

**IN THE SOUTH GAUTENG HIGH COURT, JOHANNESBURG
(REPUBLIC OF SOUTH AFRICA)**

CASE NO: 17978/2012

In the matter between:

JACOB GEDLEYIHLEKISA ZUMA

First applicant

AFRICAN NATIONAL CONGRESS

Second applicant

and

GOODMAN GALLERY

First respondent

CITY PRESS

Second respondent

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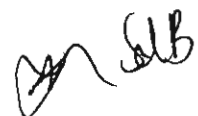
Second respondent

FIRST RESPONDENT'S ANSWERING AFFIDAVIT

I, the undersigned

LIZA NICOLE ESSERS

do hereby state under oath:



1. I am a gallerist and businesswoman, and a director of the first respondent company, Goodman Gallery (Pty) Ltd ("the Goodman Gallery").
2. The facts contained herein are within my personal knowledge and belief, unless the context indicates otherwise, and are true and correct.
3. I am duly authorised to depose to this affidavit and to oppose this application on behalf of the Goodman Gallery.

Introduction

4. This is an application, so far as concerns me, to compel the Goodman Gallery to take down an artwork by artist Brett Murray entitled *The Spear* which is part of Murray's current exhibition at the Goodman Gallery, *Hail to the Thief II* ("the exhibition").
5. I want to begin by explaining why the Goodman Gallery is opposing this application.

- 5.1. Since the 1960s, the Goodman Gallery has provided a space for leading contemporary South African art. As the longest running, independently owned commercial gallery dealing in contemporary art in the country, the Goodman Gallery has had

a long and significant history in South Africa. The Goodman Gallery has come to be known as a neutral space that embraces the voice of dissent, presenting work that confronts the contemporary socio-political climate. From its inception the Goodman Gallery's focus was, and remains, both on cultural activism and bringing South African artists to the world's attention, establishing their careers globally and alerting the world to South African socio-political conditions. The Goodman Gallery held shows that spoke out against the repressive apartheid regime, and following the country's entry into democracy, continues to present work that does not complacently accept the political *status quo*.

- 5.2. Central to my vision for the Goodman Gallery is building on the promotion of cultural activism and social commentary. South African artists developed a distinctive mode of artistic production during the era of resistance art and this ethos has continued into post-apartheid democracy, with contentious issues of current social injustice being powerfully confronted by both older and new generations.
- 5.3. As a gallery that supports artists' freedom of speech and artistic expression and encourages them to show work that challenges the *status quo*, ignites dialogue and shifts consciousness, the

work of Brett Murray is typical of the Goodman Gallery's mandate. In recent years, along with Murray, several artists represented by the Goodman Gallery have broached contentious issues within their work. While presenting provocative statements about religious, political and social conditions, these works have been displayed at the Goodman Gallery on the basis that we offer a neutral space in which to explore these issues. I enclose as annexure "LE1" a sample of some of the artworks which have also been deemed to have been controversial that have been exhibited in the past.

- 5.4. Another priority for the Goodman Gallery in recent years has been to broaden the dialogue about issues of race, identity, post-colonialism and politics – by placing of works by South African artists in the same context as work by artists from the African continent, as well as international artists whose work is pertinent to the African context. African-born artists such as Ghada Amer and Kader Attia powerfully confront Northern African politics, post-colonialism and social despotism, and have both been included in the gallery's programme. Middle-eastern artists Sigalit Landau and Taysir Batniji have also begun to work with the Goodman Gallery, and their reflections on the middle-eastern conflict resonate with periodic comparisons to Apartheid South Africa. African-American artists

Hank Willis Thomas and Kara Walker, who both comment on the global effects of oppression inflicted by one race on another, have also been included. Also central to the gallery's vision is including the work of established, expatriate South African artists such as Kendell Geers and Candice Brietz, and re-engaging with the dialogue they began before relocating overseas.

- 5.5. Brett Murray has a local and international reputation for thought-provoking and satirical art. The exhibition includes depictions of political power in its various manifestations, including the relationship between politics and sexual power. It emerges from and engages with a centuries'-old artistic tradition of representing and satirising political power.
- 5.6. Murray has been represented by the Goodman Gallery for six years, although his career and reputation extends for decades, as an artist and art teacher. The Goodman Gallery acts as a forum and conduit for Murray to show his art (as with any other artist who is shown in the Goodman Gallery) because it constitutes artistic works of merit.
- 5.7. In deciding what work to show, the Goodman Gallery does not consider the artist's political, social or religious views. That is

not a criteria or relevant consideration in deciding what is included in the Goodman Gallery's programme. Providing a space for this exhibition does not mean that the Gallery sees the world in the way that Murray does. I do not necessarily subscribe to any artist, including Murray's view of the world. My personal views are irrelevant.

5.8. My role as a gallerist is not to further any political or social agenda, but rather to keep open a space for artists to exhibit, and for those that visit the Goodman Gallery to engage with artistic works. The Goodman Gallery encourages artists express themselves in their own unique ways, which can include showing work that challenges the *status quo*, ignites dialogue and shifts consciousness – thereby engaging with viewers. This is legitimate artistic expression. Whether viewers are sympathetic or critical of the work is irrelevant to the value of the work on display. Indeed the point of display is to permit of a multiplicity of views and responses that reflect different people's assessment of an artist's work, to stimulate dialogue.

5.9. The Goodman Gallery supports its artists' freedom of speech and expression. That is all I have done and all I want to do in respect of the exhibition. The reason I am opposing this application is because, as a gallerist, my role is to keep open a



neutral space for my artists and my audiences, sympathetic and critical alike.

- 5.10. The first applicant has a right to form and express his own opinion of *The Spear* and may well be outraged by the work. I respect the first applicant's right to his opinion on the painting. Critical engagement with work on display is a legitimate response to art, and I encourage it. I do not want to suppress anyone's views and nor do I want to align myself with anyone's views. That is not the role of the Goodman Gallery. I want to protect the space for the debate that is the life-blood of the Goodman Gallery.
- 5.11. It is in that spirit that I defend this application. The Goodman Gallery must respect the decisions of the artists that have solo shows there as to what work they wish to display. No member of the public should be able to tell these artists which artworks they should exhibit and which they should not. In turn, the Goodman Gallery cannot be a gallery of integrity if I let any individual, even the most powerful, dictate to it as to content.
- 5.12. However, if this Court tells me that Brett Murray's painting, *The Spear*, has infringed the applicants' rights unjustifiably and

should in consequence be taken down, that is a different matter. I will of course respect any order of court.

- 5.13. As for the personal offence and hurt that the first applicant claims to have suffered, the Goodman Gallery had no intention to cause him or his family any hurt or offence.

The Goodman Gallery

6. The Goodman Gallery was formed in the 1960s by Linda Goodman (Givon), and is a leading international art gallery. When the Goodman Gallery opened in Johannesburg, the intention was to establish a new voice in contemporary South African Art, bringing together artists from both the white suburbs and the black townships, to exhibit in the same space on an equal footing. The Goodman Gallery was pivotal in establishing a contemporary art scene in South Africa by supporting and encouraging artists to exhibit despite the strictures of Apartheid.
7. One of the first artists associated with the Goodman Gallery to be confronted with censorship was Harold Rubin. The controversy centred on his artwork, *My Jesus*, a provocative rendering of the crucifixion in which Jesus Christ appeared as a nude Black figure with the head of a monster, containing the inscription "I forgive you O Lord, for you know not what you do" – and depicted the naked figure with a slight hint of an

erection. The controversial image was exhibited alongside other anti-establishment works in 1962, and caused such furore that the apartheid government sent the police to shut it down and referred its artwork for examination by the censorship board. As a result of this, Rubin became the second South African to be charged with blasphemy.

8. The Goodman Gallery also exhibited works by pivotal resistance era artists from diverse backgrounds, including Cecil Skotnes, Sydney Kumalo, Percy Konqobe and Sfiso Ka Mkame. One of the first exhibitions that established the Gallery as a neutral space determined to show work by South Africa's strongest artists, no matter their race, was the first solo exhibition by artist Julian Motau in 1967. The Gallery held the exhibition on the basis that there would be no discrimination within the space, and this became the benchmark for shows to follow. The Gallery also established its reputation as an activist institution when it commissioned artists to express their uncensored opinions on a large ribbon, with the intention of wrapping it around the Union Building. The Apartheid government confiscated the ribbon before this could be done. The Goodman Gallery also supported its artists as they expressed highly critical views about our society, including the seminal resistance art exhibition in 1985, *Art Against Apartheid*.

9. The Goodman Gallery has over the years established both a local and an international reputation for allowing South African artists the space to

express their views, whatever these views may be. I enclose in this regard as annexure "LE2" an email from the editor of *The Art Newspaper*, in which she states that the Goodman Gallery is one of the leading galleries on the African continent.

10. I must emphasise, however, that the Goodman Gallery is first and foremost about art. Art, particularly in a society like ours, often engages with politics and the major social issues of our time. But, even when the Goodman Gallery hosts exhibitions that deal with social issues, our mission is to exhibit the best of South African contemporary art, not to promote any one view.
11. Many of the artists that have shown work at the Goodman Gallery are now exhibited in public and private collections across the world.
12. A supporting affidavit of William Kentridge will be filed with my affidavit. Kentridge is one of South Africa's leading artists, whose remarks are germane to the role of the Goodman Gallery and the work in that is the subject of this application.
13. The language of fine art can be nuanced, and draws on diverse reference points and visual cues. This means that fine art is often not easily accessible to a mass market and some people may find engaging with fine art in a gallery somewhat intimidating and difficult to interpret.

14. While we attempt to draw a cross-section of our society to the Goodman Gallery, the typical visitor to the Goodman Gallery is educated, art-loving, knowledgeable and opinionated.

14.1. While many of the visitors to the gallery are customers, art lovers will also visit the Goodman Gallery as recreation and education. Those who come to visit the Goodman Gallery are interested in art and generally familiar with the concepts and visual cues referenced by contemporary artists, and the art-historical context in which the works on display were created.

14.2. Books and electronic resources are available to those that want to know more, and knowledgeable gallery staff are also on hand to discuss work on display and to help visitors contextualise this work, should they seek out their assistance.

The artist and the exhibition

15. Murray is an award-winning and critically acclaimed artist. His supplementary affidavit will be filed with my affidavit.

16. Murray is signed to the Goodman Gallery. The Goodman Gallery's role is to promote his work locally and internationally to patrons, curators

and buyers. I attach a copy of the images that make up the exhibition, marked "LE3".

17. Murray uses satire to convey particular messages about socio-political conditions. For decades he has re-contextualised familiar images and phrases in order to challenge perceptions and trigger dialogue. The themes running through the exhibition include the betrayal of ideals, the abuse of power, corruption and despair.

18. I refer further to what Professor Nel says in respect of satire in art.

19. The works on this exhibition extend the debate on power, sex and patriarchy in our society. The success of the exhibition is evidenced by the extent of the debate that has emerged around it. The debate around the work of the artist should be welcomed. I am grateful that I live in a country in which this kind of vigorous debate can take place, protected by law.

20. A viewing of *The Spear* reveals the following:

20.1. The image is a composite one. It references a well-known, iconic image of Lenin. I refer to annexure "LE4" where that image of Lenin is placed alongside the artistic work in question. The head depicted in the picture is an image of a political

figurehead. The head is to be contrasted with the depiction of genitalia, which have been pasted on top of the figure's clothes. The genitalia are generic and not representational of any particular person. It is a symbolic, fictional representation. The image as a whole and the symbolic genitals in particular is a play upon the double meaning of the title of the piece, *The Spear*, both as a political symbol and as a sexual reference.

20.2. The depiction references an ongoing public discussion in society as to the relationship between political power and the sexuality that accompanies this power. The relationship between political power and sexuality is one that has been much discussed in recent times, for example President Clinton and Monica Lewinsky; Dominic Strauss Kahn; and the former Prime Minister of Italy, Silvio Berlusconi. The theme of sex and power is well-established as a discourse reflected in international contemporary art.

20.3. As to the interpretation of the piece, I refer to the supplementary affidavits filed in support hereof.

21. The tradition of satire is reflected in art, literature, film and theatre. In these different mediums, a penis is seen and described. There is no

distinction between the penis as symbolic image, and the writer's reference to a penis in a written work.

22. I refer to the affidavits of William Kentridge, Professor Karel Nel, Vulindlela Nyoni, and Senzeni Marasela, leading artists and experts in art history and fine art. It appears from their expert opinions that *The Spear* is an artistic work.
23. *The Spear* was sold before the opening night to an international art collector for a considerable sum.
24. *The Spear* is one work in the exhibition. *The Spear* must be seen in the context of the other work that comprises the exhibition, as a visitor to the Goodman Gallery would experience it.

The wide publication of the image

25. As I said earlier, I was responsible for showing the exhibition to a small and select audience. Prior to the controversy concerning *The Spear* that has been sparked by the applicants' objection to the work, the exhibition proceeded very much as exhibitions usually do at the Goodman Gallery. It was viewed by no more than a few hundred people and its inclusion on our website is an ordinary incident of exhibiting artistic works. I understand that it was ironically largely as a




consequence of the launching of this application that there has been widespread national and international dissemination of the work.

26. As the applicants say, the image is now accessible to millions within and outside the country. No one is more amazed at this than me. But the number of people that have come to the Goodman Gallery in Johannesburg is a tiny fraction of the number of people that have seen copies of the work on electronic media.
27. The Goodman Gallery's legal team conducted a brief search of the internet, and have compiled a list of websites where images of the work can be viewed or downloaded. I attach a list of the URLs for these websites, marked "LE5". I attach a sample of the publicity that the work has generated as annexure "LE6". As the publicity indicates, the first applicant, as President of South Africa, has been the subject of controversy concerning his exercise of political power and aspects of his private life have also figured in this way.
28. It seems to me that even if I take the painting down, the image would remain widely accessible to anyone who wanted to see it. Anyone with an internet connection is able to access a copy of the image from multiple sources internationally and locally.

Ad seriatim response

29. AD PARAGRAPH 1

I admit the contents hereof and I am advised that the legal consequences of these averments are matters for argument.

30. AD PARAGRAPH 2

Save as set out in this affidavit, I deny the contents hereof.

31. AD PARAGRAPH 3

31.1. I deny that the first applicant's rights to dignity or privacy are being unjustifiably infringed.

31.2. Save as aforesaid I deny the content of the paragraph under reply.

32. AD PARAGRAPH 4

32.1. I deny the contents hereof, and particular I deny that *The Spear* depicts the applicant's private parts.

32.1.1. The first applicant did not pose for the work, and the picture is not a photograph (it is acrylic paint on canvas). The figure represented in the work is drawn from the artist's imagination. Further, the genitals painted on the work are not a depiction of the first applicant's actual genitalia. The genitals are a work of fiction.

32.1.2. The Prime Minister of Canada has been the subject of artistic work in which he is depicted in the nude. I attach a copy of the work and accompanying newspaper article in which the Prime Minister is quoted, marked "LE7".

33. AD PARAGRAPH 5

33.1. I admit the rights mentioned in this paragraph.

33.2. The submission made in this paragraph is incorrect.

34. AD PARAGRAPHS 7 AND 8

I deny the content of the paragraphs under reply.

35. AD PARAGRAPHS 15, 16 AND 17

35.1. I deny that there is any unjustified infringement of the applicants' rights.

35.2. The second applicant was aware of the work being displayed as part of the exhibition some time before I was contacted, on Sunday 13 May 2012, by a special advisor to Mr Paul Mashatile ("Mashatile"), the Minister of Arts and Culture and the Provincial Chairperson of the ANC in Gauteng). We had a brief discussion about the exhibition and I invited Mashatile and his special advisor to meet with me on Tuesday 15 May 2012 at 11am to view the exhibition and to discuss any issues which the second applicant may have had with the exhibition. I waited an hour for Mashatile and his adviser, and then received a text message from the adviser saying that they had been delayed at the airport and would need to reschedule the meeting. I never heard from them again, and the next I heard from the second applicant was the letter of demand from its attorneys, which arrived on Thursday 17 May 2012 at approximately 16h00. As the advisor and Mashatile are agents of the ANC, their knowledge must be imputed to their principal.

35.3. The contention by the first applicant that “the more days [the work] stays displayed, the more my right to dignity and that of the ANC are impugned” is incorrect.

35.3.1. The continued display of the work in the Goodman Gallery has little or no effect on the dignity of the first applicant. The extensive publication of copies of the image and free availability of copies of the image on the internet means that even if the work was taken off the wall of the Goodman Gallery, it would effectively be accessible to anyone who wished to see it.

35.3.2. The second applicant, which is also seeking to assert a constitutionally-protected right to dignity, is not protected by section 10 of the Constitution. I am advised that the Constitutional Court has already definitively ruled on this point.

35.4. Save as aforesaid the content of the paragraphs under reply is denied.

36. AD PARAGRAPH 18

Handwritten signature and initials, likely 'GJB', in the bottom right corner of the page.

36.1. I have dealt with the fact that I was contacted by an agent of the second applicant's on Sunday 12 May 2012. As such knowledge is imputed to the second applicant.

36.2. Save as aforesaid I bear no knowledge of the correctness or otherwise of the content of the paragraph under reply.

37. AD PARAGRAPHS 19 AND 20

37.1. The Goodman Gallery has endeavoured to produce this affidavit in the time periods set out in the Notice of Motion.

37.2. The Goodman Gallery reserves its rights, including the right to seek to deliver supplementary papers in this application.

38. AD PARAGRAPHS 22 AND 23

38.1. I am advised that:

38.1.1. The first applicant can only proceed with a claim premised on an alleged infringement of his right to dignity in his personal capacity.



38.1.2. While he is entitled to bring any court proceedings he may wish to in his capacity as president of the ANC, this does not mean that he enjoys *locus standi* to proceed with a claim premised on an alleged infringement of his right to dignity in this capacity. He does not, and nor does the ANC have either a right to enforce or the requisite standing to seek to do so.

38.2. Save as aforesaid the content of the paragraph under reply is denied. In any event, the interpretation to be placed on the work is a matter for argument, considering the context in which the work is exhibited.

39. AD PARAGRAPH 24

I am advised that, while the first applicant is plainly a public figure, the Office of the Presidency of the Republic of South Africa has no *locus standi* to seek the relief sought in this application. No dignity of the type sought to be relied on by the applicants attaches to this office.

40. AD PARAGRAPHS 25

40.1. I refer to the conversation with Mr Mashatile's advisor. I also deny that *The Spear* depicts the first applicant's private parts.

40.2. In any event, I bear no knowledge of what investigations were conducted, who alerted whom to what, or when.

41. AD PARAGRAPH 28

I admit that a copy of the work is attached to the founding affidavit as “GJZ2”.

42. AD PARAGRAPH 29

42.1. I deny that the applicants' constitutional or other rights have been infringed.

42.2. The psychological response of the first applicant is irrelevant to the issue of constitutional infringement, I am advised. I repeat that I have every sympathy for any hurt caused to him.

42.3. As such, and in light of what is set out above in respect of the image being readily available to anyone with an internet connection (or access to the court file in this application, for that matter) the relief sought in this application will have no effect on the claimed plight of the first applicant.

43. AD PARAGRAPH 32

43.1. The ANC is entitled to its opinion of the work, and is similarly entitled to take exception to its interpretation of the symbolism contained in the work. This does not give it a cause of action against the Goodman Gallery.

43.2. As is apparent from the vibrant debate that has sprung up in recent days as to the meanings to be attached to the work, it is apparent that many different meanings are ascribed to the work, and a diversity of responses to the work and to the exhibition have been received.

43.3. The national dialogue that has ensued extends well beyond the narrow meanings that any party might ascribe to the work. Topics as diverse as the artist's motive in painting the work to the boundaries of decency in art have all featured in this debate. It is a legitimate response to say, as the ANC has, that the work is disrespectful or offensive. That does not mean that the ANC's opinion is authoritative, and certainly does not mean that exhibiting the work is unlawful.

44. AD PARAGRAPH 36



44.1. I repeat my denial that the rights of either of the applicants are being unjustifiably infringed.

44.2. I deny the content of the paragraph under reply.

45. AD PARAGRAPHS 37 AND 38

45.1. I am advised that:

45.1.1. Any right in the Bill of Rights may be limited in terms of section 36 of the Constitution.

45.1.2. The Goodman Gallery is not only a vital conduit in an artist – in this instance Murray – being able to exercise his or her right to free artistic expression, but enjoys rights itself. These rights include the right to freedom of trade or occupation and freedom of expression.

45.1.3. Section 16 protects free expression, including in particular free artistic expression and free political discourse.

45.1.4. The exhibition in general, and the artwork in particular, are classic examples of protected free speech, being

forms of both political and artistic expression (the latter of which is expressly protected in section 16(1)(c) of the Constitution). The work is also subject to protection as legitimate opinion and fair comment.

45.1.5. The importance of freedom of expression to an open and democratic society has been emphasised by our highest courts on numerous occasions. It is axiomatic that the fundamental values underlying freedom of expression are particularly exemplified by artistic and political expression.

45.1.6. The work is political satire, in the realm of the fine arts.

45.1.7. While I have every sympathy for the first applicant as a person if he feels hurt or aggrieved by seeing copies of the work, this does not mean that what the Goodman Gallery is doing is in any way unlawful or an unjustifiable limitation of the first applicant's rights.

46. AD PARAGRAPH 39

46.1. I deny that the conduct of the respondents is unlawful. Even if the relief sought is granted, on the applicants' own version it will

not bring about effective relief for the applicants owing to the ready availability of the image.

46.2. I further deny that the applicants are entitled to the relief that they seek.

47. AD PARAGRAPH 40, 41 AND 42

47.1. The applicants are seeking to limit the Goodman Gallery's rights, yet they have failed to lay a legally sufficient basis to do so.

47.2. It is not apparent from the founding affidavit as a whole whether the first applicant is premising his claim exclusively on his right to dignity, or whether he persists with a claim that his right to privacy has been breached.

47.3. To the extent that there is any limitation placed on the applicants' rights, such limitation is reasonable and justifiable in an open and democratic society based on human dignity, equality and freedom.

47.4. As for the effectiveness of the relief that is sought, the applicants are mistaken if they are of the view that the granting

of the relief sought “will ensure that the harm caused by its continuous publication and accessibility is limited to only those that have seen it or had had access to it”.

47.4.1. The image has “gone viral”;

47.4.2. The image has by now likely been seen by millions of people. This appears to be common cause.

47.4.3. Certainly more people have seen the work as a consequence of the publicity afforded it by the applicants than would have seen it had it remained on view in the Goodman Gallery, and a copy of the image on the Goodman Gallery’s website.

47.4.4. The image is available on social media platforms, in the news media locally, abroad and on the internet, stored on hard-drives, servers and mobile devices. Since the applicants started to publicise the work, a number of people have visited the Goodman Gallery to see what the fuss is all about, and many of these visitors have taken photographs of the work on their mobile devices and cameras. It is beyond either of the respondents’ control to limit the accessibility or further distribution of

the image. With respect, it is also beyond the effective power of this Court to do so.

48. AD PARAGRAPHS 43, 44, 45 AND 46

The content hereof rests upon mere assertion, and is denied.

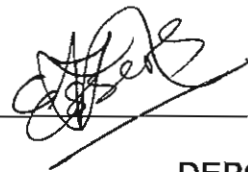
49. AD PARAGRAPH 47

49.1. I deny that the applicants are entitled to the relief that they seek.

49.2. The content of the paragraph under reply is denied.

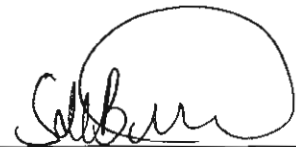
Conclusion

50. In the circumstances the Goodman Gallery seeks that the application be dismissed with costs, including the costs of two counsel where two counsel were employed.



DEPONENT

The deponent acknowledged that he knows and understands the contents of this affidavit which was signed and sworn to before me at Sandton on this the 20th day of May 2012, the regulations contained in Government Notice No. 1258 of 21 July 1972, as amended and Government Notice No. R1648 of 17 August 1977, as amended, having been complied with.



