



The Art of Censorship: Judith Bernstein and the Philadelphia Civic Center Museum

Kristin Qualls
Rowan University Art Gallery & Museum and
Center for Art & Social Engagement

It is in the context of a beleaguered city-run museum based in the ethos of commerce and trade shows run by a political appointee of a notoriously socially conservative mayor that we view the censorship of Judith Bernstein's *Horizontal* from *FOCUS: Women's Work—American Art in 1974* on display from April 27 to May 26, 1974 at the Philadelphia Civic Center Museum as part of the overarching Philadelphia Focuses on Women in the Visual Arts program.¹

The idea for Philadelphia Focuses on Women in the Visual Arts originated with the artist Diane Burko, who graduated with an MFA from the University of Pennsylvania in 1969.² Cindy Nemser, an art critic and founder of *The Feminist Art Journal*, recalls Burko being inspired by the Conference of Women in the Visual Arts held at the Corcoran Gallery of Art in Washington DC in the spring of 1972 and wishing to hold a similar event in Philadelphia. As relayed in her essay, "Focusing on Focus," in March of 1973, Burko reached out to Nemser, having attended her panels on women in the arts during the College Art Association conference in New York City. According to Nemser, she was the one to encourage Burko to look beyond the conference format, declaring that "the time to 'put up' as well as 'speak up' had arrived."³ At that point the two created the rough plan for Philadelphia Focuses on Women in the Visual Arts to include a major exhibition of women in the arts. By March 17, Burko had invited local women artists from Philadelphia to her house for a presentation on the Focus plan and a steering committee was formed.⁴

Locations for programming were sought, including a space for the major exhibition titled *FOCUS: Women's Work—American Art in 1974*. As conveyed by Nemser, the existing schedules of museums in the city determined who was available to host during the spring of 1974. The Philadelphia Museum of Art was undergoing renovations and the

ICA was already booked. The Philadelphia Civic Center Museum was available and offered the space, provided the group raised the money to cover shipping and insurance. Luckily, they were able to do so, obtaining sponsorship from the Philadelphia Savings Fund Society (PSFS). The museum curator, Marian Aguilera, suggested that the exhibition not limit itself to regional artists but to look nationally.⁵

Nemser suggested the format for the major exhibition—that is, a jury of five women would select twenty artists each and invite them to submit work for the show.⁶ The jurors were Adelyn Breeskin (National Collection of Fine Arts), Anne d'Harnoncourt (Philadelphia Museum of Art), Lila Katzen (artist), Cindy Nemser (art critic), and Marcia Tucker (Whitney Museum of American Art).⁷ As told by Nemser, a total of 86 artists accepted. It was Nemser herself who chose Judith Bernstein, who in turn sent slides of works selected for the show, including *Horizontal*. Based on what Nemser writes, at some point prior to March 20, the staff of the Philadelphia Civic Center Museum saw slides of some of the 167 works to be included. On March 20, Judith Bernstein received word that *Horizontal* was removed from the show.⁸

In 1973 and 1974, during the planning and exhibition of *FOCUS: Women's Work—American Art in 1974*, the Executive Director of the Philadelphia Civic Center was John Pierron. Originally a political correspondent for KYW news television, he resigned and joined Frank Rizzo's mayoral campaign as volunteer coordinator. Upon Rizzo's election in 1971, he appointed Pierron as head of the Civic Center.⁹ In that role, Pierron oversaw the convention hall as well as the museum. One of his first moves was to replace all the ushers for ice hockey games held at the civic center with females in short skirts, causing the union to protest against the unfair gender bias in hiring.¹⁰ He commented negatively on arts and humanities students in response to



Judith Bernstein
Horizontal, 1973
 Charcoal on paper
 29 ½ x 41 ½ inches
 (31 x 42 ¾ x 1 ¼ inches framed)
 Sylvia Sleigh Collection
 2011.48

an anti-war protest during Villanova University's graduation ceremony held at the Civic Center in 1972.¹¹ And *FOCUS* was not John Pierron's first attempt at balancing contemporary art with a primarily tourist- and schoolchildren-based audience. He ensured that a sign stating "Not Recommended for Children" was placed at the entrance of the Second World Photography Exposition exhibition, *Women, Aspects of a Grand Theme*, which presumably warned against the few images featuring nudity.¹²

