

# Aboriginal and Torres Strait Islander Art Economies project: Literature review

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## Executive summary

This literature review surveys writing about the Aboriginal and Torres Strait Islander art and craft sector of remote Australia. The review has been compiled as a foundational text for the 'Aboriginal and Torres Strait Islander Art Economies' research project being undertaken by the CRC for Remote Economic Participation (CRC-REP). The Art Economies Project (AEP) is a unique opportunity to investigate, analyse and enhance key points of exchange within the sector, many of which are poorly understood, under-researched and characterised by different kinds of fragility or instability.

The sector is a significant contributor to the cultural and social life of Australia and simultaneously creates important enterprise and employment opportunities for remote-area Aboriginal and Torres Strait Islander people. Broadly, Aboriginal and Torres Strait Islander people are more likely to be employed in visual arts and crafts occupations as their main job (52%) than non-Aboriginal and Torres Strait Islander people (9.7%) (Commonwealth of Australia 2012), and investments in Aboriginal and Torres Strait Islander arts centres generate positive financial returns to artists, calculated at a ratio of approximately 1:5 (Commonwealth of Australia 2007a).

This review is linked to the primary zones in which AEP research will take place, presenting the current understanding and gaps in each of the six areas of interest: the scope and scale of the sector; the business of remote-area art centres; artists and art business outside of art centres; marketing and consumer dynamics; remote area human resources; and e-commerce and licensing.

Publications describing the aesthetic, social, cultural and economic dynamics of the Aboriginal and Torres Strait Islander art economy have been generated by a broad range of people, from economists to anthropologists, art historians to art dealers. This diversity creates challenges in assembling an encompassing literature review. Despite the range of material, however, it is also clear that there are sizeable and important gaps in knowledge about the art economy. These gaps range from understanding the size of, and financial flows within, the sector through to the barriers for remote enterprise and the opportunities for (and obstacles within) new marketing and business models. In contrast to the knowledge gaps about the commercial forces at work is a considerable body of research into the social and cultural worlds of remote area art and artists.

Recent years have seen a major contraction in the art economy. The Australian Bureau of Statistics reports a 52.1% reduction in sales in remote art centres (Commonwealth of Australia 2012:2) since 2007, which accords with other anecdotal industry information as to the fragility within the sector. Understanding this fragility and the potential for expanding the success of the art economy, lie at the nucleus of the AEP's research work.

## Introduction

### Description and scope

Aboriginal and Torres Strait Islander art is a highly variable set of practices and products.<sup>1</sup> The art produced ranges from traditional weaving through to paintings and, increasingly, work in new mediums, such as digital formats. Actors in the Aboriginal and Torres Strait Islander art sector include artists, art centre staff, gallerists, private art producers, collectors, curators, auction experts, art writers, journalists and researchers. They are linked in a complex value-creation chain (e.g. Bryceson 2008; Porter 1985). While artists in the chain are Aboriginal and Torres Strait Islander people, as are a number of curators, the majority of the other actors are not. This has created an intercultural setting where the interplay between 1) artists, 2) their cultural, community and professional settings, and 3) the evolving business practices reflect the enormous variation and creative and entrepreneurial energy of all the actors.

### Context and history

Writing and talking about art has been integral to the development of what is called the Aboriginal and Torres Strait Islander ‘art sector’ or ‘art industry’.<sup>2</sup> As Danto (1964) and others have shown, these processes are central to the creation of the ‘values’ of art, contributing to market trends and defining ‘taste’ (Bourdieu & Darbel 1990; Halle 1993; Myers 1991, cf. Bourdieu 1984), in an encompassing ‘art world’ (Becker 1982). An art world is a network of intersecting, sometimes aligned, often competing, and frequently contested interests and ‘regimes of value’ (Appadurai 1986). Cultural, social, religious, aesthetic, moral and financial regimes of value inform and are in turn informed by the art world, linking art world actors in the complex social reality of this world.

The art of Aboriginal and Torres Strait Islander Australia is ‘one of the longest continuous traditions of art in the world, dating back at least fifty millennia’ (Caruana 2003:7). This continuity has enabled the art to travel from its origins in traditional spiritual and religious expression into mainstream art worlds. Aboriginal and Torres Strait Islander languages and cultures have a wide variety of ways of talking about what non-Aboriginal societies call ‘art’, including concepts of ‘story’, ‘ceremony’, and ‘marking’ (see, for example, Biddle 2007). The existence of the category ‘Aboriginal and Torres Strait Islander art’ emblematises the transformation of pre-twentieth century non-Aboriginal thinking about ‘primitive’ artefacts with ethnographic value into contemporary art and the increasing production and availability of art objects as commodities in an intercultural marketplace (Clifford 1988; Errington 1998; Marcus & Myers 1995; Price 1989; Thomas 2010).