COMMISSIONER OF OATHS

SAMANTHA ELLEN DE BRUIN
Commissioner of Oaths
Ex Officio - Practising Attorney R.S.A.
First Floor, 17 Fricker Road
Illovo Boulevard, Illovo, Johannesburg

"LE1"
77



Sue Williamson
From the Inside: Benjy
2002
Photograph

Self



Willem Boshoff

Pig

2011

Paper, human hair, wooden frame and base.

128x 250 cm

W Boshoff



Willem Boshoff
Vulture
2011
126 x 24 8cm



Willem Boshoff
Crusade
2011

128x 250 cm

W Boshoff



Diane Victor
Honest Politician
2006/8
Etching
200 x 100 cm

SA

"LE2"

82

Sarah McGibbon

To: Dario Milo
Subject: RE: The Art Newspaper/Goodman Gallery

From: **Jane Morris** <j.morris@theartnewspaper.com>
Date: Mon, May 21, 2012 at 9:50 AM
Subject: The Art Newspaper/Goodman Gallery
To: Liza Essers <liza@goodman-gallery.com>

Dear Sir/Madam

The Goodman Gallery

I am writing as the editor of The Art Newspaper, the leading international publication containing news, analysis, reviews and independent reportage on the fine and decorative arts world with offices in London and New York.

We have sister publications in French, Italian, Greek and Russian, and sister offices in Paris, Turin, Athens and Moscow. Our journalists include specialists who write for the Financial Times, Wall Street Journal, New York Times, New York Observer and Art Forum (among others), as well as academics at leading universities including Oxford and Cambridge Universities, Yale, Harvard and specialist courses including the Sotheby's Institute.

I can confirm that the Goodman Gallery is one of the leading galleries in the African continent. It represents major international artists, of whom William Kentridge and Kader Attia are just two of international note. It is one of tiny group of galleries outside the US, UK and Continental Europe which is routinely included the most important contemporary art fairs (Art Basel and Art Basel Miami Beach for example)—entry to these event is fiercely fought over and it is a mark of quality that Goodman Gallery is able to present in this environment, and bring a uniquely African-and-international perspective. Artists represented by the Goodman Gallery are also included in the most important exhibitions and biennales, including the Venice Biennale, the world's most important art festival.

The Goodman Gallery has played a unique role in the South African context over almost 50 years and The Art Newspaper believes that it should be free to continue to act in support of its artists' practice.

Yours faithfully,

Jane Morris

--

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Liza Essers
Director Goodman Gallery
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"LE3"
83



Brett Murray
Hail to the Thief
2010
Metal, gold leaf, resin, aluminium
104 x 119 x 5cm

SA B



Brett Murray
Killed Twice
2010
Plastic, wood, paint
120 x 120cm

solb



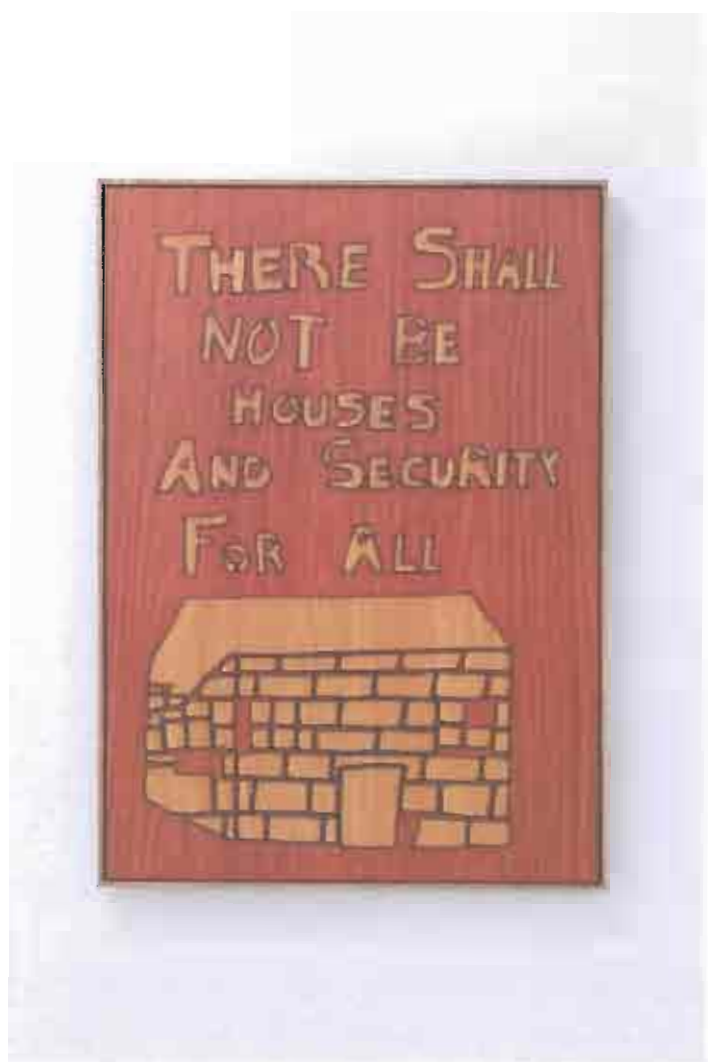
Brett Murray
Crown Jewels
2010
Metal, gold leaf
157 x 148 x 5cm

AM
SOLB



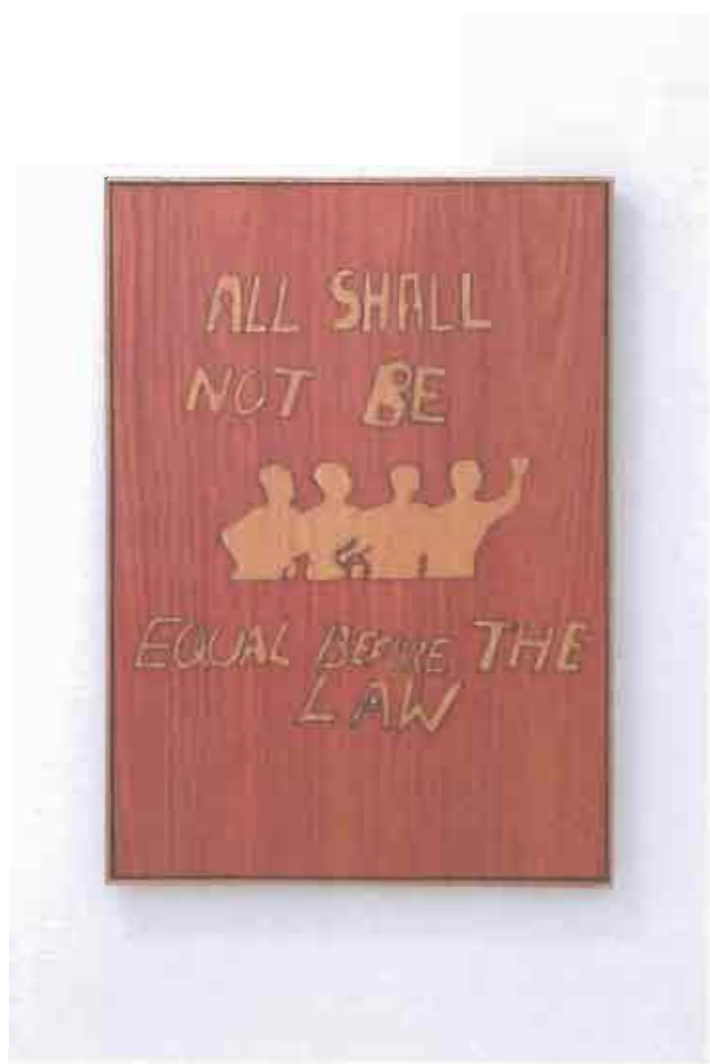
Brett Murray
Monopoly
2012
Wood and plastic
119.5 x 189.5 x 4cm

SALE



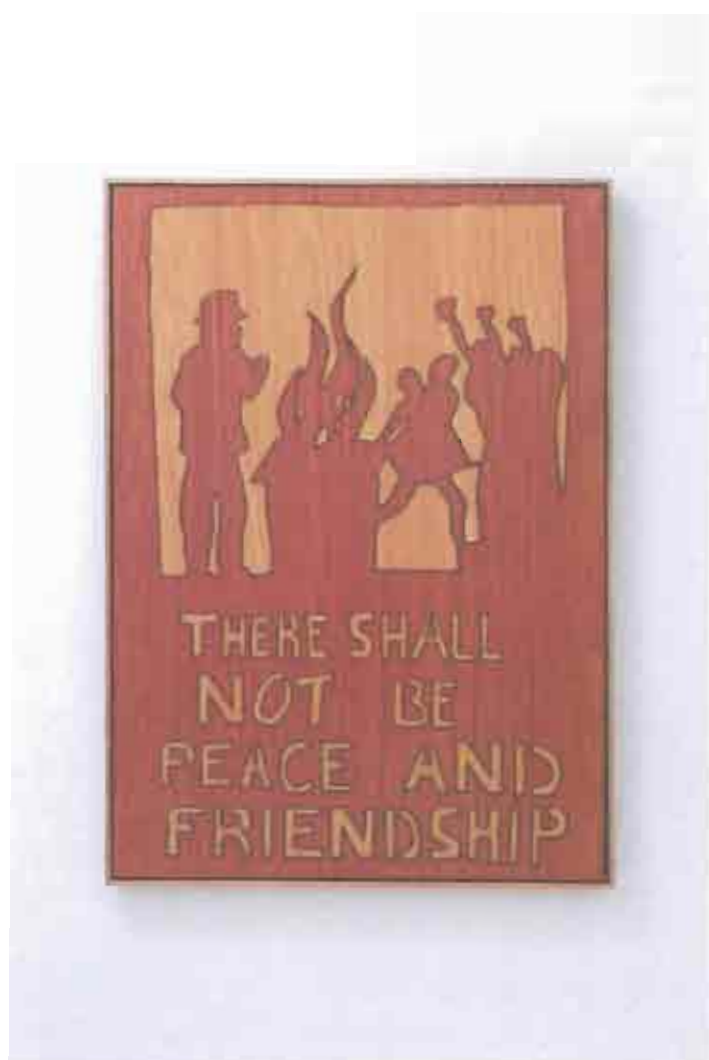
Brett Murray
Freedom Charter: Security
2010
Wood, wood veneer
92 x 66cm

AN
SAB



Brett Murray
Freedom Charter: Law
2010
Wood, wood veneer
92 x 66cm

AK
SJB



Brett Murray
Freedom Charter: Peace
2010
Wood, wood veneer
92 x 66cm

AM
SAB



Brett Murray
Legacy
2010
Metal, gold and silver leaf
119 x 66 x 8cm

SA
SdB



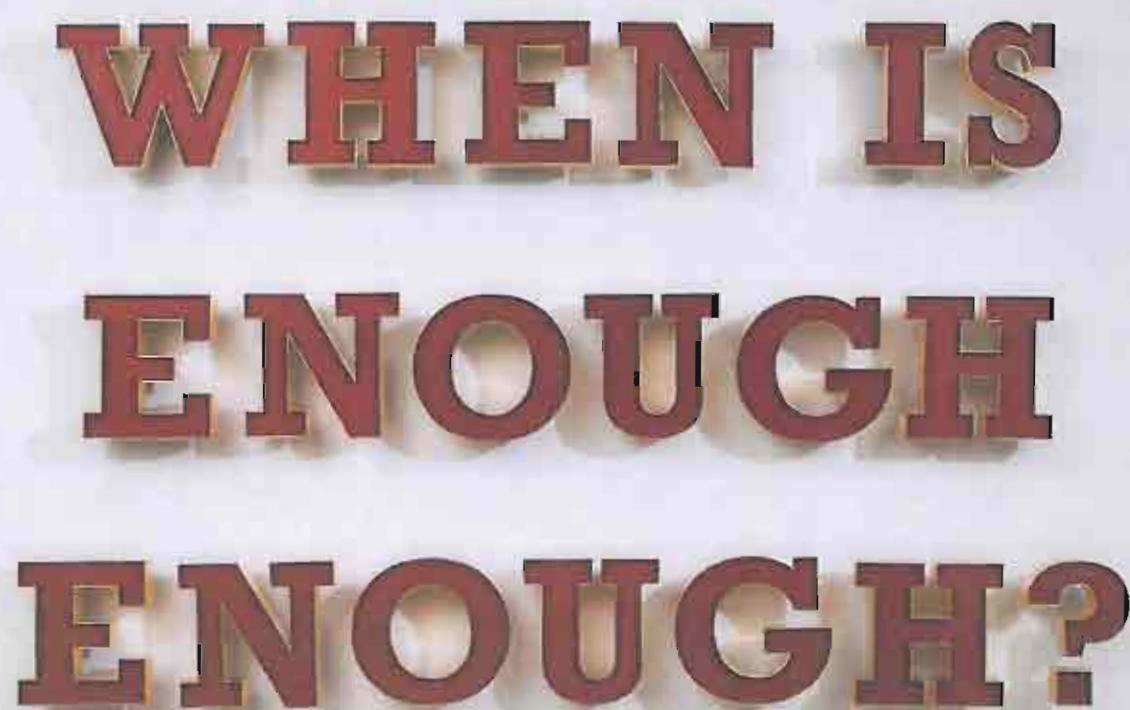
Brett Murray
President and Sons
2010
Stainless steel
4.5 x 99.5 x 4.5cm

4
GAB



Brett Murray
Militant Youth
2010
Plastic, wood, paint
170 x 100cm

sub



WHEN IS
ENOUGH
ENOUGH?

Brett Murray
Enough?
2012
Metal, paint and gold leaf
145 x 236 cm





Brett Murray
Myth, Cash, Cult (set of 3)
2010
Aluminium, paint, resin
50 x 27cm (each)

SK
GIB



Brett Murray
Pop! Go the Populists
 2011
 Wood and plastic
 3 elements, each 87.5 x 69 x 4cm

SB



Brett Murray
Comprador's Tools of the Trade
 2012
 Brass, velvet and cotton
 83 x 74 cm each, 5 elements

AM
 SJB



Brett Murray
The Chosen Few
2011
Metal, gold leaf and paint
140 x 120 x 8cm

SA
SAB



Brett Murray
The Party vs. The People
2010
Bronze
59 x 54 x 81cm

SAAB



Brett Murray
Tribal Elder
2010
Metal, gold and silver leaf, paint
132.5 x 115.5 x 9.5cm



Brett Murray
Corporate Identity
2010
Stainless steel
75 x 66cm



Brett Murray
Viva Viva
2012
Metal, silver leaf and gold leaf
2 elements, each 110 x 105 x 9cm

SAIB



Brett Murray
Predatory Elite
 2012
 Wood and plastic
 110 x 80 x 4cm

SA
 GDB



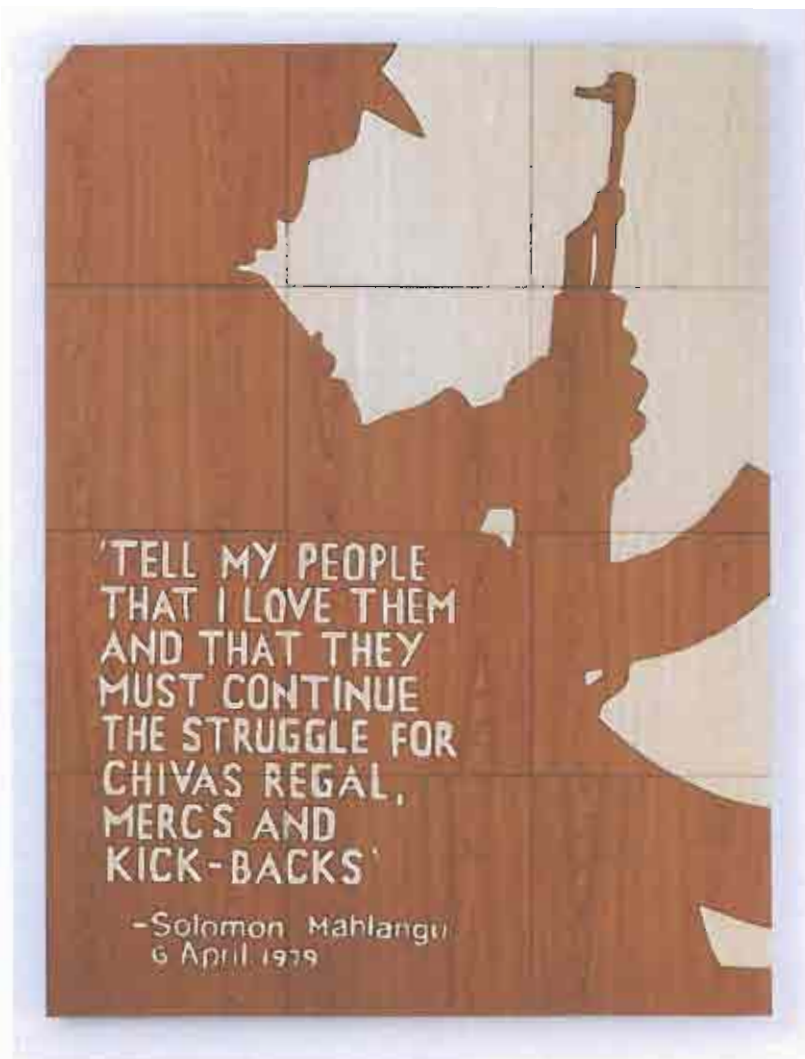
Brett Murray
He's Got Balls
2010
Aluminium, paint, resin
49 x 25.5cm

Sdb

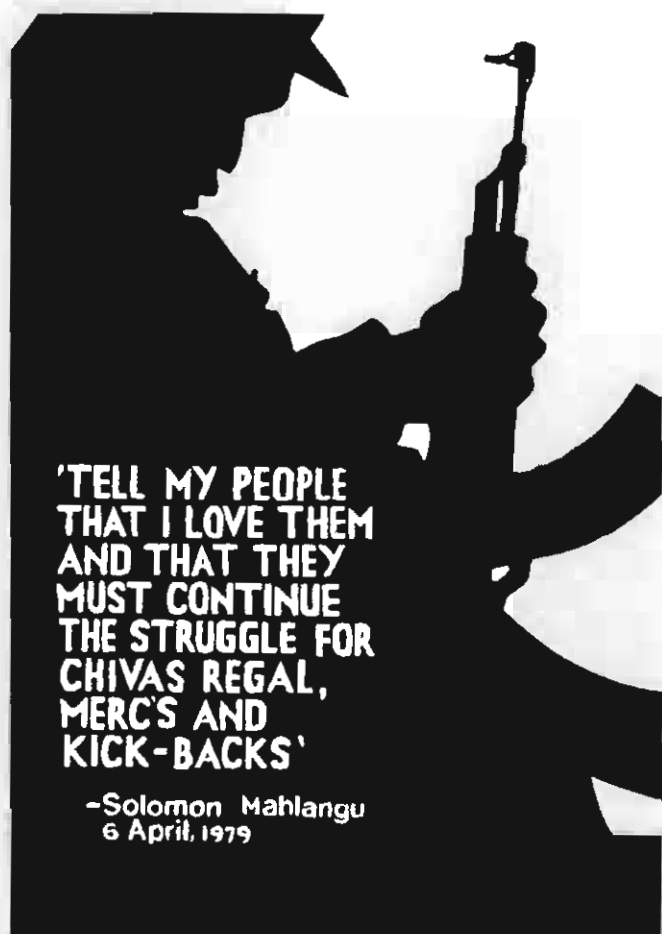


Brett Murray
Forward Comrades
2012
Silkscreen on cotton rag
Image size: 38 x 30cm

SalB



Brett Murray
The Struggle
2010
Wood and wood veneer
152 x 113 x 2cm

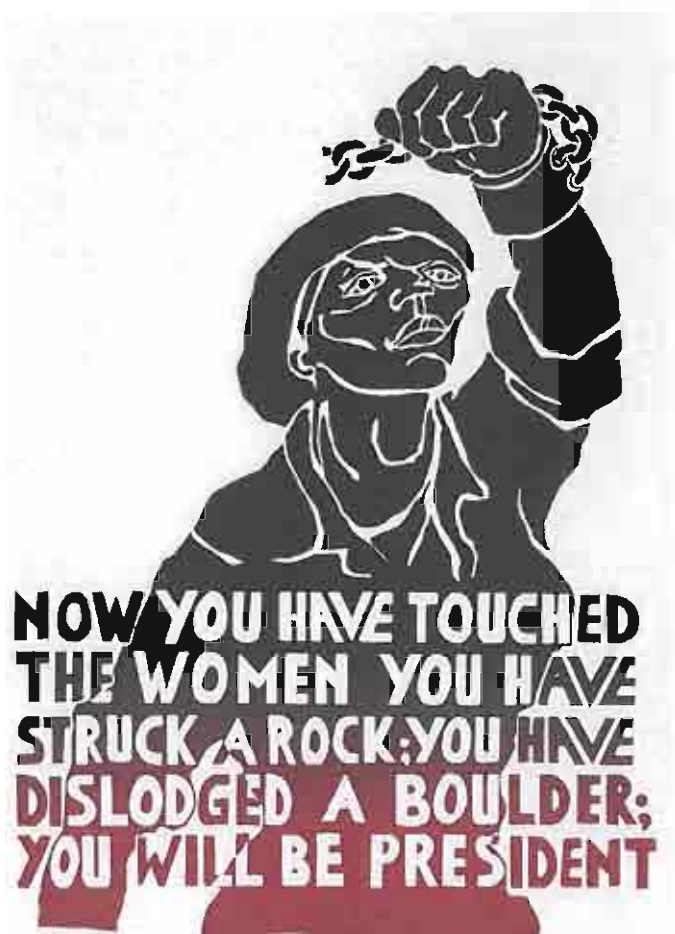


**'TELL MY PEOPLE
THAT I LOVE THEM
AND THAT THEY
MUST CONTINUE
THE STRUGGLE FOR
CHIVAS REGAL,
MERC'S AND
KICK-BACKS'**

**-Solomon Mahlangu
6 April, 1979**

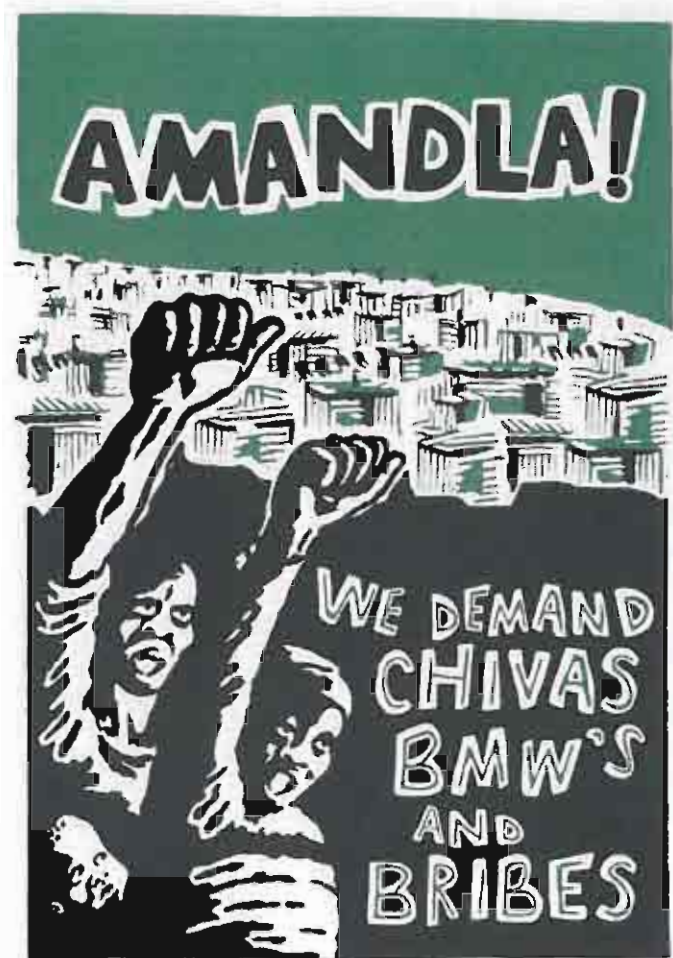
Brett Murray
The Struggle
2010
Silkscreen
100 x 70cm

