

Fifty Six

I disapprove of what you say, but I will defend to the death your right to say it.
 attributed to Voltaire

In May this year the Melbourne City Council removed an artwork called *Fifty Six* that promoted the cause of the Palestinians in the Middle East from public display. This dangerous and provocative intervention is not only an assault of freedom of speech, it is the kind of action that tends to promote terrorism, rather than reduce it, because if one side of a conflict cannot express its point of view in legitimate ways it may seem to have little choice but to express it in illegitimate ways.

For this reason, a spokesperson for the Jewish Community Council of Victoria told me that although they had protested about the use of public money to support the work and demanded an opportunity to present the other side of the question, they were not in the business of censorship and had *not* asked for the work to be removed. They deserve credit for this stance.

Unlike many who entered the controversy, at least the Jewish Community Council realised that, as the great US Supreme Court judge, Justice Learned Hand, pointed out, it is easy to grant freedom of expression to those with whom we sympathise, but the real test of free speech in a democracy is whether we also grant this freedom to those whose views we abhor.

A central characteristic of a totalitarian society is that only views approved of by the ruling elite are allowed to be expressed, and we certainly don't want to venture down that path in Australia.

The controversy raised a number of important concerns and issues which need further discussion:

- Questions about the nature of art and its relationship to politics and propaganda;
- Questions about the public funding of artistic expression;
- Questions about the confusion between being anti-Israel and being anti-Semitic.

What happened?

On the weekend of 2–3 May, two young artists, Azlan McLennan and Utako Shindo, installed a work of art

called *Fifty Six* in a vacant shop front in Flinders Street, Melbourne. This was part of a Melbourne City Council scheme to display and promote contemporary art from emerging artists. The back wall of the shop window was painted with an Israeli flag, which is white with blue bars at the top and bottom and a Star of David in the middle. On the glass of the shop window the following text appeared:

- Since the creation of Israel in 1948
- 200,000 Palestinians have been killed
- 5,000,000 refugees have been created
- 21,000 square kilometres of land has been annexed
- 385 towns and villages have been destroyed
- 200,000 settlements have been created
- 300 billion military dollars have been spent
- 100+ WMD's have been manufactured
- 65 UN resolutions have been ignored

The 'Fifty Six' of the title referred to the fifty-six years since the creation of Israel.

As the creators of *Fifty Six* no doubt expected, when people came to work on Monday morning and saw the installation an angry protest erupted. The *Age* report the next day cited protests from Danny Lamm of the State Zionist Council, from Dr Colin Rubenstein of the Australia/Israel and Jewish Affairs Council and from State Opposition Leader, Robert Doyle. Doyle seized on the photo opportunity by holding a press conference in front of the allegedly offending work. Wednesday's *Age* added former lord mayor, Irving Rockman, to the list of protestors.

By Wednesday, however, some people had also come forward to oppose censorship of the installation, including Brian Walters SC from Free Speech Victoria, Greg Connellan from Liberty Victoria, and Ali Kazak from the General Palestinian Delegation to Australia. But their protests came too late, as the same *Age* news story included a photo of one of the artists

obliterating his own work, allegedly because of threats of violence against it.

On Thursday, *The Age* had both an editorial on the issue, which focussed on the question of public funding of controversial art, and a rather silly feature by *Age* staffer David Bernstein, as well as a mixed bag of letters to the editor, including one from Roland Jabbour of the Australian Arabic Council. A week later, on 14 May, *The Age* had its only attempt at rational discussion of the issues in a feature piece by Gabriella Coslovich.

What was wrong with it?

Public criticism of the work had five main themes:

It isn't art

- 'did not appear to be art' (Steve Bracks)
- 'this is not art' (Cr Kimberly Kitching)
- 'excuse for art' (Jessica Black of Ormond in letter to editor)

It is propaganda

- 'low-grade political propaganda' (Cr Kimberly Kitching)
- 'untrue propaganda' (Jessica Black of Ormond in letter to editor)
- 'pure propaganda' (Zvi Telchtahl of Caulfield South in letter to the editor)