Since colonisation, exchanges of Aboriginal and Torres Strait Islander objects or art has been symbolic of, and at times central to, the shifting and difficult relationships between Aboriginal and Torres Strait Islander people and non-Aboriginal and Torres Strait Islander people. The evolutionist thinking that characterised much of Australia’s nineteenth and twentieth century public and social policy had ‘declared the discrete Aboriginal culture redundant’ (Caruana 2003:16). For most of this time, cultural objects of value to Aboriginal and Torres Strait Islander people remained largely invisible to all but a few explorers, missionaries and anthropologists (Batty 2011; Kleinert 1994; McCulloch & McCulloch 2008; McLean

<sup>1</sup> This paper uses ‘art’ throughout to refer to a wide range of arts and crafts produced and sold by Aboriginal and Torres Strait Islander people.

<sup>2</sup> In this review both terms are used, though with differing emphasis: ‘industry’ refers to the commercial domain; the more encompassing ‘sector’ includes the full range of inputs and practices of Aboriginal and Torres Strait Islander art and creativity.

2011; Morphy 1998, 2005). Notwithstanding this history, arguments have also been made that Aboriginal and Torres Strait Islander art (or practices and objects that later came to be defined as art) has always been part of the transactions between colonial and Indigenous societies: '[T]he manufacture of artefacts for trade was always an important source of supplementary income ... The early collections of traditional artefacts in museums trace the progress of the frontier' (Morphy 2005:19–20).<sup>3</sup>

Anthropologists 'first systematically collected and studied Aboriginal art and organised its first substantial exhibition' in 1929 (McLean 2011:23). The shift from ethnographic interest to contemporary art began in the 1950s, as the 'long-term blindness' (ibid.) of the Australian art world began to see these works less as curiosities or souvenirs and increasingly as 'fine art' (Myers 1994, 2001, 2002). As Aboriginal art<sup>4</sup> emerged into wider consciousness, accompanying discourses also grew (McLean ibid:26), linked to wider social changes in Australia, such as Aboriginal and Torres Strait Islander self-determination and political activism, which accelerated the new and increasingly complex reception of Aboriginal art as such (Caruana 2003).

The early 1970s saw the creation of the Aboriginal Arts Board within the Australia Council (Genocchio 2008; Morphy 2005; Myers 2001, 2002), bringing together leading Aboriginal and Torres Strait Islander artists and non-Aboriginal and Torres Strait Islander art world professionals. These people became advocates, curators, promoters, marketers and funders of art production in remote Aboriginal and Torres Strait Islander communities. Concurrently, a new art movement was beginning in the desert community of Papunya (Bardon 1979, 1991; Bardon & Bardon 2004; Hodges 2011; Johnson 2008, 2010; Myers 1999a, 2009). The Papunya Tula Artists cooperative that was formed out of this explosion of painting created, in many ways, the template for the formal economic activities of organised production and community-controlled institutions that characterise the contemporary remote arts sector. The acrylic-on-board (later acrylic-on-canvas) dotting techniques of those 'first' desert artists developed and expanded into a global phenomenon (see, for example, Tamura 1994).

By the 1980s, the production of Aboriginal and Torres Strait Islander art had become commercial, organised by both community-controlled agencies (see May 2006) and private art businesses. This new stage in the Aboriginal and Torres Strait Islander art movement generated new art, new skills and new businesses, with the works themselves gaining international recognition (Ryan & Batty et al. 2011; Smith 2009) and an unprecedented presence in the secondary auction market (Myers 2002; Johnson 2000).

Since the 1980s, Aboriginal and Torres Strait Islander art has become embedded into the Australian cultural and social landscape and is a significant force in the Australian art trade (Coate 2009; Wilson-Anastasios 2010). The multiplying forms, definitions and reception of Aboriginal and Torres Strait Islander art have also grown exponentially (Altman 2000; Coate 2009; McCulloch & McCulloch 2008; McLean 2011; Genocchio 2008).

Over the past 40 years, Aboriginal and Torres Strait Islander art has created considerable new wealth for collector-investors (Oster 2009); the benefits of this market have flowed back to artists, their families and communities unevenly and unpredictably. Art writer Ben Genocchio (2008) summarises the contradictions of Aboriginal and Torres Strait Islander people's apparently successful art-based participation in the economy: '[n]one of this money-mad speculation connects to the remote world of Aboriginal settlements,

<sup>3</sup> Some missions produced artefacts explicitly for sale. The Hermannsburg mission, for example, traded initially in tourist items, before moving to the watercolour tradition associated with Albert Namatjira and then to contemporary potters and painters associated with Ngurratjuta Art Centre and Hermannsburg Potters (French 2002; Kleinert 2010).

