

Page 1, top story, March 3, 2015

Library removes artwork

Trumbull first selectman orders painting taken down amid copyright concerns over image of Mother Teresa

By Keila Torres Ocasio

TRUMBULL — First Selectman Tim Herbst has ordered the removal of a piece of artwork from a public library that has Catholic officials claiming a copyright infringement of Mother Teresa's image. Even Bishop Frank Caggiano of the Roman Catholic Diocese of Bridgeport has weighed in on the controversy — while critics are calling Herbst's action an infringement on free speech and on the separation of church and state.

The painting in question was removed late last week from the Trumbull Library, where it had been on display since October.

On one side of the painting stands Mother Teresa, who spent her life advocating against abortion. On the other side, Margaret Sanger, who was pro-choice, stands in front of a sign with the words "Planned Parenthood" on it.

Sanger founded the organization, which performed more than 327,000 abortions in 2014. Between the two women are several other "great minds," including Florence Nightingale, Gloria Steinem and Betty Friedan.

"She would have never picked up a banner and walked with these women at all," said Father Brian Gannon, pastor of St. Theresa Roman Catholic Church on Main Street, of Mother Teresa. But Dr. Richard Resnick, owner of a collection of painting at the library, called Herbst's decision "un-American."

"He infringed upon First Amendment laws due to the political pressure," said the town resident, who commissioned the 33 pieces in artist Robin Morris' "Great Minds Collection." "This should not happen in this country at this time in history."

The other 32 paintings depicting figures like Moses, Picasso, Ghandi, Shakespeare, Nelson Mandela and Oprah Winfrey, remain on display.

The collection is scheduled to be at the library until May. It was previously exhibited at Fairfield and Colgate universities.

It's the depiction of Mother Teresa standing in unison with these women that had Catholic officials calling for the permanent removal of the piece of artwork.

After learning of the artwork's existence a few weeks ago, Gannon informed the Order of the Missionaries of Charity, which was founded by Mother Teresa, which has told the town that the depiction of the famous figure is in violation of copyright laws.

A call and email to the Mother Teresa Center, which deals with copyright issues for the order, were not immediately returned.

Herbst said he called for the painting's removal after he was made aware that the library had not signed an indemnification agreement with Resnick.

Because of this, Herbst said, the town could be held liable if a copyright issue does exist or the pieces of artwork in Resnick's collection are stolen or damaged in any way.

"I have a legal and fiduciary duty to mitigate and limit any potential exposure to the town," Herbst said, adding that the content of the work had nothing to do with his decision. "We're not playing art critic. This has nothing to do with censorship or the First Amendment."

The first selectman did note, however, that he has received several complaints about the painting, including a telephone call from Caggiano stating his concerns.

Brian Wallace, a spokesman for the diocese, said the bishop was aware of the painting because the diocese had received calls from several people who were offended by it. But he said Caggiano, who has not seen the painting, did not request that it be removed.

"We certainly believe in freedom of expression," Wallace said. "I think the only thing the bishop would ask is that we can engage in a dialogue on it."

The issue also has area residents divided, with some calling the removal of the painting a sort of censorship and others praising the town for the move.

"It's casting Mother Teresa in a very inaccurate light," said Bridgeport resident Chris Lieby of the painting. "If it's misleading, it's harmful to people."

But Trumbull resident Marilyn Lord, a friend and neighbor of the Resnicks, agreed with Resnick that the write-up that goes along with the image makes it clear the painting is about more than its individual parts.

"It's really about women transforming other people's lives," she said. "And Mother Teresa was very much a person who transformed other people's lives."

An attorney for Resnick said removal of the artwork is a violation of the First Amendment, which allows freedom of speech and the separation of church and state.

“Copyright laws do not apply with trans-formative work” under the fair-use doctrine, said attorney Bruce Elstein. “The town knew that.”

He noted that the image of Mother Teresa does not make up more than 10 percent of the painting, one of the factors considered in these cases, and wondered why this particular image was removed and the others were not.

“If one would be in violation of copyright, why wouldn’t they all be?” Elstein asked. “He only removed the painting that is brought to their attention by the Catholic Church.”

Herbst said it was only that painting that had been the subject of a copyright complaint.

“A claim was made specific to that piece,” he said. “The town of Trumbull is not going to decide what is or is not a copyright infringement. The town of Trumbull is not getting in the middle of this. Period.”

Resnick said the painting was meant to show women who transformed the world for other women and showcases separate issues, including the right to vote and equal wages.

The short description that goes along with the painting states it is “a tribute to the legions of unacknowledged women whose greatness lies in an unselfish commitment to work for changes that transform lives.”

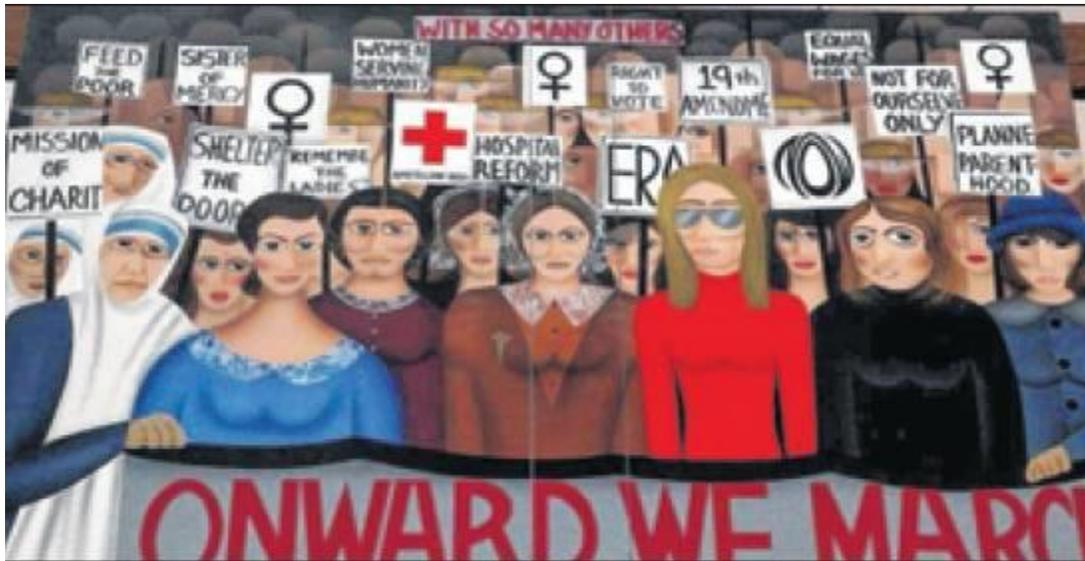
He said the description explains that the women were chosen for their contributions to society on a number of levels and the point of the piece is not to single out a particular element.

“This is National Women’s History Month and women are in the closet of the library,” Resnick said.

But Gannon said the problem with the painting is that it shows an inaccurate depiction of Mother Teresa as someone who would stand in acceptance of the other women’s actions, when in fact she would likely have called for their conversion.

“I really feel very strongly that out of respect for who Mother Teresa is, the painting should not go back up,” Gannon said. “This has nothing to do with censorship, but with using someone’s image in a true depiction of who they are.”

Herbst has said he will allow the image to go back up in the library as long as Resnick agrees to sign an agreement holding the town harmless. Resnick said he is more than happy to do so.



Contributed photo

First Selectman Tim Herbst has ordered the removal of a piece of artwork from the Trumbull Library that has Catholic officials claiming a copyright infringement of Mother Teresa's image, at far left.



Caggiano