The Philadelphia Civic Center Museum started as the Philadelphia Commercial Museum in 1897. As recounted in Katelyn Wolfram's "The Rise and Fall of the Philadelphia Commercial Museum," the institution, inspired by the Chicago World's Fair of 1893, promoted America's businesses and industries in foreign markets, providing an unparalleled resource of international trade knowledge. It became the unofficial repository for artifacts of raw materials and manufactured goods displayed in world's fairs and at the turn of the twentieth century was one of the largest museums of its kind, befitting Philadelphia's reputation as the workshop to the world. Not only merchants, but tourists and school groups visited to learn about the important role of commerce in history. According to Wolfram, by the 1920s the role of the museum as the foremost holder of commercial knowledge began to decline. The International Trade Commission, developed in 1916, took on the work of publishing trade and market reports, decreasing the museum's business audience. World Wars, economic depression, and other political and social factors led to a decline in general visitors that saw the end of the Commercial Museum in 1952. The city attempted to revitalize the museum by combining it with the nearby Convention Hall to create the Philadelphia Civic Center. The museum staff was significantly reduced and eventually the Spectrum, which opened in 1967, took traffic away from the Civic Center. The city-run Philadelphia

Civic Center Museum closed to the public in 1982 and to school tours in 1994, its collections dispersed to other Philadelphia area museums.¹³

A logical first step upon hearing about the censorship of Bernstein's *Horizontal* was to prevail upon Pierron to reinstate the work. He would not be swayed by letter-writing campaigns and petitions from A.I.R. Gallery, Carl Baldwin, and dozens of members of the NYC artist community.¹⁴ In the press he noted that the work was "objectionable ... It offends me on behalf of the children of this city."¹⁵ Comparing the responsibilities of a museum run by the city as opposed to a private non-profit organization, he said, "We're a city museum and we don't feel the same rules apply to us as apply to other museums. If this were the Philadelphia Museum of Art there would be no question. We would not sit in judgment."¹⁶ He also reportedly noted, "as a city institution there are certain boundaries beyond which we cannot go... And it did not offend me per se. But you have to remember we are visited daily by busloads of schoolchildren."¹⁷

The Focus steering committee, exhibition jurors, and participating artists had a decision to make: Pull their support of the exhibition in opposition to the censorship or move ahead to not let the censorship of one become a censorship of all. Officially, the exhibition moved ahead with no other works being removed by Pierron. However, Marcia Tucker withdrew her support, losing the backing of the prestigious Whitney Museum.¹⁸ Adelyn Breeskin remained silent, as did Anne d'Harnoncourt, who was placed in the awkward position of defending curatorial integrity in the face of angering a key institutional supporter in the city government.¹⁹ A protest took place on the night of the opening in the form of supporters wearing buttons saying "Where's Bernstein?" (There were also two male streakers, but it is unknown if they were related to the censorship controversy.)²⁰

The exhibition got positive reviews, although it was noted that more press was received due to the removal of *Horizontal* than the show might otherwise have garnered.²¹ Due to internal issues, a catalog of the show was never produced.²² It could be argued that this seminal exhibition of women in American fine arts during the lead up to the bicentennial has faded into obscurity in spite of being "one of the best group shows of work by artists of any gender recently seen on the East Coast art circuit,"²³ according to the *New York Times* art critic Grace Glueck.

As a participant in *(re)FOCUS*, a celebration of the 50th anniversary of the Philadelphia Focuses on Women in the Visual Arts program, Rowan University Art Gallery & Museum is displaying the version of *Horizontal* in our permanent collection. In Bernstein's solo show at A.I.R. Gallery in 1973, smaller versions like this one were exhibited near the much larger version that was censored in Philadelphia.²⁴ Since the original was removed from *FOCUS: Women's Work—American Art in 1974*, there have been many controversies surrounding the censorship of art in museums. In 1989, the Institute of Contemporary Art in Philadelphia organized a Robert Mapplethorpe retrospective that came under criticism for receiving funds from the National Endowment for the Arts, leading the Corcoran Gallery of Art in Washington DC to cancel their run of the show.²⁵ (A later Mapplethorpe show at the Contemporary Arts Center of Cincinnati caused a local sheriff's raid on obscenity charges.)²⁶ In the same year, the School of the Art Institute of Chicago faced a loss of monetary support after displaying Dread Scott's *What Is the Proper Way to Display a U.S. Flag?*²⁷ During his time as mayor of New York City, Rudolph Guiliani fought with the Brooklyn Museum of Art multiple times, even threatening to cut funding over what he saw as "anti-Catholic" art.²⁸ In 2010, the National Portrait Gallery in Washington DC removed the David Wojnarowicz video *A Fire In My Belly* over complaints from the Catholic League for the scene depicting a crucifix crawling with ants.²⁹ In 2017, the Walker Art Center and the artist Sam Durant destroyed *Scaffold*, a work referencing the execution of Dakota men after meeting with the Dakota people who had not originally been consulted and found the work offensive.³⁰ That

