

NCAC and FIRE EXPRESS ALARM OVER EAST TENNESSEE STATE UNIVERSITY'S
TREATMENT OF *THE FL3TCH3R EXHIBIT*

12/04/2024—As nonpartisan organizations defending freedom of speech, thought, and inquiry, the National Coalition Against Censorship (NCAC) and the Foundation for Individual Rights and Expression (FIRE) are alarmed by reports that following the much-publicized backlash from state and federal politicians around the 2024 edition of *The FL3TCH3R Exhibit*, East Tennessee State University (ETSU) has not only put up highly prejudicial warning signs throughout the exhibition in its Reece Museum and hung curtains to obscure sight lines to the works, but visitors are now required to sign an unprecedented, mandatory “consent waiver” in order to view the exhibition.

The FL3TCH3R Exhibit has been a welcome annual event on the ETSU campus for 12 years, serving not only as a platform for political and social reflections of artists, but also as an invitation to its audience to step into a broader, more honest dialogue. There has been no history of warning signs accompanying earlier iterations of *The FL3TCH3R Exhibit*, even though the exhibitions have always addressed social and political issues, often divisive ones.

While we understand that museums and other cultural institutions at times feel the need to provide viewers with content advisories, best practices in the field hold that such signage should be purely informational, and not prejudicial.¹ The “content warning” that has been added to *The FL3TCH3R Exhibit* is nothing but prejudicial. Instituted in the wake of vehement attacks on the show from elected state and federal officials, the warning appears to adopt the point of view of those officials, and impose it upon all viewers.

Fletcher Dyer, in whose memory the exhibition was founded, used to quote writer and journalist Gerald W. Johnson: “Every great work of art is offensive to someone, for a work of art is a protest against things as they are and proclamation of things as they ought to be.” Surely, politically-engaged art is likely to offend those who disagree with it—and they have the right to feel offended. However, the integrity of the works and the whole exhibition are undermined when they are presented at the outset, as “disagreeable,” “dangerous,” and as possibly constituting “hate speech.”

While the content warning, prejudicial as it is, is not something entirely alien to the museum context, the mandatory consent waiver is an unprecedented requirement for a political art exhibition. It improperly burdens visitors who want to see an exhibition and demands that they

¹ National Coalition Against Censorship, College Art Association, American Alliance of Museums, Alliance of Art Museum Galleries, et al, “Museum Best Practices for Managing Controversy,” 2019
<https://ncac.org/wp-content/uploads/2019/07/Museum-Best-Practices-2019.pdf>

surrender their anonymity and privacy in a political context that is obviously hostile to the views in the exhibited work. The inflammatory and sensationalist waiver is likely to deter many viewers from seeing the exhibition and engaging with its artworks. It does little to inform visitors, but rather tells them how those in power want them to view the exhibition. It also puts each visitor on notice that their identifying information will be collected in a list of all those who have attended an exhibition “disfavored” by government and school officials.

These developments mark a concerning shift from ETSU President Brian Noland’s initial response to lawmakers’ criticisms of the exhibit in which he commented that, despite disagreeing with some of the views expressed in the exhibition, as the president of a public university, he must ensure that the university adheres to First Amendment principles. In the face of political pressure, that laudable statement has been marred as ETSU is implicitly siding with the position of the exhibition’s critics and imposing it upon viewers.

The University’s own Free Speech Policy, declares [emphasis added],

“It is for ETSU students and faculty to *make judgments about ideas for themselves*, and to act on those judgments not by seeking to suppress free speech, but by openly and vigorously contesting the ideas that they oppose.

It is not ETSU’s duty to attempt to shield individuals from free speech, including ideas and opinions they find offensive, unwise, immoral, indecent, disagreeable, conservative, liberal, traditional, radical, or wrong-headed.”

ETSU leadership should indeed adhere to these stated principles, and do away with the curtains, consent waiver, and prejudicial warning signs that accompany this year’s *FL3TCH3R Exhibit*.

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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 more than 60 trusted education, publishing, and arts organizations, NCAC encourages and facilitates dialogue between diverse voices and perspectives, including those that have historically been silenced.

Foundation for Individual Rights and Expression

The Foundation for Individual Rights and Expression’s mission is to defend and sustain the individual rights of all Americans to free speech and free thought — the most essential qualities of liberty. FIRE educates Americans about the importance of these inalienable rights, promotes a culture of respect for these rights, and provides the means to preserve them.