It shouldn't have received public funding

- 'disappointing that...seemingly carrying some support from the City of Melbourne' (Danny Lamm)
- 'abuse of rate-payers' funds' (Colin Rubenstein)
- 'political and should not be supported' (Cr Kimberly Kitching)
- 'public money should never be used to divide the community' (Lord Mayor, Cr John So)
- 'The right to freedom of expression does not carry with it an entitlement to public funding' (*The Age* editorial)

The facts are wrong

- 'claims are just made-up nonsense' (Danny Lamm)
- 'the material is, of course, completely incorrect' (Colin Rubenstein)
- 'claims are patently untrue' (Jessica Black of Ormond in letter to editor)
- 'false and misleading numbers' (Zvi Telchtahl of Caulfield South in letter to editor)
- 'grossly distorted facts' (*The Age* editorial)
- 'grossly distorted fictions' (David Bernstein)

It promoted anti-Semitism

- 'might breach Racial and Religious Tolerance Act' (Robert Doyle)
- 'racist tone is anti-Semitic' (Jessica Black of

Ormond in letter to editor)

- 'an intention of vilifying an entire country and people' (Zvi Telchtahl of Caulfield South in letter to editor)
- 'offensive appropriation of the Star of David' (*The Age* editorial)

Let us examine each of these claims in detail.

Is it art?

Most commentators wisely stayed away from this question. For the past century, and especially since dadaist Marcel Duchamp signed his 'ready-made' objects (including a urinal — entitled *Fountain*) and exhibited them, it has become increasingly difficult for the layperson to say what art is and what art isn't. Recently, a British artist exhibited her unmade bed in an 'as is' state at London's prestigious Tate Gallery. As Lord Mayor John So sagely told *The Age* in response to this question: 'I think you have to ask the artists.' About all we can do is go along with modern artists like Marcel Duchamp, who say in effect that something is art if they say it is because they are artists. In this case, at least one of the creators of *Fifty Six* has a claim to being an artist, as he is studying art at the Victorian College of the Arts.

The work is certainly visual in nature and uses paint on flat surfaces. It also uses words, but this is no longer a novelty in painting. Words have been used in modern art for many decades, for example by leading US artist Roy Lichtenstein in his Pop Art cartoon-like paintings.

Nor can the fact that the work has *content*, that it presents a particular political message about the conflict in the Middle East, preclude *Fifty Six* from being art. Many works of art in the past have had political messages, including some great ones. The most frequently quoted are Manet's *Execution of the Emperor Maximilian* and Picasso's *Guernica*. Indeed, some have argued that all art is political in that it either tends to support and maintain the status quo or undermine and subvert it.

One might argue that *Fifty Six* doesn't exhibit the skill and mastery of craft which might be a prerequisite to achieving the status of art. But neither does an unmade bed.

Another argument might be that *Fifty Six* cannot be art because it lacks sophistication and subtlety. This might lead to us judging it not to be *great* art, but the fact that a work of art is not of the highest standard does not mean it is not a work of art. A badly written poem is still a poem.

So, on balance, one must give *Fifty Six* the benefit of the doubt and concede that it is in fact 'art'.

Is it propaganda?

An increasingly common and irritating ploy by those who disagree with a particular point of view being disseminated is the attempt to label it as 'propaganda', which automatically casts doubt on both the views and their author. One might, following Bertrand Russell, draw up three declensions of information dissemination:

My views are true.

Your views are misinformed.

His views are propaganda.

How can a list of purported facts become propaganda? How does propaganda differ from the simple dissemination of information? The answer is clear. Propaganda in its modern sense is a concerted and systematic attempt by a government or powerful organisation to manipulate public opinion through the mass media. The campaign orchestrated by Goebbels in Nazi Germany to glorify the Aryan race and demonise the Jews is generally recognised as the first modern example. The Australian government is about to embark on a multimillion dollar media campaign to promote its policies in the lead-up to the next federal election, which probably fits the definition of propaganda. But a single work or statement cannot be in itself propaganda. A propaganda campaign may use such a work as part of its armoury, as for example Goebbels used the films of Reni Riefenstahl in the 1930s, but in the case of *Fifty Six* there were just two creators acting in isolation, expressing a particular view, it is true, but with no attempt to manipulate, simply to put before the public certain purported facts that they believed had not been given adequate weight in the debate over Palestine. The fact that they elected to do this through a work of art rather than, say, a letter to the editor does not make it propaganda.