SA
SdB



Brett Murray
President
2010
Silkscreen
100 x 70cm

SAJB



Brett Murray
Amandla
2010
Silkscreen
100 x 70cm

SdB



Brett Murray
Cash is King
2010
Silkscreen
100 x 70cm

AM
SdB



Brett Murray
Hail to the Thief
2010
Etching
66 x 67cm

EdB



Brett Murray
Glory
2010
Etching
43 x 43cm

AM SAB



Brett Murray
Chain of Fools (Ubuntu)
2012
Metal, gold leaf, aluminium and resin
96 x 237 x 11.5 cm

SalB



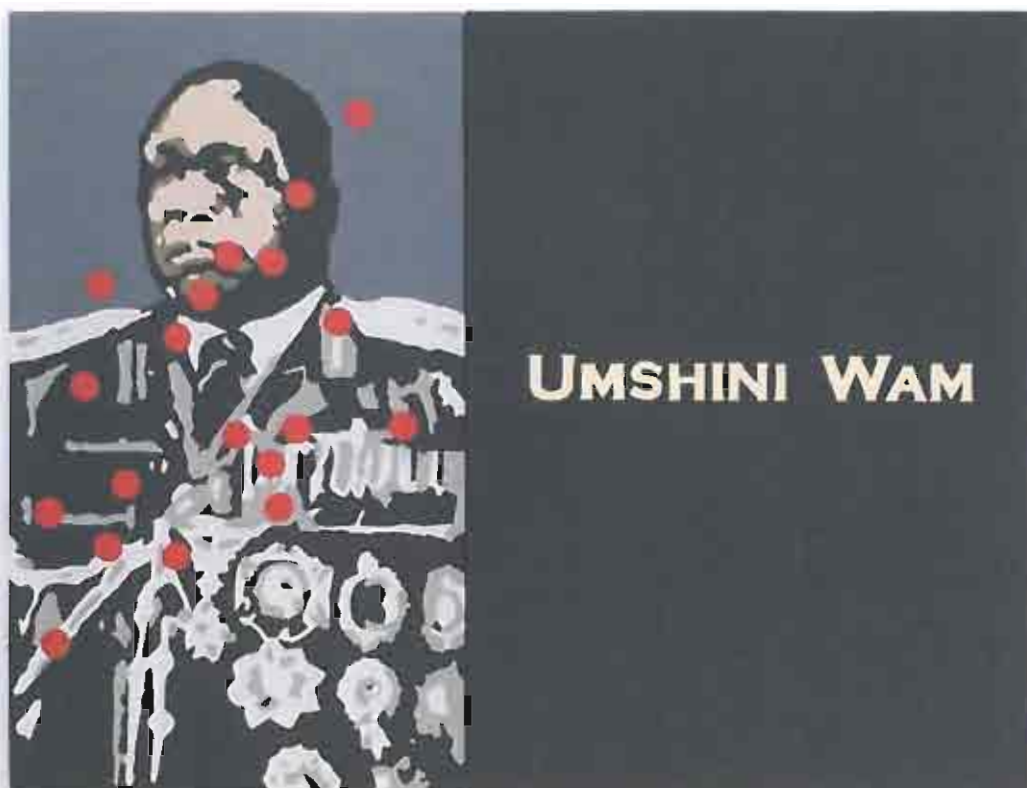
Brett Murray
One Party State
2010
Bronze
52 x 53 x 57cm

AM SdB



Brett Murray
Sold
2011
Newsprint
58 x 41cm

SB



Brett Murray
Umshini Wam (Diptych)
2010
Acrylic and gold leaf on canvas
86 x 63.5cm & 86 x 50.5cm

SAAB



Brett Murray

Mine

2012

Metal, paint, gold leaf, aluminium and resin

128 x 148 x 15cm

Seb



Brett Murray
The Spear
2011
Acrylic on canvas
185 x 140cm

Salb



Brett Murray
At the Trough
2011
Bronze
52 x 24 x 32 cm

Salb



Brett Murray
Power and Control
2011
Wood and plastic
2 elements, each 75 x 75 x 4cm

AM SdB



Brett Murray
Rot
2012
Wood and plastic
120 x 120 x 4cm

SdB



Brett Murray
Tender
2010
Plastic, wood, silver leaf
110 x 38.5cm

SAB



Brett Murray
Manifesto
2012
Metal, paint and gold leaf
249 x 154 x 6 cm

S&B



Brett Murray
The Wives: Mrs Viva-Viva
2010
Aluminium, paint, resin
45 x 29cm

SAB
A



Brett Murray
The Wives: Mrs Kickback
2010
Aluminium, paint, resin
45 x 29cm

S&B
AM



Brett Murray
The Wives: Mrs Comrade
2010
Aluminium, paint, resin
45 x 29cm

SJB
AM



Brett Murray
The Wives: Mrs Amandla
2010
Aluminium, paint, resin
45 x 29cm

SAB
AM



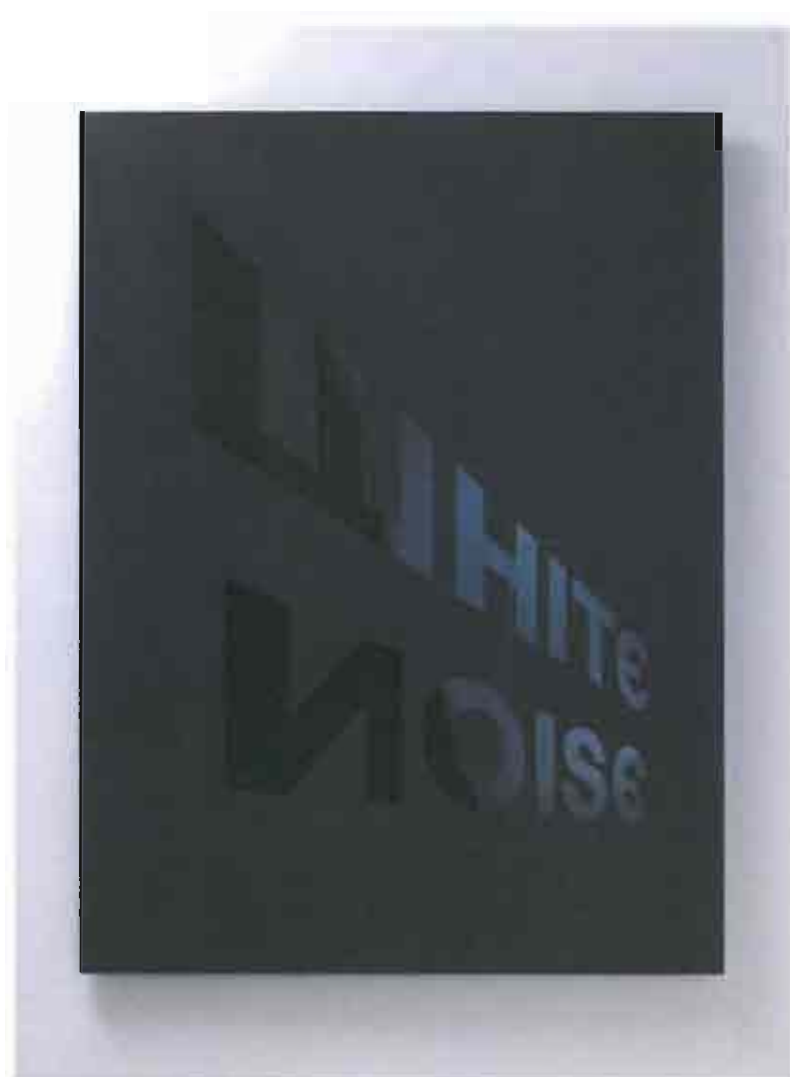
Brett Murray
Everything is Lovely
2011
Wood and plastic
283 x 183 x 5cm

SdB
of



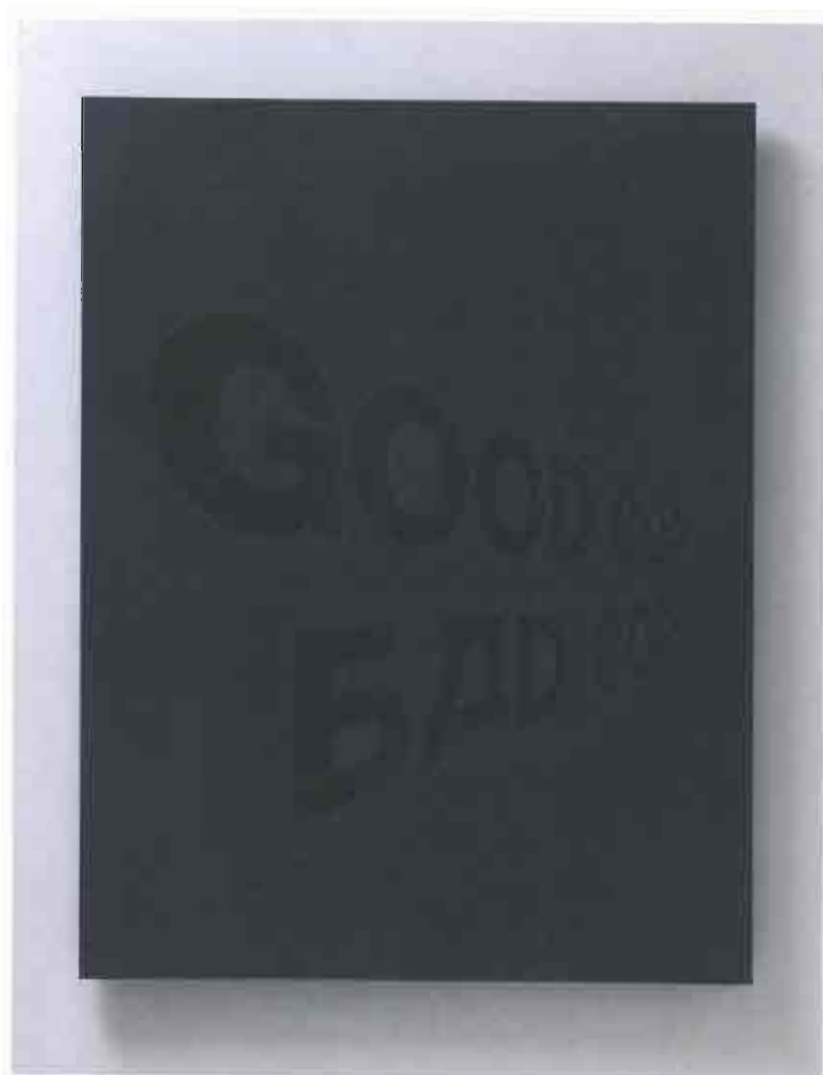
Brett Murray
The Skeptic
2012
Wood and plastic
112 x 71 x 4cm

SalB
A



Brett Murray
Liberal's Nightmare
2012
Wood and plastic
112.5 x 147.5 x 4cm

SAB
AB



Brett Murray
Cops and Robbers
2012
Wood and plastic
103 x 79 x 4cm

SAB
[Signature]



Brett Murray
Polish
2012
Wood and plastic
91 x 69 x 4cm

SAB
PA



Brett Murray
Persuasion
2011
Gold Plated Bronze and Enamel
Two units: 11.3 x 6.5 x 1.8 cm each

SLB
[Signature]



Brett Murray
As Usual
2011
Wood and plastic
120 x 90 x 5cm

SAB
SA



Brett Murray
Forward Comrades
2012
Wood and plastic
150 x 120 cm

GLB



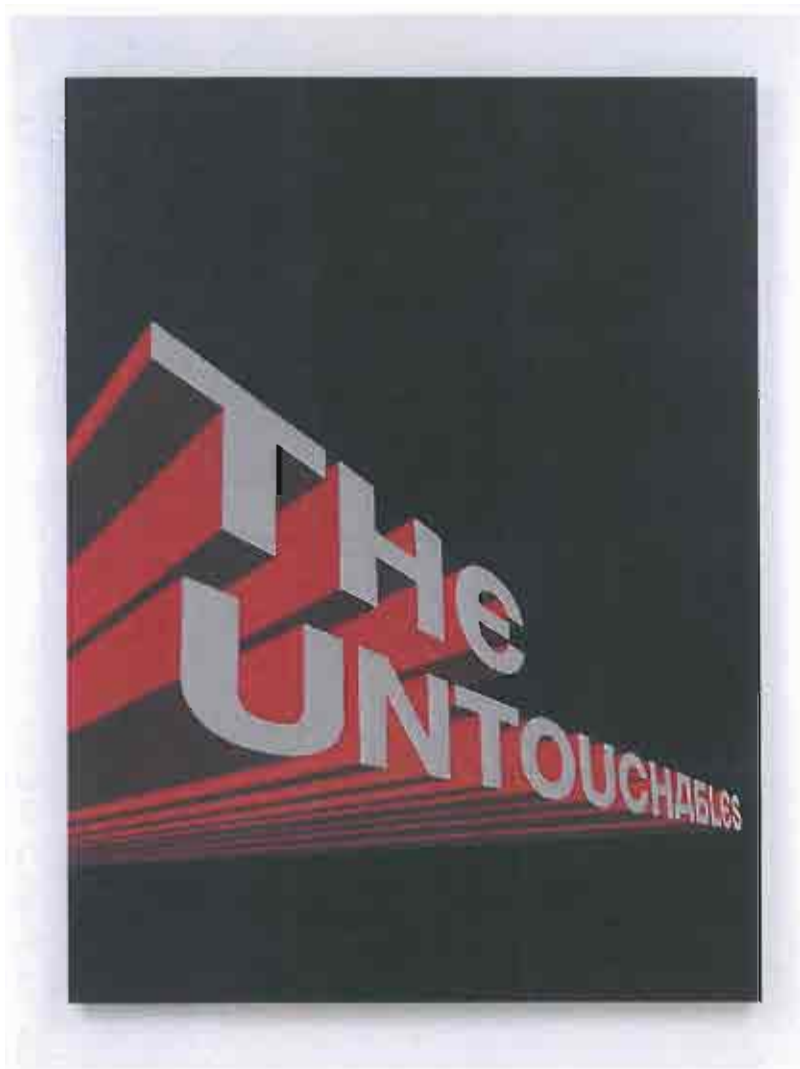
Brett Murray
As Usual
2011
Wood and plastic
120 x 90 x 5cm

SAB
JAN



Brett Murray
Little Prince
2012
Bronze
67 x 51 x 41cm

SalB



Brett Murray
The Untouchables
2011
Wood and plastic
200 x 150 x 4cm

Sold
MA



Brett Murray

Chief

2010

Metal, paint, aluminium, resin, gold leaf

122 x 118 x 8cm

SdB
AM

"LE4"

140



slb
P

"LE5"
141

URLs where uncensored image is available:

<http://www.news24.com/SouthAfrica/Politics/ANC-to-go-to-court-over-Zuma-painting-20120517>

<http://inside-politics.org/2012/05/17/the-painting-of-president-zuma/>

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<http://www.bulawayo24.com/index-id-news-sc-africa-byo-15357-article-ANC+to+go+to+court+over+Zuma+painting.html>

<http://mg.co.za/article/2012-05-19-ancwl-painting-violates-presidents-right-to-humane-treatment>

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<http://au.news.yahoo.com/entertainment/a/-/entertainment/13727262/gallery-under-fire-for-exposing-presidents-genitals/>

<https://www.google.co.za/search?q=zuma+painting&hl=en&tbm=isch&prmd=imvns&source=lnms&ei=duC4T-DIGIW0hAfXNzjCA&sa=X&oi=mode-link&ct=mode&cd=2&ved=0CA8Q-AUoAthQ&biw=1366&bih=673>

<http://www.google.co.za/imgres?start=112&hl=en&sa=X&biw=1366&bih=673&addh=36&tbm=isch&prmd=imvns&tbid=A2VEsTwJMKhKdM:&imgrefurl=http://afrikaner-genocide-archives.blogspot.com/&docid=zi3tFEFziLDr-M&imgurl=http://lh4.ggpht.com/-LU5WEcXnQ9U/T6-A96HRTYI/AAAAAABHkE/HNae4roE7uY/ZUMA%2525252520CANNOT%2525252520KEEP%2525252520HIS%2525252520FLY%2525252520ZIPPED%2525252520UP%2525252520ART%2525252520WORK%2525252520PART%2525252520OF%2525252520hail%2525252520ANC%2525252520TAUNTING%2525252520DISPLAY%2525252520B7%252525252055D.jpg%253Fimgmax%253D800&w=573&h=415&ei=meC4T4DGG06WhQfa69nkCA&zoo m=1&iact=hc&vpx=919&vpy=171&dur=2230&hovh=191&hovw=264&tx=118&ty=145&sig=11222041043417158555&page=6&tbnh=142&tbnw=196&ndsp=23&ved=1t:429,r:4,s:112,i:76>

<http://lh4.ggpht.com/-LU5WEcXnQ9U/T6-A96HRTYI/AAAAAABHkE/HNae4roE7uY/ZUMA%252520CANNOT%252520KEEP%252520HIS%252520FLY%252520ZIPPED%252520UP%252520ART%252520WORK%252520P>

SAB

[ART%252520OF%252520 hail %252520ANC%252520TAUNTING%252520DISPLAY%25255B7%25255D.jpg?imgmax=800](#)

<http://www.google.co.za/imgres?start=251&hl=en&sa=X&biw=1366&bih=673&addh=36&tbnid=isch&prmd=imvns&tbnid=Nru5Nk-tkdxQ M:&imgrefurl=http://www.therepublic.com/view/story/BRE84H0JZ/US-SAFRICA-ZUMA/&docid=YjVRbB6pgg2u M&imgurl=http://cdn1.therepublic.com/smedia/BRE84H0JZ/tumb CBRE84H11B100.jpg&w=300&h=368&ei=9OC4T9zzEomnhAe-7f3dCA&zoom=1&iact=hc&vpx=607&vpy=2&dur=1542&hovh=249&hovw=203&tx=113&ty=111&sig=112222041043417158555&page=12&tbnh=152&tbnw=124&ndsp=24&ved=1t:429,r:14,s:251,i:215>

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<http://southafrica-piq.blogspot.com/>

<http://www.google.co.za/imgres?start=113&hl=en&biw=1366&bih=673&addh=36&tbnid=isch&tbnid=HBe1B2li9H41DM:&imgrefurl=http://www.thezimbabwemail.com/world/11793-presidential-penis-portrait-riles-anc.html&docid=4MAydXu-R2PvaM&imgurl=http://www.thezimbabwemail.com/templates/xhtml/add ons/thumb.php%253Fsrc%253Dhttp://www.thezimbabwemail.com/files/zuma 866197343.jpg%2526h%253D300%2526w%253D336%2526q%253D100%2526zc%253D1&w=336&h=300&ei=oOK4T4S6AY6XhQfYppXzCA&zoom=1&iact=hc&vpx=1085&vpy=165&dur=3186&hovh=212&hovw=238&tx=183&ty=98&sig=112222041043417158555&page=6&tbnh=142&tbnw=147&ndsp=24&ved=1t:429,r:23,s:113,i:114>

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 AY6XhQfYppXzCA&zoom=1&iact=hc&vpx=1024&vpy=84&dur=1397&hovh=168&hovw=299
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 african-ruling-party-anc/](http://www.ukzambians.co.uk/home/2012/05/19/jacob-zumas-penis-portrait-angers-south-

 african-ruling-party-anc/)

<http://blog.matthewhunt.com/>

<https://twitter.com/#!/search/gareth%20cliff>

<https://twitter.com/#!/search/realtime/carien%20du%20plessis>

<https://twitter.com/#!/search/stephen%20grootes>

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 om%2Fnyfghqaj](https://twitter.com/#!/search/%23zumaspear/slideshow/photos?url=http%3A%2F%2Fyfrog.c

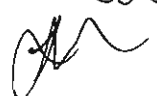
 om%2Fnyfghqaj)

[https://twitter.com/#!/search/%23zumaspear/slideshow/photos?url=http%3A%2F%2Flockerz.
 com%2Fs%2F210009907](https://twitter.com/#!/search/%23zumaspear/slideshow/photos?url=http%3A%2F%2Flockerz.

 com%2Fs%2F210009907)

[https://twitter.com/#!/search/%23zumaspear/slideshow/photos?url=http%3A%2F%2Ftwitpic.
 com%2F9md2kg](https://twitter.com/#!/search/%23zumaspear/slideshow/photos?url=http%3A%2F%2Ftwitpic.

 com%2F9md2kg)

SdB


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Jacob Zuma

Portrait of a president

May 18th 2012, 16:38 by D.G. | JOHANNESBURG

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UNLIKE Britain's queen, President Jacob Zuma does not often have his portrait painted. But a new likeness by a South African artist, Brett Murray, now showing at the Goodman Gallery in Johannesburg, has the nation agog and the ruling African National Congress (ANC) frothing at the mouth.

In truth, hardly anyone had heard about the painting until the ANC issued a statement on May 17th expressing its "outrage" over the "disgusting" depiction of its revered leader and demanding its immediate removal from the gallery and the website of the only newspaper until then to give it any coverage. The portrait, the ANC thundered, was a violation of Mr Zuma's constitutional right to dignity and therefore illegal.

This sent South Africans rushing to the internet to see what all the fuss was about. There they found a stylised picture in yellow, black and pink of a bespectacled fully-dressed man, barely recognisable as Mr Zuma save for the characteristic bump at the back of his shaven head, looking sideways in an apparent heroic Leninesque pose, but with his genitals hanging out of his unzipped trousers. The painting, entitled "The Spear", is now splashed across the pages of virtually every newspaper in the land. It has just been sold for 136,000 rand (about \$16,400).

Mr Zuma, who has four wives, two exes and 22 children by ten different women, was charged in 2005 with raping a struggle comrade's daughter, but was later acquitted. Two years ago a cartoon was published, depicting the president unbuckling his belt, about to rape a blindfolded "Lady Justice" being held down by his henchmen. Mr Zuma is suing the artist, Zapiro, South Africa's best-known political caricaturist, and the publishers of the

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About Baobab

On this blog our correspondents delve into the politics, economics and culture of the continent of Africa, from Cairo to the Cape. The blog takes its name from the baobab, a massive tree that grows throughout much of Africa. It stores water, provides food and is often called the tree of life.

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 20/05/2012
 SJB

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cartoon for 5m rand. So the legal threats now being issued by the ANC are not to be taken lightly.

The ruckus has sparked off a lively debate over the limits of artistic licence versus an individual's right to dignity in a country where the freedom of the press is being squeezed. According to the catalogue of Mr Murray's exhibition at the gallery, the artist was simply trying to expose in a humorous manner the ruling elite's greed and paucity of morals. But Mr Murray has hit a nerve in a party not given to laughter when it is being criticised, however jokingly.

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OLDIE

1 hour 32 mins ago

By the way, this would not happen to a woman politician. Do you imagine Mrs Thatcher or Hillary Clinton making a pass at a young admirer? Maybe that's why there are less women in politics, they don't have the same incentives.

Recommend 0 Report Permalink

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OLDIE

3 hours 27 mins ago

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- Tech t... nge - May 19th, 20:16

Handwritten signature: JZ

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There is apparently a serious link between a search for political power and sexual behaviour. In the animal world, only the most powerful get to reproduce. And I have myself observed a strange attraction happening to certain women towards political leaders, with an annoying consequence: they begin to believe that all women are thus attracted to them, with Drastically Serious Konsequences (DSK for short). It appears to happen in many countries, and generally it is the politician who is blamed, not the journalist or artist.

Sorry to contradict some of you, but Nelson Mandela had a vision, but he had no talent to suppress the greed of his ministers and close followers. Had he punished corruption, he would have set a useful preceding example. Now when you fight against the rich, the first thing you try is to become rich yourself. It's only human.

Recommend 0 Report Permalink

Reply

JMadi

May 20th, 07:29

I find it a little strange that the article says nothing about why this would be unacceptable in African culture. One of the many challenges that South Africa faces is that the cultural values of its people are diametrically opposed. In African culture, this sort of 'art' is taboo and to suggest that Africans should find nothing wrong with it is nothing short of racist. I know there are people who would prefer that African culture evolve towards that of the west and never once consider the reverse.

