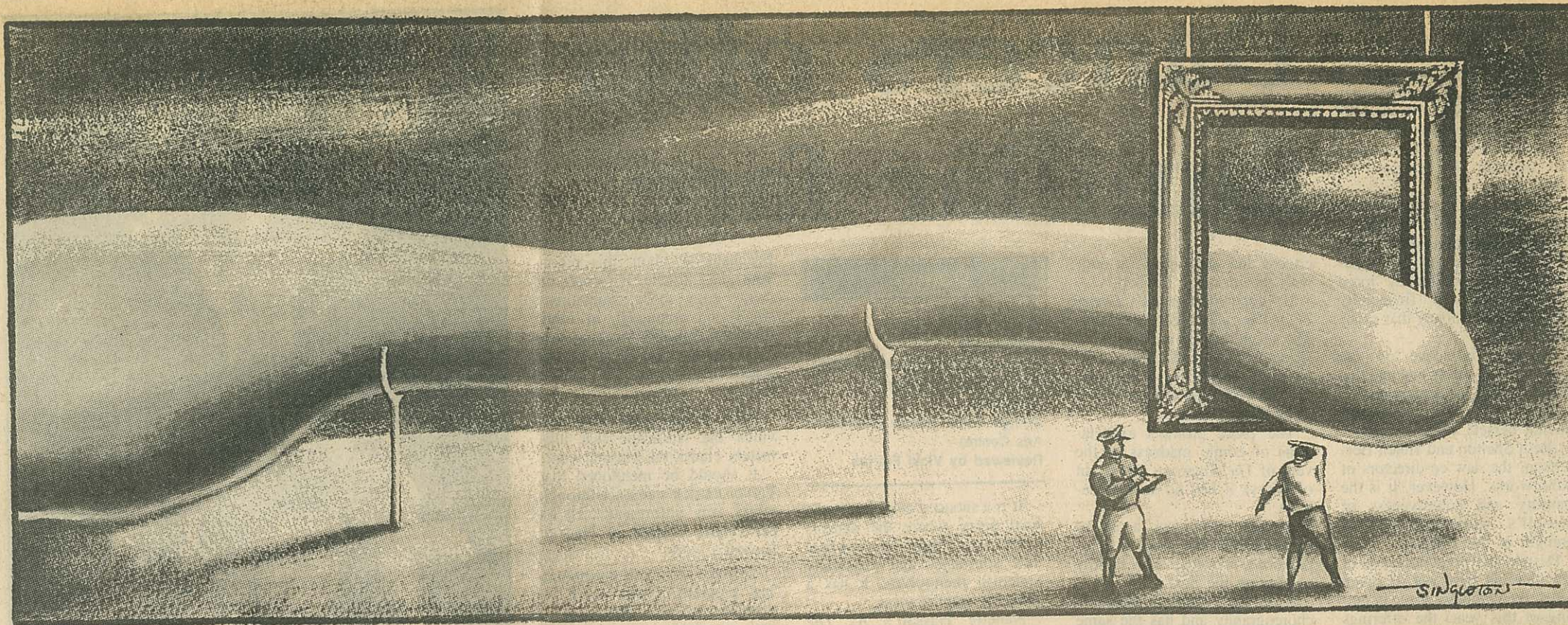


AUGUST 27, 1989

‘Censorship of works of art is ... one of the few areas of practice where the relationship with the law is not resolved’

ASHLEY CRAWFORD finds a controversial exhibition challenges society's preconceptions about the visual arts and moral censorship



No cover-up for this art

THE VICE squad faces an interesting quandary next month when an exhibition on moral censorship and the visual arts in Australia opens at the Australian Centre for Contemporary Art.

On show will be a wide selection of art works which have caused moral outcry, court cases and even the jailing of artists. Although many would regard such censorship as a thing of the past, when elderly ladies gasped at a nude *Chloe* or the wicked watercolours of Norman Lindsay, it is astonishing to note that last year an artist was actually jailed for exhibiting an obscene work of art.

