City Hall versus the Brooklyn Museum:

Artistic freedom and democratic rights under attack in New York

The Editorial Board
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The campaign being waged by New York Mayor Rudolph Giuliani against the Brooklyn Museum is a crude act of state censorship. Neither Giuliani nor any other politician can be allowed to dictate which pieces of art go on display in a public museum—in the present case, a cultural institution that employs 500 people and draws half a million visitors a year.

Giuliani has threatened to cut off city funding for the Brooklyn Museum, shut it down and replace its current board with one of his own choosing if the museum does not remove a number of works in an exhibit entitled "Sensation: Young British Artists from the Saatchi Collection." The exhibit is scheduled to open this Saturday.

After waiting nearly a week to officially reject the mayor's demands, during which time the museum's board chairman held closed-door negotiations with City Hall officials, the museum announced Tuesday it was launching a lawsuit, charging Giuliani with violating the First Amendment right to freedom of speech.

In response, Giuliani canceled the next payment of city funds to the museum due on Friday. He has promised a counter-suit based on the allegation that the Brooklyn Museum conspired with Christie's auction house, one of the exhibit's sponsors, to inflate the value of the works in the show, all of which are owned by advertising mogul Charles Saatchi.

The city's actions are an open attempt to stifle artistic and intellectual expression. The mayor claims that Chris Ofili's painting "The Holy Virgin Mary" (1996), which employs elephant dung and cut-outs from pornographic magazines, is "Catholic-bashing" and, more generally, an attack on religion. By any objective standard, Giuliani's interpretation of the painting—which he has doubtless never actually seen—is both outlandish and malicious.

A glance at reproductions of the painting published in the press makes this perfectly clear. Giuliani's assertion that artwork in the show represents "aggressive, vicious, disgusting attacks on religion" is a cynical effort to solidify his political relations with the Christian right and other ultra-right and fascistic elements in the Republican Party. At one level, the entire affair is a repulsive display of political opportunism on the part of Giuliani, who has seized on the Brooklyn Museum exhibit to bolster his run for the US Senate in the 2000 election. More fundamentally, however, it highlights a growing attack on democratic rights across the country.

The artist, Chris Ofili, 31, is a Catholic, born in Britain, but of Nigerian descent. The painter won Britain's distinguished Turner Prize in 1999, awarded to painters under 50. He uses elephant dung in many of his works, considering it to be a reference to his African ancestry. Asked by the *New York Times* to explain his painting, Ofili observed: "I don't feel as though I have to defend it. The people who are attacking this painting are attacking their own interpretations, not mine. You never know what's going to offend people, and I don't feel it's my place to say any more."

But even were it the case that this or other works in the show represented an assault on religion or the Catholic Church, that would not provide any legitimate grounds for the city to attack the museum. What is at stake is nothing less than the Constitutionally guaranteed right to freedom of speech.

Artists have every right to criticize religion and any other social institution, and the public has the right to see their work and make up its own mind. Democracy is incompatible with a political regime which arrogates to itself the right to dictate thought and culture, imposing its beliefs through its control of the public purse and the police powers of the state.

From a legal standpoint, Giuliani's claim that city funding of the museum gives him the right to censor exhibits does not hold water. A series of court rulings has established the principle that once a governmental body agrees to fund the arts, it has no right to discriminate against views of which it disapproves. Giuliani's campaign against the Brooklyn Museum represents an attempt to impose a *de facto* ban on anti-religious art, a clear violation of the First Amendment separation of church and state. It is not the business of the city of New York to represent the interests of the Catholic Church against its ideological opponents.

In Giuliani's appeal to religious bigotry and social backwardness, there is more than a whiff of fascism. Glenn Scott Wright, Ofili's London representative, was close to the mark when he called the mayor's intervention "totalitarian and fascist, a reprise of the Nazi regime's censorship of contemporary art, which it labeled 'degenerate art.'"

That Cardinal John O'Connor and the Catholic League have weighed in on the side of the city administration comes as no surprise. The Catholic Church hierarchy in New York has a long and dishonorable history of siding with the enemies of free speech and freedom of expression. Cardinal Francis Joseph Spellman was an ally of Sen. Joseph McCarthy and a notorious anticommunist witch-hunter in his own right.

But the Catholic Church does not have a monopoly on suppressing free speech. The country's largest association of Orthodox Jewish organizations, the Orthodox Union, is among the groups lining up behind Giuliani.

That such an attack should take place in New York, one of the world's most important artistic and cultural centers, is of great significance. It is indicative of the growing strain of extreme right politics and social reaction within the political establishment of the US as a whole.

No less significant is the miserable response of New York City's cultural and liberal elite. For nearly a week, virtually no one in the arts community or the liberal press so much as made a public statement in opposition to the mayor. They were obviously hoping that negotiations between the Brooklyn Museum's chairman of the board, investment banker Robert S.

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Rubin, and Giuliani aides would produce some kind of rotten compromise.

Rubin, apparently without the knowledge of the museum's director Arnold Lehman and other museum officials, tried his best to capitulate to the city. He offered to remove Ofili's painting, segregate five or six other works and accept a 20 percent reduction in the city's subsidy to the museum during the run of the show. He told the city he would try to “sell” such a deal to the rest of the museum's board. The negotiations broke down when city officials revealed to the press the existence of the talks and Rubin's proposed surrender.