Judith Bernstein's *Horizontal* features in *10 of 80 + 1*, curated by Mary Salvante on view February 13 - April 25, 2024 at Rowan University Art Gallery & Museum's CASE Gallery @ Westby Hall in Glassboro, NJ, in partnership with *(re)FOCUS 2024*. The Rowan University Art Gallery & Museum's permanent collection is curated by Dr. Andrew Hottle.

year also saw the Whitney facing calls to remove *Open Casket*, a painting of Emmett Till by the white artist Dana Schutz.³¹ In 2018, the Pennsylvania Academy of the Fine Arts came under protest for hosting a Chuck Close retrospective when allegations of his misconduct emerged.³² And today American museums are balancing pressure stemming from the Israel-Hamas War. Odalys Burgoa and Roy Baizan's *Recordar y Unificar* was removed from display at Brooklyn's El Museo del Barrio on October 20, 2023, for its inclusion of a Palestinian flag.³³ On November 3, 2023, Nicholas Galanin and Merritt Johnson asked the National Gallery of Art, partially federally funded, to withdraw their work, *Creation with her Children*, citing US support of Israel's attacks on Gaza.³⁴ The Frick Pittsburgh postponed the exhibition *Treasured Ornament: 10 Centuries of Islamic Art* that was to open November 4, 2023.³⁵

Through the lens of Gabe Teninbaum's essay, "Art Censorship," we see that by asserting "no redeeming social value"³⁶ for Judith Bernstein's *Horizontal*, Pierron could be claiming that because the work has no legitimate artistic value, it was not held to the traditional rights against censorship of artistic expression. When he said he was "offended on behalf of the children of this city,"³⁷ he was claiming that the work offends others and, again, was not held to the established rights against censorship of artistic expression.³⁸ In addition, government-owned museums are considered a non-public forum and therefore are not subject to the same strict standards as a typical public forum, such as a city park.³⁹ Thus, it could be argued that Pierron was within his legal right to ban the work from the show. But was he professionally or ethically right to do so?

Although Rowan University Art Gallery & Museum could claim similar reasons, we choose to showcase this work. With our programming in the Center of Art and Social Engagement, we aim to explore timely social issues through arts-based methods. In displaying *Horizontal* and asking the visitors to vote on whether they agree or disagree with its censorship, we seek to engage the audience in questions of artistic freedom, curatorial integrity, and audience rights.

