

Tania Bruguera, Coco Fusco, More Pen Open Letter Regarding Cuban Decree They Say Limits Artists' Rights

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In an open letter posted to the activism website Avaaz, artists Tania Bruguera and Coco Fusco; Laritza Diversent, the director of human-rights organization Cubalex; curator Yanelys Nuñez Leyva; and writer Enrique Risco speak out against Decree 349, which the Cuban government issued in July to address “violations by individuals of the regulations regarding the provision of artistic services.” Their missive, which is addressed to Miguel Díaz-Canel Bermúdez, Cuba’s president as of this past April, claims that the decree will “restrict the creativity of the Cuban people and criminalize independently produced art,” and ultimately give way to “the impoverishment of Cuban culture.”

According to a report in the *Miami Herald* last month, Decree 349 affects artists of all kinds, including musicians, who can no longer be hired to perform in clubs or bars without the permission of the Ministry of Culture or certain agencies, and artists, who aren’t allowed to sell works without state permission. (Fines are imposed on artists who do.) Limitations have also been placed on works that feature “use of patriotic symbols that contravene current legislation,” violence, and pornography, among other forms of imagery.

In a phone conversation, Fusco said that the decree was enacted “without prior conversation with the artist community” in the country, and that it can be situated within a larger culture of governmental surveillance that is well-known to Cubans. “This is an ongoing problem in Cuba—that [artists] are afraid to speak up,” she told *ARTnews*. With the letter, she went on, she and her co-authors were hoping to start a “public discussion” about the decree.

“We are concerned about the presence of vague phrases such as ‘contents that are damaging to ethical and cultural values,’ ” the letter, which was published in both Spanish and English, reads, in part. “The decree has no description of how to create legally. Furthermore, the history of the arts demonstrates that the questioning of established systems of thought is the motor of aesthetic progress. Without it, art would not have advanced.”

The Cuban government has recently come under fire for the censorship of various art projects. Earlier this year, government officials spoke out against the #00Bienal de la Habana, an alternative biennial that was held in Havana after a similarly named state-funded art festival was pushed to 2019 following Hurricane Irma. According to reports by *Artnet News* and *Hyperallergic*, some artists in the biennial, which was organized by Luis Manuel Otero Alcántara and Nuñez, were detained by authorities and threatened.

The letter goes on to note that the decree limits artists’ abilities to operate on their own, via such means as crowdfunding, which the letters’ authors say “does not make him or her into an opponent of the government.” It goes on to call the government’s ability to censor the content of certain works “a[n] excessive measure,” adding that doing so “lays the groundwork for administrative corruption.”

The letter is [available in full](#) on the website Avaaz.