Only then did the other institutions come out with a criticism of the mayor. Michael Kimmelman of the *New York Times* pointedly asked September 29: “Why did it take so long for the Cultural Institutions Group, which includes the Metropolitan Museum [of Art] and 32 other city-financed institutions, to issue any rebuttal?” Kimmelman notes that private e-mail between museum officials “reveals a mixture of timidity and confusion... along with the desperate hope that the affair would blow over.” It seems obvious that had Rubin's deal been accepted by all sides, the leading lights of the art world would have bowed to Giuliani without a fight.

The compromised position of the liberal establishment is symbolized by the recent record of the Brooklyn Museum's legal representative, noted Constitutional lawyer Floyd Abrams. He played a rotten role last year in CNN's repudiation of its own reporting on the use of chemical weapons by US forces in Cambodia during the Vietnam War. Abrams authored an “independent” review, actually co-written by a high-ranking CNN official, which provided the pretext for the cable television network to retract its documentary on “Operation Tailwind” and fire journalists April Oliver and Jack Smith.

The *New York Times* waited for nearly a week to editorialize in defense of the museum. But the most spineless contribution to the debate came from Giuliani's likely opponent in the Senate race next year, Hillary Clinton, fresh from her denunciation of the clemency granted to Puerto Rican political prisoners. While describing the mayor's action as a “very wrong response,” the First Lady said, “I share the feeling that I know many New Yorkers have that there are parts of this exhibition that would be deeply offensive. I would not go see the exhibition.”

Democrats in the US Senate went one step further, joining with their Republican counterparts in a unanimous vote for a non-binding resolution declaring that the Brooklyn Museum should not receive federal funds unless it cancels the contentious exhibit.

Giuliani's response to Hillary Clinton's statement was characteristically aggressive: “Well, then she agrees with using public funds to attack and bash the Catholic religion.” Republican National Committee Chairman Jim Nicholson commented: “If New Yorkers made the mistake of sending Hillary Clinton to the Senate, she'd be the only senator to support public funding for this display of this anti-religious obscenity.”

It is impossible to predict the immediate outcome of the controversy. Belatedly, hesitantly, the cultural establishment has come out in opposition to Giuliani. There are powerful people—recognizing that a great deal of money in the multi-billion art industry, as well as the city's reputation as a cultural center, are at stake—who oppose Giuliani's actions and are attempting to rein him in.

To a considerable extent, however, the damage has already been done. The fact that such an attack has advanced so far in New York City will encourage the most reactionary and scurrilous attacks on democratic rights.

The response of the arts officialdom to Giuliani is not merely the product of cowardice in the face of an official who has control over city subsidies. It speaks, first of all, to the incestuous relations that exist among the right-wing Giuliani administration, the “arts community” and big business. City officials and the directors of large cultural institutions socialize on a daily basis. During the last mayoral election campaign, in a quite unprecedented event, the arts elite held a Giuliani fund-raiser at the Metropolitan Opera, attracting an audience of well-heeled supporters.

More generally, an enormous chasm has opened up between an extremely privileged layer, which includes those who operate the city's major cultural institutions, and broad sections of the population. They inhabit, for all practical purposes, two different worlds. The widening gulf between the wealthy few and the masses in America is nowhere more pronounced than in New York City, where extremes of opulence and poverty exist virtually side by side.

The better-off middle-class social layers—professionals, doctors, lawyers, the self-employed—who once formed a major base for liberal views and Democratic Party reformism have, in recent years, grown increasingly distant and indifferent to the concerns of ordinary working people. Many have made a killing on the stock exchange. In New York they have welcomed Giuliani's use of police repression to “clean up” the city and make it more pleasant for the upper-middle-class. They have not objected to his previous efforts to obstruct free speech and the right to assemble, to his sustained attacks on welfare recipients, victims of police abuse, street vendors, taxi drivers, immigrants and city workers.

To the extent that these layers have grown rich, complacent and alienated from the masses of working people left behind by the stock market boom, their commitment to democratic rights has become half-hearted and impotent.

New York City has known no shortage of scandals and scandalous figures in the postwar era: from Jackson Pollock to Andy Warhol and beyond. A *New York Times* editorial writer complained Wednesday that “one of the cardinal realities of New York City is that this is a place where artistic freedom thrives, where cultural experimentation and transgression are not threats to civility but part of the texture and meaning of daily life.” But the editorial writer is blind to the larger “cardinal reality”: the massive social contradictions of American society are more powerful than New York's “transgressive” traditions.

Right-wing attacks on artistic expression, freedom of speech and democratic rights and the inability of liberalism to mount any serious response represent a definite trend in American political life. Involved here is the coming together of a number of social and political processes: the growth of social inequality, the lurch to the right by the political establishment, the decay of liberalism, the corruption of large sections of the intelligentsia.

The one social force whose interests are inextricably tied to the defense of democratic rights is the working class. It is this force that must be mobilized in opposition to the entire political establishment to defend freedom of speech and artistic expression, as part of a political struggle for social justice and equality.

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