<sup>4</sup> Torres Strait Islander art, as art market objects with more than anthropological interest, did not arrive until years after there was recognition for Aboriginal art from central and northern Australia.

which gain little from the global art trade, but are among the most vulnerable to its adverse effects' (2008:216).

The Aboriginal and Torres Strait Islander art market has developed into segments that can be defined by products, regions and market value. At the high value end, Aboriginal and Torres Strait Islander art is still auctioned as 'Australian and Oceanic' art by major auction houses although it has transitioned from being considered 'primitive fine art' to 'contemporary art' (Wilson-Anastasios 2010). At the low value end, mass-produced souvenirs and art works of sometimes dubious provenance are widely marketed through private websites, auctions and in tourist precincts. Woven throughout the marketing of art in these different market segments are notions of cultural 'authenticity', where buyers appear to seek access to the cultural differences embodied by (or projected onto) Aboriginal and Torres Strait Islander people through the consumption of artworks. The different market segments are entangled, presenting considerable challenges in defining and understanding the market forces and commercial and cultural strategies in play (Altman 2005; Coate 2009; Hoegh-Guldberg 2002; Wilson-Anastasios 2010).

Aboriginal art fakes, the emergence of mass-market 'Aboriginal-inspired' design objects and other such practices raise questions about the commercial value of 'Australian Aboriginal-style'. This issue is mentioned in accounts of intellectual property issues and related topics (Anderson 2009, 2010; Janke & Frankel 1998; Johnson 1996) and has also been examined in the context of late twentieth century Aboriginal Canadian (Blundell 1993) and historical Native North American (1700–1900, Phillips 1998). To date, there has been no published research into lower and mid-market consumer 'taste' for Aboriginal and Torres Strait Islander art.

New interactive communication and consumption technologies are also a significant force within the sector. On the one hand, digital media is an emerging practice in many communities, while most private galleries and many community art centres now have an online presence. Claims to 'authenticity' (using photos and sometimes videos of artists at work) are hallmarks of marketing in these virtual markets where buyers cannot physically inspect works. There has been only very limited research of online trading of Aboriginal and Torres Strait Islander art (Jacobsen 2011). Jacobsen found that 'the licensed sector is in need of detailed research and greater attention as a firm industry option for Aboriginal and Torres Strait Islander copyright holders (2011:2).

Complex change continues in the sector and the market. The 2007–2008 global financial crisis triggered a large and ongoing market contraction. At the same time major public policies (e.g. the NT Emergency Response, NT local government mergers into large Shires), combined with demographic changes in remote Australia are impacting on community livelihoods and, consequently, the ways that Aboriginal and Torres Strait Islander art is made and sold. To date there has not been any research that documents these changes.

## **The Aboriginal and Torres Strait Islander Art Economies Project: current understanding and research gaps**

### **Overview**

The evolution of an 'industry' organised around Aboriginal and Torres Strait Islander creativity is a young phenomenon, relative to the millennia-long traditions of Aboriginal and Torres Strait Islander cultural practice. This industry is today a complex and global phenomenon, where enterprise and economic opportunity mesh intricately with historical, moral, social and political issues (Genocchio 2008; Kleinert 2010; Myers 1994, 2002; cf. Blundell 1993; Phillips 1998; Phillips & Steiner 1999).

The Aboriginal and Torres Strait Islander art market spectrum runs from the extremes of ‘fine art’, where scarcity, uniqueness and ‘beauty’ are valued above all else, to the opposite end, where ‘tourist art’ – handcrafted or manufactured – can be a cliché of dots, didgeridoos and boomerangs. In between the ‘fine art’ and ‘tourist art’ categories, there are a range of other descriptive categories, including ‘emerging artists’ and ‘mid-career artists’. This highly variable marketplace reflects the range of artistic and professional practice of Aboriginal and Torres Strait Islander artists as they develop skills, move, or engage with different market sectors; it also reflects the range of agents’ commercial practices, as they enact a growing range of business models with both artists and buyers. Audiences’ and consumers’ art-appreciation and consumption practices are also evolving, in response to new art and market fashions, trends and forces (Altman 2005; Coate 2009; Hoegh-Guldberg 2002; Wilson-Anastasios 2010).