In fact, if anything can be fairly labelled propaganda in this debate it is the systematic and concerted effort of Israel and its supporters throughout the world to create an image of the Israeli people as innocent victims and the Palestinians as inhuman monsters, a propaganda campaign that has been by and large successful, in that this view is the received view in most Western nations. However, public opinion may be starting to sway back slightly towards the plight of the Palestinians, which could explain the desperation of Israel's supporters to discredit and suppress *Fifty Six*.

The implication of some of the criticism of *Fifty Six* is that because it only presents 'one side of the question' it must be *ipso facto* propaganda. This sugges-

tion is patently silly. In any debate, each side presents its point of view as robustly as possible and there is no obligation on either side to present the other side's position. Otherwise, the *Jewish News* would have to publish the views of Yasser Arafat. The fact that an expression is artistic does not impose on it the requirement to be even-handed.

Ironically, presenting 'the other side of the question' in this conflict does not really help the Israeli case, because on almost every criterion for comparison the Israelis are winning. If McLennan and Shindo had presented both sides of the question it might have looked something like the table on the next page.

Would the partisan supporters of Israel have been content with such a more even-handed presentation? Or would they still have labelled it propaganda?

Should it have received public funding?

The glib truism that heads *The Age* editorial on the topic (6 May) — 'The right to freedom of expression does not carry with it an entitlement to public funding' — misses the point entirely. No one to my knowledge has claimed a right to public funding for this or any other work. The statement ignores the way in which most works of art, including this one, obtain public funding, thought the funding of a sponsoring body. For example, the Melbourne Cricket Club (MCC), along with the state and federal governments, funds the Melbourne Theatre Company (MTC), and they put on plays. The MCC does not have any say in the MTC's selection of plays, nor should it. If there were serious problems with those choices over time, the MCC might decide not to renew funding, but this would have to be a very serious breach to warrant such political interference in the creative process.

Similarly, public funding is given to the National Gallery of Victoria, whether by the MCC or not I do not know, but it would not be appropriate for the funding bodies to be involved in the purchase of individual paintings.

Although the funding bodies like to have their logos displayed prominently around the place, they cannot be seen to be necessarily giving support or approval to each and every play or painting. The presence of the logo is a token of their support for the arts in general.

The case of *Fifty Six* is, in a small way, very similar. The Melbourne City Council gave money to a curator for a scheme to display and promote contemporary art from emerging artists by utilising otherwise empty shop windows. This is a perfectly legitimate use of public money; in fact one might even say a creative and effective use of it. That is where the matter should rest and the funding body should only interfere again in very extreme circumstances.

<i>Number of Palestinians killed by Israelis</i>	A lot (difficult to estimate)	<i>Number of Israelis killed by Palestinians</i>	A lot (but not as many)
<i>Number of Palestinian refugees created</i>	c 4,000,000	<i>Number of Israeli refugees created</i>	A few in early days of conflict
<i>Number of Arab refugees settling in Palestine</i>	None (it was already their home)	<i>Number of Jewish refugees settling in Israel</i>	Millions
<i>Palestinian land annexed by Israel</i>	21,000 km ²	<i>Israeli land annexed by Palestine</i>	Nil
<i>Palestinian towns and villages destroyed</i>	385	<i>Israeli towns and villages destroyed</i>	A few in early days of conflict
<i>Illegal Israeli settlers on Palestinian land</i>	200,000+	<i>Illegal Palestinian settlers on Israeli land</i>	Nil
<i>Palestinian military expenditure</i>	Not known, but a fraction of Israel's	<i>Israeli military expenditure</i>	US\$300 billion
<i>Palestinian WMDs</i>	Nil	<i>Israeli WMDs</i>	100+

[For a discussion of the veracity of the actual figures, see 'Are the statements false?' on the following page.]

Do such extreme circumstances exist in this case?

It is true that some people were offended by the work. The taking of offence in itself cannot be construed as an extreme circumstance. I personally am offended by representations of Jesus hanging on the cross, as I find the image violent and psychologically disturbing (it is in effect a *human sacrifice* — Jesus became man and died to redeem our sins), but I don't find my distress a good reason for purging such images from the community. I just try to avoid them.