Endnotes

- 1 Victoria Donohoe, "In All Their Infinite Variety at Civic Center and Fleisher," *Philadelphia Inquirer*, 28 April 1974: 11-M.
- 2 "About the Artist," in *Diane Burko: Vast and Vanishing* (Glassboro, NJ: Rowan University Art Gallery, 2018), 6.
- 3 Cindy Nemser, "Focusing on Focus," *The Feminist Art Journal* 3, no. 1 (1974): 22.
- 4 Nemser, "Focusing on Focus," 22.
- 5 Nemser, "Focusing on Focus," 22.
- 6 Nemser, "Focusing on Focus," 22.
- 7 Lawrence Alloway, "Art," *The Nation*, 20 April 1974: 510.
- 8 Nemser, "Focusing on Focus," 22.
- 9 Dan Lynch, "Campaign Aides in Line to Get Cabinet Plums," *Philadelphia Inquirer*, 3 November 1971: 4.
- 10 Larry Williams, "Union Protests Female Ushers," *Philadelphia Inquirer*, 12 January 1973: 1-B.
- 11 Al Hass, "The Stench of War Can Sink Deeper Than Your Clothes," *Philadelphia Inquirer*, 18 May 1972: 37.
- 12 Victoria Donohoe, "X-Rated Exhibition of Photographs Isn't Really That Spicy," *Philadelphia Inquirer*, 9 April 1972: 8-H.
- 13 Katelyn A. Wolfram, "The Rise and Fall of the Philadelphia Commercial Museum: How a Forgotten Museum Forever Altered American Industry," Independence Seaport Museum,, <http://www.phillyseaport.org:80/rise-fall-philadelphia-commercial-museum>]. _Internet Archive_. [<https://web.archive.org/web/20140627125354/http://www.phillyseaport.org:80/rise-fall-philadelphia-commercial-museum>, accessed 20 November 2023.
- 14 Nemser, "Focusing on Focus," 22.
- 15 Steve Twomey, "'Objectionable' Work Banned from Civic Center," *Philadelphia Inquirer*, 22 March 1974: 1-C.
- 16 Twomey, "'Objectionable' Work Banned from Civic Center," 1-C.
- 17 Jonathan Takiff, "Is It Art, or Is It Pornography?" *Philadelphia Daily News*, 22 March 1974: 18.
- 18 Alloway, "Art," 510.
- 19 Alloway, "Art," 510.
- 20 Margaret Harris, "Women's Art Show Unveils the Boys," *Philadelphia Daily News*, 30 April 1974: 37.
- 21 Grace Glueck, "In Philadelphia, Sisterly Love," *New York Times*, 26 May 1974: 117.
- 22 Nemser, "Focusing on Focus," 22.
- 23 Glueck, "In Philadelphia, Sisterly Love," 117.
- 24 Judith Bernstein, "Solo Exhibitions," Judith Bernstein, <https://www.judithbernstein.com/exhibitions>, accessed 25 January 2024.
- 25 National Coalition Against Censorship, "A Selective Timeline of Art Censorship from 1989 to the Present," National Coalition Against Censorship, <https://ncaac.org/resource/art-and-culture-censorship-timeline>, accessed 20 November 2023.
- 26 National Coalition Against Censorship, "A Selective Timeline."
- 27 National Coalition Against Censorship, "A Selective Timeline."
- 28 National Coalition Against Censorship, "A Selective Timeline."
- 29 National Coalition Against Censorship, "A Selective Timeline."
- 30 National Coalition Against Censorship, "A Selective Timeline."
- 31 National Coalition Against Censorship, "A Selective Timeline."
- 32 Claire Voon, "Museum Keeps Chuck Close Exhibition, Supplements It with Show About Power and Gender Dynamics," *Hyperallergic*, 30 January 2018, <https://hyperallergic.com/423956/chuck-close-exhibition-pennsylvania-academy-fine-arts/>, accessed 20 November 2023.
- 33 Mary Pontone, "El Museo del Barrio Accused of Removing Work with Palestinian Flag,," *Hyperallergic*, 23 October 2023, <https://hyperallergic.com/852278/el-museo-del-barrio-accused-of-removing-work-with-palestinian-flag/>, accessed 4 December 2023.
- 34 Mary Pontone, "Calling for Gaza Ceasefire, Artists Withdraw Work From National Gallery of Art," *Hyperallergic*, 6 November 2023, <https://hyperallergic.com/854960/calling-for-gaza-ceasefire-artists-withdraw-work-from-national-gallery-of-art/> accessed 4 December 2023.
- 35 Mary Pontone, "Pittsburgh Museum Faces Outcry After Postponing Islamic Art Show," *Hyperallergic*, 3 November 2023, <https://hyperallergic.com/854660/pittsburgh-museum-faces-outcry-after-postponing-islamic-art-show/> accessed 4 December 2023.
- 36 Takiff, "Is It Art, or Is It Pornography?" 18.
- 37 Twomey, "'Objectionable' Work Banned from Civic Center," 1-C.
- 38 Gabe Teninbaum, "Art Censorship," Free Speech Center at Middle Tennessee State University.
- 39 "Price v. Garland: D.C. Circuit Holds that Filming in Public Forums Is Subject to Lower Level of First Amendment Protection Than Expressive Activities," *Harvard Law Review* 136, no. 4 (2023): 1252.