moreover, it demonstrated an acute understanding of the political reality that, "funding is an outcome of public support, and public support is evoked by serving public purposes" (Wyszomirski 1996, 41).

The significant reduction of the NEA's 1996 appropriation was the bellwether of substantial federal arts policy change in the post-crisis period. In the next two years, Congress amended the agency's enabling legislation in ways that profoundly altered the agency's activities and operations to this day. One such change was enacted in 1996 when Congress eliminated funding for individual artists with the exception of Literary Arts Fellows, National Heritage Fellows, and NEA Jazz Master Fellows (Pub. L. No. 104-134, 110 Stat. 1321–207 (1996)). Artists had long been at the center of the NEA's controversies and policymakers wanted to rescind their eligibility to receive NEA funds in order to prevent further "embarrassment" to the federal government (Garment 1995; 104 Cong. Rec. S.11982 (1995)). It was also believed that private foundations, not the NEA, were best suited to fund individual artists as they are not subject to content restrictions. It marked a new era for public funding of the arts and evidenced how much had changed since the establishment of the agency when

artists were hailed as “virtuous individuals” and disciplined risk-takers (Binkiewicz 2004, 58; Miller 2000, 1434).

Congress also prohibited seasonal, general operating support, and subgrant awards in the same year, only allowing the agency to make project-based grant awards (Pub. L. No. 104-134, 110 Stat. 1321–207 (1996); NEA 1995 54). The new, more restrictive policies were clearly inspired by several instances in which organizations used their NEA grant award to support controversial artwork, often unknown to the NEA. The NEA came under renewed scrutiny for its general operating support grant practices in 1994 when policymakers learned that the Walker Arts Center used \$150 of their NEA grant to support *Four Scenes in a Harsh Life*, a performance by Ron Athey, an HIV-positive artist (Plate 5). In the performance several drops of blood fell onto a paper towel that was then suspended over the audience. The performance was largely mischaracterized in the news and by conservative Republicans; for example, Rush Limbaugh claimed that “buckets of AIDS-tainted blood had been thrown at audience members who were running for their lives” (Tillotson 2015, DeLand 2018). Senator James Jeffords (R-VT) aptly summarized the issue with these types of grants and Congress’ response:

There have been problems with subgrants and some seasonal support grants where the NEA itself has no knowledge of what is going to be done with funds designated to an institution or for a season of productions. Many times it is just administrative expenses that have been supported by the [the NEA]. Yet, on the stage, if something occurs which is offensive because there was a small amount of money that was spread throughout the whole budget of the institution...the [NEA] has taken the rap and

gotten a bad name. Such examples have been eliminated from having the possibility of receiving funds (104 Cong. Rec. S.11982 (1995)).

Similar to grants to individual artists, Congress chose prohibition over reform to prevent another NEA controversy.

Congress enacted another wave of policy change in 1998. Perhaps the most consequential change was made to the National Council on the Arts, a group of individuals recognized for their arts experience and charged with advising the NEA on policy, programs, procedures, and grant applications. Since 1965, the Council has been composed of 26 private citizens appointed by the President and confirmed by the Senate (Public Law 88-579, 1964: 905; Walter et. al 1991, 14). In 1998, Congress reduced the number of Council members who were private citizens to 14 and required that the Council include five members of Congress appointed by House and Senate leadership to serve in a non-voting, ex officio capacity for two-year terms. (NEA 1997, 5; Bauerlein and Grantham 2009, 120; NEA 1995, 58). The five new members included three members of the House, two appointed by the Speaker of the House and one appointed by the Minority Leader of the House, and two members of the Senate, one appointed by the Majority Leader and one appointed by the Minority Leader of the Senate. Congress also provided new criteria for private citizens appointed to the Council: distinguished service to or professional career in the arts, experience in diverse artistic disciplines, and representation of “women, minorities, and individuals with disabilities” (Pub. L. No. 105-83, 111 Stat. 1606 (1997)). In 1991, Congress also required that private citizens appointed to the Council represent diverse

geographical areas (Pub. L. No. 101-121, 103 Stat. 741 (1990)). The decrease in the number of private citizens and new criteria for their appointment (which was very similar to that of grant panel reviewers enacted in 1991) as well as the addition of elected officials increased congressional oversight and, once again, brought new, diverse perspectives to the agency.

In the same year, Congress restricted the distribution of grant funds. Congress increased the percentage of total appropriations that the agency reserved for competitive grant programs for SAAs and RAOs from about 35.0% to 40.0% (NEA 2000, 23, 58; NEA 1998, 4). With the exception of multi-state grants and grants of national significance, Congress also mandated a 15.0% cap on total grants awarded to arts nonprofits in a state after a handful of Republicans complained that grant awards were concentrated in New York and California.⁶¹ Additionally, the agency had to report the distribution of grant awards by state to Congress on an annual basis (NEA 1995 58; Pub. L. No. 105-83, 111 Stat. 1606 (1997)). These amendments to the agency's enabling legislation continued to diminish the NEA's power to allocate annual appropriation as it saw fit.

⁶¹ For example, Representative Phillip Crane (R-IL) said, "I can understand why a colleague from the State of New York might be for preservation of the NEA in perpetuity. I can understand why somebody from California might take the same position, and I understand why somebody from Washington, D.C., especially likes to see it preserved. Washington, DC, gets more in grants than Arkansas, Idaho, Kansas, Mississippi, Nevada, North Dakota, Oklahoma, South Carolina, South Dakota, and Wyoming combined. That is what goes to Washington, DC thanks to this arts bureaucracy and how they are manipulating public moneys and misallocating public moneys" (104 Cong. Rec. 141-49 (1995)).