Was the nature of the offence such that we should remove the offending work from the view not only of those who took offence to it, but also from the view of all those other members of the community who might want to see it? I think this is a very hard case to argue. There seem to have been three main causes for taking offence at the work:

The purported facts in the work were unpalatable to partisan supporters of Israel

This kind of offence cannot be grounds for removal of the work, as it amounts to political censorship. Are we to say that only facts palatable to partisan supporters of Israel should be given currency in our community?

The use of the Star of David in the context of material about Israel is offensive

The first thing that needs to be said here is that it was not the Star of David per se that was represented, but the Israeli flag. That it was simply a Star of David in many people's minds is the result of lazy or irresponsible reporting in *The Age* by one or other of the three reporters involved in filing the original story (4 May), Dan Silkstone, Royce Millar and Chris Evans — 'the work features a large Star of David

painted on a wall'. This misdescription may have been more responsible for the offence taken than the work itself. The fact that it was an Israeli flag, not a Star of David, makes a huge difference. It makes it very clear that it is Israel in particular that is being singled out and not Jews in general, a highly significant point, especially in the light of accusations of anti-Semitism that we will discuss later. And since this was a visual work about Israel, what better neutral visual symbol could the artists have used to represent Israel graphically than its flag? So while some people may have taken offence at what they mistakenly thought was a misappropriation of the Star of David, when the real situation became apparent, no one could reasonably take offence at the use of the Israeli flag to represent Israel.

The work was divisive

This epithet was used by both Lord Mayor John So and *The Age* editorialist to justify the removal. But what does it mean? Who does it divide from whom? How can a statement of purported facts divide people? Surely a statement of facts is an invitation to consider those facts, perhaps to check them out for oneself, to consider other facts relevant to the situation and to come to some sort of reasoned conclusion about them. If being 'divisive' amounts to no more than the fact that the work caused a number of people to protest against it, even a large number of people, this is neither here nor there. It cannot be grounds for censorship in a democracy. On this reasoning we would have to ban George Bush. That fact that some people don't like something is not grounds for its removal, it is the nature of that dislike that is critical, and in this case the reasons for the dislike seem

to reduce to the first two grounds above, which we have shown not to be compelling.

Are the statements false?

The interesting thing about this installation is that it does not present an argument or reach any conclusions — it simply presents a series of statements setting out a number of (purported) facts about Israel and Palestine and invites the viewer to draw any conclusions he or she wants. This means that there is no argument or position to be countered, and thus the only possible ripostes are (1) that the statements are untrue, and/or (2) that the list of statements leaves out other facts that are relevant to the total picture. Both these arguments have been advanced, with varying degrees of success.

Let us examine the truth or falsity of the statements first. The white knight who galloped to the defence of Israel in the pages of *The Age* was David Bernstein, described as a 'staff journalist'. (Was he writing this article as part of his *Age* staff journalism duties and, if so, does this mean the newspaper is aligned with Israel?) Bernstein's response is not very comforting for his cause, as we shall see.

200,000 Palestinians have been killed

While noting that 'the exact figure is probably impossible to calculate', Bernstein virtually concedes this point. Large numbers have been killed on both sides, he says. But the point we need to be reminded of, despite the impression to the contrary given in the Western press, is that the number of Palestinians killed in the conflict exceeds and has always exceeded the number of Israelis killed, so the Israelis are the winners and the Palestinians are the losers in this cruel calculus. Even if we leave combatants out and look at 'innocent bystanders' — non-combatants killed by the other side — according to the Israeli-based International Policy Institute for Counter Terrorism, since September 2000, 713 Israeli non-combatants have been killed compared to 935 Palestinian non-combatants. In the past, the Palestinian deaths received little media coverage. This situation has improved in recent years, and casualties from both sides are being featured in news broadcasts. If we look at combatants, according to the same source the Israeli winning margin is even greater — 137 Israelis to 1,326 Palestinians, nearly ten times as many. Over the fifty-six years, not all the Palestinians killed were killed by Israelis — many were killed in refugee camps by local militia — but even these deaths were a direct or indirect result of the Palestinians being forced into exile in the first place.

Whatever the final numbers, reminding us that not just Israelis but also Palestinians are being killed in

this tragic conflict does not seem an unreasonable thing to do.

