

Michigan artist sentenced to jail over mural nudity

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In a particularly philistine and backward act, artist Edward Stross was sentenced to prison last week for his mural depicting a bare-breasted figure on a building in Roseville, Michigan, in suburban Detroit. The artist was ordered by District Judge Marco Santia to serve 30 days in jail, do two years of probation and pay a fine of \$500 for his variation of Michelangelo's "Creation of Man," illustrating a half-naked Eve. Stross was also mandated to alter the fresco, which he painted on the outside of his art gallery in 1997.

After covering the breast with a black cloth, Stross explained to reporters that he was in mourning for artists everywhere. "Removing the work is the ultimate punishment. The jail time is nothing compared to removing what I painted. ... They're trying to paint me out as a criminal."

At Stross' trial, Roseville resident Jim Goldwater spoke in support of the artist, telling jurors that Stross volunteered at a local homeless shelter and has created a number of murals in the community for free. He added, "I think it's disgusting, to be honest with you."

The American Civil Liberties Union (ACLU) of Michigan filed an emergency motion to keep him out of jail pending an appeal of the sentence. On Tuesday the ACLU obtained a stay until March 5. City officials are apparently quite determined to see Stross jailed. Roseville city attorney John Dolan told the *Macomb [County] Daily*, "We don't believe there is a basis for a stay. He was convicted by a jury of his peers." Continued Dolan: "There also aren't any constitutional claims that we think have any likelihood of prevailing in this case."

In a press release, national ACLU Legal Director Michael J. Steinberg commented, "It is disturbing that an artist can be imprisoned for replicating a masterpiece from the Sistine Chapel on the side of his art studio."

~~Stross~~ ~~free~~ ~~to~~ ~~express~~: the "This of the world's most famous paintings. This is not my work. It is Michelangelo's, and all I am trying to do is brighten up our community. ... They're trying to turn my message into something it's not."

Wendy Wagenheim, Communications Director of the Michigan ACLU, explained to the WSWWS that Stross had a "good case" which involved the constitutional right to free speech. "Not only should he not be jailed," she commented, "for replicating classical art, but Mr. Stross has multiple sclerosis and jail is certainly not the right place for someone with a disability."

Stross collapsed in his studio Tuesday and was taken by ambulance to St. John Hospital. His brother told the media, "The stress over this fight got to be just too much."

A number of Michigan artists have spoken out against Stross' victimization. "If it's good enough for the Sistine Chapel, it's good enough for Roseville," said Lauren Cerand, spokesperson for Emerging Arts.

Jef Bourgeau, who faced obscenity charges in Pontiac, Michigan, in 2000 for displaying classical art such as Gustave Courbet's "The Origin of the World," told the WSWWS: "It's an absurd case. I had the same experience in Pontiac. Stross' is a folk version of Michelangelo. There is more nudity in your average church. Sex has become one of the main focuses since the Christian right has gained influence. There has been an increasing preoccupation by the right wing with what is quite normal in art.

"To show you how the pendulum has swung, in 1989, Christina Orr-Cahill, art director of the Corcoran Gallery in Washington, DC, was fired for canceling the Robert Mapplethorpe [a controversial photographer] show. Today such a person would be promoted as a hero, like [former New York mayor Rudolph] Giuliani

for censoring the ‘Sensation’ exhibition. Art is becoming a target because it is the one thing that can speak out against what is happening. Art has always caused trouble because it is visual and creates a focal point in a real way. Genuine art takes an oppositional stance. The case against Stross should be thrown out.”

Tyree Guyton is a Detroit painter and sculptor. In an ongoing effort in the 1980s and 1990s, Guyton created the Heidelberg Project, an artistic transformation of two city blocks of blight on Detroit’s east side. The renowned open-air installation—a standing reminder of the city’s social decay—has been continuously attacked by city officials and was partially bulldozed under the administration of Coleman Young.

Tyree and his associate, Jenenne Whitfield, spoke with the WSWs about the Stross case. “It’s really ridiculous, making an issue out of breasts. We’ve got a war that we’re fighting, spending all kinds of money. People are dying and here they’re talking about breasts,” said Tyree.

Jenenne interjected: “An atmosphere of fear is deliberately generated by the powers that be. They want people to walk around with blinders. When people feel that they can’t be heard—that’s a dangerous situation.”

“People who don’t know anything about art are making these kinds of decisions,” added Tyree. “They are afraid of art that talks about what is happening. Here is an artist that painted a picture on his own private property. Where is the first amendment freedom of speech? We can send kids to Iraq. American soldiers can torture people all over the globe. And in Detroit, they are getting rid of art programs and closing down the schools. Something is definitely wrong with this picture.”

In near-identical circumstances, the ACLU filed suit in January against the city of Pilot Point, Texas—north of Dallas—and its police department for coercing an art gallery owner, Dwight Miller, into removing a version of Michelangelo’s “Creation of Adam” on the exterior wall of his gallery. Miller was also forced to cover the mural after police threatened to arrest him under a pornography statute.

“It is unconstitutional for government officials to censor a work of art because it might offend a small group of people,” said ACLU of Texas Director Will Harrell. “It is also a misuse of resources to have our law enforcement officials act as art critics.”

The Pilot Point police repeatedly threatened to prosecute Miller under a criminal statute that targets those who abuse children by selling or displaying hardcore pornography. In response, Miller covered Eve’s breasts with a banner that read “Crime Scene.”

“The threats against Mr. Miller by law enforcement were baseless and wholly inappropriate. The Farmers and Merchant’s Gallery mural is no more pornographic than the Sistine Chapel or countless other works of art portraying classical nude figures,” argued the ACLU director.



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