



# ArtFBI

## ArtFax

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A Faxazine of Arts Information from Cyberspace to the Mid-Atlantic Community

### ARTIST CRACKDOWN CONTINUES ON STREETS OF NYC

In a story previously reported in ArtFBI ArtFax, New York City artists continue to be arrested for selling their art on the streets of Manhattan. A Federal judge has denied painters, photographers, printmakers and sculptors First Amendment protection based on the erroneous conclusion that:

“...Art is farther from the core than the written word.... Plaintiffs’ art does not carry either words or the particularized social and political messages upon which the First Amendment places special value...written matter is the heartland of the First Amendment”.

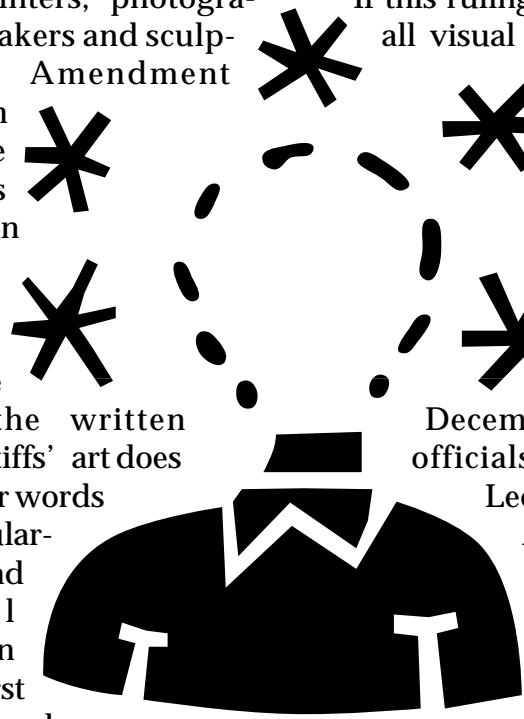
The ruling ignores 50 years of Supreme Court and appellate cases which affirmed visual arts equal status with the written word. The

judge’s entire ruling may be read at the A.R.T.I.S.T. web site: <http://homepage.interaccess.com/~mar/nyc.html>.

If this ruling is not overturned, all visual artists, in whatever media, will have a lesser First Amendment protection than the authors of a VCR manual or car-wash leaflet..

On Sunday December 3, 1995 police officials informed Robert Lederman, president of A.R.T.I.S.T. that Mayor Giuliani had now authorized them, based on this ruling, to renew the crackdown

on artists displaying original paintings on New York City streets. Arrests are expected to begin immediately. Since the Fall of 1993 over 200 fine artists have been handcuffed and arrested and have lost their original art.



**OPPORTUNITIES VIA  
ARTS WIRE**

The men and women artists, who range from teenagers to senior citizens, are arrested for not having a license that the City admits in its legal brief is "unobtainable." Confiscated art is sold at police auctions or destroyed regardless of the outcome of each artist's case.

Police officials claim they are being pressured to arrest artists by members of an art dealer/landlord coalition, the "SoHo Alliance" and by the powerful "Fifth Avenue Association" which represents multi-national corporations and major retailers in Midtown New York.

Kathryn Freed, the N.Y. City Councilperson for SoHo, N.Y.C.'s main gallery area, is also pressuring police to make more artist arrests. Freed calls artists, "...parasites" and claims they ruin the quality of life in the city. Both the "SoHo Alliance" and "Fifth Avenue Association" are active in attempts to limit constitutionally protected rights such as free speech on public streets and in parks.

For more information go to A.R.T.I.S.T.'s web site or contact Robert Lederman via e-mail at (ARTISTpres@aol.com).

In a related story, Robert Bery, one of the artists who have been ticketed and imprisoned as a result of showing their work on New York City's sidewalks, recently claimed personal success.

Although still active himself in waging the campaign against the city to allow artists to exhibit their work, Mr. Bery's paintings are now being shown by the

Artopia Gallery (24 West 57 St), as a result of the gallery's director seeing his paintings on a 57th Street sidewalk. Mr. Bery also has a painting in the White House. Hillary Rodham Clinton saw the work when Bery was showing it outside the Waldorf-Astoria on Park Avenue. Mrs. Clinton admired his work and was offered one as a gift, which (after being inspected for explosives) was accepted by Mrs. Clinton. Meanwhile, the court case continues. Carol Novack, A.R.T.I.S.T.'s lawyer, is still preparing her appeal.

- Sources: Michael Robin in an e-mail posted on AW and the NY Times, December 24, 1995

**Smaller Museums Share  
Cultural Wealth**

Responding both to ever-decreasing financial resources and the fact that an average of only 5% of the art owned by the nation's museums are on display to the public, smaller and medium-sized museums are sharing and circulating works that would otherwise remain largely unseen in storage. In a recent article, the New York Times cited a number of recent initiatives that indicate a definite trend. Among these are the 110 exhibitions for free loan listed in the current "Collections Exchange Newsletter;" a ten-museum collective in the north-east circulating American art free of charge from their own collections; and a group of five mid-west museums pooling their collections for the second time


**Deadline Feb 9: BMI Student Composer Awards Competition** - offers a total of \$16,000 in awards to composers under 26 years of age who are citizens of countries in the Western Hemisphere and who are engaged in private study or enrolled in school. Submit sample form, SASE and entry form. For information, contact BMI Student Composer Awards, Ralph Jackson, Director, 320 W. 57th, New York, NY 10019; fax: (212) 830-9703

**Deadline Feb 15: Djerassi Resident Artists Program** - offers residencies of up to seven months to 50 artists in all media, especially environmental and experimental art. The residency covers room, board, studio and workspace. Djerassi Resident Artists Programs, 2325 Bear Gulch Road, Woodside, CA 94062 tel: (415) 851-8395 fax: (415) 747-0105

**ARTIST USES NET TO SELL WORK**

The Internet marketing prowess of Montana sculptor Ron Adamson was recently reported by Montana Arts Council's Bill Pratt on Arts Wire.