Lastly, Congress once again directed the agency to serve populations that historically lacked access to the arts. Congress required that the agency prioritize programs that benefited underserved populations, which were defined as “individuals who have historically been outside the purview of arts and humanities programs due to factors such as a high incidence of income below the poverty line or to geographic isolation” (Pub. L. No. 105-83, 111 Stat. 1606 (1997)). It was the first time that Congress specifically defined underserved populations in regard to the arts. The NEA’s new Education & Access grant program supported “projects...that reach people with limited opportunities to experience the arts first-hand” in response to the directive. The NEA’s 1997 Annual Report highlighted examples of Education & Access grant awards that provided arts access to “inner-city and low-income communities” as well as “ethnically diverse, older, or physically challenged individuals”—the same populations identified by Congress (NEA, 1997, 50).

C. Substantive Policy Change

The substantive policy changes in the post-crisis period can best be described as an attempt to remodel the NEA’s institutional structures to increase congressional oversight, ensure artistic merit reflected the perspectives of most Americans, remediate policies that had led to controversial grants, and increase access to the arts for all Americans. The agency’s budgetary woes reflected congressional dissatisfaction with the agency, especially that of conservative Republicans. As stated in a 1996 amendment to the agency’s purpose, “Public funding of the arts and humanities is subject to the conditions that traditionally

govern the use of public money [and] such funding should contribute to public support and confidence in the use of taxpayer funds” (Pub. L. No. 104-134, 110 Stat. 1321–208 (1996)). Over time, the NEA’s controversial grants eroded public trust and confidence, and the agency paid for it dearly in the post-crisis period. In total, there were eight substantive policy changes: six changes to rules, one change to jurisdiction, and one change to the agency’s appropriations. The period had five more substantive policy changes than the crisis period, giving it the honor of being the most tumultuous period studied.

Congress made four substantive changes to the NEA’s institutional structures in the post-crisis period to address long-standing sources of controversy:

- elimination of grants to individual artists (with two exceptions);
- elimination of seasonal, general operating support, and subgrants;
- a 15.0% cap on grant awards made to organizations in a state (with two exceptions); and
- a 5.0% increase in appropriations reserved for state agencies and regional arts organizations.

These policy changes impacted the NEA’s decades-old grantmaking rules. With these more restrictive rules in place, the allocation of the NEA’s grant awards was much different than before. It evidenced how different the agency’s socialization was from that of Congress, especially in the selection of policy

winner and losers, and how much attitudes towards the arts had changed in America since the agency was established in 1965.

The NEA's decision to move from 17 discipline-based grant programs to four interdisciplinary programs, along with changes to grantmaking policy, constituted another rule change. It was a major departure from how the NEA had made grant awards for decades. The new grantmaking rules represented a more pluralistic and integrated vision for the agency. It was also an extraordinary example of a voluntary, non-incremental policy change made possible by the extraordinary circumstances of the small agency. New grant categories, like Education & Access, catered to congressional rhetoric and legislation, and demonstrated the battered agency's willingness and ability to survive.

The National Council on the Arts encountered two types of substantive policy change: one change to rules and one change to jurisdiction. The former substantive policy change refers to the newly mandated composition of the Council—both the reduction in the number of private citizens and the addition of five members of Congress. These rule changes led to changes in jurisdiction as well. New, diverse voices were brought into the agency at the highest-level with the inclusion of elected officials as well as the revised criteria for the appointment of private citizens. Private citizens were now more likely to represent the country's artistic disciplines, geographies, and identities. Although policymakers served in an ex-officio, non-voting capacity, they were still responsible for advising and oversight of the agency. In short, the rule and jurisdiction change attempted to influence the organization's mobilization of bias. Like the changes

made to grant panel membership, it sought to ensure that the Council wasn't packed with artworld elites who were seen as a major contributor to the agency's problems.

The agency's unprecedented 40.0% decrease in appropriations from \$162.3 million in 1995 to \$99.4 million in 1996 was an incredible blow. The loss of \$62.8 million in one year resulted in a 47.0% reduction in staff cut and a 72.5% reduction in the number of grants awarded each year. It was also a factor in Chair Jane Chu's decision to restructure grantmaking and adopt four interdisciplinary programs and the Combined Art Panel. The impacts of the budget cut rippled across the years, and the agency's appropriation did not fully recover until 2021. In short, the drastic change in annual appropriations substantially altered the course of the agency.

4. Conclusion

There was considerable variation in congressional attention to federal arts policy across periods. Empowered by taking the House and Senate, Republicans pursued an "aggressive strategy directed against the very existence of the Arts Endowment...under the leadership of Speaker of the House Newt Gingrich" in the last two periods (Bauerlein and Grantham 2009, 117). Republican agenda-setters, who had the most extreme views on the agency, influenced the prioritization and character of federal arts policy topics on the broader congressional agenda in the crisis and post-crisis periods. The number of legislation introduced by Democrats was a fraction of that of Republicans and

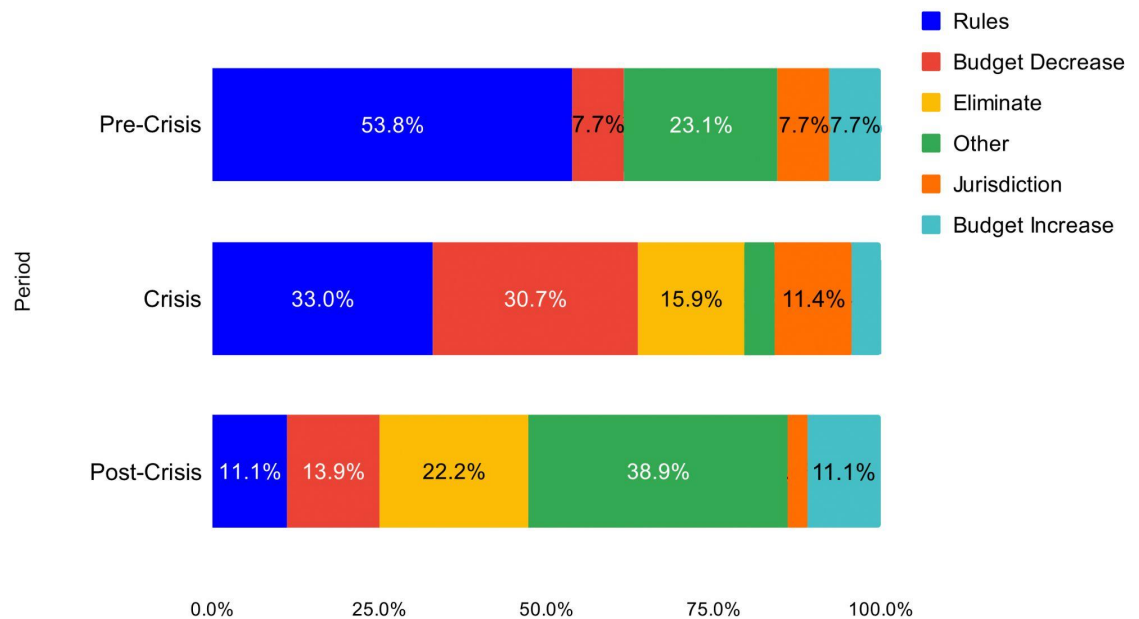
aimed to increase the NEA's budget and reform its rules. Republicans had a firmer grip on federal arts policy agenda setting than Democrats which, ultimately, led to substantive policy change that forever changed the NEA.