Recommend 1 Report Permalink

Reply

neogeron

May 19th, 23:42

Sometimes provoking comes disguised as art. I don't see any message, any artistry or any originality in this painting. Like the Benetton pictures this is only marketing. Twisted but marketing after all.

Recommend 1 Report Permalink

Reply

jaysonrex

May 19th, 16:36

I find it difficult to understand what this kerfuffle is all about. Zuma is nothing but a "p... k" and the painter merely reproduced this fact by revealing with some modesty the most important part of the President's anatomy. Some claim that it represents his "thinking organ", if I may say so, but then it could be an exaggeration of sorts.

At any rate, since Zuma is not Nelson Mandela, maybe he could step down (to the chagrin of his 4 wives and 22 children) and thus give the Republic of South Africa a reasonable chance to move forward rather than backward under a new Chief Executive that might bring back the dignity of Nelson Mandela and his administration.

Recommend 4 Report Permalink

Reply

Nirvana-bound

May 19th, 16:16

The Spear must have been a lion in his most recent previous life & reincarnated now, as a rampaging Caveman! I wonder what it is about those despotic, megalomaniacal (African) leaders that moulds them so? Has it got anything to do with the steamy climate, or just BAD genes??

Recommend 3 Report Permalink

Reply

DeniseIam

May 19th, 15:49

I think this is OUTRAGEOUS!!! WHY is Zuma depicted that way? He should be depicted as he IS - take away the suggestion of a European suit - something a White Western man would wear - and show him in his beloved animal skins tunic. The thing he prances around in at various ceremonies. RACIST!!!!

Recommend 0 Report Permalink

Reply

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atashi in reply to Deniselam

May 20th, 07:37

Because it's a parody of this Lenine picture:

<http://www.galerie-creation.com/victor-ivanov-lenin-lived-lenin-is-alive...>

If Murray had changed too many things, the link between the two would have been lost and the pun would fall flat.

Recommend 0 Report Permalink

Reply

jackvandijk

May 19th, 12:35

comment from my American born wife: so, he likes to fuck around

Recommend 3 Report Permalink

Reply

VM277

May 19th, 11:55

Disgusting piece of art - If it qualifies as art at all!

Recommend 2 Report Permalink

Reply

Batman1948

May 19th, 10:53

It is quite interesting how such things were dealt with in the South African courts back in the thirties . .

<http://writingrights.nu.org.za/2012/05/13/free-speech-communism-and-the-...>

Recommend 1 Report Permalink

Reply

countmeasure

May 19th, 08:36

this painting of naked Zuma has the title "The Spear; 2011", presumably in ironic reference to the name of ANC's previous guerrilla-army, "MK" (mKonto we Sizwe) being translated as "the spear of the nation".

Recommend 3 Report Permalink

Reply

6FhETktxQn

May 19th, 08:22

Paint on Brett...but should this have been a Muslim or Christian figure painted like this the Gallery would have been closed down.Human beings including all you religious freaks stop taking yourself so serious

Recommend 6 Report Permalink

Reply

robert russell

May 19th, 08:11

If only the ANC raised as much fuss over corruption, police brutality, incompetent public service etc etc...

Recommend 23 Report Permalink

Reply

Kalaharidoringboom

May 19th, 07:15

Looks like Trade Union leader, Zwelinzima Vavi.

Recommend 5 Report Permalink

Reply

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mark anthony

May 19th, 06:51

At least he has balls unlike our leaders in the UK

Recommend 6 Report Permalink

Reply

Shahid Shahid in reply to mark anthony

May 19th, 14:36

Steve Bell (Guardian) wher are you? This Painting needs company of British & some USA politicians, with balls or no balls.

Recommend 0 Report Permalink

Reply

FrHrhfed8W

May 19th, 06:27

and yet they tolerate same sex relationships without troublewhat is wrong with small brained malawians...?We cannot all subscribe to same morals as a nation...my foot,

Recommend 3 Report Permalink

Reply

ZA Observer

May 19th, 05:50

Many South Africans have thoroughly enjoyed the light relief of Brett Murray's red-yellow and black painting mimicking a pose by Vladimir Lenin In a Soviet era propaganda poster - we understand that the artist is not only saying our president is a d*ck, but telling an impolite truth about the rape of our country through policies and corruption that harm all of us.

We like Jacob Zuma as a man - warm, kind, a bit like a dirty old uncle in the family who can't keep his hands to himself - nut we've grown tired of his puppet masters in Cosatu who are hell bent on destroying our economy with failed socialist policies. The latest initiatives for "social solidarity" in South Africa, are to remove citizens private self funding of private health care and pensions, and transfer the money into the pig trough for re-distribution to the ANC elite. Cost of labour and production has soared through protectionism, with an economy held to ransom through Government administered fuel and energy prices.

Corruption Is not a slander anymore, it is considered the right of black South Africans to trample on others in the rush to the gravy train - and unfortunately, Mr Zuma empitomises this change of values since the rainbow nation vision of our founding father, Nelson Mandela.

Collectively, the painting symbolises what the majority of South Africans feel: it is time for our dirty uncle to retire from the business of governing us, and make more babies in the very generous life pension he will receive for having so few, so very well.

Recommend 19 Report Permalink

Reply

YzKxtV92z

May 19th, 00:59

The ANC Is rightfully enraged. What the painting depicts is grossly smaller

Recommend 15 Report Permalink

Reply

Garaboncias

May 18th, 22:49

Poor Zuma, he has a strap-on, it seems, where usually the real thing is. What happened Big Jacob? The real one fell off due to some exotic VD?... That's what happens when you stick it in places you should not have...

I think the picture is hilarious. I am sure the artist was not payed enough. Also, note the dominant colors: red and black... Come on, the picture is great. The artist understood the subject very well.

Recommend 12

Reply

150

[Report](#) [Permalink](#)**Reluctant Polluter** in reply to Garaboncias

May 19th, 03:53

I share your feelings, Garaboncias, but "my greatest friend is truth". And the truth is that Mr Zuma cannot catch no VD. Several years ago he revealed to his fellow countrymen how he managed to avoid AIDS: every time after having sex with a stranger he took shower!

So the hilarious picture should have depicted this useful tool for VD prevention, too. This would double it's price!

[Recommend](#) 12 [Report](#) [Permalink](#)[Reply](#)**Xuxu**

May 18th, 20:18

Zuma should be happy he was given a sizeable member by the artist! Great propaganda!

[Recommend](#) 5 [Report](#) [Permalink](#)[Reply](#)**Garaboncias** in reply to Xuxu

May 18th, 22:39

Well, he is the preeminent member of the ANC, after all...

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The Spear (painting)

From Wikipedia, the free encyclopedia

The Spear is a controversial painting by Cape Town-based South African artist, Brett Murray. It depicts South African President Jacob Zuma in a pose reminiscent of Lenin, with his genitals exposed.^[1]

Contents

- 1 Exhibition
- 2 Legal Action
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Exhibition

The Spear is currently being shown at the Goodman Gallery in Johannesburg, South Africa. The painting features as one of the pieces of artist Brett Murray's *Hail to the Thief II* exhibition. The exhibition features various pieces that are critical of South Africa's ruling party, the African National Congress, showcasing sculptures and images that point out corruption and bad governance.^[2] Murray's works in the exhibition also include modifying ANC liberation struggle posters and flyers from the Apartheid era, some displaying the text "Amandla, we demand Chivas, BMWs and bribes".

The painting has drawn particularly strong condemnation from ANC rulers and various religious groups, who found the painting 'obscene' and 'vulgar'.^[3]

President Jacob Zuma has oftentimes been the center of scandal and ridicule, due to his polygamous lifestyle of many wives and girlfriends^[4], as well as his infamous comments in 2006 when he appeared to believe that taking a shower was sufficient protection against HIV after sex with a potentially infected woman: these were comments made by Zuma during his rape trial, when he was still deputy president.^[5] His generally promiscuous lifestyle has seen him be the target of well-known cartoonist, Zapiro, who frequently depicts Zuma wearing a shower-head as ridicule for his belief in its HIV-cleaning properties.^[6]

These public perceptions of Zuma in part provided the basis for Brett Murray's painting, a point which has drawn the ire of the ruling party.

The Spear



Artist	Brett Murray
Year	2012
Type	Acrylic on canvas
Dimensions	185 cm × 140 cm (72.8 in × 55 in)
Location	Johannesburg

Legal Action

In response to the painting and the exhibition in general, the ANC has threatened to approach the courts in an urgent bid to have the exhibition censored. ANC spokesperson Jackson Mthembu said of the painting, "The African National Congress is extremely disturbed and outraged by the distasteful and indecent manner in which Brett Murray and the Goodman Gallery in Johannesburg is displaying the person of comrade President Jacob Zuma".^[7] President Zuma responded to the artwork by saying that it painted him as "a philanderer and a womanizer".^[8]

In response to the impending legal action, gallery spokesperson Lara Koseff said its lawyers had responded that it would stay until the show was over, citing censorship concerns as central to the decision to allow the exhibition to continue.^[9] The ANC Womens' League has also demanded that the exhibition be halted, and all instances of the image be removed from the internet.^{[10] [11]}

The ANC's public condemnation of the painting have unwittingly brought widespread local and international attention to the painting, where otherwise it would have remained a relatively obscure piece of work. For this reason, the action and subsequent fall-out can be considered a victim of the Streisand Effect.^[12]

See Also

- Streisand Effect
- Jacob Zuma's Rape Trial

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Ugandan And Proud

The More You Know, The More You Know That You Don't Know

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President Zuma Shouldn't Be Whining That His Genitals Are Out In The Open

18May



[\(http://mugumya.com/2012/05/18/president-zuma-shouldnt-be-whining-that-his-genitals-are-out-in-the-open/zuma-penis/\)](http://mugumya.com/2012/05/18/president-zuma-shouldnt-be-whining-that-his-genitals-are-out-in-the-open/zuma-penis/)

SPEAR OF THE NATION: Portrait of Zuma with his manhood exposed

South African President Jacob Zuma is in the news again and yes, you guessed it. It's got everything to do with sex.

An artist last week put out on display a painting of the first citizen of South Africa with his penis exposed.

Zuma's party the Africa National Congress (ANC) expressed their displeasure and demanded that the picture be taken down from the gallery and asked the media to withdraw the image, which they said was a 'distasteful and vulgar portrait of the president' from their websites.

City Press the newspaper that first published the picture refused to remove the image even when the ANC sent in lawyers. At the time of writing this blog, the newspaper and the gallery had stuck to their guns and refused to heed lawyers' orders saying that would be blatant censorship.

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City Press vowed not to take down the image unless there is a court order.

According to the South African constitution, 'freedom of expression' and that of 'artistic creativity' is protected and the artist who made the painting Brett Murray and the media outlets, which have published the image, have repeatedly referred to their constitutional privilege.

ANC spokesman Jackson Mthembu insists the painting is an outrageous 'abuse of freedom of artistic creativity'. And has promised the party will go to court to have the portrait taken down and destroyed.

The sag continues.

Well, I know that the President's private parts are no laughing matter but the constitution of a country is no laughing matter either.

As a journalist, am enjoying the saga and interested to see how it ends. As an African, I know it is not very nice to demean your elders and Jacob Zuma is an elder in South Africa and the painting portrays him in a humiliating light.

But then you have to look at the world today, the modern world. Despite modernity and South Africa is very much a modern country Jacob Zuma choses to be not a modern South African man but a traditional Zulu man in every sense.



(<http://mugumya.com/2012/05/18/president-zuma-shouldnt-be-whining-that-his-genitals-are-out-in-the-open/zuma-weds/>)

TRADITIONALIST: Zuma during a Zulu function while wedding his fourth wife

<http://mugumya.com/2012/05/18/president-zuma-shouldnt-be-whining-that-his-genitals-are-out-in-t...> 20/05/2012

SalB

And because of that he says has every right to philander as much as he wishes and do very many things than many people would find outrageous for someone who is a president. Things like dressing up in an animal skin costume that leaves most of his pot belly dangling in the open.

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He won an election hands down and despite his numerous sex scandals including the infamous 'rape and shower shame' his ratings, as president, have remained very high.

He is firmly in control of the ANC and the country and looks set to be re-elected for another term as South African President.

His standing on the continent hasn't been hurt despite his reputation as a sex pest and a prolific ladies man.

He married his fourth wife last month and ladies still love him despite all. I guess he must be looking out for the fifth.

Jacob Zuma, for all I know, is a man who has perfectly depicted himself as a true African macho man. Big, strong and masculine and not afraid to show his sexual side.

The painting of him with his penis protruding is, to me, the perfect depiction of a man who fronts and has lots of pride in his manhood and his virility even as president.

He shouldn't be complaining. The painting won't hurt him. In fact it's the groveling that will diminish his standing amongst his peers and his political base, complaining will hurt his credibility as a true Zulu macho man.

He rather should be jutting with pride that in the painting he is described as the 'spear' of the nation. Because with all honesty and all the pun that is exactly what Zuma is.

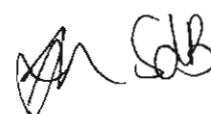
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to the crocodiles, in a democracy like ours he takes him to court

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23h

If that artist has impinged on the rights or dignity of anyone the courts will determine that. That's the beauty of democracy.

Expand



Zakes Mda @ZakesMda

23h

@Aphiwe_Ntshiza As you rightly point out the courts will determine that. That's the beauty of democracy

[View conversation](#)



Zakes Mda @ZakesMda

23h

@fanamokoena OK, now I've just seen it in City Press website. It is not to my taste aesthetically. But I would never ban any art. Or views.

[View conversation](#)



Zakes Mda @ZakesMda

23h

As a person whose work was banned by the previous oppressors I'm against censorship even for those works that are not to my taste

Expand



Zakes Mda @ZakesMda

23h

Someone directed me to City Press website for the painting. I don't like it for aesthetic reasons. But I totally agree with @feriahaffajee

Expand



Zakes Mda @ZakesMda

23h

@fanamokoena The context within which it was placed by you, not by me. I did not place my statement in any context, you did.

[View conversation](#)

UNIDENTIFIED: "During evaluation period, which Lapham's daily force, codename Dynamo; it's a desperate race to avoid being trapped in Belgium."



UNIDENTIFIED @pressfreedom
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Sky News @SkyNews 15m
G8: Obama Urges Commitment Over Eurozone Crisis bit.ly/Ky9U25



WUNK HULK @DRUNKHULK
flow

Pierre de Vos @pierredevos 17m
Censorship of art works is what happens in autocratic countries where ego of a man (always a man) trumps contestation of ideas.



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flight1D
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cool
iNiall
eal Talent
n

Phylcia Oppelt @PhylciaO 37m
Imagine if Jackson Mthembu issued a statement expressing his disgust at Limpopo MEC for Educ over kids without textbooks in May. Ja right.



it For Bad 25
ez Is Flawless

Retweeted by Pierre de Vos
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Zackie Achmat @ZackieAchmat 6h
Where they destroy paintings, burn books, silence the musician, there they will destroy people. Iran, Taliban, Inquisition #zumaspear



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City Press Online @City_Press 6h
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5018



Sub

Multimedia > South-Africa > Watch - Zuma 'Spear': hard-hitting art or disrespectful?

Zuma 'Spear': hard-hitting art or disrespectful?

More info



0:33 / 2:57

Visitors to the Goodman Gallery in Johannesburg debate Brett Murray's controversial portrait of President Jacob Zuma, 'The Spear', and the ANC's court action to have it removed.

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S Africa – ANC threatens to sue over Zuma penis painting

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Reuters Africa

By Peroshni Govender

JOHANNESBURG (Reuters) – South Africa's ruling ANC threatened to take legal action against a Johannesburg gallery for displaying art which lampoons President Jacob Zuma and accuses the party of corruption.



Visitor looks at a painting of South Africa's President Jacob Zuma at an exhibition in Johannesburg

The African National Congress wants the Goodman Gallery to remove a painting of Zuma called "The Spear", which depicts the president with his genitals exposed, and another work that has a "For Sale" sign superimposed over the party logo.

The picture of Zuma is a facsimile of a famous poster of communist revolutionary Vladimir Lenin. In the red, black and yellow drawing, the president is depicted as striking Lenin's heroic stance, except his genitals hang outside of his trousers.

The works are part of a collection called "Hail to the Thief" and are meant to question whether the century-old African National Congress has lost its moral compass.

"It's making a mockery of the highest office," ANC spokesman Jackson Mthembu told Reuters.

Mthembu said the artist was within his rights to express himself but said "The Spear" was "vulgar" and ridiculed President Zuma's stature. [Read more...](#)


Posted in [Southern Africa](#)

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Tagged [ANC threatens gallery over Zuma painting](#), [artist's provocative Zuma painting](#), [Zuma penis panting](#)

Theme: Coraline by Automattic. Blog at WordPress.com.

SAB 

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The controversial painting of President Jacob Zuma displayed at Goodman Gallery should be removed as it is an expression of "pure prejudice", the ANC Women's League (ANCWL) said on Saturday.

"It violates the integrity of the office of the president...and it violates his rights as an individual to humane and fair treatment," spokesperson Troy Martens said in a statement.

"The alliance gender structures detest in the strongest possible terms the vulgar portrayal of the country's president."

The alliance gender structures, which met on Friday to discuss several issues, comprises of the ANCWL, the Congress of SA Trade Union's gender committee and SA Communist Party Women's League.

Martens said the painting was an insult to Zuma and all South Africans who are subjected to see their president portrayed in a sexual manner.

Humiliation

The alliance gender structure demanded that the painting be removed from the gallery and the internet.

Martens said the circulation of the image had caused humiliation to all patriotic South Africans.

Regarding the upcoming policy conference, the alliance structure was planning to hold a policy workshop on May 27 and 28 in Johannesburg.

The structure's meeting also addressed criticism of Cosatu, made by ANCWL President Angie Motshekga.

"The ANCWL President indicated the comments emerged due to the sensitive issues surrounding the treatment of women in South Africa and the high rate of abuse and rape," she said.

Insults

According to a report Cosatu members said during Tuesday's Democratic Alliance protest in Johannesburg over a youth wage subsidy that they wanted to "strip Zille naked".

They called Mazibuko "the madam's sidekick".

Motshekga criticised the "sexist and racist" insults of Cosatu members and told the *Beeld* newspaper that the DA had provoked Cosatu.

"However, Cosatu should not have behaved in such a militant fashion. It would have been better for them to simply accept the memorandum," Motshekga was quoted as saying.

"What worries me more, is the sexism and racism that emerged.

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As an advocate of women's rights, this upsets me. It's unacceptable, and people should desist from this kind of thing."

Cosatu explained that the stripping of Zille was meant in a political and ideological context and not a literal one, as a result of her posturing as a champion for the rights of the poor.

Martens said the league accepted Cosatu's explanation. – Sapa

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Biloko 1 day ago
 Get the M&G in your inbox

"It violates the integrity of the office of the president", say the ANCWL. Sorry, but it seems to me that "the integrity of the office of the president" was violated years ago, when a man with 783 corruption charges against him took it over ... he has built a R65million house ... a man who flaunts his wealth and enriches his own family and friends whilst millions still live below the poverty line ... those millions he is supposed to be leading ... Sies!

Bia Perge and 15 more liked this · Like · Reply



receptions!

may violate some traditionalistic taste buds and more political ones. Not used to such 'artistic reactions' against a growing moral condemnation against behavior

created image over time- measured against

role. As tribal Zulu chief it may be acceptable, normal and even celebrated!

corruptions, contempt for honesty and hard work by politicians- below norm behavior by JZ, Strauss Kahn, Clinton do not deserve special protection when belittled-

Shaman sans Frontières and 8 more liked this · Like · Reply

manic

one anything good

janneman and 6 more liked this · Like · Reply

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The painting of Jacob Zuma is not humiliating to me, it is what he stands for, him and his 6 wives, and goodness knows how many children, that is about all that he is good for, making babies, he certainly does not know how to run a country. As a president he is useless and should never have been appointed to the post, under him this country has been raped so badly, under him corruption has flourished to such alarming proportions. No it is not embarrassing to the nation and evidently the truth hurts, it is he and the A N C with all its branches and sub organisations that have been tremendously embarrassing to us citizens of the Republic, I demand that the A N C is shut down and the ANC arm is liquidated and the money used for the toll roads, as the A N C is nothing but a school for corruption, thievery and nepotism. Nothing good can come out of the organisation. I the public have spoken.

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Press Offices

Walter Spatula 1 day ago

[Cape Office Machines first in SA to get new Xerox Managed Print Services accreditation](#)

...and [Baker Desktop Solutions](#) the internet. Some people should rather just not say anything.

[Pragma's academy offers three-year asset management advancement programme](#)

Pragma

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[African Utility Week conference will focus Africa's energy leaders on future growth, says Deloitte](#)

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[Imperial's North East Carriers goes the extra mile with "green" transport initiative](#)

Imperial Logistics

And the Zuma painting is a white woman and Linfwe her 'tea girl' that was ok? At least these two behave reasonably as public figures should.

It's art, not a portrait. Who is to agree that this is not the sort of painting you'd wish to hang in the Union Buildings foyer, it has something very pertinent to say. Everyone who is offended would do better to analyse the reason for their objections rather than "kill" the messenger.

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from illa 23 hours ago [link](#) to Mo Haarhoff

swampstuf and 6 more liked this · Like · Reply

That is exactly it. It is protest art, which is meant to evoke a strong emotional response in the viewer, leaving the viewer to interrogate that response. Protest art by its nature is never comfortable and respectful (but I think I'm preaching to the converted here. lol). Before they condemn this painting, people should take a look at some of the protest art that was created during the apartheid years.

janneman and 4 more liked this · Like · Reply

La Quebecoise 1 day ago

171



Dating

"It violates the integrity of the office of the president" - what a laugh - the fact that he is president violates the integrity of the office of the president.



romilia 1 day ago

Why is she merely flapping her yap in defence of J, as is required by her role as ANCWL spokesperson? The image is a pictorial manifestation of what many people are writing and talking about. And yes, it does offend patriotic South Africans, but not in the way she thinks. The picture itself doesn't bother me, it is quite apt and accurate in it's satirical play. What does offend me is the fact that this is basically what the world thinks of our president. It's a cruel, yetching lady. I enjoy the ambiguity and I like her. I have about 1000 pictures of her on my phone. I'm going to send you a few. Take our lumps and move on J. Kudos to you for having 5 wives (5, right?), but you have to take the good with the bad. It's called LIFE.

[Find out more about me...](#)

7 people liked this Like Reply

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romilia 1 day ago



"Cosatu... ang of Zille' was meant in a political and ideological context and not a literal one. " Oh, the Enhancing Management and Leadership. "Man, h... Awakening Potential... ty of the world about him, should turn to the creative force of art" Albert C...

"It violates the integrity of the office of the President, and it violates his rights as an individual..."

Accordi... a man is free to choose his actions, and said man is also free to suffer the consequences of his actions, the consequence is the man's own doing and naught else

And not... ANC going to do about the painting 'un-mute my tongue' by the artist Ayanda Mabulu, who also depicts President Zuma naked with his penis inserted in a crutch?



Walter Spatula 1 day ago

Shaman sans Frontières and 5 more liked this Like Reply

I don't feel at all insulted. What is this Troy Martens talking about?

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Shaman sans Frontières 23 hours ago

Flowers & Gifts

ANCWL... myself a patriotic South African and I am not in the slightest degree humiliated by this. I put my country before individual leaders and their regimes, which in the way of things come and go. I measure out my respect to my leaders according to their integrity, vision and actions

4 people liked this Like Reply

La Quebecoise 1 day ago

Contact Us
I thought you might enjoy seeing how international this sort of satire seems to be. Here is the link to a similar satire about the Canadian Prime Minister, a parody of a work by Manet.

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Bre Beige 1 day ago in reply to La Quebecoise

Shaman sans Frontières and 3 more liked this Like Reply

Thank you La Quebecoise, for putting things into perspective - the difference between how the first and third world deal with matters relating to freedom of expression

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Shaman sans Frontières and 1 more liked this Like Reply



La Quebecoise 11 hours ago in reply to Bre Beige

Actually BB, Stephen Harper, our Prime Minister, is hugely disliked, and everyone I meet asks 'who voted that guy into office?' He is dismissive of the media, never answers questions, just repeats the Party Line. BUT this time his office did something right.

