

NATIONAL COALITION AGAINST CENSORSHIP

As an organization committed to protecting the freedom of thought, speech, and inquiry, the National Coalition Against Censorship is deeply alarmed by reports that administrators of the national nonprofit Artspace are arbitrarily censoring artworks exhibited within their properties. Artspace is a prominent national organization specializing in the development of affordable real estate rentals for artists and art-related businesses. At present, they operate arts facilities in 51 locations across 22 states. According to reports received by NCAC's Art & Culture Advocacy Program over the past eight years, and in apparent contradiction with Artspace's declared intent to foster vibrant artist communities, the organization has repeatedly infringed on the artistic freedom of its guest artists, tenants, and subtenants.

In 2017, an Artspace property in Everett, Wash. canceled an exhibition of work by artist-tenant Stephen Leyba, on account that his work on display included swastikas. The cancellation happened despite Artspace's acknowledgment that the swastika has a rich history of cultural and religious significance—including within certain Native American communities—well before it was co-opted as a hate symbol. Artspace dismissed the idea that Leyba, who is of Jewish and Native American descent, could, through incorporating the symbol into his own ceremonies, and artwork, attempt to reclaim that symbol from its Nazi connotations.

Just six months later in 2018, an Artspace facility in Jackson Flats, East Minneapolis, Minn., presented a resident-curated exhibition exploring themes of body-positivity and self-acceptance. But following a resident complaint that some of the paintings and drawings on display included depictions of female nudity, Artspace demanded the curator remove the controversial works from the exhibition. Artspace's action, in this case, appeared to disregard thousands of years of art in which the nude has been celebrated across cultures and reflected a concerning lack of clarity about what art was to be prohibited from display on its properties.

In 2023, an artist subtenant was forced to take down his work in an exhibition presented by an Artspace gallery tenant at a facility in Minneapolis, Minn. because some members of the building community took offense to paintings that were created to honor Native American warriors hanged at the order of the Lincoln administration. Following the exhibition's premature closure, the artist made good faith efforts to meet with members of the Native American community, restated his original commitment not to profit from the works, collaborated with the American Indian Movement, and ultimately volunteered to not show the works again out of respect to community members who felt harmed by the exhibition, all in addition to issuing a public apology as demanded by Artspace. Nonetheless, Artspace not only pushed the artist out of the studio sublease but has essentially forbidden its gallery tenant from displaying any of the artist's work—regardless of its subject matter—in subsequent fairs and exhibitions.

In response to the first two cancellations, Artspace states that the works were deemed “inappropriate and sensitive” because they “challenged Artspace’s ability to foster a supportive and safe environment for diverse families and young children.” Our concern is that, in the absence of a working definition as to what qualifies such works as being “inappropriate,” or “sensitive,” Artspace has given its management a *carte blanche* to censor any content and ideas with which anyone may disagree.

With regards to the most recent exhibition cancellation, Artspace suggests without any elaboration that the display violated its tenant Code of Conduct’s prohibition of “harassment,” “discriminatory words and actions,” and “violence.” But the Code of Conduct fails to offer a clear indication of what might constitute “harassment,” “violence,” or “discriminatory words.” (Generally accepted definitions of harassment, for example, contain language describing severe or pervasive conduct which systemically and routinely subjects a specific person or group to an individual’s targeted actions. In the Code of Conduct, what constitutes harassment is left to subjective interpretation and, consequently, inconsistent application.) Without taking greater care in creating its Code of Conduct, Artspace’s current policy risks not only a chilling of speech but is unjustly punitive for any artist unknowingly and unintentionally transgressing its subjectively-interpreted boundaries. A large swath of artists could be accused of harassment, violence, or discriminatory behavior for simply making work utilizing styles, themes, or subject matter that some people or groups do not like, which is what seems to have happened in Minnesota.

The implications of these particular events are terrifying for artists, curators, and other tenants who must speculate whether the creation or presentation of certain works might affect their livelihood, their home or studio status, and/or their ability to show their work within Artspace. The organization’s censorious practices threaten to foster a restrictive culture governed by fear and self-censorship, rather than provide resources and space for art and artists to flourish.

Given its important role among arts communities across the United States, it is crucial that Artspace communicates free expression principles to its tenants and residents. We call on Artspace to assure its tenants that they reserve the ability to display works of their own curation—whether such works are created by Artspace tenants, subtenants, or by other artists. We also urge Artspace to create and implement a policy that protects freedom of artistic expression, safeguarding the curatorial and artistic independence of the tenants and subtenants within a clearly defined exhibition policy. Along with updated policies, we encourage Artspace to offer clear behavioral definitions to its Code of Conduct prohibitions and to adopt procedures for dealing with complaints about artwork so that such complaints can be addressed in an evenhanded and consistent way that also upholds artistic freedom.

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National Coalition Against Censorship

Since its inception in 1974, the National Coalition Against Censorship (NCAC) has functioned as a first responder in protecting freedom of expression, a fundamental human right and a keystone of democracy. Representing 59 trusted education, publishing, and arts organizations,

NCAC encourages and facilitates dialogue between diverse voices and perspectives, including those that have historically been silenced.