Moral censorship of the visual arts has a long and intriguing history. At times it has bordered on the ridiculous, as when Melbourne's vice squad seized posters of Michelangelo's *David* in 1973. Other cases have had serious implications for both the law and the visual arts.

The curator of the exhibition at ACCA, Alison Carroll, has collected almost all the controversial works of art since the 1880s in one gallery for the first time. "Censorship of works of art is an important issue which

Picture that shocked a city

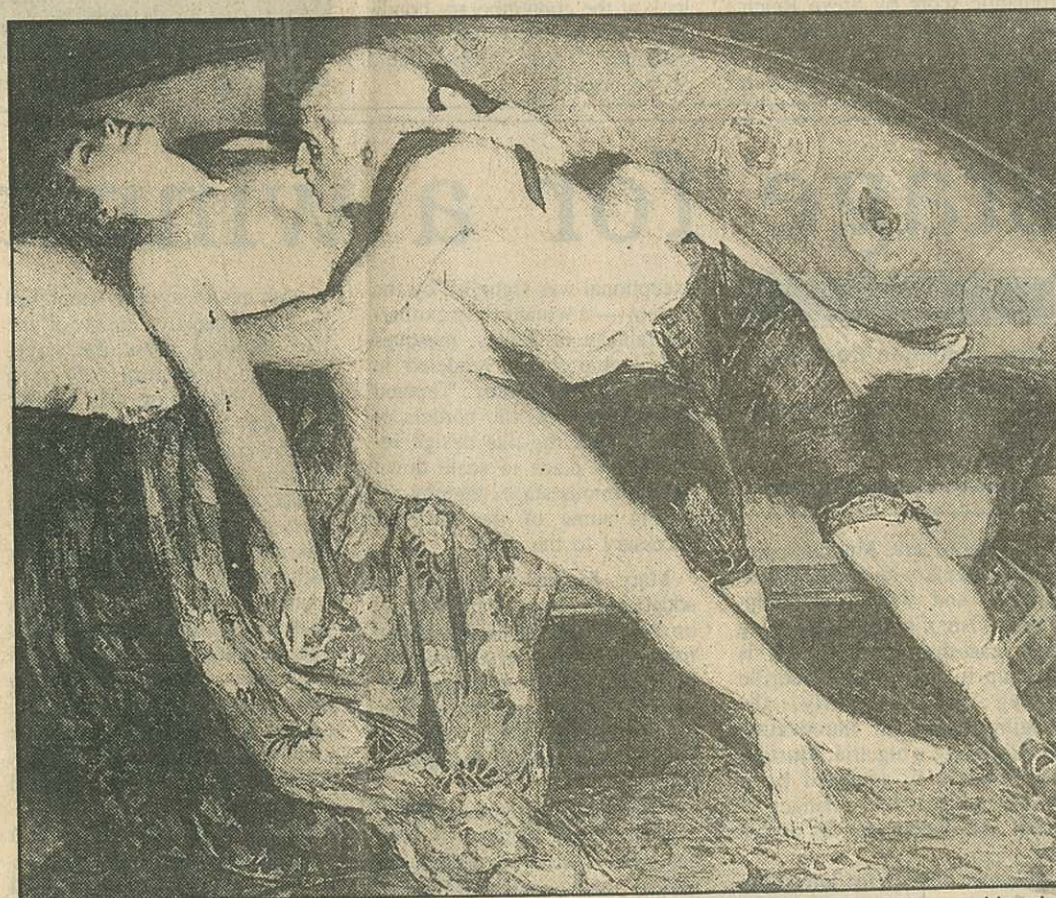
The most notorious case of censorship in Melbourne is that of *Chloe*, the nude oil painting by Jules Lefebvre which now hangs in Young and Jackson's Hotel.

Chloe was first shown in Paris in 1875; it was the major work at the International Exhibition in Melbourne in 1881, where it was bought by a surgeon, Thomas Fitzgerald, who offered it on loan to the National Gallery, which, after much deliberation among the trustees, exhibited it.