In the pre-crisis period, federal arts policy was hardly, if at all, on the congressional agenda. This period had both the least number of legislation about federal arts policy introduced to Congress (11) and the least Congressional Records that mention the NEA (154). The agenda-setting measures indicate that federal arts policy was still in the subsystem's domain. With the low priority given to federal arts policy, it was no surprise that there was only one substantial policy change in the pre-crisis period: The Arts, Humanities, and Museums Amendments of 1985. The Amendments broadened the NEA's purpose to include arts education so that it was the jurisdiction of the NEA, not the Office of Education.

In the crisis period, federal arts policy legislation introduced to Congress increased by 572.7% and Congressional Records about the NEA increased by 157.8%. There was no question that federal arts policy had gained access to the broader congressional agenda and held the attention of policymakers. Republicans played an important role in both getting federal arts policy onto the congressional agenda and then setting it. They introduced 70.3% (52) of all legislation in the crisis period, and the overwhelming majority of it proposed a reduction in the NEA's appropriations or its elimination. In fact, these two policy proposals made up almost half (46.6%) of all legislation in the crisis period and reflected the new critical tone in Congress towards the NEA. Democrats

introduced only one-third (29.7%) of legislation which largely sought to increase appropriations and earmarks for arts education as well as reform NEA grantmaking rules. The last years of the period, 1994 and 1995, were the most intense for federal arts agenda setting. These years accounted for a little less than half (44.6%) of the legislation introduced to Congress in the period thanks to Republicans who sponsored 23 of the 33 pieces of legislation. Empowered by their numbers in Congress, Republican agenda-setters prioritized federal arts policy on the broader congressional agenda and, to a large degree, influenced what issues did, or did not, get onto the agenda.

Figure 12. Introduced legislation by topic and period



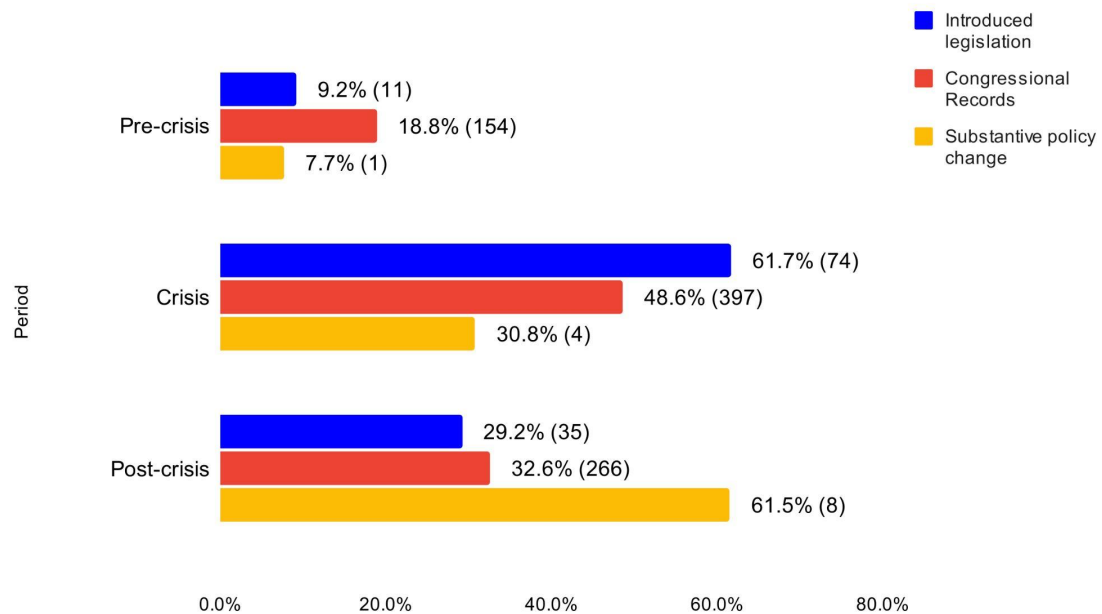
In the crisis period, Congress imposed four substantive policy changes on the agency: two changes to rules and two changes to jurisdiction. The “obscenity clause” and increased appropriations to SAAs and RAOs amended the NEA’s rules. The stipulation that grant awards not fund “obscene” artwork set a new

standard for publicly funded art that alienated the NEA's beneficiaries and damped calls to support artistic freedom. The increased amount set aside for SAAs and RAOs essentially cut the agency's budget and reflected the long-standing Republican preference for decentralization. The congressional mandate to diversify grant panel membership and the revocation of the Chair's authority to set grant awards recommendations and veto the National Council for the Arts accounted for the two changes to jurisdiction. The former change of jurisdiction represented congressional attempts to mitigate the agency's "mobilization of bias" and inject new, diverse perspectives in the grantmaking process. The latter reduced the Chair's powers over the grantmaking process and, therefore, the risk that one actor could unduly influence grant outcomes. Though there was a conservative bent to some of them, these substantive policy changes largely addressed concerns about the NEA on both sides of the aisle. Overall, the changes demonstrate that Congress sought to reform parts of the NEA grantmaking process that led to controversy and ensure the agency benefited all Americans.