When asked how the Prime Minister had reacted to the painting, his spokesperson said "'On the Sutherland painting: we're not impressed. Everyone knows the PM is a cat person,'" tweeted Harper spokesman Andrew MacDougall, referring to the canine on the canvas.

Sob

172

This just goes to prove we are not ENTIRELY losing our reputed sense of humour.
Nkosi sikelel' iKanda!

1 person liked this. Like Reply



Shaman sans Frontières 23 hours ago

Hmm We know of the infamous Stalin Organ, and now we have SA's own Lenin Organ 'The Alliance Gender Structures condemn' and so forth... what organs are these? Party organs or organs of state? Suddenly I feel put off Woollies' Organics.

3 people liked this. Like Reply



scipio africanus 1 day ago

I wondered when this shower of idiots would jump on the band wagon a bit slow children aren't we? your opinion means nothing so just shut up bugger off. I think it sums up this president. hes a p!%k

3 people liked this. Like Reply



Jan Kritzinger 1 day ago

"One does not simply remove an image from the Internet" - Boromir

janneman liked this. Like Reply



swampstuff 6 hours ago

Suck it up ANCWL (no pun intended), this is artistic license.

Like Reply



ncedisobongakena 8 hours ago

The reason we took long to be politically liberated(not economically) is because we are a nation of talkers not doers, if it was any other country the art gallery would have been long bombed by now.

Like Reply



ormywaytohelightswitch 22 hours ago

just think how the women must be attracted to this visual feast, free advertising at best
I think our sword,spear,slang of the nation must be doing his level best, to try and keep up with all his public and private demands

Like Reply



Isabella vd Westhuizen 22 hours ago

Well I am sure both the artist and the gallery will grab the publicity and run. Cynical marketing all in the cloak of artistic freedom.

Like Reply



La Quebecoise 11 hours ago in reply to Isabella vd Westhuizen

Oh Isabella, we were doing so well agreeing whatever happened, dear? I think the painting is great, as I think the one of Stephen Harper is great also.

Like Reply



Intern Africa 12 hours ago in reply to Isabella vd Westhuizen

This wealth creation is at least something created, and in all honesty costs less than the latest Nkandla upgrade... na I'm not cynical.

Like Reply



janneman 16 hours ago in reply to Isabella vd Westhuizen

There's no clause in the artistic licence that rules out cynicism. Art is free to be as cynical as the artist wishes it to be. And it can earn him as much money, fame, notoriety, opprobrium and anything else that he can gather. That's what artistic freedom involves. If Zuma, PW Botha, Mandela, Maggie Thatcher, Lenin, Obama, whoever, choose a career in public life, the price they pay for all that prestige, power and the perks is the loss of any proper privacy. Don't like it? Pull out. Become a goat farmer in Nkandla.

Like Reply



Donald Perinatal 1 day ago

Hi All

One agrees that President Zuma is not above criticism but one worries that an artist should use such a provocative image in a country battling sexual violence and prejudice. When an artist is struggling for ideas he/she goes for an easily available concept, trying to rework it to his/her benefit. This is the case with the latest contribution.

SdB

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The artist was supposed to come up with something that may question the President's multiple marriages, his rape charge etc in a more subtle way WITHOUT contributing to "a sexual message that is bound to complicate the discourse around sexual violence and abuse of women"

The administrators at the gallery have a moral duty to handle this issue without thinking about revenue but applying their minds to how this is contributing to the direction of our moral compass: will the sexual violence and abuse of women stop because we have violated the President.

Like Reply



Shaman sans Frontieres 23 hours ago [in reply to Donald Perumal](#)

Fair point, Donald - but to my mind subtlety is not going to make a difference to sexual abuse in SA. Subtlety is largely ignored or misunderstood. The unsubtle frankness of this image of Z has caused thousands of people to talk and think.

[janneman](#) and 2 more liked this Like Reply



Meho Mathuba 1 day ago

wait until its yo father portrayed with his genitals hanging then you will know why this is wrong

(Edited by a moderator)

Like Reply



Intern Africa 12 hours ago [in reply to Meho Mathuba](#)

whoa does this make it 23 children then ... ?

Like Reply



janneman 16 hours ago [in reply to Meho Mathuba](#)

If yo father chose to be a public figure to paid for generously out of public taxpayers' purses, then yo father is fair game for the public to lampoon, mock and ridicule him. It goes with the position. But if yo father is just an ordinary private citizen, he's simply not going to attract that sort of attention anyway. Public life = public attention. That's the price you pay.

Like Reply

Reactions



maniespoelstra 5 hours ago

From [Twitter](#)

ANCWL: Artwork violates Zuma's right to humane treatment - Mail & Guardian Online <http://t.co/NZc2Xn30> via @mailandguardian



DominiqueJBuck 22 hours ago

From [Twitter](#)

RT @mailandguardian: ANCWL: Artwork violates Zuma's right to humane treatment <http://t.co/7HPRBYJ> Oh SA.



AkanyangM 22 hours ago

From [Twitter](#)

Top story: ANCWL: Artwork violates Zuma's right to humane treatment - Mail & Guardian O... <http://t.co/dGWP20QD>, see more <http://t.co/dKebDbWB>



Tsogarocks 23 hours ago

From [Twitter](#)

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larswildhagen 23 hours ago

From [Twitter](#)RT @mailandguardian: ANCWL: Artwork violates Zuma's right to humane treatment <http://t.co/TGyUZlp1>

EricJWest 23 hours ago

From [Twitter](#)One more retweet from [Bismack](#)RT @BruceRelates: ANCWL calls for humane treatment over Zuma artwork: <http://t.co/xkjqd1Z> And is rampant corruption not inhumane?

BrandonHamber 1 day ago

From [Twitter](#)ANCWL: Artwork violates Zuma's right to humane treatment <http://t.co/27rtC9qz> #ZA

NewsInSA 1 day ago

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NewsNook 1 day ago

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Solb

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SOAPBOX

Author: Lucien Pierce* | 16 May 2012 09:29

The ANC, President Zuma and the Spear: Will the courts be their shield?

Lucien Pierce argues the painting does not contravene the limitations of the right to freedom of expression.

In 1999, Rudolph Giuliani tried to stop the Brooklyn Museum from exhibiting what he regarded as distasteful and vulgar paintings. He took a lot of flak for this ill-fated exercise and backed off in the face of widespread protest. Giuliani's intimidation tactics even included threatening to withdraw the Brooklyn Museum's funding and terminate its lease. Funding was in fact withdrawn, but a US court quickly ordered the funding to be reinstated.

Although the African National Congress' ("ANC") contemplated court action aimed at remedying the *"distasteful and indecent manner in which Brett Murray and the Goodman Gallery in Johannesburg is displaying the person of Comrade President Jacob Zuma"*, may not be as extreme as Giuliani's approach, it is also doomed to fail. There are a number of reasons for this, which any lawyer worth his or her salt would be able to point out.

Gallery won't remove Zuma painting.

Firstly, the South African Constitution protects freedom of expression. Brett Murray's painting – *The Spear* – expresses views which, subject to certain limitations, he is in terms of South African law perfectly entitled to express. Section 16(1) of the Constitution states that *"Everyone has the right to freedom of expression, which includes freedom of artistic creativity."* Having seen the painting, it certainly does not seem to contravene any of the limitations which: prohibit propaganda for war, incitement of imminent violence or advocacy of hatred. It would seem then that, from a constitutional law perspective, the Goodman Gallery and Mr Murray are on solid ground.



ANC's view on the spear painting

Secondly, the ANC argues that *"the image and the dignity of our President as both President of the ANC, President of the Republic and as a human being has been denied by this so-called piece of art this distasteful depiction of the President has violated his individual right to dignity as contained in the constitution of our country."* What the ANC and the President may have forgotten, is the fact that when it comes to reputation and dignity, public figures are generally expected to have a thicker skin than, to quote the ANC's spokesman *"a simple human being"*. It comes with the territory and public figures such as the President simply have to learn to shrug off what they may perceive to be attacks, but which in reality are protected by the Constitution.

Lastly, the Goodman Gallery is a private enterprise conducting business on its own premises. It is likely that the painting is displayed within the building on the premises and is available for viewing only to patrons who choose to visit the Gallery. As far as the writer of this article is aware, none of the patrons who have visited the Gallery have complained about the painting. In essence, if the painting offends the President or anyone associated with him, surely they should simply avoid visiting the

A visitor to the Goodman Gallery in Johannesburg looks at a picture by Brett Murray depicting President Jacob Zuma exposing his private parts, 17 May 2012. The ANC says it will go to court to force the gallery to remove the picture because it "violates the President's dignity". Picture: Michel Bega

Gallery or avoid the section where the painting is on display.

It will certainly be interesting to see what innovative arguments the ANC's end the President's lawyers will raise to try to convince the Court to be their shield. The ANC and the President should take a leaf out of Mr Giuliani's book and avoid the embarrassment of having the courts sending them packing.

SdB

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Oh Boy

Gravy slurping cadres are obsessed with dignity. They work it into every aspect of their lives as if they are some sort of deity worthy of worship. Strangely their dignity is never compromised when they dress like palookas or flap around on the dance floor like beached barbel or sing puerile songs out of key. Of course their skin is as thick as a rhino when it comes to brushing off allegations of corruption, mismanagement, sexual impropriety - they dismiss all those allegations "with contempt!" but whoa belide anyone who pokes fun at the little darlings. Its only a small step to the King Mswati or Emperor Bokassa model where we the tax payers have to bow down and grovel at our great leaders feet. When can we expect a print run of this fine painting and perhaps a T-Shirt run?

2 days ago 21 Likes

Like Reply



Kassiesv

Am no fan of Jacob and his morality or lack thereof. But my inner voice and conscience knows this form of 'art' to be wrong. It is as crass as the man depicted and voids both the artist as well as the men depicted in his art. Titillating at best - but not art. It sells itself to our baser qualities knowing our repugnance for Zuma will allow it to pass for art. Unarguably a piece of work for the less intelligent amongst the bigots.

2 days ago 18 Likes

Like Reply



SAMizdat

So if somebody - say Haiybo.com - writes a satirical piece about showers, polygamy etc, it should also not be publicized because it offends your subjective judgment as to what constitutes good taste? Unarguably you are in favour of the same school of thinking that led the Nazis to burn books.

1 day ago in reply to Kassiesv 9 Likes

Like Reply



Kassiesv

The Nazis did not burn books under the guise of art! It was a willful act to propagate an agenda. Nonetheless I see your point but in so doing it begs the question of a disguised agenda on this 'artist's' part. Good taste cannot exist in the absence of discretion.

1 day ago in reply to SAMizdat 3 Likes

Like Reply



...

.....good taste in matters of public decency are decided in the courts...artists, galleries and the media alone do not get to decide...the courts do...

1 day ago in reply to SAMizdat 1 Like

Like Reply



Vickyo

How did the artist know what Zuma's private parts look like?

1 day ago in reply to Kassiesv 1 Like

Like Reply



free investment advice

The painting hits a raw nerve as it draws attention to the fact that Zuma cheats on his wives, endangering their health in the process...and why would he treat his citizens better than he treats his wives?

2 days ago 16 Likes

Like Reply



...

178

...no it does not...it draws attention that its a cheap publicity stunt designed as a political ploy to smear and ridicule...the full affects of the law must be brought to bear on this matter so that artist, gallery and media understand the price they need to pay for their actions...inclusive of reputation, distress, political and financial harm endured by the victim. Justice will prevail!

2 days ago in reply to free investment advice 5 Likes

Like Reply



LOOKATTHEKING

@... What have you been smokin? Tripe man!

2 days ago in reply to ... 9 Likes

Like Reply



...

..I don't smoke anything...any person with morals understands this "artistic free expression" claim is crap...let the courts do their job, I hope they get all sued including media such as Moneyweb who reprinted the photos without censure, which in my mind means they approve...after all Moneyweb has no problems censoring words such as bullshit, cockup, etc...now get back to your druggie friends and whatever it is that you are smoking...

1 day ago in reply to LOOKATTHEKING 1 Like

Like Reply



Thabo

Three Oors. You are right on that score!

1 day ago in reply to ...

Like Reply



Paining

I believe that persons that cannot respect the dignity of another have no dignity for themselves. As much as i dislike and disagree with Zuma and any other person (including Hitler, Amin, Gadaffi, Mugabe, etc.) I would not condone disgusting actions such as this painting under the guise of art.

1 day ago in reply to free investment advice 4 Likes

Like Reply



SAMizdat

The loss of dignity in this case was caused by Zuma's own actions - his sexual indiscretions and multiple wives - and not by a painting. The painting just made fun of an already embarrassing situation.

Now if Zuma was a model of propriety, if he had one wife and never strayed, and somebody had painted such a picture of him, he would have had my sympathy and a real case against the artist, but once again, his own actions were the cause of this situation.

1 day ago in reply to Paining 13 Likes

Like Reply



guest

If your core principle is to respect the dignity of Hitler, Zume, & everybody else; then you shouldn't be judging the actions of Brett Murray either.

You're a contradiction.

1 day ago in reply to Paining 7 Likes

Like Reply



...

...obscenity laws also apply, as do libel, slander, right to privacy, dignity, etc...constitution protects those as well...constitution promotes responsible free speech not irresponsible speech... Brett Murray gained the publicity he sought, he now needs needs to be held responsible for the outcome of his actions by impugning the dignity of a living person and head of state... is Brett Murray, the Gallery and the media above the law?...Let the courts decide...

1 day ago in reply to guest

Like Reply



SAMizdat

Claims of libel and slander are only valid if:

SdB

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a.) The libel and slanderous statements are not true
or
b.) It is not in the public interest to know of the allegations.
or both.

Clearly, it is in the public interest to know what Zuma's moral values are, and secondly Zuma's sexual behaviour is public knowledge.

Such a claim would be laughed out of court, as it were.

1 day ago in reply to ... 9 Likes

Like Reply



...

...the courts are the best one to decide that...Zuma will have the last laugh on this one...

1 day ago in reply to SAMizdat

Like Reply



Thabo

Three Dots... We will see!!

1 day ago in reply to ... 1 Like

Like Reply



...

..we shall...he also will get a lot of sympathy votes for what he had to endure in the media...and hopefully a lot of cash from the artist, gallery and media...

1 day ago in reply to Thabo

Like Reply



Thabo

Really! Three Dots.... What dignity???

1 day ago in reply to ... 3 Likes

Like Reply



MunificentGeneralissimoBC

A lesson to the ANC - no position in the world can give you dignity if you don't have any!!

2 days ago 16 Likes

Like Reply



MunificentGeneralissimoBC

An absolutely failed role model - with 21 children and counting this is probably the best depiction of the man that I have seen yet.

2 days ago 12 Likes

Like Reply



Jonty123

I wouldn't have it hanging (the painting I mean) in my house, but it certainly depicts the dominating influence in our oh-so-jolly but hopelessly inept President's life.

1 day ago 9 Likes

Like Reply



Anti_Trust

So the ANC want to defend what people are saying and what is being brought cast around the world. Is the ANC just plain stupid or do they see it the same way that the country is there to be screwed. With them wanting to defend speaks volumes about what is happening inside the ANC. Shame on you that you can't see beyond the obvious. Mind you woe is me, they could not even see R27billion in municipal money being wasted in the mutual admiration club of how good we are at not doing our job and give our supporters delivery of services. Instead they do the same as the president, screw their own supporters. Truly amazing that you want to defend that in court... When the ANC loses control one day. Which they will because it can't last. Any 8th grader will be able to tell them that. The ANC will wonder what happened. Suppose ignorance is bliss. Or put differently you reap what you so. So be it.

1 day ago 7 Likes

Like Reply

SAB

180



Info

While I personally find a bit of a cheap shot and vulgar - it is important to point out to ANC the old adage:

Respect is earned, not inherited

Why artists are not ridiculing Mandela? Because he has earned our respect with his actions. QED.

2 days ago 8 Likes

Like Reply



AI

"distasteful and indecent" I think its appropriate for Zuma. Lets face it, he cant keep it in his pants and does not pretend to be otherwise. On another level, he an his party are certainly raping the country. I personally find him distasteful but concede thats a personal thing.

To make my point through comparisons....

I found Mbeki reprehensible on many matters including criminally misguided and Macchiavellian, but never distasteful and indecent; such a painting would be inappropriate for him as it would be for most other politicians in the limelight. But such a painting would be equally appropriate for Italy's Silvio Berlusconi end, from all accounts, also for France's Dominique Strauss Kahn. And how far did Zuma proceed with his similar action against Zapiro who, in his many many cartoons, showed Zuma raping Lady Justice etc? I dont recall Zapiro having to apologise, retract cartoons, pay damages.

2 days ago 8 Likes

Like Reply



Oh Boy

On closer inspection (uuuurgh) I think readers may be misinterpreting the picture. I'm not sure that the artist meant to depict the presidential bell-end. I see a Wyatt Earp type figure swinging open his frock coat to reveal his holstered gun. His mouth seems to be slightly open suggesting he is singing (perhaps something about getting his gun out). Anyway that's my take on it and I should know - I have 3 Trelchikotts in my guest toilet.

1 day ago 5 Likes

Like Reply



Thabo

Oh Boy, you shure hit the nail on the head. The artist obviously got the name of the painting wrong. Instead of "The Spear", he should have called it "Umshini wami".

1 day ago In reply to Oh Boy 3 Likes

Like Reply



gumpy51

Aah, so you want to impose your narrow judgement here. I guess you would be very comfortable with the old apartheid Censorship laws.

Unfortunately we're are in a more informed society now the constitution will be tested and people will become more enlightened and South Africa will be a little richer for it.

1 day ago 4 Likes

Like Reply



Believer77

To be honest, I do think that it is in bad taste. I am no fan of the man but this is uncalled for. I just wonder if the real insult or compliment is not to be found in the SIZE of the thing???

1 day ago 3 Likes

Like Reply



Rietrot

It sure is a pity that it even has to go to court, the "artist" is a fool. I am no fan of JZ, but the "painting" is in bad taste, and an absolute disgrace. Maybe he should go the Drakensberg and find new inspiration

2 days ago 3 Likes

Like Reply



Jaysonrex

SAB

181

What is this kerfuffle all about? Zuma is nothing but a "prick" and the painter merely reproduced the most important part of the President's anatomy. Actually, it is his "thinking organ", if I may say so.

19 hours ago 1 Like

Like Reply



appietrader

With so many wives and children comes to mind, "when they lie, they breed"

2 days ago 3 Likes

Like Reply



v_3

I take it the Courts will take note of the ANC's and Jacob Zuma's silence and lack of shock, disgust, etc or censure when an ANC leader made unwarranted sexual innuendos about Helen Zille and her cabinet.

Or, in ANC eyes, does one's Image, dignity and reputation not count for their opponents?
A bit like Cosatu wanting the freedom to march but denying it to their critics.

If Jacob Zuma had learnt to keep his penis in his pants, the picture could not work.

21 hours ago 1 Like

Like Reply



Joe

Great art as it is making us all ask questions, certainly does not look like Zuma to me, if the ANC want to say it is that is telling.

1 day ago 2 Likes

Like Reply



donedeal7

Zuma might be a fool who is not worthy of a title of President of the Republic of South Africa but this piece of garbage disguised as art has gone beyond everything stupid that may have been done by Zuma to date. In my book Brett Murray is standing below Jacob Zuma in the wisdom stakes. He has done nothing for the rebuilding of this country to ensure reconciliation and racial harmony. In fact, all he did was to add to the tension that is building up as may be evidenced by various racist comments in the social media.

2 days ago 2 Likes

Like Reply



Sehlorabrokers

To the commentators, what if it was your mother, father, family or maybe Jesus, Allah, Mother Mary?
It appears as if the "Do not know where to draw the line illness" brigade are not able to determine what is in good standing as far as morals are concerned.

I assume that The President did not stand for this painting, would like to know what inspired him to do this tasteless and disrespectful piece of dung. One would always like to think that it is the position that must first of all be respected and not necessarily the incumbent. That has to be earned.

2 days ago 2 Likes

Like Reply



SAMizdat

Very poor argument. Even the courts acknowledge that public figures like the president are subject to more intense scrutiny than somebody's mother would be. Furthermore, the truth and public interest are a defence against claims of slander. It was true that Bill Clinton committed sexual acts with Monica Lewinsky, and it was in the public interest to know that their president was less than honourable.

1 day ago in reply to Sehlorabrokers 7 Likes

Like Reply



...

...and did any artist or media publish such vulgar images of Clinton and Monica? Or they had better taste and better laws that make artists, galleries and media think twice?...

1 day ago in reply to SAMizdat

Like Reply



Rietrot

Images or art, possibly that we do not know of. But I distinctly remember Jeff Dunham saying the Washington monument looks nothing like George Washington, but more like a "tribute to Bill Clinton".

SdB

182

This "painting" is rubbish, but people use public figures in a derogatory way in many "artforms", often to vent their frustration and anger.

1 day ago in reply to ...

Like Reply



...sure... but the courts must rule on what is publicly acceptable...this "art" clearly has crossed the line of contemporary public decency...if a cross-burning is organized in Soweto next week or an effigy of the artist burned at the stake would that be counted as artistic freedom of expression? or just plain stupidity of acts intended to provoke and incite people to perform criminal acts? ...

1 day ago in reply to Rietrot

Like Reply



Rietrot

The difference is, and that is what the author has set out. This is in a private gallery. The fact that the media has written about it has made it public and is probably a result of JZ being a public figure, more than anything else. I want to reiterate, personally I think it is disgusting, but whoever reacts is fuelling the fire. The article states that the ANC might lose a court case, which it might (I am no legal expert), while if they simply ignore it the flames will burn out and it will be forgotten in a week at best.

Reaction is what people like this Murray chap wants, don't give it him and you will come out tops, time and again.

Besides, going to court over such drivel is a waste of money...

1 day ago in reply to ...

Like Reply



...Zuma might also win a court case...depends on intent of the "art" and the "public interest" that the gallery and media would pursue...I can see how a law firm can state a view on the outcome, but courts are not as clear cut as that. Zuma will get a lot of sympathy votes from this portrayal...artists, galleries and the media are not Zuma's voting constituency...and you need to ask what the people in rural and township areas think of this (will not be found online)...

1 day ago in reply to Rietrot

Like Reply



Mampe

I think Murray is going to make the president even more popular by this conduct. Remember his support base does not care who he sleeps with....more effluents will result in more defense and sympathy by the masses. Zuma must just marry Murray as his last Gay wife, he seems to like the size of the thing.

22 hours ago in reply to ...

Like Reply



Kristi

seems to reflect his behaviour

1 day ago 1 Like

Like Reply



gumpy51

As a country with one of the most informed constitutions in the world, this art piece provides an opportunity for us all, to see if we are big enough to live up to the freedoms it provides.

1 day ago 1 Like

Like Reply



...

SAB

183

...obscenity laws also apply, as do libel, slander, right to privacy, dignity, etc...constitution protects those as well...constitution promotes responsible free speech not irresponsible speech...

1 day ago in reply to pumpy51

Like Reply



...

...freedom of expression does not grant one the automatic right to ridicule a person...I understand the shock value of art, but this piece provides the same shock value that Goebbels managed as part of his propaganda campaign for Nazi Germany....perhaps those responsible for the public display and publication are the new Reichskulturkammer who decide what is, and what is not, publicly acceptable...It is in very bad taste and for all of Bill Clinton's problems and escapades of a sexual nature not one US newspaper or online publication stooped so low to depict or publish such a derogatory image.

What is next for artists, galleries and the gutter press in South Africa? Depictions of the Holocaust as a step forward in medical understanding?

Zuma in his private capacity must sue the socks off all concerned as money is the only language that the artists, galleries and the gutter press in South Africa understand. This is an affront to his dignity and the public mores of South Africa when such crude, vulgar and inappropriate political expressions are promoted under the pretense of artistic "free speech"...responsible free speech is allowed in South Africa...if this kind of garbage is allowed to continue pedophiles will be allowed to send text messages to children under the guise of artists expression allowed under their right to free speech... its wrong...remove it and publish an apology.