A scandal ensued, with letters to the papers suggesting that "no decent woman with daughters" could see *Chloe* "without her cheeks tingling with shame", while others suggested clothing the nude or separate viewing hours of the picture for men and women. In the end, Dr Fitzgerald asked for the return of the painting, but the controversy did not stop there.



No sooner had he hung *Chloe* in his drawing room than local residents protested, complaining that she was "visible from the street when the room was lighted". Dr Fitzgerald moved *Chloe* to another room and the fuss died down.



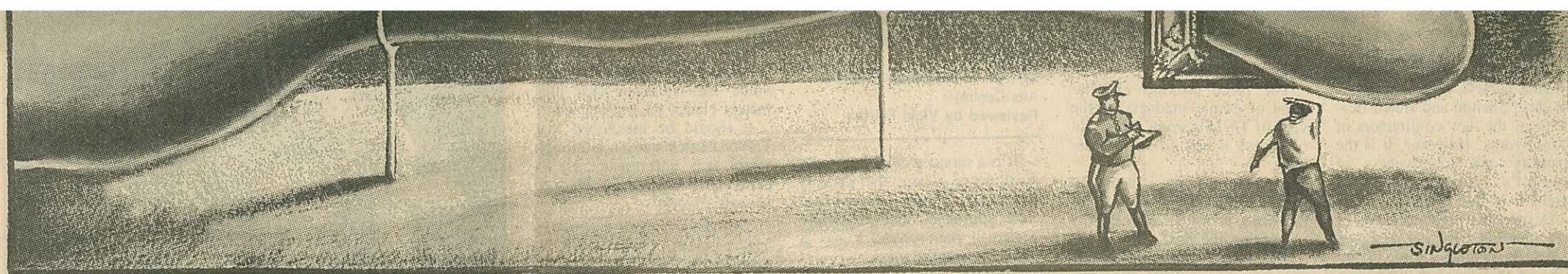
Illustrations by Norman Lindsay, considered shocking and withdrawn in their time, would be considered art treasures today. How long before we can publish the whole of this work by Juan Davila?



... complaints and the police police and court action will place to the courts," he said. Chief

is not resolved

BY CRAWFORD finds a controversial exhibition challenges our preconceptions about the arts and moral censorship



No cover-up for this art

VICE squad faces an interesting quandary next time when an exhibition of moral censorship and the National Centre for Contemporary Art.

There will be a wide range of art works which will provoke moral outcry, court cases and even the jailing of artists. Though many would regard censorship as a thing of the past, when elderly ladies in Melbourne are shocked by the nude *Chloe* or the vibrant colours of Norman Lindsay's *David* in the past few years an artist was arrested for exhibiting an artwork of art.

Moral censorship of the visual arts is a long and intriguing history. At times it has bordered on the ridiculous, as when Melbourne's vice squad seized posters of Leonardo's *David* in the past few years. In other cases there have been legal actions for both the visual arts.

Director of the exhibition Alison Carroll, has almost all the artworks of art since the opening of the gallery for the first time. Her censorship of works of art is an important issue which has not been addressed and it is in a few areas of practice where the relationship with the law has not resolved," Ms Carroll

pointed out that there are considerable difficulties for artists who are censored or threatened with legal action as a result of works deemed obscene.

Artists end up self-censoring their work because of set boundaries." Alison Carroll approached Mr Justice Kirby to write an introduction to the catalogue. Mr

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forthright essay entitled *Tread softly, because you tread on my dreams*.