5,000,000 refugees have been created

Bernstein also concedes this point, although the actual figure may be exaggerated and be closer to four million. Bernstein curiously seems to think that pointing out five million Jewish refugees from Europe and elsewhere have now found a home in Palestine somehow negates this point. The fate of the millions of Palestinian refugees is a major sticking point in Middle East peace talks, if and when they manage to get going.

21,000 square kilometres of land have been annexed

Bernstein does not comment on this statement, so we may assume he concedes it. It sounds reasonable.

385 towns and villages have been destroyed

'Yes, that is true,' says Bernstein.

200,000 settlements have been created

'Too absurd for serious comment,' says Bernstein, and he is right. This figure is so wildly inaccurate that, rather than spending energy refuting it, one might immediately conclude that it is a mistake — which turns out to be the case. The artists later apologised for this misprint. What they meant to say here was not 'settlements' but 'settlers'. An unfortunate slip, which gave their critics much ammunition. It turns out that, in this light, they are quite correct: according to the Jewish Virtual Library, there are roughly 150 settlements in the territories, with a population estimated at the end of 2003 at 236,381.

300 billion military dollars have been spent

Bernstein is rather dismissive of this statement, without actually denying it. According to the CIA, Israel's current annual military budget is \$8.97 billion. If they had spent roughly the same amount in each of the fifty-six years, the total would have been over \$500 billion, so \$300 billion does not seem unreasonable.

100+ WMDs have been manufactured

'...another rather surprising understatement,' says Bernstein, although how an open-ended estimate — '100+' — can be an understatement I'm not sure. Since Mordechai Vanunu blew the whistle on Israel's nuclear capacity in 1986, the whole world has known about their stockpile of weapons of mass destruction. One of the things that got on the wick of Arabs before the Iraq war was the fact that the US ignored Israel's actual WMDs while making a great show of concern over Iraq's imagined ones.

65 UN resolutions have been ignored

Again, Bernstein concedes this point: 'Most Israelis would probably not quibble.'

Thus, as far as we can tell, and making allowance for the mistake about settlers in the fourth line, it turns out that all the claims are more or less true. So what are we to make of the statements by *The Age* editorial writer ('grossly distorted facts'), the Israeli apologists Danny Lamm and Colin Rubenstein ('made-up nonsense', 'completely incorrect') and David Bernstein himself ('grossly distorted fictions')? Were they deliberately trying to mislead us or just being lazy and jumping to conclusions? Bernstein himself seems not to have grasped the logic of his own arguments.

Now it may be argued that, while the facts actually presented are not in themselves false, the presentation of just these facts is biased as it leaves out material relevant to the issues being considered that may, if included, lead a viewer to a different conclusion. What might those facts be? As we said above, on almost every criterion for comparison you want to choose, the Israelis are equivalent or winning. We all know that many Israelis, including women and children, have been killed by Palestinian suicide bombers. We all know that there are Palestinian extremists who want to eliminate Israel from the map. But introducing these areas into the debate doesn't really change the overall equation, because Israeli attacks on Palestinian refugee camps and buildings have also killed women and children, and there are extremists in Israel who want to wrest the whole of Palestine from the Arabs. The fact is that there has been a lot of killing and anger on both sides, as well as acts of reconciliation and peace. We live in a city within which there is a very high level of support for Israel — one might almost say the Israeli case has a degree of cultural hegemony in Melbourne — so the Israeli side is very well-known to us all. In this context, *Fifty Six* might be seen as redressing an existing imbalance, rather than skewing a situation even more, and we might think that more facts of the type perhaps envisaged by Bernstein, Lamm and Rubenstein would instil a greater imbalance into the mix rather than reducing it.

Is it anti-Semitic?

One of the great furbies of our time is the assumption that to be critical of Israel is to be anti-Semitic. That it is false is evidenced by the fact that there are many Jews who are critical of Israel. In the light of history, it is understandable that Jews in general and Israelis in particular should be initially suspicious of those who do criticise Israel, but they must recognise

that one's friends can be critical too, without forfeiting the right to be called friends. The blind unquestioning support of everything Israel does by some partisan Jews in other countries around the world can only prolong the conflict.