2 days ago 1 Like

Like Reply



MunificentGeneralissimoBC

Would you defend ex president PW Botha if such a portrait was displayed of him? I don't think so. I rest my case.

2 days ago in reply to ... 1 Like

Like Reply



...

...you don't have much of a case...and the answer is yes I would have complained then...would the artist have produced such a painting during the PW era and would you have defended him? I think not....

1 day ago in reply to MunificentGeneralissimoBC

Like Reply



Thabo

Three Dots.... Again I ask What Dignity?

1 day ago in reply to ...

Like Reply



Johan

Brilliant article!

2 days ago 1 Like

Like Reply



Happy Camper

Fact is, the artist expressed what he thinks. That is what he is supposed to do, unlike the rest of us that just think it. Zuma brought this on himself. If you end up in courts to defend corruption and rape charges and you continue to marry woman young enough to be your grandchildren what do you expect ? Dignity, trust, respect ? I think not.

4 hours ago

Like Reply



Joe

What is new,

Michael Angelo has had it on display for 500 years, at any rate so many females have had a sight of this depicted tool box that it is nothing new for them.

1 day ago

Like Reply



Rickyborain


Cmon.....get real!!.....EVER HEARD OF PICASSO!

1 day ago

Like Reply


SAB

184


Trick


Tolerance people! Tolerance!
 As a country with one of the most informed constitutions in the world,
 we should all be able to accept this as art.
 Or is the constitution too challenging for us?

1 day ago Like Reply


 ...


...obscenity laws also apply, as do libel, slander, right to privacy, dignity, etc...constitution protects those
 as well...constitution promotes responsible free speech not irresponsible speech...

1 day ago in reply to Trick Like Reply


gumpy51


And your point is?

1 day ago in reply to ... Like Reply


 ...


...the point is those who live by the sword die by the sword...

1 day ago in reply to gumpy51 Like Reply


MunificentGeneralissimoBC


... and those will live by the spear die by the spear ...

1 day ago in reply to ... Like Reply


gumpy51


In what way can this comment possibly relate to the issues as highlighted in the
 Lucien Pierce editorial ?

1 day ago in reply to .. Like Reply


 ...


...its not solely art...its a political smear for cheap publicity...and a
 flagrant abuse of a mans dignity...

1 day ago in reply to gumpy51 Like Reply


George


what do you think of the rest of the exhibition? Maybe that will
 shed some light on whether its just the member that you find
 objectionable or just any artistic criticism of the klapocracy

1 day ago in reply to ... 3 Likes Like Reply


 ...


..I only see this piece online...

1 day ago in reply to George Like Reply


Thabo

Dignity????

1 day ago in reply to ... Like Reply


 ...

SAB

185

...yes dignity...how about we do an artistic portrayal of your lackle in use with a girlfriend and then post it online so your wife can see? Do you not feel your dignity and privacy has been impugned by such a portrayal?...how would you feel?

1 day ago in reply to Thabo Like Reply



Jonty123

Zuma has a long record of disgracefully undignified conduct, so to rally to his defence on the basis that his "dignity" has been impugned is laughable. The man doesn't have any, so he unlikely to be offended.

1 day ago in reply to . . . Like Reply
2 Likes



...

..courts will decide that, not you...

1 day ago Like Reply
in reply to Jonty123

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'Zuma's jewels' portrait defamatory, says ANC

18 May 2012

City Press

THE ANC has instructed its lawyers to go to court to force the Goodman Gallery in Johannesburg and City Press to remove satirical artist Brett Murray's portrait of President Jacob Zuma.

In a statement released today, the ANC said it had instructed its lawyers to approach the courts to compel Murray and the gallery to remove the portrait from display and destroy all printed promotional material.

City Press reported on Sunday that the 1,85-metre-high piece was priced at R136 000.

The ANC has instructed its lawyers to ask the newspaper to remove the portrait from its website.

City Press executive editor Fikile-Ntsikelelo Moya said the newspaper would not be removing the portrait because of the ANC's demands.

"We will respond to court papers when served; the courts will make a decision and we'll abide by the court ruling," Moya said.

The ANC also wants the gallery to remove the work from its website.

The ANC said the portrait, titled *The Spear*, defamed its president.

"This disgusting and unfortunate display of the president was brought to our attention by one of the media houses and we have physically confirmed this insulting depiction of the president," reads the statement.

The ANC said it was disturbed and outraged by the distasteful and indecent manner in which Murray and the Goodman Gallery were displaying the person of Zuma.

"It is in our view and we remain steadfast in that the image and the dignity of our president as both president of the ANC, President of the Republic and as a human being has been dented by this so-called piece of art," the ANC said.

"The same gallery has displayed the logo of the ANC without the permission, with the inscription 'For sale' on it."

The party said both portraits were clearly calculated to denigrate the symbols and representative of the ANC and its president.

"The vulgar portrait and the dismembering of the ANC logo by Murray is an abuse of freedom of artistic expression and an acute violation of our Constitution, apart from being defamatory," the party said.

It added that it believed in both freedom of the press and artistic expression.



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Presidential penis portrait riles S.Africa's ANC

Peroshni Govender Reuters

First Posted: May 18, 2012 - 9:16 am

Last Updated: May 18, 2012 - 9:16 am

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JOHANNESBURG (Reuters) - South Africa's ruling ANC threatened to take legal action against a Johannesburg gallery for displaying art which lampoons President Jacob Zuma and accuses the party of corruption.

The African National Congress wants the Goodman Gallery to remove a painting of Zuma called "The Spear", which depicts the president with his genitals exposed, and another work that has a "For Sale" sign superimposed over the party logo.

The picture of Zuma is a facsimile of a famous poster of communist revolutionary Vladimir Lenin. In the red, black and yellow drawing, the president is depicted as striking Lenin's heroic stance, except his genitals hang outside of his trousers.

The works are part of a collection called "Hail to the Thief" and are meant to question whether the century-old African National Congress has lost its moral compass.

"It's making a mockery of the highest office," ANC spokesman Jackson Mthembu told Reuters.

Mthembu said the artist was within his rights to express himself but said "The Spear" was "vulgar" and ridiculed President Zuma's stature.



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The collection takes a provocative look at ANC heroes and highlights public perception that there is growing corruption in government, with officials abusing positions to amass wealth.

Other works include a Soviet-style poster reading: "The Kleptocrats" and "We demand Chivas, BMW's and Bribes".



The images play to concerns raised by international investors and the ANC's governing partner, labor federation COSATU, which has said South Africa is becoming a "predator state" for sale to the highest bidder.

"We are not going to remove the images for the sake of defending the artist's right to freedom of expression and for the sake of upholding the gallery's reputation," said Lara Koseff who works at the gallery.

Since coming into office in 2009, Zuma has been widely regarded as unimpressive on the policy front, while making headlines with his colorful personal life.

The president has been married six times and fathered 21 children. He faces a race for re-election as the party leader at the end of this year.

The Spear by well-known anti-apartheid artist Brett Murray has already been sold for R136,000 (\$16,300) to a German citizen.

Anton Harber, chairman of the Freedom of Expression Institute called the ANC's demands "silly".

"I can see that some of the images may make people feel uncomfortable but art is not there to make people feel comfortable," Harber said.

"It is meant to get us thinking and talking about pertinent issues of corruption, nepotism... these are serious things."

(\$1 = 8.3457 South African rand)

(Editing by Jon Herskovitz and Paul Casciato)

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Presidential penis portrait riles South Africa's ANC

Reuters, JOHANNESBURG



A visitor photographs a painting of South African President Jacob Zuma at an exhibition in Johannesburg, South Africa, on Friday.
Photo: Reuters

South Africa's ruling African national Congress (ANC) threatened to take legal action against a Johannesburg gallery for displaying art which lampoons South African President Jacob Zuma and accuses the party of corruption.

The ANC wants the Goodman Gallery to remove a painting of Zuma called *The Spear*, which depicts the president with his genitals exposed and another work that has a *For Sale* sign superimposed over the party logo.

The picture of Zuma is a facsimile of a famous poster of Russian communist revolutionary Vladimir Lenin. In the red, black and yellow drawing, the president is depicted as striking Lenin's heroic stance, except his genitals hang outside of his trousers.

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"It is making a mockery of the highest office," ANC spokesman Jackson Mthembu said.

Mthembu said the artist was within his rights to express himself, but said *The Spear* was "vulgar" and ridiculed Zuma's stature.

The collection takes a provocative look at ANC heroes and highlights public perception that there is growing corruption in government, with officials abusing positions to amass wealth.

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The images play to concerns raised by international investors and the ANC's governing partner, labor federation COSATU, which has said South Africa is becoming a "predator state" for sale to the highest bidder.

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"We are not going to remove the images for the sake of defending the artist's right to freedom of expression and for the sake of upholding the gallery's reputation," said Lara Koseff, who works at the gallery.

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"I can see that some of the images may make people feel uncomfortable, but art is not there to make people feel comfortable," Harber said. "It is meant to get us thinking and talking about pertinent issues of corruption, nepotism ... these are serious things."

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SJB



The dispute brings to mind several incidents in South Africa's recent past that reveal a culture of conflicting values with regard to civil rights and freedom of expression. In 2010, when he was due to speak at an exhibition at Constitution Hill, a heritage site where political prisoners were held during apartheid, Arts and Culture Minister **Lulama "Lulu" Xingwana** walked away in disgust when he saw that several photographs on display depicted nude lesbian couples in intimate embraces. "It was immoral, offensive and going against nation-building," he told the [Guardian](#). "Our mandate is to promote social cohesion and nation-building. I left the exhibition because it expressed the very opposite of this." For her part, artist **Zanele Mholi** was unfazed. "Those pictures are based on experience and issues," she said. "Where else can we express ourselves if not in our democratic country?"

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GALLERY UNDER FIRE FOR EXPOSING PRESIDENT'S GENITALS

Yahoo!7, newswires
May 19, 2012, 1:58 pm



[Enlarge photo](#)

A Johannesburg gallery is under fire from the African National Congress party for displaying art that portrays President Jacob Zuma with exposed genitalia.

The ruling South African ANC party wants a painting of Mr Zuma, called The Spear, removed from the Goodman Gallery.

"It's making a mockery of the highest office," ANC spokesman Jackson Mthembu said of the portrait that depicts the president similarly to a famous heroic stance of revolutionary communist Vladimir Lenin, aside from the fact his genitals are exposed.

Mr Mthembu said the artist of the painting, who also produced another work that superimposed a for-sale sign over the ANC party logo, was well within his rights for personal expression, but the paintings that accuse the ANC of corruption were "vulgar".

"We are not going to remove the images for the sake of defending the artist's right to freedom of expression and for the sake of upholding the gallery's reputation," said a representative of the gallery.

Mr Zuma has previously made headlines in South Africa for his colourful personal life since coming into office in 2009, particularly surrounding his six marriages and 21 children.

Well-known anti-apartheid artist Brett Murray reportedly sold The Spear for R136,000 (\$16,500) to a German citizen.



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Painting of Zuma's genitals provokes fury in S.Africa

A portrait of President Jacob Zuma posing as Lenin with his genitals hanging out has sparked outrage in South Africa, but the gallery on Friday refused demands from the ruling ANC to take it down.

Zuma's African National Congress has demanded that the private gallery in Johannesburg withdraw the "distasteful and vulgar" portrait by satirical artist Brett Murray.

But the gallery won't budge.

"They (the ANC) feel its so-called depiction of our president has been defamation towards his character. Our lawyers have written back to them saying we will not remove the painting," Goodman Gallery spokeswoman Lara Koseff assured.



A painting entitled "The Spear" by South African artist Brett Murray is displayed at The Goodman Gallery in Johannesburg on May 18. AFP

The red-yellow and black painting entitled "The Spear" depicts Zuma mimicking a pose by Vladimir Lenin in a Soviet era propaganda poster, but with his penis exposed.

The polygamous president generated national debate when he married his fourth current wife last month. He has 21 children, including several out of wedlock.

Zuma's office on Friday said it was "shocked and disgusted at the grotesque" piece of art.

"We are amazed at the crude and offensive manner in which this artist denigrates the person and the office of the president of the Republic of South Africa," Zuma's office said in a statement.

It said Zuma was an architect of the freedom of expression enshrined in the country's laws but that such rights were "not absolute."

"Nobody has the right to violate the dignity and rights of others while exercising their own," the statement added.

The ANC also said it was "extremely disturbed and outraged by the distasteful and indecent manner in which Brett Murray and the Goodman Gallery in Johannesburg is displaying the person of comrade President Jacob Zuma".

It vowed to go to the courts for an order to censor the painting.

But constitutional law expert Pierre de Vos said the ANC had slim chances of a court victory.

"Given the protection for artistic freedom in the constitution and the many exceptions in our law made for the expression of such artistic creativity, I am almost 100 percent certain that the ANC's proposed legal action will not be successful.

"In a democracy, courts seldom order the censoring of a work of art – even if that work of art makes fun of the president and his philandering patriarchal ways," he said

Koseff said the collection running under the title "Hail to the thief" was "a very satirical look at contemporary South African politics... of the disillusion of democracy within the country".

Murray did not answer repeated calls to his phone.

The painting was bought by a German private collector for 136,000 rands (about \$16,000) a day before the exhibition opened.

The Congress of South African Trade Unions, an ANC ally, said it was "disgusted at the demeaning portrait".

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"This picture is offensive and disrespectful not only to an individual but to the democratically elected president of South Africa and therefore to the whole country and the people of South Africa," complained the fiery labour movement.

A promotional flyer described Murray's collection as "acerbic attacks on abuses of power, corruption and political dumbness" and "attempts to humorously expose the paucity of morals and greed within the ruling elite."

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Herald Sun

Uproar over 'vulgar' Zuma portrait

• From: AFP
• May 19, 2012 1:36AM



Not happy: A gallery has refused to remove "The Spear" by South African artist Brett Murray. Picture: AFP
Source: AFP

A PORTRAIT of South African President Jacob Zuma posing as Lenin with his genitals hanging out has sparked outrage.

However the gallery yesterday refused demands from Mr Zuma's ruling ANC to take it down.

Zuma's African National Congress has demanded that the private gallery in Johannesburg withdraw the "distasteful and vulgar" portrait by satirical artist Brett Murray.

But the gallery won't budge.

"They (the ANC) feel its so-called depiction of our president has been defamation towards his character. Our lawyers have written back to them saying we will not remove the painting," said Goodman Gallery spokeswoman Lara Koseff.

The red-yellow and black painting entitled "The Spear" depicts Zuma mimicking a pose by Vladimir Lenin in a Soviet era propaganda poster, but with his penis exposed.

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Murray did not answer repeated calls to his phone.

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The Congress of South African Trade Unions, an ANC ally, said it was "disgusted at the demeaning portrait".

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A promotional flyer described Murray's collection as "acerbic attacks on abuses of power, corruption and political dumbness" and "attempts to humorously expose the paucity of morals and greed within the ruling elite."

Herald Sun

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18 MAY 2012

The Spear



The South African government, the ANC, has insisted on the removal of a portrait of President Zuma from the Goodman Gallery in Johannesburg. The painting, The Spear by Brett Murray, depicts Zuma exposing his genitals, and is based on an iconic propaganda portrait of Lenin. Zuma has been caricatured before, by the cartoonist Zapiro.

CATEGORIES: ARTS & CULTURE, CENSORSHIP, POLITICS, 0 COMMENTS

15 MAY 2012

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Visitors to the Goodman Gallery in Johannesburg debate Brett Murray's controversial portrait of President Jacob Zuma, The Spear, and the ANC's court action to have it removed.

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now art overrides individual liberty!

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Khoabane May 20, 2012 at 06:44

This is disrespectful of the office of the president and violates the dignity of Zuma.

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Xolile May 20, 2012 at 07:01

This is wrong why he is nt showing his thing if he is such a gud art This is our President we should respect

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1 7 [Reply to Xolile](#) | 1 comment (hide)**thabo.moagi** · May 20, 2012 at 11:44[Report comment](#)

THUS WHAT YOU SHOULD GET FOR BEING A POLYGAMIST.I THINK

0 0

**mfundovictor.gabuza** · May 20, 2012 at 09:53[Report comment](#)

To the ppl in the insert above, that agrees with the artist. How would u feel if that was ur father who had his gonilals splashed out 4 the whole nation 2 c?

1 6 [Reply to mfundovictor.gabuza](#)**Sibongiseni** · May 20, 2012 at 11:04[Report comment](#)

The President acted and behaved and the artist painted,, done deal...

5 0 [Reply to Sibongiseni](#)**Suhel** · May 20, 2012 at 11:18[Report comment](#)

For several years now we have ignored the fact that our president has been accused of raping a girl and we just accepted him as our president, but in this era, don't we deserve a president who has a law degree and who really stands for improving this country and setting real standards. This picture might not have been that exact way to bring back these questions and as me es an art lover like his work and believe that every person has the right to either agree or disagree, Brett still has a right to freedom of art. I just think they want the painting removed because no painting for them means people keeping quiet and that is just the way they want it... I think politics has a big bomb just in its last seconds of licking off and it all started with Julius Malema...

0 0 [Reply to Suhel](#)**Emmi** · May 20, 2012 at 11:21[Report comment](#)

Shows you not even the Office of President can bestow dignity on one. You earn dignity.

2 0 [Reply to Emmi](#)**Vernon J. Brown** · May 20, 2012 at 11:29[Report comment](#)

Lets be honest.....this is disrespectful to the position of State President BUT Jay Zee is the one who was charged with forcing himself on a women, said he takes a shower afterwards to protect himself against aids and has "how many" wives ? The position of State President is for a statesman type person . Why cudnt we have an educated men as president, then we as a nation wouldnt be subjected to this mockery of the highest office in our country.

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Our president is a stallion - and thereby hangs a tale

19-May-2012 | Mondli Makhanya

It will be his sexual legacy that we will remember more than anything else



Photograph by: Sunday Times

" This is a man who has made a virtue of flaunting his sexual prowess"

I love my country. This is a country of firsts, a country of uniqueness. Where else in the world would you get a national controversy generated by a drawing of a head of state's supreme organ?

Tell me of a country where the government's chief spokesman would issue a statement angrily proclaiming that a painting showing the head of state's dangling member "undermines the esteem of the highest office in the land and impugns the president's constitutional right to dignity". Where the spokesman goes on to say this artwork "goes against the grain of African morality, culture and the spirit of ubuntu, as well as nation-building".

Show me a country where the governing party takes a break from its duties to demand that an art gallery remove the "distasteful", "vulgar", "indecent" depiction of the dangling article from display.

Where the governing party claims that the portrait of the dangling member is "a clear calculation to dismember and denigrate the symbols and the representatives of the ANC".

A country where the youth wing of the communist party uses the word "stimulate" in this context.

"How do you stimulate debate when you tarnish the image of others? What kind of debate is this that seeks to be

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debated by humiliating the president by showing his genitals?" the Young Communist League asked this week.

You just have to love a country where, in every other conversation, the debate about the president is not about his political, economic and societal vision, but about which bodily form he is gazing at.

It is a stingy soul that cannot love a country where the president can spend one whole weekend celebrating his wife's 40th birthday, spend the following weekend celebrating his own 70th birthday with his three wives and his fiancée, and then spend the entire following weekend turning the fiancée into a full wife. Three weekends of fantastic fun. This is a wonderful country. Truly wonderful.

Think about it: the country's second-biggest political party marches on the offices of a trade union to demand this and that. That is Silliness One. Silliness Two is that the trade union movement, accustomed to seeing whiteys in this political party, believe they can intimidate them with slogans and revolutionary songs. Little do they know that the marchers will be darkies with as much fervour as themselves.

Result: a bloody South Central Los Angeles scene, with the Bloods in red battling the Crips in blue.

A fascinating country indeed.

But before I digress too far, let us return to the burning - or is it itching - issue of the week.

Listening to all the protestations from the government, the ANC, its allies and other members of the public about the violation of the president's dignity by artist Brett Murray's now infamous painting, I scratched my head and wondered what they were really on about.

Here they were, defending a man who probably did not mind having his vital articles displayed before the world. This is a man who has made a virtue of flaunting his sexual prowess. He has declared before the world that his culture entitles him to have as many women warm his bed as he likes. Well, at least that is his version of his culture.

Every February, on the most important day of the political calendar, he arrives at parliament with his fulsome bevy. In Kenny Kunene-style, he walks the red carpet flanked by them. Grinning and waving to the public, his statement is: "Look what I got, my peeps!"

On foreign trips, he swaps them so that the whole world can see what a stud he is.

This is a head of state who was not shy to declare before a global audience: "I love all my wives equally."

This head of state of a modern country made a very romantic speech at his latest wedding, telling his newest wife that she would not be his last. "Do not close the door behind you," he publicly told her on the night of the nuptials. How sweet.

This is a man who, in his life, has married six women and sired more than 20 children. He will probably take more wives and produce more offspring before the end of his spell in office.

As South Africans, let us accept that we have a very sexual president. The man at the helm of the republic unzips

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a lot and is proud of it. The ANC chose him as their president in 2007 knowing this fact, and imposed him on the country as a presidential candidate, fully aware that they were giving us a rampant stallion.

His sexual endeavours are therefore fair game for artists, cartoonists, comedians, radio DJs and tavern jokers.

For as long as we have Jacob Zuma in office, his salacious side will matter more than his contribution to governance. When he has moved on, it will be his sexual legacy that we will remember more than anything else. Even more than his flirtation with the corrupt.

~ o O o ~

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HARPER NUDE

'Well hung' nude Harper painting sparks mixed reactions

BY KRIS SIMS, PARLIAMENTARY BUREAU

FIRST POSTED: FRIDAY, MAY 18, 2012 06:29 PM EDT | UPDATED: FRIDAY, MAY 18, 2012 10:16 PM EDT

OTTAWA — A nude painting of Canada's prime minister has politicians and Tim Hortons employees cracking jokes, pundits crying foul and one federal department reportedly offering up cash.

Titled Emperor Haute Couture, the portrait hanging in a Kingston, Ont., public library shows a full monty Stephen Harper, leaning back on a chaise lounge chair surrounded by a doting team with a terrier at his feet, about to sip a steaming Tim Hortons coffee.

"We were pretty upset when we saw the painting," David Morelli, spokesman for Tim Hortons, told QMI Agency. "We'd never flip the tab on a hot coffee before serving a naked customer. Obvious safety hazard."

Members of Parliament were equally stern.

"It's probably the only double-double in the picture," said Liberal MP Scott Brison. "Nudes have been part of art for hundreds of years, so I don't find the painting morally offensive. Perhaps aesthetically offensive. This is a case where we need a Conservative cover-up."

The artist's agent, Mary Sue Rankin, said one federal government ministry — she wouldn't say which one — contacted her with an offer to buy the painting.

Brison said he doesn't care who buys it. "I am sure it will be well hung somewhere."

Even the Prime Minister's Office piped in on the painting on Twitter.

"We're not impressed. Everyone knows the PM is a cat person," said Andrew MacDougall, Harper's director of Communications.

With the title 'Haute Couture' and the use of Tim Hortons, some see it as a sneer at Canada's working class.

"This is a shot at everyday Canadians who do begin their mornings by going to Tim Hortons. It's the artist's way of showing disdain for those people the way she is showing disdain for the prime minister," said Brian Lilley, host of Byline on Sun News Network.

But artist Maggie Sutherland calls it a throwback to traditional European paintings and a criticism of government spin.

On sale for \$5,000, the art work is a recreation of Manet's 1863 painting Olympia, which features a reclining nude woman attended to by a black woman.

"It's a political social satire based on an existing tradition of paintings that have been going on in Europe for 300 years at least," Sutherland told QMI Agency on Friday, adding on Sun News Network it was "inspired by a certain amount of frustration with the spin that we get from the government."

"She was just fed up with all the cuts to arts programs by the Harper government," said Rankin, adding the woman serving the coffee represents the Harper government's lack of women in Cabinet positions.