Congress paid less attention to federal arts policy in the post-crisis period than the crisis period. Legislation decreased by half (52.7%) to 35 and Congressional Records about the NEA dropped by one-third (32.9%) to 266. Still, agenda-setting measures were higher, especially legislation introduced to Congress, in the post-crisis period than the pre-crisis period. It suggests that federal arts policy was on the broader congressional agenda in the post-crisis period, but had been deprioritized. Amazingly, Republican's share of legislative

proposals increased to 88.6% in the post-crisis period which suggests their command of the federal arts policy agenda was stronger in the post-crisis than the crisis period. The proportion of introduced legislation that sought to decrease the NEA's appropriations or eliminate it dropped by about 10.0%, but these two policy topics still represented more than one-third of all legislation (36.1%) in the post-crisis period. The efforts of conservative agenda-setters reached a crescendo in 1997, the same year that conflict over congressional rhetoric was most intense, when they made six proposals to eliminate the agency. Democrats were on the defense and only introduced three bills in the post-crisis period. By 1999, congressional attention to federal arts policy largely dropped off significantly. The NEA, albeit it dramatically changed, began to slowly reclaim ownership over the federal arts policy topics.

Figure 13. Agenda setting and policy change by period



Despite the overall drop in congressional attention, the post-crisis period had the most substantive policy changes of any period. There were six changes to rules, one change to jurisdiction, and one budget change. Arguably, the substantive policy changes in the post-crisis period had the greatest impact on the NEA's institutional structures and budget, and a more partisan bent, of any period. In the post-crisis period, Congress cut the agency's appropriation by 40.0%, eliminated grants to individual artists (with two exceptions), changed the membership of the National Council on the Arts, increased the set aside for SAAs and RAOs, and more. Together, these changes reflect congressional dissatisfaction with the agency, especially among conservative Republicans, and an attempt to increase oversight, enforce standards for publicly funded art, and shift the agency's deeply embedded artworld values. Substantive policy changes peaked in the early years of the post-crisis period, like congressional statements, which suggests the macro-political intervention endured in the post-crisis years. Moreover, the severity of the substantive policy changes hints that federal arts policy's new partial equilibrium was not as wholly positive, a change from the pre-crisis period.

A. *Punctuation and Polarization*

In punctuated-equilibrium theory, two parts of policymaking can induce conflict, thereby reinforcing stability or creating instability, in a policy area: policy image and agenda setting (Baumgartner and Jones 2009, 5, 16, 43; Baumgartner, Jones, Mortensen 2014, 59). In the pre-crisis period, there was little conflict over federal arts policy's image and agenda which made for a quiet

and stable subsystem. Then, in 1989, conflict over the subsystem erupted and lasted until 1997.

Figure 14. Policy punctuation by introduced legislation and statements

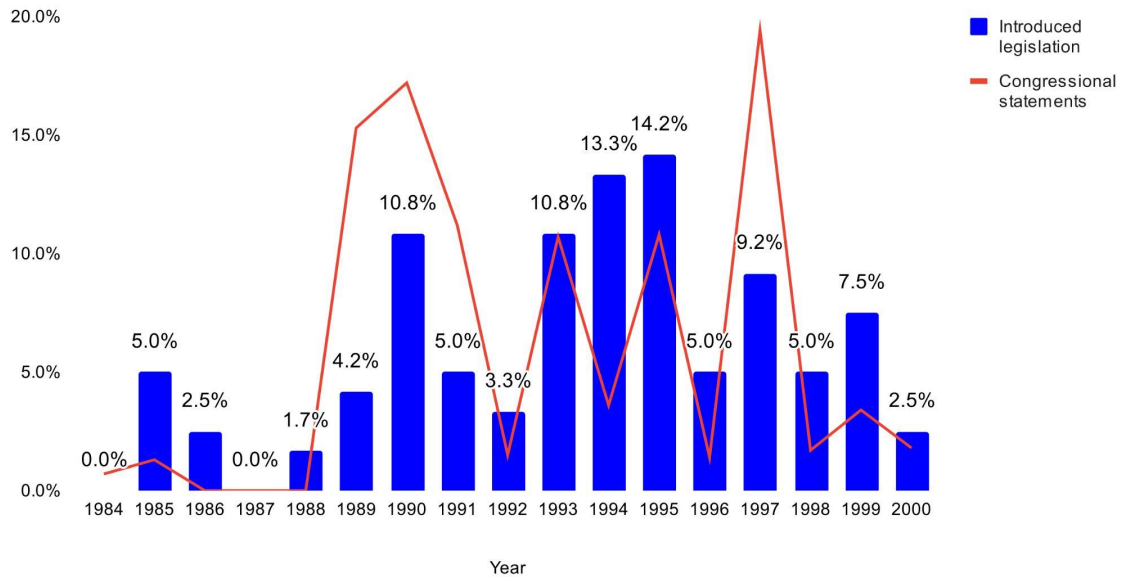
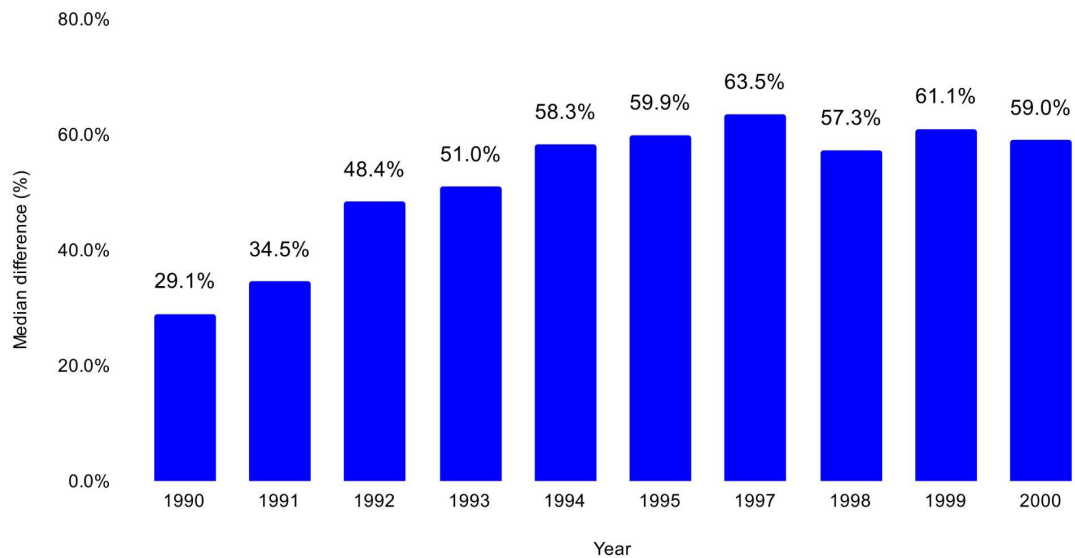


