

From the Streets:



SUBMITTED PHOTOS

A First Amendment right? One street artist thinks so

By Suzanne Hanney
Editor-in-Chief

Chicago artist Christopher Drew, also known as C. Drew, celebrated his 59th birthday on October 9 by protesting Chicago's peddler's license law, which extends to artists and therefore places unconstitutional restrictions on their ability to sell their work in public, he said. Drew's protest consisted of selling art in front of the Art Institute of Chicago from noon to 1 p.m.

Artists should be able to sell their work without a permit and at no cost to themselves on the streets and in the parks of Chicago, Drew said in a phone interview, because of their constitutionally protected right to freedom of speech.

"The peddler's license is made for selling umbrellas and incense, not First Amendment-protected work," he said. "Lumping artists in with peddlers is like putting apples and oranges together and writing a law for oranges. Apples in this case are the First Amendment, oranges are everybody else. Apples are the artists and they have a right. [But] with peddlers you have a privilege—it's a privilege to sell your stuff, like a driver's license."

Chicago's peddler's license regulations list three pages of restricted districts, Drew said, including anywhere in the Loop, near McCormick Place, several places on the South Side, a stretch of Milwaukee Avenue, and the 47th and 50th wards.

He says federal courts have recognized that freedom of speech is limited if artists are forced to work other jobs just to get by due to the fact that they're unable to sell their art. New York City has the broadest First Amendment protections thanks to artists' lawsuits, Drew said, and he wants Chicago to follow suit.

"The homeless in Chicago have won their First Amendment right to ask for money in public," he continued. "However, because artists have not fought for similar rights in Chicago, a homeless artist can ask you for a dollar but he can't sell you

a portrait of yourself for a dollar. There are no open-air art scenes in Chicago where artists can survive or make a living selling their art in public. This is an outrageous violation of our First Amendment rights."

The global economic crisis has reinforced the informal economy of street peddlers all over the world, wrote attorney Sean Basinski, director of New York City's Street Vendor Project at the Urban Justice Center, on *The New York Times's* City Room blog. Even countries like China are accommodating peddlers.

New York City's Lower East Side has been a traditional home for peddlers, who are restricted from many business districts, Basinski noted. He urged support of the peddlers because they're "emblematic" of New York: "They reflect our city's mix of immigrant cultures, our tradition of self-made strivers and our respect for shared public space and the interactions that go on there." However, the waiting list for peddler's licenses in New York has been closed since 1992.

Under the First Amendment, artists may sell books, magazines, records, CDs, DVDs, political items, and art (paintings, sculpture, etc.) without a license. This contributes to a lively art scene and gives emerging artists a chance, Basinski said.

The problem lies in defining "acceptable" art; an appeals court ruled that the dominant purpose of the art in question must be "expressive" rather than "commercial." However, many artists still call the Street Vendor Project's office and ask if they're allowed to sell finger puppets or jewelry. Basinski wrote that there is no process for pre-approval; he thinks City Council should draft better guidelines.

Drew is the founder of Chicago's Uptown Multi-Cultural Art Center (UM-CAC), a 501(c)(3) located at the American Indian Center, and has managed it for over 20 years. The nonprofit agency teaches screen-printing to artists and hosts an annual exhibit called "The Art of the T-Shirt."

Drew is a full-time volunteer at the UM-CAC, but he has low-paying part-time jobs—office work, fixing computers—in order to make ends meet, because "city laws and policies make it too difficult for me to sell my art in public in Chicago."

"When artists gain their full speech rights to sell art in public, we will create art scenes that will attract more artists to Chicago, and the city's cultural life will expand, giving Chicago a healthier economy, greater respect on the world stage, and make life in Chicago more interesting," Drew claims.

He seeks to generate serious discussion about the rights of visual artists, musicians, and performing artists and to change the laws that reduce their presence in public. Toward that end he's created the Art Patch Project, which teaches the basics of screen-printing in workshops at the American Indian Center and passes out limited-edition patches for free wherever it's illegal to sell art in Chicago.

He's also created the Free Speech Artists' Movement Web page (art-teez.org/free-speech.htm), where he invites the public to sign a petition. So far it's attracted 700 positive responses, Drew said, and those who signed it now receive regular e-mail blasts. The public can also comment on his blog entries at c-drew.com/blog.

Contributing Writers

Ginny & the Chef: Originally a professional chef, Chef J now writes a syndicated weekly column on food and fitness in Chicago. He's also the president of the Chicago Research Chefs LLC and president emeritus of the Chicago Nutrition Association. Ginny has written nutrition and fitness articles for several local and national publications, such as the *Chicago Tribune* and *On-Health* magazine. She has a bachelor's degree in nutrition science and dietetics and a master's degree in nutrition communications and marketing.

Helen Kiernan is chief editor of *Elephant 'zine* (www.elephantzine.weebly.com) and received a bachelor's degree in poetry from Columbia College, Chicago.

Stephanie Taylor graduated from Columbia College Chicago, where she earned a degree in Magazine Journalism. Her work has been seen in the campus newspaper, *The Columbia Chronicle*. She also wrote for Chicagoland *Tails* pet magazine, where she interned. Soon she will begin writing for an upcoming art magazine called *Upsurge*.