The image of the prime minister stripped of the trappings of power appealed to Dara Siegel, 27, of Kingston.

"When you think about people who are in positions of power, the elite of the country, prime ministers specifically, they are kind of, like, ahead of you. They are always well dressed, they are very properly presented," she said.

"What I like about this painting is that it kind of subverts that, and counters it by saying, oh, he's just like us."

For others, though, reaction to the painting was a little simpler.

Marilyn Birmingham, chair of the library's art committee, said that a 10-year-old boy, when asked what he thought of it, told his mother: "I didn't know Stephen Harper had a dog."

- With files from Elliot Ferguson, Tori Stafford and Paul Schliesmann

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IN THE SOUTH GAUTENG HIGH COURT, JOHANNESBURG
(REPUBLIC OF SOUTH AFRICA)

CASE NO 17978/2012
PH NO 342

In the matter between:

**JACOB GEDLEYIHLEKISA
ZUMA**

First Applicant

**AFRICAN NATIONAL
CONGRESS**

Second Applicant

and

GOODMAN GALLERY

First Respondent

CITY PRESS

Second Respondent

SUPPORTING AFFIDAVIT

I, the undersigned,

BRETT MURRAY,

do hereby make oath and say that :

1. I am an adult male self-employed artist represented by the Goodman Gallery.
2. The facts contained true and correct.
3. I am the artist of the artwork "*The Spear*" currently displayed at the Goodman Gallery as part of the exhibition *Hail to the Thief II* and which is the subject of this within this affidavit are within my own personal knowledge and are application.
4. **Background**
 - 4.1 I am a well-recognised contemporary South African artist. My career biography is attached marked "**BM1**". By way of highlights, I won the

T.m.L. BM

Cape Town Urban Art competition in 1998 and this resulted in the public work "Africa", a 3.5 metre bronze sculpture, being erected in Cape Town's city centre. I was also the recipient of the Standard Bank Young Artist of the Year Award for the year 2002.

- 4.2 During the years 1991 to 1994 I established the sculpture department at the University of Stellenbosch.
- 4.3 As can be seen from my CV, in the Apartheid years, I created satirical images which attacked abuses of power. For many years, I have used, and continue to use, symbols with sexual connotations representative of political power and patriarchy.
- 4.4 I continue to create artworks which attack these abuses of power and corruption through satire and parody in the exercise of my right to freedom of artistic expression under section 16 of the Constitution.
- 4.5 In terms of this right I am entitled to create works of this nature and to use them as a forum for expressing my views, political or otherwise.

"The Spear"

5. The artwork is a parody of a well-known image of Vladimir Lenin. It is an attempt at a humorous satire of political power and patriarchy within the context of the other artworks in the exhibition and within the broader context of South African political discourse. I never intended the artwork to cause hurt or to harm the dignity of any person.
6. I have read the affidavit of Liza Essers and support the Goodman Gallery and its stance taken in this application.

Tim L BM

7. I am affirming my right to express myself artistically as I see fit without fear or favour. This right is constitutionally protected.

B. Murray
BRETT MURRAY

I HEREBY CERTIFY that the deponent has acknowledged that he knows and understands the contents of this affidavit, which was signed and sworn before me at Parkview SAPS on this the 20th day of May 2012, the regulations contained in Government Notice No R1258 of 21 July 1972, as amended, and Government Notice No R1648 of 19 August 1977, as amended, having been complied with.

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Brett Murray

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Artist Biography

Brett Murray studied at the University of Cape Town where he was awarded his Master's of Fine Arts degree in 1989 with distinction. The title of his dissertation is 'A Group of Satirical Sculptures Examining Social and Political Paradoxes in the South African Context'. As an undergraduate he won Irma Stern Scholarships in both 1981 and 1982. He won the Simon Garson Prize for the most Promising student in 1982 and was awarded the Michaelis Prize in 1983. As a postgraduate student he received a Human Sciences Research Council bursary, a University of Cape Town Research Scholarship, the Jules Kramer Grant and an Irma Stern Scholarship.

He has exhibited extensively in South Africa and abroad. From 1991 to 1994 he established the sculpture department at the University of Stellenbosch, where he curated the show 'Thirty Sculptors from the Western Cape' in 1992. In 1995 he curated, with Kevin Brand, 'Scurvy', at the Castle of Good Hope in Cape Town. That year he co-curated 'Junge Kunst Aus Zud Afrika' for the Hänel Gallery in Frankfurt, Germany. In 1997 he organised, with Robert Wienek, the show 'Smokkel' as a fringe event for the second Johannesburg Biennale.

In 1999, Brett co-founded, with artists and cultural practitioners Lisa Brice, Kevin Brand, Bruce Gordon, Andrew Putter, Sue Williamson, Robert Weinek and Lizza Littlewort, 'Public Eye', a Section 27 company that manage and initiate art projects in the public arena with the aims to develop a greater profile for public art in Cape Town. They have initiated projects on Robben Island, worked with the cities health officials on aids awareness campaigns and initiated outdoor sculpture projects including 'The Spier Sculpture Biennale'. He curated 'Homeport' in 2001 which saw 15 artists create site specific text based works in Cape Town's waterfront precinct. Public Eye have interfaced with cultural funding bodies as consultants and hosted multi-media events across the city.

His solo shows include: 'White Boy Sings the Blues' at the Rembrandt Gallery in Johannesburg in 1996, 'I love Africa' at the Bell-Roberts Gallery in Cape Town in 2000, 'Us and Them' at the Axis Gallery in New York in 2003 and 'Sleep Sleep' at the Goodman Gallery in Johannesburg in 2006. His solo show, 'Crocodile Tears', was held at both the Cape Town and Johannesburg branches of

T.M.L. BM

The Goodman Gallery in 2007 and 2009. His recent show, 'Hail To The Thief', was held at the Goodman Gallery in Cape Town in 2010. Murray was included on the Cuban Biennial of 1994, and subsequently his works were exhibited at the Ludwig Museum of Contemporary Art in Germany. He was included on the group show, 'Springtime in Chile' at the Museum of Contemporary Art in Santiago, Chile. He was also part of the travelling show 'Liberated Voices, Contemporary Art From South Africa' which opened at the Museum for African Art in New York in 1998. His work formed part of the shows 'Min(d)fields' at the Kunsthhaus in Baselland, Switzerland in 2004 and 'The Geopolitics of Animation' at the Centro Andaluz de Arte Contemporaneo in Seville in Spain in 2007. He won the Cape Town Urban Art competition in 1998 that resulted in the public work 'Africa', a 3.5 metre bronze sculpture, being erected in Cape Town's city centre. He won, with Stefaans Samcuia, the commission to produce an 8 x 30 metre wall sculpture for the foyer of the Cape Town International Convention Centre in 2003. In 2007 he completed 'Specimens', a large wall sculpture for the University Of Cape Town's medical school campus. He was nominated as the Standard Bank Young Artist of the year in 2002.

Brett works in Cape Town, South Africa, where he lives with his wife Sanell Aggenbach, their daughter Lola and son Kai.

Murray's work is housed in the following South African and international public collections:

Iziko, South African National Gallery, Cape Town, SA
 Johannesburg Art Gallery, SA
 Durban Art Gallery, SA
 Tatham Art Gallery, Pietermaritzburg, SA
 University of the Witwatersrand, Johannesburg, SA
 University of Cape Town, SA
 University of South Africa, Pretoria, SA
 University of Bloemfontein, SA
 Sandton Municipality, Johannesburg, SA
 DirectAxis Collection, Cape Town, SA
 BHP Billiton Collection, Johannesburg, SA
 MTN Collection, Johannesburg, SA
 Sasol Collection, Johannesburg, SA
 South African Breweries, Johannesburg, SA
 South African Broadcasting Corporation, Johannesburg, SA
 The South African Reserve Bank, Johannesburg, SA
 Vodacom Collection, Cape Town, SA
 Nando's Art Collection, Johannesburg, SA
 Sindika Dokolo African Collection of Contemporary Art, Luanda, Angola
 Red Bull, Salzburg, Austria
 Collection of Mikki and Stanley Weithorn, USA

- [Solo Exhibitions](#)
- [Group Exhibitions](#)
- [Public Art](#)
- [Select Bibliography / Catalogues](#)
- [Workshops and Snapshots](#)

T.m.L Bm

214



Tank. Build stuff.

Tim L BM

IN THE SOUTH GAUTENG HIGH COURT, JOHANNESBURG
(REPUBLIC OF SOUTH AFRICA)

CASE NO: 17978 / 2012

In the matter between:

JACOB GEDLEYIHLEKISA ZUMA

First applicant

AFRICAN NATIONAL CONGRESS

Second applicant

and

GOODMAN GALLERY

First respondent

CITY PRESS

Second respondent

SUPPLEMENTARY AFFIDAVIT

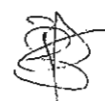
I, the undersigned,

WILLIAM JOSEPH KENTRIDGE

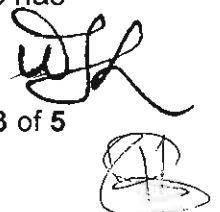
do state under oath:



- 1 I am an artist. A copy of a short curriculum vitae is attached, marked "WJK1".
- 2 The facts contained herein are within my personal knowledge and belief, unless the context indicates otherwise, and are true and correct.
- 3 I depose to this affidavit in support of the Goodman Gallery's opposition to the attempts by the applicants to censor it.
- 4 I have read the affidavit of Liza Esser, and confirm the content thereof insofar as it relates to me, the history of the Goodman Gallery and the role of art galleries in providing a neutral space for artists to exhibit work and express themselves.
- 5 I have been exhibiting at the Goodman Gallery since the 1980s, and have a relationship with the gallery extending back for decades.
- 6 As an internationally-exhibited artist who travels extensively and is familiar with international trends in art, the themes and symbolism employed by Brett Murray in his work are typical of the themes and visual language employed by many fine artists in Africa, Asia, Australasia, Europe and the Americas. It is a global, modern language.



- 7 The image, *The Spear*, is a composite. It is an image of Lenin with the head of President Zuma. Generic genitalia are pasted on top of his clothes.
- 8 The image and the genitals are used in service of a pun, a *double entendre* on the word "spear".
- 9 The combination of image and title making an idea rather than a portrait.
- 10 The idea is the relation of power to sexuality. The overt depiction of this seems to me in line with a change in attitude towards a public discussion of political power and the sexuality that accompanies power. One just has to think of the discussions, description and representation of Bill Clinton and Monica Lewinsky compared to the discretion accorded Kennedy and other US presidents and their sexual lives in the White House. More recently still the Dominic Strauss Kahn story brought up the question of politicians and their sexual histories into the public domain. The usually discreet French press changed their attitude to what previously had been seen as the private matters of an individual. The same in Italy with Berlusconi. Risible depictions by artists are reflections of the risible actions of the politicians depicted.
- 11 The theme of political power and assumptions of sexual potency is the subject of commentary not least because of the way that politicians play up their machismo as part of their popularity and legitimacy. The topic has



not been invented by artists. They are part of a wider examination of this question. It is precisely the public persona and the sex that are put together. There is no attempt to make an image of President Zuma as a private man with a personal life. The genitals in the image are worn like the coat of Lenin - almost as a badge of office. It may be an incorrect summing up of the president but it is not an illegitimate subject to address.

- 12 Writers write about these matters directly. A penis is described as a penis. It is no longer surprising for explicit descriptions of sex to be present in literature. Artists make images. The same directness is open to them -- though few take it up.
- 13 We are fortunate to live in a country with a constitution that acknowledges the importance of open debate on all issues.
- 14 For people involved with visual arts, the galleries -- both public and private or commercial -- are the spaces for the exhibition and discussion of works that address these and all other topics. The control of what images a curator or gallery owner chooses to show is not the province of the government.
- 15 A debate on the questions of power, sex and the depictions of them will be enlivening for not only the visual art world but for all concerned with understanding our and other political situations. Both the work of the artist



and the controversy his work arouses are to be welcomed for this. The metaphors of the emperor's clothes reappears.

- 16 Penises, in the age of aids when explicit sex education for primary school children is de rigueur, are a dime a dozen. Much of Aids education has been to break down traditional taboos of children being shielded from adult sexuality. There is nothing shocking in the specifics of the image. The shock is in the metaphor – Lenin and the penis meeting President Zuma.



WILLIAM JOSEPH KENTRIDGE

I hereby certify that the deponent knows and understands the contents of this affidavit and that it is to the best of his knowledge both true and correct. This affidavit was signed and sworn to before me at NORWOOD on this the 21st day of May 2012, and that the Regulations contained in Government Notice R.1258 of 21 July 1972, as amended, have been complied with.

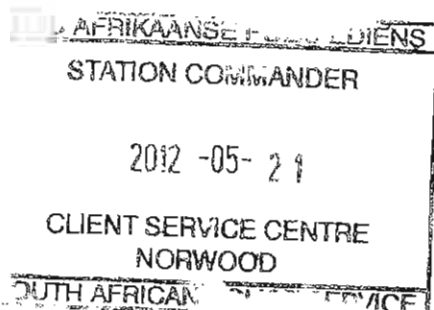


COMMISSIONER OF OATHS

Full names: Bonny ROBERTS

Address: NORWOOD Saps 12 PATERSON NORWOOD

Capacity: Platyp.



William Kentridge (b. 1955)

Born in Johannesburg, William Kentridge has established an international reputation as one of the most important artists of his generation. His work has been seen in museums and galleries around the world since the 1990s, including Documenta in Kassel, Germany (1997, 2003, 2012), the Museum of Modern Art (MoMA) in New York (1998, 2010), the Albertina Museum in Vienna (2010), Jeu de Paume in Paris (2010). Kentridge's *Five Themes* exhibition was included in the 2009 *Time 100*, an annual list of the one hundred top people and events in the world. In the same year, the exhibition was awarded First Place in the 2009 AICA (International Association of Art Critics Awards) Best Monographic Museum Show Nationally category.

Kentridge's production of Mozart's *The Magic Flute* was presented at Theatre de la Monnaie in Brussels, Festival d'Aix, and in 2011 at La Scala in Milan. He directed and designed Shostakovich's *The Nose* for the Metropolitan Opera in New York in 2010 (subsequently shown at the Festival d'Aix and in Lyon in 2011), to coincide with a major exhibition of his work at MoMA. Also in 2010 the Musée du Louvre in Paris presented *Carnets d'Egypte*, a project conceived especially for the Egyptian room at the Louvre.

Kentridge has received a number of prestigious honours and awards, including an Honorary Doctorate from the University of the Witwatersrand in 2004, the Jesse L Rosenberger Medal from the University of Chicago in 2006, and the highly prestigious Kyoto Prize in recognition of his contributions in the field of arts and philosophy in 2012. In 2011, Kentridge was elected as an Honorary Member of the American Academy of Arts and Letters.

**IN THE SOUTH GAUTENG HIGH COURT, JOHANNESBURG
(REPUBLIC OF SOUTH AFRICA)**

CASE NO: 2011/05289

In the matter between:

JACOB GEDLEYIHLEKISA ZUMA
AFRICAN NATIONAL CONGRESS

First applicant
Second applicant

and

GOODMAN GALLERY
CITY PRESS

First respondent
Second respondent

CONFIRMATORY AFFIDAVIT

I, the undersigned

SENZENI MARASELA

do hereby state under oath:

1. I am a Black South African adult female artist. A copy of my *curriculum vita* is attached, marked “**SM1**”.
2. The facts contained herein are within my personal knowledge and belief, unless the context indicates otherwise, and are true and correct.
3. I depose to this affidavit in support of the Goodman Gallery’s opposition to the attempts by the applicants to censor it.
4. I read with dismay the numerous articles about Brett Murray’s picture that have triggered discussion in my country. I am also beginning to wonder if Murray’s picture warrants some of the brutal reactions that have appeared. I certainly do not think it does.
5. Murray is a satirist whose work, as a satirist, intersects at the median of what makes us laugh and gasp. If you view the art he has produced throughout his career, he has a long series of works that look critically at what we deem is normal or accept as such. As a satirist parody is his weapon, his language of choice, in a similar way that other artists like Zapiro, Yalo and Chiurai do.
6. The applicants’ reaction to the picture raises certain questions: Does the government now seek to write a standard book which all artists will use as a guideline? Is a political party or powerful political person

allowed to tell artists what works we can produce? Must we only produce artworks that are suitable to the sensibilities of individuals in the government? If so then we are risking entering the space we all dread: State censorship of artistic expression. We have taken a painful road during apartheid, when even mere photographs of people's faces were banned. Surely we are not now saying that the ruling party should dictate what the public may or may not see. That would be to abandon the sacrifices that so many have made to bring our country from its repressive past.

7. It is also incorrect to assume or conclude that there is general consensus that this image denigrates the lives of Black men. We cannot assume that all Black men collectively agree that they have one uniform culture that opposes public display of male genitalia, or that all Black people think in any one particular way.
8. The reading of personal "cultures" into artworks was recently seen with the work of Zanele Muholi. She is an artist who photographs gays and lesbians. Her work too was labelled un-African, and disrespectful to our culture, when the then arts and culture Minister walked out of the opening of her exhibition and refused to give the opening address. Through these actions it feels as if we as artists are being told to subscribe to a particular view of what culture is, without being told whose culture it is that we must now be forced to subscribe to.

9. We must accept that we all have different views of interpreting visual imagery. Yes, Murray's piece is art. He speaks to an audience that is already well vested in the production of visual imagery. While it is true that a vast majority of South Africans have very rudimentary art education. In a society where visiting art galleries is a norm, the view of the artwork taken by many would have been very different.

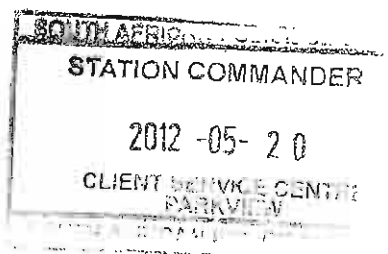
10. What has to be recognised is that as a result of the controversy the ANC has created about this artwork, the eyes of many people have been opened who are now discussing art. Perhaps we should be more tolerant of the public debates that will emerge out of that exhibition. And allow people to come in the gallery and view this artwork and the exhibition as whole.

11. As an artist and many others that come after me, it is important that our right to create without fear is maintained and protected. Moreover, public figures are often the subjects of satire. These include Marx, Lenin, Bush, Obama, Stalin, Mandela, and Mbeki. This should be allowed in a free society, as it is part of the language that we as artists should be able to employ in communicating with the society that we live in.

SM Marashe

DEPONENT

The deponent acknowledged that he knows and understands the contents of this affidavit which was signed and sworn to before me at ^{Parkview SM} ~~Sandton~~ on this the ^{20th day of May 2012 SM} ~~4th day of November 2011~~, the regulations contained in Government Notice No. 1258 of 21 July 1972, as amended and Government Notice No. R1648 of 17 August 1977, as amended, having been complied with.



SM Marashe

COMMISSIONER OF OATHS

EDUCATION

1998 Bachelor of Arts in Fine Art, B.A.F.A. University of the Witwatersrand, Johannesburg. South Africa

CURRENT EXHIBITIONS/PROJECTS

Ongoing Present Tense: Arts of Contemporary Africa, Newark Museum, New Jersey

2011
June Sarah, Theodorah, and Senzeni in Johannesburg, Art on Paper, Johannesburg, South Africa

May New Traditions: Louise McCagg & Senzeni Marasela, collaboration at A.I.R. Gallery, in association with Axis Gallery and Alma-on-Dobbin, Brooklyn New York

March Impressions from South Africa: Printed Art/1960 to Now
The Paul J. Sachs Prints and Illustrated Books Galleries, MOMA, New York

Jan DARKROOM: South African Photography and New Media 1950-Present, Birmingham Museum of Art, Alabama.

EXHIBITION HISTORY

2010

Aug-Oct. DARKROOM: South African Photography and New Media 1950-Present, Fall 2009, Virginia Museum of Fine Art, Richmond, Virginia Birmingham Museum of Art, Alabama, Jan. 23, 2011.

Oct Translations: art into jewellery, Standard Bank Gallery, Johannesburg, South Africa

Sept-Oct Senzeni Marasela. Beyond Booty: Covering Sarah Baartman and other Tales. Axis Gallery, NY and NJ in association with submergedart.

2009
July-Aug Witness. Solo Show, Art on Paper, Johannesburg South Africa

May-June: Dystopia: Unisa Art Gallery, Pretoria
October 8 – November 15, 2009: Museum Africa, Johannesburg
June 10 – August 8, 2010: Oliewenhuis Art Museum, Mangaung
October 17 – November 21, 2010: Jan Colle Galerij, Ghent

Feb-May Beauty and Pleasure, Group show curated by Selene Wendt and Khwezi Gule, The Stenersen Museum Oslo, Norway

Feb "Oh my God you look like shit. Who let you out of the house looking like that?"
Solo performance, Strenesen Museum, Oslo, Norway

Feb – August Unbounded: New Art for a New Century. Group show, Newark Museum, New Jersey.

March JONGA - look at me! A Museum of Women, Dolls and Memories
Solo show, Devon Arts Residency, Devon, Scotland

March-May Developing Democracy: A New Focus on South African Photography, Group Show, Kyle Kauffman Gallery, New York.

2008
Nov Thami Mnyele and Medu Art Ensemble Retrospective Exhibition
Johannesburg Art Gallery, Johannesburg

April-Sep Black Womanhood: Icons, Images, and Ideologies of the African Body, Hood Museum of Art, Dartmouth College, New Hampshire. Davis Museum and Cultural Center, Wellesley College, MA, Sep-Dec, 2008. San Diego Museum of Art, San Diego, CA, Jan-April 2009.

2007
Sep Jive Soweto, Hector Pietersen Museum, Soweto

2006
Feb Erase Me from V/ho I Am, Group exhibition, Las Palmas, Canary Islands, Spain

2005
October Beijing Biennale, China, South African Representative
August Click. Group exhibition, Goodman Gallery, Johannesburg
Sep Solo Exhibition, Art on Paper, Johannesburg

2004
March Public Private, Auckland Public Gallery, Auckland Park, New Zealand
April Ten Voices, Ten Years of Democracy Public Art project of the City of Rome, Italy
September Three Women, Three Voices, Solo Exhibition, Johannesburg Art Gallery, Johannesburg

2003

SM

January	The Body and the Archive, Artists Space, New York, U.S.A
2002	
April	Aids in Africa, Wellesley College, Wellesley, MA, U.S.A
July	Upstream Public Art Project, Solo Exhibition, Amsterdam, Netherlands
2001	
May	Open House Exhibition, Umea Art Academy, Umea, Sweden
Sep	Sample E.C, Gertrude Posel Gallery, University of the Witwatersrand, Johannesburg
2000	
Jan	Portrait Afrika, Haus der Kulturen Der Welt, Berlin, Germany
Feb	Translation/Seduction/Displacement: Post-Conceptual and Photographic Work, South African Artists, White Box, New York, U.S.A
May	Fresh, Solo Exhibition. South African National Gallery, Cape Town
Aug	Margins in the Mainstream, Namibian National Gallery, Windhoek
Nov	Art Region End of Africa, Listafen Reykjavikur Kjarvalsstaðir, Reykjavik, Iceland
1999	
Jan	Student Exhibition, Gertrude Posel Gallery, Johannesburg
June	Truth Veils, Gertrude Posel Gallery, Johannesburg
Aug	Postcards From South Africa, Axis Gallery, New York, U.S.A
Oct	Market Photo Workshop Exhibition, Rembrandt van Rijn Gallery, Johannesburg
1998	
April	Women's Voices, Mercedes Benz Museum, Stuttgart, Germany
Sep	Democracy's Images, Bildmuseet, Umea, Sweden
Nov	Family Ties, Sandton Civic Gallery, Johannesburg
1997	
Nov	Not Quite a Christmas Exhibition, Goodman Gallery, Johannesburg
July	Martienseen Prize Exhibition, Gertrude Posel Gallery, Johannesburg

AWARDS / GRANTS / SCHOLARSHIPS

2009
January 10 – April 31, 2009, Devon Arts Residency, Devon, Scotland

2008
Recipient Artist Residency fellowship, Ampersand Foundation & Axis Gallery, Tribeca, New York, June 2008

2002
Upstream Grant. The International Art Event to Commemorate the Founding of the Dutch East Indies Company. Amsterdam, Netherlands
Thami Mnyele Scholarship, Amsterdam, Netherlands.
Top 10, Absa L'Atelier Art Competition, Johannesburg, South Africa.