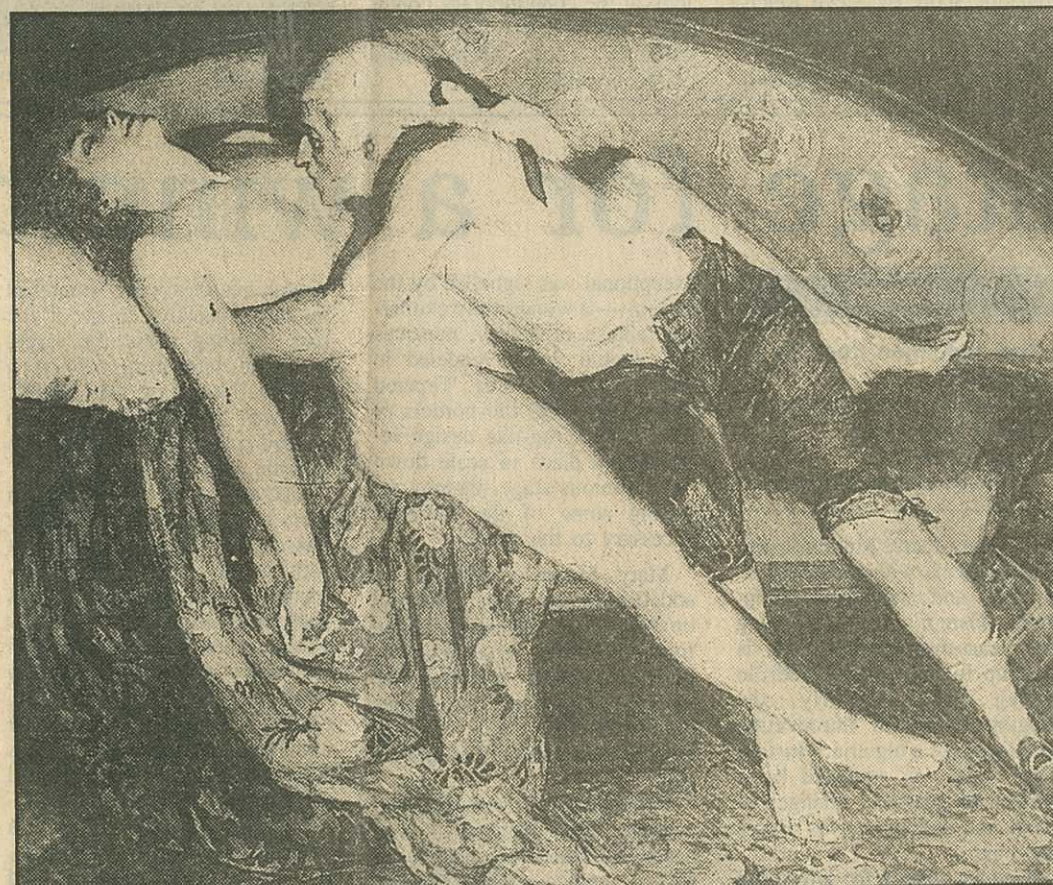
"Given the very great place which sexuality plays in the lives of most people," he wrote, "what is surprising is not that the visual arts have portrayed it so much but that they have portrayed it so little."

Mr Justice Kirby believes that in many respects Australia has come a considerable distance in terms of acceptance, pointing out that work that would previously have given offence is now considered tame and that

dusty is grudgingly tolerated. Mr Justice Kirby responds harshly to any suggestion of a return to the good old days of "artistic modesty supported by legal censorship", pointing out that attempts at such suppression have never been entirely successful.

In her catalogue essay, Ms Carroll lists an extraordinary number of actions taken to seize, ban or even destroy works of art.

Perhaps the most dramatic example has been the case of Chilean-born artist Juan Davila, who now lives in Melbourne.



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ship began in 1982 with his painting *Stupid as a painter* being seized after complaints from the Festival of Light director, the Rev. Fred Nile.

The painting was saved only by the then NSW Premier, Neville Wran, going over the head of the Commissioner of Police and, in what was apparently an illegal move, ordering it to be returned to the gallery.

In 1985 three of Davila's works were seized by the vice squad from the Lake Macquarie Gallery, with the magistrate ruling

forfeited to the Crown". The order to destroy the works caused a furor until the Governor of NSW intervened.

The works were returned to Davila, who donated them to the Museum of Contemporary Art in Sydney. However, with the work having been declared indecent, any further showing of it could mean further prosecution.

