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The Line of Offense

Some years ago I lived in what was known as a cooperative house. It was a type of commune. One of the residents of this house was a very talented painter. In fact, he apprenticed with Stan Herd. Herd is famed for his "paintings" done in fields that can really only be seen from the air. My housemate provided much of the wall decoration for this house. (I still adorn one of my walls with a painting that he did.)

One of the paintings that hung on our walls at the Rainbow House was of a seminude woman. Very classically inspired, something that might be in a museum had it been painted by one of the old masters. One lady in our house took it upon herself to place some very sticky tape over the nipples of this nude woman. There was no house vote, no presentation of the issue to any of us. She just covered it up. Was this classical nude offensive?

Another friend, who was a painter, was contracted to paint a mural at a local Greek Restaurant. In this mural he painted two classical Greek statues. The owner was thrilled with his work. When he and I went in to have lunch some weeks later, an inferior painter had painted togas over the nude statues in the mural. What could have happened?

Now I am not going to argue the right of an owner to do as he chooses with his business. If he wanted to paint the whole thing over with a fuschia wash, fine. On the other hand, what our housemate did to the painting in our house was to deface something that was owned by all of us. Before this event no one had expressed a problem with this painting. Our accepted and practical level of offense was not crossed by this classical nude.

Let me establish how I am going to define the "art nude." For purposes of this discussion, an "art nude" is a depiction of the unclothed or partially clothed human body, which the majority of viewers would not consider to be pornographic in nature. I must admit that I

will be making some assumptions. These assumptions will be based on historical acceptance and lack of complaint. Historically, our society has made a distinction between the artful depiction of the human body and pornography. I personally know of no one who considers Botticelli's "Birth of Venus" to be pornographic. The same can be said of Picasso's "Blue Nude" or "The Bathers" by Renoir. The list goes on and on! Conversely one could also argue that few people, outside of Larry Flynt or Bob Guccione, would think a Hustler Magazine centerfold to be art. I am not going to attempt, in this installment, to draw a solid line where an item becomes obscene. I am saying that some things are quite obviously one or the other.

Now what has sparked this commentary at this point in time? In order to explain this, I have to set the stage. Between World War I and World War II, an artistic movement arose called Art Deco. It was an artistic style that emphasized form and simplicity. It was an applied kind of artistic endeavor, meaning much of it was architectural and decorative. According to one definition, "Art deco works exhibit aspects of Cubism, Russian Constructivism and Italian Futurism-- with abstraction, distortion, and simplification, particularly geometric shapes and highly intense colors--celebrating the rise of commerce, technology, and speed" (Michael Delahunt, Artlex Visual Arts Dictionary).

In 1934, a building was completed in Washington D.C. This building, that would house the Department of Justice, was strongly influenced by the Art Deco style. As you enter the Great Hall, you will see murals depicting Hammurabi, Moses, and other law makers. Look to the other end of the room, and flanking the stage are two very large aluminum statues, a statue of a woman called "The Spirit of Justice," and the other, a man, called "The Majesty of Law." Both statues are rather scantily clad. In fact, the toga worn by the female... exposes a breast!

Remember now, these statues have stood watch over the Great Hall of the Department of Justice for just shy of 70 years. Justice's breast has been on display for longer than most of us have been alive. You may be asking yourself, "So what?" What indeed could be newsworthy about a 68 year-old aluminum boob?

ABC News reporter Beverley Lumpkin got a tip that someone may be having a problem with the seminude status of these two figures. In fact, her source claimed that permanent drapes had been ordered by a Justice Department staffer. Lumpkin reports that these drapes were purchased by directive of the Attorney General, John Ashcroft. These actions were all vehemently denied by the Department of Justice. Yet in late January, the \$8,000 drapes were installed. The purchase was made by someone in the Attorney General's office. It was presented for purchase as "the Attorney General's desire."

Now how do these statues fare when tested by the definition I am using to delineate art and pornography? In the 68 years since their installation, a few groups using the Great

Hall have requested rented draping. Former DOJ spokesperson, Mindy Tucker, said that opinions were divided among women in the Department. It should be known that Tucker had a personal dislike for the statues. On the other hand, those who have lodged any kind of complaint are far outnumbered by those who seem to have never had an issue with the figures. Even former Attorney General, Ed Meese, architect of the famous Report on Pornography, didn't make a bid to cover up Justice's breast. This after reporters lampooned him for releasing his report while standing under a partially clothed female. I know very few people who would blink twice when seeing a painting or sculpture of a nude in a museum or other art venue. So, in my opinion, the statues qualify as art nudes.

I find it sad that an Attorney General who started his tenure by attempting to protect the rights of the individual, and as a strong backer of the Constitution, has done this. To me, it is censorship at it's most ridiculous. It is a nationwide version of putting sticky tape over the nipples of a painting in the common room.

Now how does this apply to you and me? Well for one thing, don't send a nude sculpture to the Attorney General next Christmas. I say that in jest, but I do think this sets a dangerous precedent. If an Art Deco statue is offensive enough to the powers that be that they must have it permanently draped, will the nudes in our national museums and galleries be forced into an adults only section? Or deemed unfit for public display? Perhaps one day, a nude sculpture will have to be sold at Acme Adult Bookstore rather than in an art gallery.

I realize that this contains a certain amount of hyperbole. I just don't want to wind up on trial some day for sculpting naked people.

That will do it once again from the land of bluegrass and bourbon. I have to go now and look at some Peter Paul Reubens prints. I'll try to keep the drool to a minimum.

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