2001
Visiting Artist, Kookola Fine Arts Academy, Vasa, Finland. Visual Cultures in Dialogue Exchange Programme, Umea University, Umea.

2000
Fresh, Artist in Residence. South African National Gallery, Cape Town.

PRESENTATIONS/TALKS

2008
Artist Lecture, "Dead Eyes: The Dark Side of Black Dolls". Hood Museum of Art, Dartmouth College, June 27, 2008

COLLECTIONS

Museum of Modern Art, (MOMA), New York

Hood Museum of Art, Dartmouth College, New Hampshire, USA

The Newark Museum, Newark, New Jersey USA

South African National Gallery, Cape Town, South Africa.

Davis Museum and Cultural Center, Wellesley College, Wellesley, MA, USA

Rand Merchant Bank, London, UK

BHP Billington Collection, Johannesburg, SA

Johannesburg Art Gallery, Johannesburg

Smithsonian Art Museum, Washington, USA

Reserve Bank Art Collection, Johannesburg, South Africa

SELECTED PUBLICATIONS

Unbounded: New Art for a New Century. Newark Museum, Newark, 2009

Grantham, Tosha, DARKROOM: South African Photography and New Media 1950-Present, Virginia Museum of Fine Art, Richmond, Virginia, 2009

Williamson, Sue, South African Art Now, Collins, 2009

Thompson, Barbara, Black Womanhood: Icons, Images, and Ideologies of the African Body, Hood Museum of Art, Dartmouth College, New Hampshire, 2008

Perryer, Sophie. Ed. 10 Years 100 Artists: Art in a Democratic South Africa, Bell Roberts Pub in assoc with Struik, 2004.

Bedford, Emma, Fresh: Senzeni Marasela, South African National Gallery, 2001

Firstenberg, Laurie, & Pepper, John. Eds. Translation/Seduction/Displacement: Post-Conceptual and Photographic Works by Artists from South Africa. Institute of Contemporary Art at Maine College of Art, 2000.

Democracy's Images: Photography and visual art after apartheid. BildMuseet, Uppsala, Sweden, 1999

IN THE SOUTH GAUTENG HIGH COURT, JOHANNESBURG
(REPUBLIC OF SOUTH AFRICA)

CASE NO: 2011/05289

In the matter between:

JACOB GEDLEYIHLEKISA ZUMA
AFRICAN NATIONAL CONGRESS

First applicant
Second applicant

and

GOODMAN GALLERY
CITY PRESS

First respondent
Second respondent

CONFIRMATORY AFFIDAVIT

I, the undersigned

KAREL NEL

do hereby state under oath:

1. I am an artist and Associate Professor, Wits School of Arts, University of the Witwatersrand. A copy of my *curriculum vita* is attached, marked "KN1".
2. The facts contained herein are within my personal knowledge and belief, unless the context indicates otherwise, and are true and correct.
3. I depose to this affidavit in support of the Goodman Gallery's opposition to the attempts by the applicants to censor it.
4. In Brett Murray's tongue-in-cheek exhibition, *Hail to the thief II*, at present on show at the Goodman Gallery, Johannesburg, Murray as artist could be understood in terms of the role of the court jester, who would traditionally amuse the king, noblemen and courtiers with stories pertinent to their lives within the circumscribed power of the court. The jester's amusing and somewhat scurrilous tales would be intelligent and insightful, but sufficiently ambiguous or disguised for the king or the nobility not to be able to take legitimate offence or action, for in doing so their culpability would be acknowledged. The jester was always the commentator on trouble in the land, focusing on the age-old controversies that abound within the misbehaviour of the ruling class, issues around the abuse of wealth, power, sex, resources and labour.

Kenneth Ntsh
J. N.

5. Murray has, over the past decades, established himself as one of the most credible and provocative contemporary South African artists, a commentator on the uncomfortable terrain that has opened up in post-colonial South Africa. He reflects ironically on contested notions of colonialism, identity, race, culture and political power, focusing on the slippage between these seemingly fixed notions, and thereby opens up a myriad of ambiguous and contentious readings which make Murray's work forceful, amusing and insightful, visually chronicling the socio-political topography of our time. He casts this commentary into a well-defined historical language of emblematic images, powerfully used for propagandistic purposes, be it in the well know images related to Stalinist Russia, communist Red China, struggle posters of the Apartheid years, the visual strategies of iconic advertising or heraldry related to royalty or powerful family dynasties.

6. In the case of the heraldic imagery, we see these anachronistic European crests used as ciphers of heritage, empowerment and wealth, used as visual quotes by Murray in the works, *Hail to the thief*, *Glory* and *Crown jewels*. The eagle-like forms with wings outstretched and legs astride in the manner we are accustomed to seeing, reveal, on closer inspection, that the tail feathers have been morphed into a substantive penis with testicles. Murray's witty visual addendum directly alludes to masculine power, prowess, heredity and often the oppression which is so often concomitant with these.

7. Gendered images of power abound on the exhibition, be it iconic Russian images of Stalin in *Tribal elder*, the assertive Lenin-like pose in *Cash is king* or images of 'the people' that relate to populist images from Chinese propaganda in *The chosen few*, and the witty pantomime-like cartoonesque wives, *Mrs Amandla*, *Mrs Comrade*, *Mrs Viva -Viva* and *Mrs Kickback*.

8. Nobody could possibly believe that, say, the first applicant's wives, Stalin or the first applicant himself posed for these 'portraits'. They are generic images of figureheads, not of individuals *per se*. So, if the figure in *The spear* is interpreted as the first applicant, it is not the first applicant in his personal capacity but as a symbol of masculine political power embodied as it is in him as President of the state and of the ANC, of a political constellation of values which is embroiled in a contestation of power related to national issues of wealth, resources, male prowess, polygamy, cultural values, corruption, nepotism and the presidency, all as played out in the media.

9. This figure in the painting, with outstretched arms, head in profile to the left, legs astride with the penis appended, has a direct fit with the earlier heraldic eagle images. The body stance, however, is based on an iconic image of Lenin. The head or face is not distinctly recognisable as that of the first applicant as such. There has been much debate in the

Kurt Nol
3.7

media as to who it is, with some conjecture that it is, in fact, COSATU leader Zwelinzima Vavi. So, with all this uncertainty and hybridity of image, the crux of the matter is this, 'Who do the genitals belong to?' If we do not know who they truly belong to, who should be taking offence at the so-called indignity? If we cannot come to a simple consensus that this is, indeed, the first applicant's face, the chances of recognising his genitals is remote indeed.

10. It is important to remember that art is not journalism or reportage, although it has its fair share of controversy and contestation. The long established historical tradition of political satire is a practice that reflects on the nature of society, perception and, like the jester, constantly cajoles or stings us to question our preconceptions, pushing the boundaries that make us think about ourselves and the institutions that define our lives, interrogating the status quo and constantly shifting the perceptual consensus. In summary, Murray's present work plays, as it has done before, in the fertile ground of multiple ambiguities: the controversy arising from the 'recognition' of the image has provided it with far more power than the image in and of itself could possibly ever have had.
11. Murray's work is at the heart of what we as artists and academics understand protected artistic expression to encompass, being fine art dealing in themes of power, politics and sex. Our constitutionally-

12/11/11
S. M.

guaranteed right to free artistic expression must include the right to make art such as Murray's, and a forum such as the Goodman Gallery must be allowed to display it. Without this the right is hollow.

Kurt Nol.

DEPONENT

The deponent acknowledged that he knows and understands the contents of this affidavit which was signed and sworn to before me at Sandton on this the 20th day of May 2012, the regulations contained in Government Notice No. 1258 of 21 July 1972, as amended and Government Notice No. R1648 of 17 August 1977, as amended, having been complied with.

Sandton 2012-05-20 21 H 28
 7190286-4 SICST
 RABGALAXANE Jim
 JANE MAHLUZI RABGALAXANE
 FULL NAME: JANE MAHLUZI RABGALAXANE
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7190286-4 SICST
 JP
 RABGALAXANE Jim

COMMISSIONER OF OATHS



Kurt Nol. Page 6 of 6

"KN1"
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Biography

Karel Nel was born in 1955, in Pietermaritzburg, South Africa • He studied Fine Art at the University of the Witwatersrand, Johannesburg, St Martin's School of Art, London and the University of California, Berkeley (Fulbright Placement 1988-89) • He now lives and works in Johannesburg and is Associate Professor at the School of Arts, University of the Witwatersrand • Nel is a respected collector of African, Asian and Oceanic art with a particular interest in currencies • He has expertise in southern African art and advises and consults with museums in South Africa, New York, London and Paris • He has also been part of curatorial teams for major international exhibitions on early Zulu, Tsonga and Shangaan art, and has contributed to numerous publications on this material •

Over many years Karel Nel has been interested in the interface between art and science and this ongoing investigation has led to his inclusion in the COSMOS project as artist-in-residence •



Karel Nel
Jim

Solo exhibitions

- 2008 The Brilliance of Darkness, Art First, London
- 2007 Lost light: fugitive images from deep space, Standard Bank Gallery, Johannesburg
- 2005 In the Presence of Leaves, Art First, London
- 2004 Leslie Sacks Fine Art, Los Angeles
- 2003 Status of Dust, Art First, London
- 2002 Status of Dust, Art First, New York
- 2000 Volcanic Texts, Art First, London
- 1999 Solo Journeys, Standard Bank Gallery, Johannesburg
- 1998 Images of Paradise and Death, Leslie Sacks Fine Art, Los Angeles
- 1996 View on the Inner House, Art First, London
- 1995 Isles and the Inner House, Leslie Sacks Fine Art, Los Angeles
- 1994 Inner Province, Art First, London
- 1990 Recent Work, Standard Bank Gallery, Johannesburg
- 1986 Quiet Lives, Gertrude Posel Gallery, University of Witwatersrand
- 1983 Recent Drawings and Guest Artist, Johannesburg Art Gallery
- 1980 Drawings, Olivetti Gallery, Johannesburg

Selected group exhibitions

- 2008 Angaza Afrika. African Art Now, October Gallery, London
 - Dialogue, Art First, London
- 2004 Ten Years of Democracy, South African National Gallery, Cape Town
- 2003 Place, Galerie Asbaek, Copenhagen and /04 Kastrupgardsamlingen, Kastrup, Denmark, Touring to Pretoria Art Museum and Oliewenhuis Art Museum, Bloemfontein, South Africa
- 2001 Art First at 10, Art First, London
- 2000 The Schachat Art Collection, SASOL Art Museum, Stellenbosch, South Africa

- 1999 Claiming Art/Reclaiming Space: Post Apartheid Art from South Africa, Smithsonian, Washington DC
 - Emergence, Standard Bank National Festival of the Arts, Grahamstown and touring exhibition
- 1998 Divided City Installation, In Nearer than Bronze Exhibition, Sandton Civic Gallery, Johannesburg, South Africa
- 1996 Three Years On, Art First, London
 - Insights, Wright Gallery, New York
 - Vita Art Today, Johannesburg Art Gallery
- 1995 Temenos Installation, Johannesburg Art Gallery for the Johannesburg Biennale
 - Common and Uncommon Ground, South African Art to Atlanta, City Gallery East, Atlanta, Georgia, USA
- 1994 Artists Under the Southern Cross, Stedelijk Museum, Amsterdam
 - Giholte-Baard-Breda Fonden, Copenhagen, with Doris Bloom and Marlene Dumas
- 1993 Resident Artist, Standard Bank National Festival of the Arts, Grahamstown
 - Affinities, Contemporary South African Art, Venice Biennale (and Rome)
- 1992 Institute of Contemporary Art, Johannesburg
 - Art Meets Science, Grahamstown Festival of the Arts
- 1991 University Art Museum, University of California, Berkeley
 - Three South African Artists: A Contemplative View, Midlands Contemporary Art, Birmingham
- 1988 Cape Town Triennial
 - Fort Worth Ryder Gallery, University of California (prizewinner)
- 1987 Vita Art Now, Johannesburg Art Gallery
 - National Drawing Competition Exhibition, Standard Bank National Festival of the Arts, Grahamstown
 - Valparaiso Biennale, Chile
 - Tapestries, Linda Goodman Gallery, and tour to South Africa National Gallery

Kenneth Ntsh
S. m

- 1986 The Volkskas Atelier Award (and 1987, 1988)
 1986 Selections From a Century, Johannesburg Art Gallery
 1985 Tributaries A View of Contemporary South African Art, BMW Exhibition, touring Germany and Europe
 – Cape Town Triennial
 – Paperworks Group Show (prizewinner)
 1983 Tatham Gallery, Pietermaritzburg Association of Arts, Natal
 1982 Cape Town Triennial (gold medallist)
 1980 Durban Arts '80
 – Young Artists, Olivetti Gallery
 – Sculpture '80, University of Pretoria
 1977 University of Witwatersrand

Commissions

- 2004 Oval Carpet, South Africa House, London
 2002 Field of Value, Nedbank headquarters, Sandton
 1999 ABSA, Johannesburg, Place of Nurture (Entrance Mural)
 1997 B/M/D Headquarters, Cape Town, Signs of Fire (drawings)
 1996 The Way of Stone, Reunion, Indian Ocean
 1995 Four Core Tapestries for the Mining Group Gencor, Johannesburg
 1992 Grahamstown Festival of the Arts: Three Lithographs
 1988 Anglo Vaal: Panel
 – African Oxygen: Tapestry for new hospital complex
 1986 Johannesburg Art Gallery: Intact – graphic
 1984 Anglo American: Trance Atlantic – drawing
 – Sandt Du Plessis Theatre, Bloemfontein: Inner Dance – drawing

Awards and residencies

- 2003 Gammeldok Copenhagen artists residency /04
 1991 The Old Mutual Vita Award (overall winner)
 – The Simpson Fellowship, University of California, Berkeley
 1989 Art Gallery Founders Prize of the University of California, Berkley
 1987 Fulbright Placement (University of California, Berkley)
 – University Council Fellowship (University of the Witwatersrand)
 1982 Olivetti Travel Grant
 1981 Almaks Prize
 1979 Montagu White Travel Grant
 1978 Montagu White Bursary
 – Afrox Prize (open category)
 1977 Afrox Metal Art Sculpture Annual Competition (student award)

Collections

Anglo American Corporation, Johannesburg
 Barloworld Corporate Collection, Johannesburg
 BHP Billiton Art Collection, Johannesburg
 Bloemfontein University
 Durban Art Gallery
 General Electric Company, USA
 Johannesburg Art Gallery
 The Metropolitan Museum of Art, New York
 MTN Collection, Johannesburg
 National Museum of African Art, Smithsonian Institution, Washington DC
 Pretoria Museum
 Rembrandt Foundation, Stellenbosch
 Sanlam, Cape Town
 South African Broadcasting Corporation, Johannesburg
 South African National Gallery, Cape Town
 Standard Bank Collection, Johannesburg
 Tatham Art Gallery, Pietermaritzburg
 Trust Bank, Johannesburg
 University of South Africa, Pretoria
 William Humphreys Art Gallery, Kimberley
 Witwatersrand University, Johannesburg

Kurt Hill
 Jim

Writings by Karel Nel

(2007) 'Shangaan: in search of a genealogy' in *Dungamanzhi: stirring waters – Tsonga and Shangaan art from Southern Africa*, WUP and JAG: Johannesburg pp. 148-167

(2007) 'Vittorino Meneghelli: bold collector of the unexpected', in Meneghelli (V.) et. al. *LA MIA VITA, LA MIA COLLEZIONE/MY LIFE, MY COLLECTION*, memorie e pezzi selezionati dalla collezione di Vittorio Meneghelli/ memoir and selected pieces from the collection of Vittorio Meneghelli, Johannesburg. pp. 268-275

with Von Maltitz, A. 'Edoardo Villa: a life considered' in Nel, Burroughs, Von Maltitz (eds) (2005) *Villa at 90*, Jonathan Ball with Shelf: Johannesburg, pp. 25-120

'Edoardo Villa: creating an African Presence' in Nel, Burroughs, Von Maltitz (eds) (2005) *Villa at 90*, Jonathan Ball with Shelf: Johannesburg pp. 121-148

with Sack, M. 'Villa, Johannesburg and the modernist context' in Nel, Burroughs, Von Maltitz Editions, (2002)

'Southern Artifacts in the Horstmann Collection,' in *The Power of Form*. Milan: Skira, 2002, pp. 212-243

'Towards a Southern African Aesthetic,' in *Ubuntu* catalogue. Paris: Musee de l'Homme and Museum of African and Oceanic Art, 2002

'Headrests and Hair Ornaments: Signifying More Than Status,' in *Hair in African Art and Culture*, edited by Roy Sieber and Frank Herreman. New York: Museum for African Art, 2000, pp. 151-159

with Nessa Liebhammer. 'Swazi Umntfwana' and 'The Puzzle of the Pendant Figures' in *Evocations of the Child: Fertility Figures of the Southern African Region*, edited by Elizabeth Dell. Cape Town: Human and Rousseau/Johannesburg Art Gallery, 1998, pp. 161-171

Catalogue entries for southern African tobacco pipes and snuff containers in *Africa: The Art of a Continent*, edited by Tom Phillips. Munich: Prestel, 1995, pp. 211-215

Selected bibliography

Nel, K. (et al) (2007) *Lost light: fugitive images from deep space*, Standard Bank Gallery: Johannesburg (exhibition catalogue)

Wullschlager, J. 'Karel Nel at Art First,' FT Magazine, London 3 September 2005

McKenzie, J. (2004) 'The Status of Dust' in *studio international visual arts*, Design and Architecture Yearbook special issue, Vol. 203 no. 1026, The Studio Trust: New York

Bunn, David. 'Breath Alphabet: Karel Nel and the History of Division,' in *Status of Dust*. Art First, New York 2002

Dubow, Jessica. 'Status of Dust: A Profane Spirituality, A Radical Materiality,' in *Status of Dust*. Art First, New York 2002

Cooper Stracey, Clare, and Karel Nel. *Volcanic Texts*. Art First, London 2000

Martin, Marilyn. *View of the Inner House*. Art First, London 1996

Doepel, Rory. *Karel Nel: Transforming Symbols*. Johannesburg: University of the Witwatersrand, 1993

Karel Nel
J. m.

IN THE SOUTH GAUTENG HIGH COURT, JOHANNESBURG
(REPUBLIC OF SOUTH AFRICA)

CASE NO: 17978/2012

In the matter between:

JACOB GEDLEYIHLEKISA ZUMA

First applicant

AFRICAN NATIONAL CONGRESS

Second applicant

and

GOODMAN GALLERY

First respondent

CITY PRESS

Second respondent

CONFIRMATORY AFFIDAVIT

I, the undersigned

VULINDLELA PHALANI ELLIOTT NYONI

do hereby state under oath:

1. I am an academic and artist, employed as a lecturer in the Department of Visual Art at the University of Stellenbosch.
2. The facts contained herein are within my personal knowledge and belief, unless the context indicates otherwise, and are true and correct.
3. I lecture in printmaking and drawing, and my main interests lie in the politics of representation and self-representation as an exploration of personal narrative through print media. I have shown widely in South Africa and have a developing international profile.
4. I would like to believe that the Constitution protects my rights as an artist.
5. The recent events concerning Brett Murray's Painting 'The spear' and the subsequent reaction by the ANC to have that image removed from display warrant some reflection on the part of the constitution that speaks of freedom of expression. In the last week many artists and art critics have been in discussion on several social media platforms as to this right. However, I do also believe that these discussions have been slighted misguided in terms of the true issue at stake: freedom of expression and the need for social discourse on matters of creative expression. Art has an historical relationship with politics and continues without a doubt to stimulate discourse around governance and power. I

call to this as examples, Picasso's *Guernica*, Goya's constant reflection on the atrocities of war in his paintings and prints; more recently Jon McNaughton's painting of Barack Obama holding a burning copy of the American Constitution and perhaps of utmost relevance to this case Margaret Sutherland's nude portrait of the Canadian Prime Minister, Stephen Harper. I enclose copies of some of these examples, as annexures "VN1" to "VN4".

6. I have to admit, we as artists are and perhaps have to be provocateurs when dealing with matters of politics, race, gender, sex and representation. Subversion and questioning the *status quo* become part of this role. I worry, though, about our role as provocateurs especially in light of recent events in which the artist Makode aj Linde created a Golliwog cake that was to be cut open and eaten. The artist I refer to (despite causing a global outcry around the politics of representation and race to which there has been no resolution) brought into question matters of responsibility and ethical accountability that we as artists should all adhere to in light of the word 'integrity', when producing work.
7. As artists we do have a responsibility to ourselves and also to those who might view the work that we produce. Acknowledging this, on the part of an artist, is really initiating a discourse on ownership, ownership of the work they produce, the ideas they have and interestingly enough ownership of the society in which they live. An artist should not simply

make a work condemning an aspect of society without acknowledging this sense of ownership and allow some recourse to discourse around the issues. To do so would be to create an act of propaganda.

8. However, the debate at present is whether the work should be seen or not, to be removed from display, to be censored. A few opinions expressed thus far have noted that the views expressed by both parties, the Goodman Gallery (claiming freedom of expression) and the ANC (claiming prejudice against the President) are both right. I am inclined to agree.
9. However, what I do not agree with is the implication that established institutions such as galleries that support and uphold the right of an artist to express him or herself, can be interfered with and controlled by an external body. Declaring something unfit for view, censorship by an external body, undermines the investment in the social and cultural custom/expertise that determines the cultural capital of a society. Censorship at best implies that a rationale can be applied to creative engagement and that this rationale can be adopted and enacted upon by other external bodies outside of the site of creative expression or the person responsible for it. This country has a deep history of political censorship that needs no recounting here. Thank goodness those days are over. Perhaps and in light of this case I believe that what our society needs is a platform of critical discourse around HOW things should be

seen and not WHAT should be seen, which will allay this sense of moral rationalizing derived from some regressive code of ethics and ways of being that skew our perspectives on beauty, art, home, family, sex, gender, religion, music, tradition and countless other factors.

10. The Constitution as I understand it allows for the discourse not to be controlled by unwarranted 'moral rationalizing'. And yet we still have artists' works being defaced and destroyed by people and groups who choose not to hold a discourse but rather choose to silence and destroy. We have communities turning to petitions to remove public sculptures because 'they offend their religious and family values'. We have government figures (who have a social responsibility to their constituents) walking out of exhibitions they were asked to open because they disagreed with the subject matter of the artist's work. The list goes on.

11. If this unspoken code of morals affects how we create as artists, pre-determines relevance, beauty, efficacy, etc., or in other words limits agency and ownership (not just of the artwork from inception to exegesis, but also the *right to show*) right down to the experiences one might have as an artist within society, we have a problem. A limited freedom of expression is no freedom at all to an artist.

12. Finally, with regards to matters of nudity, I am again stymied and stunned by the ill-informed social consciousness that regards images of the human body as taboo and yet willingly accepts images of violence, rape and destruction as the norm. The unwillingness to regard the most basic and fundamental marker of human existence (the human body) as acceptable in favour of markers of the degradation of human experience is an indictment on social normalisation.
13. I am not a fan of Brett Murray's painting 'The spear' but I do take the work in context of the rest of the show. I would like to believe that in any other circumstance, (for example if another artist had done the same) that the rights of the gallery and the artist would be protected.

14. I would like to believe... No, I would like to *know* that the Constitution protects my rights as an artist.

DEPONENT

The deponent acknowledged that he knows and understands the contents of this affidavit which was signed and sworn to before me at Sandton on this the 20th day of May 2012, the regulations contained in Government Notice No. 1258 of 21 July 1972, as amended and Government Notice No. R1648 of 17 August 1977, as amended, having been complied with.

COMMISSIONER OF OATHS

"VN1"

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"VN3"
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McLAUGHLIN
FINE ART



"VN4"
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