The business models that sustain the industry are distinctively intercultural. With this starting point, research is needed to examine the fragility that affects the sector, with attention given to the complexity of the business practices in this unique trade. Impacts from this research would be the identification of new opportunities for Aboriginal and Torres Strait Islander artists, their enterprises and the sector more widely, thereby contributing to a viable and resilient environment for artists and business.

## Scope and scale of the sector

The first comprehensive public assessment of the Aboriginal and Torres Strait Islander arts sector, *Improving the Focus and Efficiency in the Marketing of Aboriginal Artefacts* was produced in 1981 (in Commonwealth of Australia 1989). Earlier, in 1965, the Australia’s Travel and Tourist Industry report had one of its Aboriginal and Torres Strait Islander-related recommendations implemented: the establishment of Aboriginal Arts and Crafts Pty Ltd, a Federal Government-owned marketing authority that, together with the Aboriginal Arts Board, was instrumental in initiating commercial interest and art world legitimacy for Aboriginal and Torres Strait Islander art and craft products (Altman 2005; Caruana 2003; Commonwealth of Australia 1989; McLean 2011; Myers 2002). Since the 1980s, three seminal, industry-defining reports have attempted to understand and shape the Aboriginal and Torres Strait Islander art industry:

- 1989 – *The Aboriginal Arts and Crafts Industry* (Commonwealth of Australia 1989) (widely known as the ‘Altman Review’). This report defined, described and analysed the industry, while acknowledging the ‘almost total absence of statistics’ (ibid:7) relevant to the growing sector. The report also made extensive recommendations for the ‘establishment of a total Aboriginal arts and crafts industry strategy’ (ibid:321). The final report contained the first collection and collation of industry statistics and data. The Altman Review triggered an industry forum and an additional minor report in 1990, *Marketing Aboriginal Art in the 1990s* (Altman & Taylor 1990), summarising industry challenges and trends.
- 1999/2000 – *The Art and Craft Centre Story* (Wright 1999, 2000; Wright & Morphy 2000): three-volume, comprehensive survey of 39 art centres, examining all facets of their operations. Case studies and best-practice examples were included in Volume 3, *Good Stories from Out Bush*.
- 2007 – *Indigenous Art – Securing the Future* (Commonwealth of Australia 2007a): an Australian Government Senate Inquiry into the sector. Submissions received from 89 artists, art centre managers, peak bodies, cultural centres, legal advocacy bodies, collectors, dealers, tourist operators, auditors, Commonwealth, state and territory arts ministries, universities, art sector analysts and others were tabled.

The Senate Inquiry was partly in response to allegations, raised by *The Australian* newspaper (Rothwell 2006) and others (Altman et al. 2002), of exploitation and unethical and/or illegal practices in the Aboriginal and Torres Strait Islander sector (see also Genocchio 2008; McDermott 2008). The Senate Inquiry report has altered the sector in significant ways, with key recommendations including increased funding for community art centres and, against considerable resistance, a voluntary industry code of conduct ([www.indigenousartcode.org](http://www.indigenousartcode.org); see also Oster 2009; Rothwell 2009a) backed by the Australian Competition & Consumer Commission and Cultural Ministers Council<sup>5</sup> and a ‘resale royalty’ scheme ([www.resaleroyalty.org.au](http://www.resaleroyalty.org.au))<sup>6</sup> (Commonwealth of Australia 2007a: xi–xv) administered by Copyright Agency Limited.

The Inquiry recognised the difficulties of collecting and analysing industry data: what should be measured (given the wildly different cultural and commercial values in play)? What definitions of ‘Aboriginal and Torres Strait Islander’, ‘art’ and who is an ‘artist’ are to be used? When and how are sales happening?<sup>7</sup> The following table (ibid:9) summarises the Inquiry’s ‘size and scale’ findings:

Year	Source	Estimated Value
1981 <sup>8</sup>	Pascoe	\$2.5 million
1989	Altman	\$18.5 million
1996–97	Australian Bureau of Statistics	\$15 million*
2001	Australian Bureau of Statistics	\$35.6 million*
2002	Myer	\$200 million
2002	Cultural Ministers Council	\$100–120 million
2002	Altman et al.	\$100–300 million**

\*Commercial gallery sales only. \*\*The Inquiry heard estimates that ranged up to \$500 million per year.

One key conclusion of the Senate Inquiry was that despite the massive growth in the industry, there is no certainty that this growth led to similar increases in returns to artists, or whether ‘more of the value of the market is being secured by participants other than the artists’ (Commonwealth of Australia 2007a:13).