Figure 14 shows that agenda setting occurred in three waves: wave one (1989-1992), wave two (1993-1995), and wave three (1996-1997). Each wave is defined by the proportion and distribution of introduced legislation, an agenda-setting measure, as well as the number of statements about the NEA in the Congressional Record, a measure of conflict over and visibility of the subsystem. Together, they represent the macro-political intervention that occurred when the subsystem lost control over its policy image and venue. Though conflict over agenda setting and policy did not return to pre-crisis levels in 1998, it subsided tremendously. This year marks the end of the creation of a new partial equilibrium that was likely not as positive as that in the pre-crisis period. The post-crisis partial equilibrium was defined by a more negative tone in

Congress, 24.5% of post-crisis statements were anti-NEA, as well as an agenda and substantive policy changes that reflected congressional disapproval of the agency. The subsystem emerged from the punctuation in the post-crisis period, but it was battered, bruised, and certainly not the same as it had once been.

Figure 15. Median difference between political party votes on federal arts policy topics



To understand how, if at all, political polarization impacted the federal arts policy punctuation, I conducted an analysis of congressional roll call votes on legislation about the NEA from 1990 to 2000.⁶² The median percent difference between roll call votes on federal arts policy legislation by political party and year is displayed in Figure 15. It shows that over time, the median percent difference between party votes, a measure of partisanship, increased for federal arts policy legislation. The political divide over federal arts policy grew exponentially in the

⁶² Unfortunately, digitized records of roll call votes are only available starting in the second session of the 101st Congress (1990). As a result, previous years are omitted from the analysis (Congress.gov, N.D).

crisis period, peaked in 1997, and stayed consistent throughout the post-crisis period.⁶³ The median percent difference between party votes made notable jumps between 1991 and 1992 as well as 1993 and 1994 when it increased by 13.8% and 7.3%, respectively. It seems possible that the first bump occurred when Pat Buchanan attacked President Bush's record on the agency in the 1992 presidential election (DeGrazia, 1994, 136; Bauerlein and Grantham 2009, 108; Dubin 1992, 284). Of course, federal arts policy had also gained the attention of Congress by that time, and Republicans generally opposed the NEA. The latter bump likely resulted from the Republican Revolution of 1994 and the party's embrace of House Speaker Gingrich's aggressive strategies and anti-NEA position.

Findings show that partisanship and conflict over federal arts policy increased at the start of the crisis period. From 1990 to 1994, I suspect that the increased median percent difference of roll call votes captures the Republican party's rightward move on social and cultural issues. In these years, Republicans increasingly bet on conservatism and Gingrich's "rule or ruin strategy" to win elections. The culmination was the Contract for America, which was hostile towards agencies like the NEA, and underpinned the Republican Revolution in 1994. It was during this time that conservative policy entrepreneurs also set a new, negative tone about federal arts policy by leveraging culture wars narratives. The culture wars were a convenient ally for conservative Republicans,

⁶³ Figure 15 is missing 1996 roll call votes because no legislation was introduced that year about federal arts policy to Congress (appropriations acts were not included in the analysis).

like Senator Helms, who chose to highlight their anti-NEA record in political campaigns. It is expected that political polarization and the culture wars amplified conflict over policy image and agenda setting that intensified and prolonged the punctuation of federal arts policy.

If polarization was the sole driver of the crisis, I expect that there would be a positive relationship between it and conflict. While both polarization and conflict moved in the same direction between 1990 and 1994, they did not in the last years of the post-crisis period. Figure 15 shows that the median percent difference between roll call votes plateaued in 1995 and was roughly similar for the next five years even after the macro-political intervention ended in 1998. Although conflict over federal arts policy decreased in 1999 and 2000, the median percent difference between roll call votes remained similar to years when there was extreme conflict over the NEA. It suggests that the new, negative view of the NEA adopted by congressional Republicans, and fueled by the culture wars, in the early 1990s endured.

While political polarization had a role to play in the conflict over federal arts policy in Congress, it was not the primary cause of conflict. Instead, the conflict was the result of “the serial-processing needs of the macro-political system” which “creates the non-incremental dynamics of lurching that we often observe in many policy areas” (Baumgartner, Jones, Mortensen 2014, 63). PET explains how an unknown, stable subsystem of experts in stasis was split open by macro-political forces that dramatically altered its institutional structures and budget before leaving it to fade into obscurity again.