It is not to their credit that some partisan supporters of Israel have used the epithet 'anti-Semitic' as a way of trying to discredit anyone who criticises that country. Anti-Semitism is an evil still unfortunately prevalent in a minority, but to misuse the term for blatantly political purposes only devalues it and reduces its effectiveness.

In the present case, accusations of anti-Semitism cannot be sustained. *Fifty Six* does not mention or refer to Jews, nor does it advocate any belief or action in disrespect of Jews. It refers only to Israel.

Much more reprehensible than *Fifty Six* was the Spooner cartoon that accompanied the Bernstein article in *The Age*. It superimposed its own select list of 'facts' about the Arab-Israeli conflict, including morally abhorrent acts of terrorism, on the generic Islamic symbol of the crescent moon, thus implicating all Muslims in these abhorrent acts. Spooner was truly offensive and may have breached the Racial and Religious Tolerance Act in a way that *Fifty Six* did not.

Conclusion

We have referred above to 'partisan supporters of Israel' to distinguish those for whom Israel can do no wrong from those who support Israel but don't agree with everything it does. Everybody except the most fanatical extremist is a supporter of Israel and accepts the right of the Israeli state to exist. The latter supporters of Israel believe that if its existence is to be secure over the years this must be based on a just settlement of the Palestinian issue.

However, in Israel, as among the Palestinians, there are forces inimical to any peaceful settlement of the conflict, and both sides must recognise this if peace is to occur.

This is not the place to rehearse the arguments about Israel and the Palestinians. Suffice it to say that a just settlement in Palestine must involve compromises on both sides, but the onus for substantial compromise now lies firmly on the Israeli side, which not only negotiates from a position of strength, but must acknowledge and accept that the Palestinians, by acknowledging Israel's right to exist in Palestine, have made a huge concession and compromise already — accepting that a group of people largely from overseas can come in and annex half their land — and that whatever the Israelis concede in return, including dismantling the settlements, return to 1948 boundaries and joint control of Jerusalem, pales into

insignificance if seen against this basic compromise the Palestinians are being asked to make. This may be a bitter pill for many Israelis to swallow, but if Israel instead uses its position of strength to wrest more concessions from the Palestinians, justice will not have been done and the seeds of continuing violence in the Middle East will have been sown.

Back in Melbourne, the actions of the Melbourne City Council, and in particular Cr Kimberly Kitching, who seems to have been the front runner in this

issue, are disgraceful in the context of a democracy and a blemish on freedom of speech. Repressing one side of an argument only reinforces the view of extremists that they cannot achieve justice through peaceful means, and this may lead them to believe they are justified in committing acts of violence as a last resort. From both a moral and a practical point of view, the censorship of *Fifty Six* must be condemned.

IHR

Vatican: the saint of WMDs

This article first appeared in the *Rationalist International*, Bulletin #120, on 9 February 2004.

Record saint-maker Pope John Paul II has now put Austria's Kaiser Karl I (1887–1922) on the track to sainthood. The Vatican office in charge has already approved the two miracles necessary for the procedure. According to canonisation law, any future saint must have performed one miracle during his/her lifetime and one after his/her death.

Kaiser Karl's posthumous miracle looks quite similar to the one attributed to Mother Teresa. In his case, a dangerously ill nun in Brasilia claimed in the seventies that she had prayed one fine night for the late Austrian emperor's beatification and was — believe it or not — miraculously cured from her illnesses.

Far better known than this passive act of faith healing and far less fitting to the common idea of a god-inspired 'good deed' is Kaiser Karl's lifetime miracle. In Austrian history books, it is called the 'Miracle of Kobarid', and it killed 40,000 Italian soldiers.

It happened during World War I, on 24 October 1917: the first corps of the fourteenth army of the Austrian-German troops under Kaiser Karl's command managed to break through the barricades raised by the Italian army near Kobarid in Slovenia. Nobody had expected that this would have been possible. The sensational military success, however, was not due to saintly powers, but to poison gas. The Kaiser had ordered 100,000 gas grenades to be fired at the enemy in a massive four-hour bombardment.

The use of poison gas was forbidden according to the Convention of The Hague, and the 'miracle' could therefore more correctly be classified as a war crime. The Austrian Kaiser may soon be worshipped as *St Karl, Saint of the Weapons of Mass Destruction*.