

The Art of CENSORSHIP

Catholic League, Congressional Allies Push 'Sacrilegious' Video From National Portrait Gallery

By Rob Boston

Sometime around 1800, Spanish painter Francisco Jose de Goya completed what is considered one of his greatest works: "The Naked Maja" depicts a young woman, completely nude, reclining on a couch.

The Spanish Inquisition was not impressed with Goya's effort. In 1815, Roman Catholic clergy representing the Inquisition – it existed until 1834 – summoned the painter and demanded to know who had commissioned this work, which they labeled "obscene." Not long after that, Goya lost his position as official painter to the Spanish court.

It's not known what Goya told the Inquisition, but history vindicated the artist. Today "The Naked Maja" is on display at the Museo del Prado in Madrid and is considered a national treasure.

The battle over Goya's painting wasn't the first skirmish between religion and the world of art, and it certainly won't be the last. The truth is, religiously based censorship by the government has a long history in Europe and the United States – and, thanks to recent political changes, it may be on the upswing here.

Religious Right activists, feeling emboldened by their successes in the November elections, are on the prowl against "obscene" or "blasphemous" art, especially in tax-funded museums.

In December, they scored a major

win when the National Portrait Gallery in Washington, D.C., agreed to remove a brief video that had been attacked as "sacrilegious" by the Catholic League for Religious and Civil Rights and other far-right groups.

The video in question was part of a larger exhibit called "Hide/Seek: Difference and Desire in American Portraiture," which explores questions of gender identity in American history through art. The exhibit contains works by several artists, including Georgia O'Keeffe, David Hockney, Jasper Johns and Andy Warhol.

The controversial video is by the late David Wojnarowicz, a performance artist who worked in several media. Titled "Fire in My Belly," it is about four minutes long and includes an 11-second segment that shows ants crawling on a crucifix.

Some art critics believed that Wojnarowicz, who died of AIDS in 1992, was making a statement about the suffering of those who have the disease, but Wendy Olsoff, a gallery owner in New York City who represents Wojnarowicz's estate, said the artist viewed ants as a microcosm of human society and often showed them in his work crawling on lots of different objects.

"It was not about Christ," Olsoff told *The Washington Post*. "It was just about institutionalized religion."

Nevertheless, the Smithsonian yanked the entire video after House

Speaker John Boehner and Majority Leader Eric Cantor attacked the work.

"American families have a right to expect better from recipients of taxpayer funds in a tough economy," Kevin Smith, a spokesman for Boehner, told *The Post*. "While the amount of money involved may be small, it's symbolic of the arrogance Washington routinely applies to thousands of spending decisions involving Americans' hard-earned money."

Cantor went a step further, demanding that the entire exhibit be shut down. He called it an "outrageous use of taxpayer money and an obvious attempt to offend Christians during the Christmas season."

Perhaps hoping to spark his own inquisition of the medieval variety, U.S. Rep. Jack Kingston (R-Ga.) a day later upped the ante, insisting that Congress launch an official investigation into the matter.

Americans United for Separation of Church and State had a different take on the controversy.

"Boehner and Cantor aren't even in control of the House yet, and already they're kowtowing to the Religious Right," said Barry W. Lynn, executive director of Americans United. "This is religiously based censorship, pure and simple – and it's reprehensible.

"If some people believe a show like this offends their religious sensibilities, the answer is for them not to go to it," Lynn added. "They should not have the right to control what art the rest of us can see."

William Donohue, president of the Catholic League, insisted that the exhibit was an example of "hate speech." In a press statement, Donohue lauded the removal of the video

but asserted that the Smithsonian should have never allowed it in the first place.

Critics say Donohue's organization, which has an annual budget of about \$4 million and assets totaling \$26 million, tends to see anti-Catholicism lurking behind every rock. Loud and abrasive, Donohue is adept at manipulating the media and often portrays himself as a spokesman for American Catholics, when in fact few members of that denomination share his far-right views.

In May of 2009, Donohue went on the warpath after the University of Notre Dame invited President Barack Obama to give a commencement address. Aided by Fox News Channel, Donohue tried to make a national issue of the address, but few Catholics cared and Obama delivered the speech (and received an honorary law degree) without a hitch.