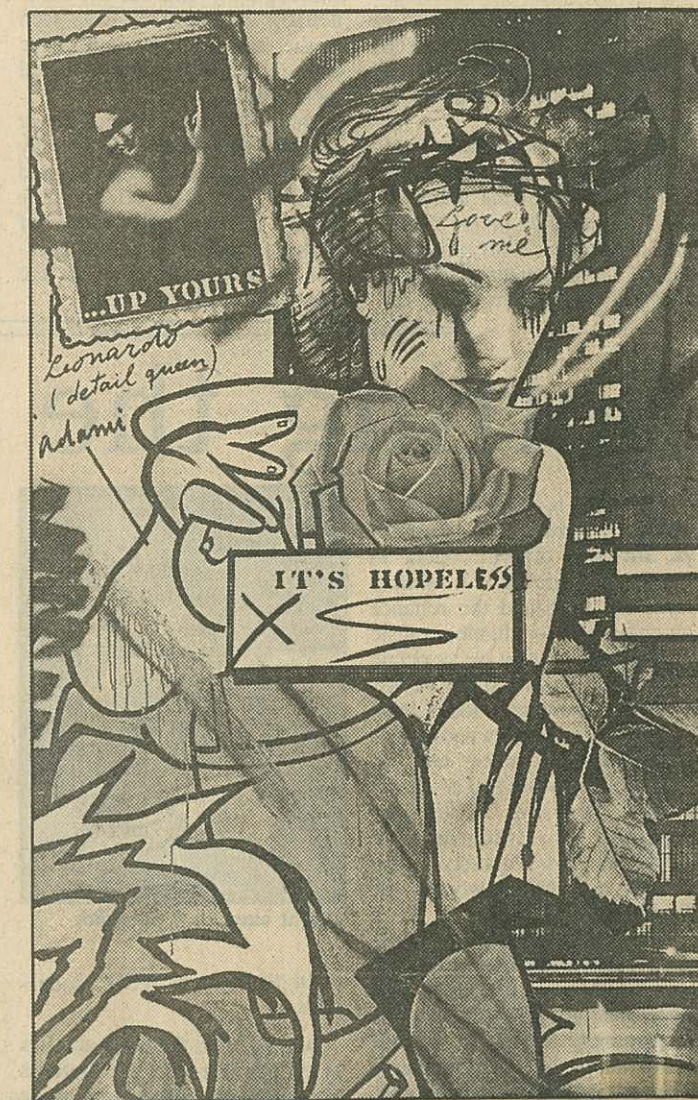
ARTIST Catharine Phillips actually ended up in jail after a saga at the 1988 Mildura Sculpture Triennial. Her work, a piece concerned with lesbianism, prom-

ted complaints and the police were called in to cover it up.

Phillips subsequently uncovered it and was charged with showing an obscene work. She was sentenced on two counts and ordered to pay \$400 in fines. Refusing to pay, she spent two days in Mildura jail.

Phillips said of the battle: "I think artists have a role in society to question and talk about things that aren't normally spoken about. To turn around and punish an artist who is doing that seems unethical."

Presenting many of the very works which have inspired



How long before we can publish the whole of this work by

police and court action will place the Melbourne vice squad in a sensitive position.

However, the head of the vice squad, Chief Insp. Peter Halloran, responded positively to the motivation behind the exhibition.

"We don't profess to judge moral standards. Our role is such that if someone is offended by a form of art and makes a complaint, we must investigate. If there is some substance to the complaint, we have to take some form of action. It is up to the courts to make a final decision; we are basically only a conduit

to the courts," he said. Chief Insp. Halloran welcomed the proposed forum on moral censorship and the visual arts, organised by Ms Carroll and involving representatives from the vice squad and the legal and art worlds.

Chaired by Natasha Serventy, the director of the Arts Law Centre of Australia, the forum aims to encourage more succinct guidelines for visual artists tackling risqué subject matter.

Moral censorship and the visual arts in Australia is at ACCA, the Domain, South Yarra from September 2-October 15.