B. Hypothesis

The findings in this chapter support the alternative hypothesis: If federal arts policy gets onto the broader congressional agenda, then policy will change substantially. In the crisis and post-crisis periods, when federal arts policy was on the broader congressional agenda, more substantive policy change occurred than in the pre-crisis period when federal arts policy was not on, or a very low priority, on the broader congressional agenda. Generally, the relationship between agenda access and substantive policy change is positive. The alternative hypothesis is accepted and the null hypothesis is rejected. As previously noted, the substantive policy changes discussed in this chapter were the result of both the federal arts policy subsystem losing control over its positive policy image and federal arts policy gaining access to the broader congressional agenda. Those previously not engaged in federal arts policy, namely conservative policy entrepreneurs and agenda-setters, were mobilized and became legitimate authorities alongside subsystem elites. It resulted in positive feedback, which was likely amplified by polarization and the culture wars, and a macro-political intervention that led to a new partial equilibrium that was less positive as the pre-crisis period.

VII. Conclusion

American federal arts policy changed suddenly and drastically in the 1990s. As described by Baumgartner and Jones, two factors made the policy punctuation possible: a change in policy image and venue (2009, 16, 37-38). Ultimately, the policy punctuation altered the federal arts policymaking process and the NEA's grantmaking which resulted in a new, less positive partial equilibrium for the subsystem. Key findings from previous chapters are summarized below, followed by a discussion of the contributions of my dissertation's original research. The chapter will then discuss implications and recommendations for future research.

A competing policy image was introduced by NEA detractors, namely conservative policy entrepreneurs, at the beginning of the crisis period that incited conflict and, ultimately, caused a seismic shift in congressional rhetoric. Republicans successfully undermined the subsystem's positive policy image with the "Art Content" issue frame that appealed to high-level values and was "sticky." The issue frame asserted NEA grant awards benefited the creation or exhibition of artwork that is sexually explicit, shocking, and/or not legitimate to most Americans. Christian fundamentalists' crusade against "offensive" commercial music, film, and television that began in the early 1980s made the "Arts Content" issue frame "sticky," it took root over time and was easily activated by conservative policy entrepreneurs in the crisis over the NEA. Republicans used

the issue frame to construct a narrative story of decline about how the arts contributed to immorality in American society. The issue frame was also used by NEA supporters in Congress who were shocked or offended by NEA grant awards that supported controversial artworks by Mapplethorpe, Serrano, Finley, Athey, Dune, and other artists. These controversial artworks often intimately and provocatively portrayed the artists themselves and dealt with subjects like religion, race, sex, and gender. NEA supporters countered in the crisis period with issue frames that defended the agency's track record ("Excellence") and argued that artists have a right to freedom of expression and not to be censored ("Freedom of Expression"). The issue frames were not as successful as "Art Content" and NEA supporters were put on their heels. In the crisis period, 41.6% of all statements made about the NEA in Congress were negative which marked the emergence of a new, more complex tone about federal arts policy. The negative tone lingered in the post-crisis period which suggests the federal arts policy image was permanently altered since the pre-crisis period.

As federal arts policy became more visible and contested, several conservative policy entrepreneurs saw an opportunity to move federal arts policy from the subsystem's agenda onto the broader congressional agenda. The crisis period marked the arrival of federal arts policy on the broader congressional agenda. In both the crisis and post-crisis periods, conservative policy entrepreneurs played an important role in setting the federal arts policy agenda, and introduced 70.3% and 88.6% of all legislation about the NEA, respectively. In both periods, the majority of legislation introduced by conservative policy

entrepreneurs either reduced the NEA's appropriations or sought to eliminate it. In contrast, Democrats introduced legislation that increased appropriations and earmarks for arts education as well as reformed NEA grantmaking rules. Once federal arts policy got onto the broader congressional agenda, policy changed substantially. There was only one substantive policy change in the pre-crisis period, when federal arts policy was not on the broader congressional agenda, compared to four substantial policy changes in the crisis period and eight in the post-crisis period. Together, these substantive policy changes altered the rules and jurisdiction of the NEA's grantmaking and included the enactment of the "obscenity clause;" elimination of fellowships for visual artists as well as general operating and seasonal grants; new requirements for grant panelists and the National Council on the Arts, and more. Congress also decreased the agency's FY1996 appropriations by 40.0%, which, in-part, prompted the agency to reorganize the structure of grant programs that had been in place since the 1960s. Together, the changes reflect congressional dissatisfaction with the agency, especially among conservative Republicans, and an attempt to increase oversight, enforce standards for publicly funded art, and shift the agency's deeply embedded artworld values. The most severe substantive policy changes took place in the post-crisis period suggesting that the federal arts policy subsystem's new partial equilibrium was not as positive as it was in the pre-crisis period.

1. Contributions

The informal, but widely circulated theory in arts literature is that the culture wars were responsible for the sudden, dramatic changes to federal arts policy in the 1990s. The culture wars is a formal theory in sociology that argues “culture underwrites politics” and politics is an avenue for resolving cultural conflict across established religious ideologies (Stanton 2021). It positions federal arts policy as one of many social issues swept up into a polarized, symbolic contest between cultural conservatives and liberals. Importantly, arts literature largely discusses the culture wars not as the formal theory, but as atheoretical historical event or phenomena. The treatment of the culture wars in arts literature tends to emphasize the social and cultural aspects of the crisis at the expense of the political.

To the best of my knowledge, only a handful of political scientists authored literature that examines American federal arts policy and even fewer examined the policymaking process. Strom and Cook’s *Old Pictures in New Frames: Issue Definition and Federal Arts Policy* (2004) and Shockley’s *Political Environment and Policy Change: The National Endowment for the Arts in the 1990s* (2011) are two notable examples of available literature and, respectively, study problem definitions and policy change in federal arts policy. While my dissertation is informed by both, and especially the former, it also seeks to address sizable gaps in knowledge between the two articles. These articles simply do not attempt to answer the proposed research questions about what led to the punctuation in

American federal arts policy and how it changed. My dissertation is the first attempt, to the best of my knowledge, to use PET and related political science concepts to systematically study the crisis of American federal arts policy in the 1990s. It is a small step towards moving federal arts policy, which plays a significant role in American life, from the periphery into the fold of political science.