Around the same time, Donohue went ballistic over the release of the movie *Angels & Demons*. Based on the popular novel by Dan Brown, the film centered on various intrigues at the Vatican. Donohue demanded that the movie include a disclaimer saying it was fictional, but even church officials disagreed, seeing the movie as harmless summer fluff.

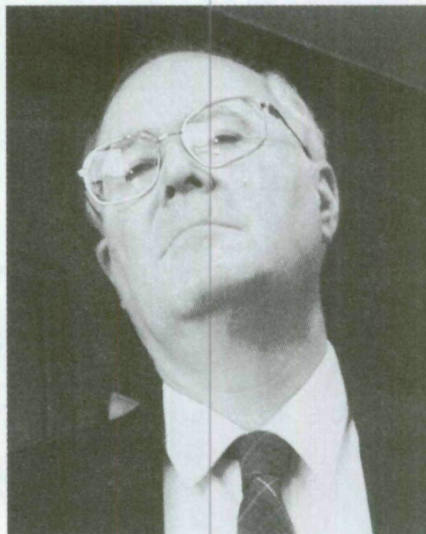
More recently, Donohue attempted to manufacture a controversy by insisting that the Empire State Building be bathed in blue and white light to celebrate the late Mother Teresa's 100th birthday on Aug. 26, 2010. When the owners of the building refused, Donohue began bombarding the media with dozens of press releases.

But not all of Donohue's fulminations have been so silly. In 2004, Donohue lapsed into an anti-Semitic rant while defending Mel Gibson's movie *The Passion of the Christ*.

Appearing on Fox News, Donohue thundered, "Hollywood is controlled by secular Jews who hate Christianity in general and Catholicism in particular. It's not a secret, OK? And I'm not afraid to say it. That's why they hate this movie." (Donohue has also been accused of downplaying the pedophilia crisis in the Catholic Church and attempting to pin the blame on gays who enter the priesthood.)

Donohue may have turned up the volume, but he's not offering much else that's new. His Catholic League invokes past efforts by sectarian forces determined to control what entertainment their fellow Americans can see, read or hear.

In 1933, a Catholic bishop in Cincinnati formed a group called the Catholic Legion of Decency to combat alleged immorality in movies. The organization soon drew support from some conservative Protestants and the following year changed its name to the National Legion of Decency. Its membership, however, remained heavily



Donohue: Always offended

Catholic.

The Legion asked its members to sign a pledge vowing to "remain away from all motion pictures except those which do not offend decency and Christian morality." The idea was that Hollywood would respond with more wholesome entertainment.

The plan met with mixed success. The Legion sometimes went overboard - it condemned the zany 1959 Marilyn Monroe comedy *Some Like It Hot* for cross-dressing - but it managed to apply enough pressure that some directors shifted operations overseas to avoid trouble.

The Legion, however, could not stop the rise of a grittier, more action-oriented cinema in the 1960s. By the 1970s films were becoming more risqué and an ostensibly voluntary

"production code" that many religious groups had supported was abandoned by the big studios. The Legion became defunct and was subsumed into the hierarchy of the Catholic Church, which, through its Catholic News Service, continues to review films today and labels many "morally offensive."

Such rating systems, offered to people who are free to follow or reject them, are a far cry from past practices when some religious figures labored to prevent anyone from seeing certain films or reading some books.

Half a century ago, Americans United had its hands full combating religiously based censorship. In 1955, Paul Blanshard, a AU-affiliated researcher, published *The Right to Read*, a book chronicling various literary censorship efforts, many led by religious organizations.

During the great era of "vice suppression" in the 1920s and '30s, cities like Boston and New York were famous for banning books. New England's Watch and Ward Society (originally known as the New England Society for the Suppression of Vice) was so powerful that all its leaders had to do was apply pressure to booksellers to make certain volumes unavailable. In Boston libraries, books deemed objectionable were kept in locked rooms.

While much of the material suppressed was of questionable merit, some works that are now considered classics were censored as well, thanks largely to religiously motivated activists. Books targeted by the moral crusaders included Sinclair Lewis' *Elmer Gantry*, Theodore Dreiser's *An American Tragedy*, Ernest Hemingway's *The Sun Also Rises* and Upton Sinclair's *Oil!*

Censorship opponents scored occasional victories. In 1926, journalist H.L. Mencken traveled to Boston after learning that copies of the magazine he edited, *American Mercury*, had been removed from newsstands because they contained a hard-hitting story about a prostitute.

