

Harold Thomas Submission to Senate Enquiry into Aboriginal Art in Australia

I have been involved in art created by Aboriginal people for more than 50 years. As a graduate in Fine Art from the South Australian School of Art in 1969. I understand completely what it is to be an artist, creator, conceptualiser, copyright holder and all the difficulties that arise. It is my chosen profession. The business of art begins with artists themselves, who decide to present their creations to the public.

History tells us that artists are at the whim of the public. It is known that artists are the lowest paid of all professions, and only a few gain success or notoriety. Exploitation and protectionism is the underlying thread to this enquiry.

I pose the question, "What is 'Authentic' Aboriginal Art?" Two definitions arise from that statement: 'Authentic' and 'Aboriginal Art'. Authenticity (noun) comes from the Greek *authentikos* meaning genuine. There are a number of words (English) which are used commonly to describe the word authentic; eg trustworthy, entitled to acceptance (statement), genuine, not forged (pictures), establish the truth, authorship or validity(statement), document claim and so on.

As we delve deeper into the actual word authentic, we uncover, and is always the case, the word 'subjective'. That is a thesis of its own. The rider to this is 'who is or are the authenticators? The Copyright owner, or self appointed unqualified person and or a network of individuals who have their own agenda – money.

My interest in Aboriginal art and craft dates back to 1970, when I was employed at the South Australian Museum in Adelaide. I was engrossed in the largest collection of Aboriginal artefacts in the world. Prior to WWII the largest collection was in Germany. Where did it go? It was obliterated by the bombings.

In this SA collection of art and craft from around Australia was the secret, sacred and secular. There were no 'sand' paintings, the authentic Aboriginal art as we know it today. That format, where a canvas is stretched over an oblong wooden frame came in 1972 – at Papunya, painted by men only. The only pieces of authentic art are those depicted on oblong shaped bark – today known as bark painting. These paintings are authentic because the artists used natural ochre colours. True, real, truthful and traditional to the core.

Authentic aboriginal art is that that pre-dates colonisation, a fact. And the continuation of that art, which has undergone adaptation and development from remote, rural and to urban groups.

Whilst I was at the Museum of SA an exhibition of 'Oceanic Art' was displayed at the Art Gallery of SA (next door). There was no Aboriginal or Torres Strait Islander art or craft displayed. I regarded this as an affront to my people, especially tribal groups living on the eastern seaboard of Queensland to NSW. I felt duty bound to make it known, here we have non-Aboriginal people playing the ethnocentric card. The local Aboriginal Art Cooperative had managed to acquire a collection of Aboriginal Art and Craft over a number of years. Mostly from Northern SA and North, Central and Eastern Arnhem land in the NT. The collection is known today as the Gladys Elphuck collection, the first Aboriginal Art collection in Australia

owned by an Aboriginal community. As Chairperson I decided to mount this collection as a “Protest Aboriginal Art” exhibition.

I was favourably welcomed back to the SA School of Art to hold this event in their main gallery. Also the Australia Council provided support. Please note it was the first ever exhibition of Aboriginal Art to be held in an art gallery in Australia. Note: Albert Namitjira exhibition was held in the 1950’s.

The challenge at the time was to make people aware Aboriginal people can drive their issues and be in control and not subservient to patronisation and institutional racism.

That is why it is so important not to allow control of what is Aboriginal Art to be determined by non-Aboriginals in the first instance or any other person who may have a narrow view of what art is.

Policing what is Aboriginal and Torres Strait Islander art is problematic to say the least. We need not go any further than scan the fascist Nazi’s propaganda. Their art was to promote the Arian race, the purity of the white Caucasian man. That is protection of the most heinous kind. The Gestapo were the facilitators to rid all facets of artistic expression that did not fall within the guideline of the Germanic Arian formula. And that pure Arians are the ones that can create authentic Germanic art and culture.

To allow such a regime in Australia is unconscionable. Also such gravity of cultural control on any Aboriginal art is repugnant in the eyes of the UN Convention of freedom to express one’s identity. Having said that, there will never be pure, authentic Aboriginal art, and it is foolish to believe there is. Art expression is fluid, it travels within the influences that impact on humanity.

One can only look at the wonderment and phenomenon of European art. It is unparalleled. The wonderment of Aboriginal art is that it has been a journey of over 60,000 years. That is a phenomenon that also is unparalleled. And other cultures around the world can sing the same song.

The question of copyright is the centre of all of this. All beings own copyright if they conjure up a design, painting, scribble even a thumb print, write sing, dance, anything created – namely culture. It now falls under our common law right.

Today we have invested so much energy into protection, our individual rights. That is why we have The Copyright Law Agency, and specialist lawyers who assist artists etc.

I have personally used such services. So if there appears to be an infringement of copyright, whether commercial or not, the Australian Copyright Council are available, it is free. If a remote area artist or any other artist has located an image that has surfaced in the public that may be an infringement of his/her copyright, then it is up to that individual or an associate to proceed with action; contact a lawyer or go direct to the Copyright Council.

What is most important is the artist must be encouraged to carry out the process. It is called ‘self empowerment’

We know there are operators in the Aboriginal Art Industry who are mainly non-Aboriginal, who have their own vested interest and agendas and who network with other like-minded perpetrators. These are the cur of the art industry.

The more Aboriginal people control their own destiny and are free to express their particular art from the far reaches of our country to the inner suburbs of a city, the better off are the First People.

Merchandising art made by Aboriginal and Torres Strait Islander people will always have its detractors. There are activists who have the ability to create designs specifically for a commercial business arrangement; that is called commercial art. Those who allow their designs to be made into commercial products take on the modern world of business and exploitation, that is a fact.

There are some businesses in the merchandising industry who have a good, sound, professional relationship with Aboriginal artists by being advocates in protecting the artists design that work favourable and agreed upon by the person, also ensuring copyright is adhered to.

It must be pointed out that when these kind of arrangements occur, then it is no body else's business. Particularly no government interference. We know there is exploitation of certain designs that have surfaced in the commercial merchandising and clothing industries. It will always be so.

And in the protection of people's rights; particularly those small business operators who are genuine and honest in their dealings with clients, should not be impaired by a new set of rules. For example a business can be thwarted by petty jealousies, company lies, or being targeted by certain individuals and others who's agenda is not professional.

If an Aboriginal wishes to have their design copied by another for commercial business arrangement, it is no one else's business. Whether is is dome locally ot overseas.

How often mainstream literature books are taken offshore to be printed? Why? Because it is cheaper. What's the difference? Answer – none.

Commercialising Aboriginal art will always be about. Some will be success stories, some will not. And if you have been in the industry you will understand fully. The tourist and merchandising industry go hand in hand, particularly for Aboriginal people. To make it better we need an open mind of marrying the interplay of artist design with business entrepreneurship.

To stymie the issue of what is the definition of authenticity and style of Aboriginal art is dated ethnocentric racist view of today's world. My view ids to leave things the way they are, and individual artists and designers to be more cognisant in utilising their legal avenues and be active as modern Aboriginal Peoples.

Harold Thomas

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