The findings from my original research presents a more nuanced, tested explanation of the federal arts policy crisis than that presented in arts literature: changes to policy image and venue resulted in a policy punctuation that ultimately led to a new, more negative partial equilibrium for the federal arts policy subsystem. PET provides a means to address gaps in knowledge about the emergence, timing, scale, and nature of federal arts policy change in the 1990s. The culture wars, as well as political polarization, intensified and prolonged the crisis over federal arts policy, but are not able to fully explain critical aspects of the crisis over the NEA. It is necessary to consider PET, as well as the culture wars and political polarization, to fully comprehend the crisis over the NEA in the 1990s.

My original research also suggests that arts literature misidentifies the years the NEA was in crisis. The majority of arts literature identifies the start of the crisis period in 1989 and the end in 1995, the year that Congress voted to decrease the agency's appropriations by 40%. Findings show that the number of Congressional Records that mention the NEA peaked in 1997. Additionally, 1997 is distinguished as the year with the most legislation introduced to Congress that

aimed to defund or privatize the agency as well as the year with the highest median percent difference between Democrat and Republican votes in Congress. Moreover, most substantive policy changes (61.5%) took place in the early years of the post-crisis period: 1996, 1997, and 1998. Clearly, federal arts policy generated a significant amount of congressional attention and conflict later than 1995. Based on these findings, it seems more accurate to define the crisis period as taking place from 1989 to 1998.

Punctuation of the federal arts policy subsystem seems to differ from other policy arenas in the terms of the type and length of conflict. Most of the case studies that Baumgartner and Jones examine—nuclear power, pesticides, tobacco, urban affairs, drug and alcohol abuse—had longer periods of increased attention from Congress and the general public than arts policy. Federal arts policy held congressional attention for ten years, but in many of Baumgartner and Jones' case studies, heightened attention lasted for more than a decade, sometimes several decades (2009, 91, 134, 155, 162). Moreover, as attention increased for these case studies, there were more policy entrepreneurs jockeying to gain control over policy image and venue than with federal arts policy. Even in times of crisis, it seems that federal arts policy simply does not generate the same attention and conflict in macro politics as these other case studies.

It seems likely that these differences between federal arts policy and the aforementioned case studies are caused by the subsystems and issues themselves. In comparison to these other policy topic areas, federal arts policy is significantly smaller in size, has fewer players and, perhaps most importantly,

doesn't have grave, direct consequences for large swaths of the American population. Some of the adaptations made to the measures borrowed from Baumgartner and Jones, like broadening the definition of changes to institutional structures, reflects how federal arts policy provides a different kind of case study, thanks to its defining features: its small size and its grantmaking focus. The adaption made it possible to look at policymaking and policy outputs at the organization-level, not just the macro political-level, which was necessary to effectively study the grantmaking process. It also brought new meaning to a milestone event during the crisis: a key player voluntarily made a dramatic, non-incremental change to their rules which fundamentally changed their organization's primary activity. The event seems extraordinary among PET case studies and suggests, along with other evidence, that federal arts policy presents a unique case study for PET.

2. Implications

In the 1960s when the NEA was established, a number of policymakers praised artists as disciplined visionaries and intellectuals who fed America's soul with their artwork. There was a strong interest in supporting artistic freedom to demonstrate American culture and values—individualism, innovation, creativity—to the world during the Cold War as well as to combat the domestic effects of materialism and popular culture like rock n roll and television. The National Foundation for the Arts and Humanities Act even states that the federal government is responsible for “encouraging freedom of thought, imagination, and inquiry but also the material conditions facilitating the release of this creative

talent” (Pub. L. No. 89-209 1965 1965: 845). At the time, there was great concern about the vagueness of the enabling legislation and the tension between subsidizing artistic freedom and promoting artistic excellence. For almost the next two decades, subsystem experts rewarded artistic freedom in the grantmaking process. These grant awards occasionally became the subject of debate in Congress, but did not present serious problems for the agency.

It wasn't until the Mapplethorpe and Serrano crises that the limits of the NEA's enabling legislation were tested. It revealed that political elites no longer saw artistic freedom as valuable to American society, but as a threat. The central question in Congress was: What, if any, standards are there for publicly funded artwork? It became clear over the course of the crisis with the Independent Commission's report, *Finley v. NEA*, the enactment of the “obscenity clause,” and other legislation that the standards for publicly funded artwork are different from that of privately funded artwork. An argument can be made that the standards for publicly funded art are necessary and that it is appropriate for the NEA to consider subject matter in the grantmaking process, just as it considers the quality and merit of aesthetics. These standards ensure public accountability and, ultimately, public support. To the latter, I believe that standards for publicly funded art are critical tools for reconciling diverse cultural viewpoints in a democracy and providing grantmaking guardrails to secure the NEA's future. However, conservative Republicans used standards for publicly funded artwork to degrade and dehumanize artists on the basis of their gender, sexuality, and racial identities in the 1990s. The origin of some standards was religious morality,

and to some extent bigotry; for example, attempts to prohibit homoerotic artwork was more concerned with condemnation than the creation of commonsense standards.

The punctuation of the federal arts policy subsystem also resulted in a more democratic partial equilibrium, but at a great cost. Prior to the punctuation, the NEA was the domain of subject matter experts whose artworld bias defined grantmaking and grantees. Right or wrong, critics often accused these experts of cronyism in the NEA's grantmaking process, and pointed to limited opportunities for accountability, oversight, and public participation. When federal arts policy moved onto the broader congressional agenda, the decision-making paradigm for federal arts policy changed as well which led to more democratic grantmaking rules. For example, Congress mandated the agency diversify grant panelists and the National Council, prioritize grant awards and services to "underserved" communities and artists, meet new requirements for the geographic distribution of grant awards, etc. These substantive changes increased public participation, accountability, and access to the arts. There were, of course, profoundly undemocratic policy changes, too, like the elimination of grants awards to individual artists and general operating support grants, that tarnished the policy punctuation. The agency paid dearly to become more democratic in the post-crisis period than the pre-crisis period, weathering years of negative public perception, threats of elimination, defunding, and more over nine years.