Mencken provoked a court challenge by openly selling copies of the magazine and sparking his own arrest. The case became a cause

célèbre and put an uncomfortable spotlight on Boston's censorship practices. Mencken was acquitted.

But the censors were far from finished. As film became a more popular medium, religious groups began turning their attention to the silver screen.

In 1950, an Italian filmmaker named Roberto Rossellini released a short film called *The Miracle*, the tale of a peasant woman who is convinced that the stranger who impregnated her is really Saint Joseph.

Outraged Catholic leaders in New York City insisted that the "sacrilegious" film be banned, and government officials were only too happy to comply. Church pressure was so intense that New York officials even revoked the license of the movie's distributor, Joseph Burstyn.

But Burstyn fought back in the courts. His legal effort reached the U.S. Supreme Court, which ruled unanimously in his favor in 1952.

"Since the term 'sacrilegious' is the sole standard under attack here, it is not necessary for us to decide, for example, whether a state may censor motion pictures under a clearly drawn statute designed and applied to prevent the showing of obscene films," wrote Justice Tom C. Clark for the court. "That is a very different question from the one now before us. We hold only that under the First and Fourteenth Amendments a state may

not ban a film on the basis of a censor's conclusion that it is 'sacrilegious.'"

Burstyn v. Wilson was an important ruling because it derailed states' ability to censor films on grounds of blasphemy and sacrilege. The decision also made it clear that film, like the printed word, falls under the scope of the First Amendment's guarantee of free speech. (In handing down *Burstyn*, the high court overturned a 1915 decision, *Mutual Film Corporation v. Industrial Commission of Ohio*, which declared that movies were not entitled to First Amendment protection because they were purely a commercial enterprise.)

Although official censorship

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—U.S. Rep. James P. Moran

boards began to lose power after the *Burstyn* ruling, some church officials still continued to target movies, books and plays they disliked.

Director Martin Scorsese's 1988 film *The Last Temptation of Christ* brought out picketers, and several local governments – including Dallas, Birmingham and a few parishes in Louisiana – passed symbolic resolutions condemning the movie (which, many lawmakers admitted, they had not seen).

One community, Escambia County, Fla., went beyond that. County Commissioners voted 4-1 to ban the film and actually sent a sheriff's deputy to the one theater that planned to show it to seize the print.

In his 2008 book *Hollywood Under Siege*, Thomas R. Lindlof writes that the owner of the theater got wind of law enforcement's pending arrival, handed the print to a business associate and sent him into the next county. The man checked into a hotel with the censored film, and it wasn't long

before a federal judge struck down the ban.

In recent years, art exhibits have come under attack. In a celebrated case from 1999, Rudy Giuliani, then mayor of New York, attacked the Brooklyn Museum of Art for displaying an image of the Virgin Mary by artist Chris Ofili (himself a Roman Catholic) that included a piece of resin-coated elephant dung.

The Catholic League attacked the portrait, as did Archbishop John O'Connor. Giuliani tried to cut off city funding for the museum and even evict it from its quarters. Legal action ensued, and a federal court blocked the Giuliani overture.

Americans United says the recent flap over the Smithsonian does not bode well. The influx of far-right conservatives in Congress is likely to embolden the Religious Right to stoke the flames of the "culture wars," and publicly funded museums are low-hanging fruit. Already some members of Congress are talking about defunding the National Endowment for the Arts and the National Endowment for the Humanities, favorite Religious Right bugbears.

"This new Congress has a bull's-eye on arts funding," U.S. Rep. James P. Moran (D-Va.) told *The Washington Post*. "I don't think there is any question they are going to target the NEA, the NEH and anything else that funds art."

Americans United and its allies are speaking out. In December, AU joined the National Coalition Against Censorship and 12 other organizations to protest the action at the National Portrait Gallery.

"The Catholic League may insist that religious symbols are its property and others (especially homosexuals) cannot use them; however, a national museum is barred by First Amendment principles, as well as by its mission to serve all Americans, from enforcing those views on the rest of us," asserts the joint statement.

It concludes, "The Smithsonian, of which the National Portrait Gallery is part, is a public trust serving the interests of all Americans. It betrays its mission the moment it ejects a work whose viewpoint some dislike." □

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