

Opinion

Art in the Supreme Court — to clothe or not to clothe

Nay

by Jennifer Hersey

Both the constitutions of the United States and Vermont clearly and concisely say that citizens have the right to freedom of speech. Why, then, did the Vermont Supreme Court censor the work of Newport artist Lon Michels?

Justice Marilyn Skoglund organizes exhibits called Art in the Supreme Court and invited Mr. Michels to exhibit his work — with one exception — he had to paint over every little bit of nudity in his work.

The nudity in question is not in any way pornographic, but quite tasteful. Paintings of the virgin and child that once showed baby Jesus without clothing now show him draped so we can all be spared the offensiveness of a nude baby. Giotto painting the same subject matter in the 1400s didn't meet this kind of resistance, to my knowledge, in a highly religious and repressed society.

Mr. Michels also had the audacity to do a painting of Michelangelo's *David* that now sports a fig leaf to save us all the embarrassment of seeing a painted human penis. Thank goodness Michelangelo was given more freedom when he carved *David* in the 1500s, arguably one of the finest examples of human artistry in history.

Is the painted nude human form so terribly offensive that it can't be shown in public? According to the justice, yes, because the court is a public place where people have to go at times, rather than a private gallery. She said that this is her project, and she promised her colleagues she wouldn't do anything to embarrass them or cause controversy.

Yea

by Chris Braithwaite

Suppose an art show at the Vermont Supreme Court alternated between pretty paintings of mothers cradling sweet infants in their arms and horrific depictions of abortions in progress and the fetal remains of late-term abortions.

Suppose the artist took a historical perspective, and hung paintings of healthy, well-nourished slaves happily picking cotton and eating a lot of watermelon.

Or what about a bunch of homosexual men, painted up like stereotypical queers, making outrageous love in the streets, seducing little boys and dying of AIDS in the gutter?

I'm not belaboring the point. I'm trying to beat it to death.

But my point is that there must be images which my colleagues, Ms. Dunbar and Ms. Hersey, would find offensive.

Images that would make an assignment to cover a Supreme Court hearing a painful personal ordeal.

Images which would lead them to distrust the five justices on the bench, and question their ability to be fair.

If I get that point, then the argument becomes trivial; a question of degree.

Ms. Dunbar and Ms. Hersey may believe that there is nothing offensive about the naked human body.

I (finally!) share that opinion. We are, all three, fully entitled to that opinion.

What we can't do is impose it on anybody else.

raised repeatedly in my interviews with Lon Michels, the artist, and Marilyn Skoglund, the justice who asked him to alter his paintings.

You can't settle the question out of context. People are free to hang just about anything they like on their bedroom walls. Folks who don't like it will can stay out of their bedroom.

Almost the same degree of freedom is enjoyed by private galleries. People who like their choices can come and enjoy them. Others can stay away.

Galleries that rely on public support need to be prepared to justify their choices on artistic terms. But for the rest of us the choice remains. Go see it, or stay home.

But when it comes to public buildings dedicated to things that have nothing to do with art, that choice is lost. People have to go there. If they are offended by what they see, they suffer a needless offense. And — however silly and trivial we may judge the offense to be — the institution also suffers a loss of respect.

For the department of motor vehicles, that would be too bad.

For the Supreme Court of Vermont, it would be a grave loss, indeed.

In the event, it is fascinating how little the artist was troubled by the request that he censor his own work, and how delighted he was by the result.

Some of the things he covered became more erotic, rather than less.

I bought a painting called *Asleep with Matisse*, which I like very much. It's a painting of a painting of a beautiful woman on a couch.

Mr. Michels confessed that he draped a bit of fabric over her before he hung her at the Supreme Court.