Perhaps one of most striking revelations is the enduring nature of religious skepticism of the arts in America. The moralistic arguments that Protestants used

to make their case against making or patronizing art at the founding of the nation are very similar to the arguments presented by Christian fundamentalists and conservative Republicans in the 1990s. Both groups essentially argued that the arts could corrupt citizens leading to promiscuity, adultery, or sin. For example, several conservative policymakers argued that publicly funded artwork that depicted homosexuality was “an effort to gain wider exposure of, and acceptance for, homosexuality” (Coyle 1998, 357; Cummings 1991, 67). Even thirty years after the start of the NEA crisis, calls to ban so-called “offensive” and “pornographic” artwork in American schools and libraries, like Michelangelo’s *David* (1501-1504), are still a regular occurrence. America’s puritanical heritage is at the root of hundreds of years of battles over art, especially when it deals with nudity or sexuality. This historical view provides a new context for understanding the crisis over the NEA and the culture wars. By now, the tradition of religious skepticism of the arts seems as American as apple pie.

While the previous two chapters discussed the roles of Republican policy entrepreneurs, I cannot emphasize enough the role they played in the crisis over the NEA. Empowered by a number of political successes, the party’s anti-NEA stance, and aggressive tactics, a handful of Republican policy entrepreneurs had a tremendous impact on the tone of congressional rhetoric and the congressional agenda. Of course, their efforts were aided by Christian fundamentalists, who had considerable organizing expertise and resources, and Democrats, some of whom also took issue with “controversial” artwork despite supporting the NEA. It seems that the size and strength of the federal arts subsystem made it

particularly prone to Republican attacks at the height of the party's political power. While the NEA certainly had its defenders in Congress and the public, it had very limited ability to protect itself. The subsystem has very few advocacy groups, resources, and little organizing experience compared to other policy arenas. Moreover, many beneficiaries and supporters were alienated by the NEA's actions at the beginning of the crisis. This all played into the hands of Republican policy entrepreneurs who sought to leverage their power in order to advance preferred policy solutions. It seems unlikely that Republican entrepreneurs would have been as effective in changing larger, better resourced subsystems.

3. Recommendations

There are several suggestions for future research on the federal arts policy subsystem. Below is a brief description of four different opportunities to research gaps in knowledge, advance findings from this dissertation, and contribute new knowledge to the arts and political science fields.

The first is to study NEA grant award data across the pre-crisis, crisis, and post-crisis periods to understand how, if at all, changes to the NEA's grantmaking process impacted grant outputs over time. It seems that certain changes to the grantmaking process, like the diversification of grant panels, might have impacted what organizations and individuals receive grant awards.

The second suggestion is to study NEA beneficiaries to understand why artists, specifically visual and performing artists, were treated differently than

other beneficiaries throughout the crisis. Visual and performing artists seemed to bear the burden of negative congressional and media attention compared to other artists and organizations and, ultimately, were defunded by Congress. It seems that Schneider and Ingram's groundbreaking work on the social construction of target groups can offer an answer: popular narratives and normative beliefs of groups influence policies that affect them (1993, 337). Policy changes that left artists with less benefits and more burdens was a result of how society perceived artists and policymakers' self-interest in enforcing the perception.

The third suggestion is to understand how, if at all, the crisis over the NEA paralleled events in commercial art. A number of albums, paintings, and performances were criticized on the same grounds as the controversial NEA grant awards. In several cases, these "offensive" commercial artworks rose to the attention of Congress and resulted in new policies that sought to label or restrict access to artwork. Taking a broader view of federal arts policy in America might provide new insights about the policymaking process.

Lastly, it would be interesting to examine the relationship between congressional rhetoric used to describe the NEA and that of Christian fundamentalists who campaigned against offensive artwork in the 1980s and 1990s. While I believe that conservative Republicans and Christian fundamentalists described artwork as offensive on moral grounds, the rhetoric of Christian fundamentalists did not receive much attention in this dissertation. It is expected that an investigation might uncover the development of key issue

frames over time, especially “Art Content,” and, ultimately, lead to new insights about their effectiveness.

VIII. Plates

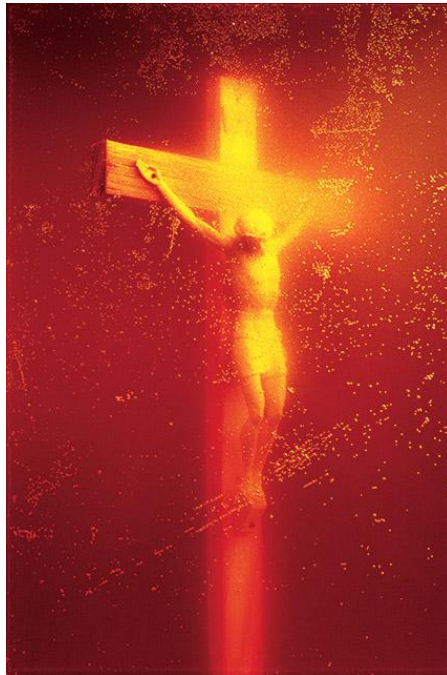


Plate 1: Andres Serrano (b. 1950). *Piss Christ*, 1987.
Cibachrome print face-mounted on plexiglas, 40 x 30 inches.



Plate 2: Robert Mapplethorpe (b. 1946). *Man in a Polyester Suit*, 1980.
Gelatin silver print, 20 × 16 inches.



Plate 3: Robert Mapplethorpe (b. 1946). *Rosie*, negative 1976. Gelatin silver print, 14 x 14 inches. © Robert Mapplethorpe Foundation.



Plate 4: Karen Finley (b. 1956) , *We Keep Our Victims Ready*, 1990.



Plate 5: Ron Athey (b. 1961), *Four Scenes in a Harsh Life*, 1994.
Image Courtesy of the Artist.

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