Adamson recently negotiated a contract over a bronze with clients in Saudi Arabia and has assembled a portfolio on the Web, from which he is selling work.

"People used to ask me 'Where are you from and what do you do, etc.?' Telling them that I make my living as an artist in a small obscure town got an 'OH!' type of response. But now I can say from my small town in Montana I market over the internet and right now the Arabs are haggling with me on a large bronze of 3 dolphins, and look here is a print out of what they sent me over 

in five years for an exhibition of American Art, traveling to all five museums.

Proof positive that this trend is moving in a significant direction was the announcement this fall of the Museum Loan Network, a major new lending program created by The Pew Charitable Trusts and the John S. and James L. Knight Foundation. The Massachusetts Institute of Technology will administer the program and will assemble a database of artworks available from museums. Of particular interest will be those paintings and other works available for long-term loan (and otherwise condemned to extended periods in storage rooms) that will help complete collections at other institutions. Over 100 museums have so far expressed interest in the scheme.

- Source: NY Times, December 7, 1995

**Telecommunications Bill Stalled**

The American Arts Alliance reported that the Interior Appropriations bill containing funding for the federal cultural agencies was returned to Congress December 18, after the President vetoed it. In his message to congressional leaders, President Clinton wrote, "...Finally, the bill represents a dramatic departure from our commitment to support for the

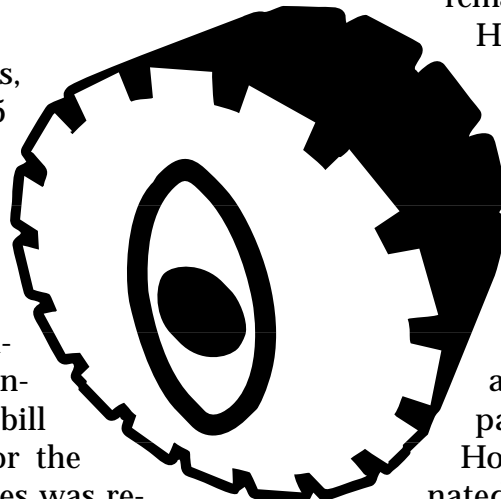
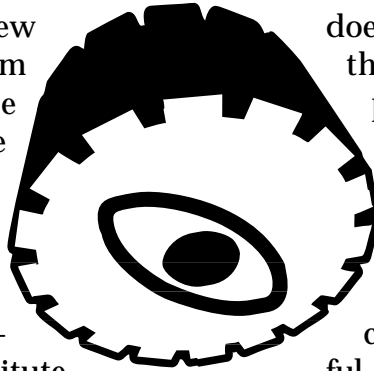
arts and the humanities. It cuts funding of the National Endowments for the Arts and Humanities so deeply as to jeopardize their capacity to keep providing the cultural, educational, and artistic programs that enrich America's communities large and small.... It does not reflect my priorities or the values of the American people."

Back in conference committee, the bill may be revised to address some of the President's concerns, although changes to the NEA are doubtful. According to AAA, another possibility is that the bill could be combined with other pending appropriations bills into a year-long Continuing Resolution.

The Telecommunications Conference report appears unlikely to be considered by Congress before February. Just as consensus was close before the Christmas recess, strong differences emerged on remaining issues.

However, Representative Christopher Cox (R-CA) announced that he intends to try to restore his amendment, passed in the House but eliminated in Conference. The Cox amendment would prohibit the FCC from regulating content on the Internet and would effectively neutralize the Communications Decency Act.

- Source: AAA on Arts Wire



## NEA Tapes Project

The NEA Tapes is a project of Paul LaMarre and Melissa Wolf to keep hope alive for free expression in this country and to support the NEA, NEH and IMS in this election year. Frustrated at the lack of progress and effective representation of cultural issues with our lawmakers, Lamarre and Wolf started taping friends and associates in the arts world in order to get on record the anticipated impact of the proposed demolition of our cultural agencies.

Their plans for the year are to: complete the production and edit four Public Service Announcements; continue production and editing of 50 hours of 90 taped interviews with artists, arts professionals, and lay persons into a one-hour documentary for future television broadcast, film festivals, educational and art institution screenings; expand documentation to include a national perspective through interviews in over 15 U.S. cities, broadening the range of artists and others interviewed; to organize panel discussions cen-

tered around public funding for the arts and place an ad on the OP-ED pages of the New York Times supporting the NEA, NEH, and IMS. They are asking for: contributions of \$25 to keep the NEA TAPES Initiative alive; volunteers to help with the work ahead; and offers to be interviewed for the video series. The NEA TAPES Initiatives is a sponsored project of The New York Foundation for the Arts. For further information and offers to help, contact Paul Lamarre or Melissa Wolf at 212/529 0487, or P.O. BOX 11, New York, NY 10012.

- Source: Arts Wire

## Correction

An incorrect address (URL) for Talkback!, an internet arts journal was given in the December issue of ArtFax. The correct URL is: <http://math240.lehman.cuny.edu/talkback/>

the internet and then this fax."

For more information about his adventures in cyberspace e-mail Ron Adamson at: [radamson@libby.org](mailto:radamson@libby.org). or check out his Web page at <http://www.libby.org/adamson-st>.

End  
Transmission