Aside from the three major industry assessments noted, there are a number of supporting and supplementary reports and reviews of interest, including:

- *Report of the Contemporary Visual Arts and Crafts Inquiry* (Myer Report) (2002)
- *Developing an Indigenous Arts Strategy for the Northern Territory* (Altman 2003)
- *The Indigenous Art and Craft Market: A Preliminary Assessment* (Hoegh-Guldberg 2002)
- *Competition and Consumer Issues for Indigenous Australians* (Altman et al. 2002)
- *The Indigenous Art Centre Strategy and Action Plan* (Commonwealth of Australia 2004).

<sup>5</sup> The Code of Conduct board can recommend to the Australian Government at the end of 2012 that the Code become mandatory. In line with criticism of the scheme by many private dealers, Rothwell contends that the establishment of the Code ‘is part of the intense moralisation of the indigenous art selling space ... [and] mark[s] the official triumph and enthronement of the art centre paradigm’ (2009a).

<sup>6</sup> Criticism of the French ‘droit de suite’, after which the Resale Royalty was modelled, was generated by University of Queensland economist Jon Stanford (2002). Despite Copyright Agency Limited reporting returns to artists of \$440,000 in 2011/12, there has been sporadic media coverage of dealer resistance to the scheme (Wilson 2010).

<sup>7</sup> These contradictions have been noted by others (Coate 2009; Wilson-Anastasios 2010; Altman 2005; Hoegh-Guldberg 2002).

<sup>8</sup> Fisk (1985:79 in Altman & Allen 1992:141), on the basis of Momeka outstation residents’ statistics, estimated that in 1981 they made \$1 million worth of artefacts for their own use, as well as selling a further \$1 million worth of artefacts.

Measurements of global and/or national art markets are largely based on auction results. Art Market Monitor (Maneker 2009) suggests that auctions represent 25% of the overall art market. In 2006 world auction market turnover was USD6.4 billion. Australian auction results for a comparable period were valued at USD71.92 million, or 1.1% of the world market (Coate 2009). The Australian Indigenous Art Market 100 Index ([www.aiam100.com](http://www.aiam100.com)) collates data on secondary market activity for the top selling 100 Aboriginal and Torres Strait Islander artists. This index shows sales have retreated to 2002/03 levels following the global economic crisis; this contraction has also flowed through to the remote arts sector.<sup>9</sup>

The few studies of the secondary market for Aboriginal and Torres Strait Islander art all use auction results as a basis for analysis (Coate 2009; Taylor & Coleman 2010; Wilson-Anastasios 2010). Coates, Wilson-Anastasios and Taylor & Coleman emphasise that the secondary market for Aboriginal and Torres Strait Islander artworks is concentrated in ‘a small number of artists at the top of the market ... [demand is] exaggerated relative to the market in general’ (Wilson-Anastasios 2010: 5). In the decade between 1997 and 2007, Sotheby’s auction house sold over \$50M of Aboriginal and Torres Strait Islander art, with 50–70% of that value coming from sales to the US, Canada and Europe (Klingender n.d. in Genocchio 2008:10). Reflecting this growth, in 2007 a single work sold at auction for \$2.4M.

### The value chain approach to industry analysis

Value chain analysis, as articulated by Porter (1985), is a means of understanding the exchanges and articulations linking consumers to production. Approaches to value chain analysis, design and implementation vary, depending on the product and the instigators, their funding conditions, partners and motivations. How value is derived from products and services has evolved rapidly in response to new business models and technology, such as social media. Value chain studies have consequently diversified and now include a range of disciplines and applied business development approaches that complement a range of enabling models (UNIDO 2009). A paper by the Canadian Value Chain Management Centre (2012:7) describes value chain management as ‘the realization that ... improvements in system design and performance can only occur when businesses seek closer coordination and integration with suppliers and customers than traditional, transactional buyer–seller relationships allow’.

Value chain research generates knowledge about products and services, business processes, policy frameworks, institutional structures and stakeholder relationships within firms, across suppliers (horizontal) and between levels of the value chain (vertical) (Kleinberg & Campbell 2008). Decisions about products, services or processes cannot be made without an analysis of the available data, and the level of analysis and modelling capability depends on the quality of the data. Data constraints frequently limit the interpretation; hence value chain proponents also rely on other research tools such as interviews, industry profiles and secondary data.

Value chain studies tend to draw on the systems sciences, the appreciation of interconnectedness, complexity and uncertainty. A value chain can be seen as a set of interconnected systems and sub-systems, with a complex set of interactions that share a common purpose – providing products and services. The overall objective of value chain analysis is to identify problems and challenge assumptions about ‘business as usual’ and to work collaboratively with suppliers and stakeholders on joint ventures (Woodhead 2009). Given the inherent complexity of value chains, it is essential to have a detailed quantitative analysis of the scope and scale of the products, the stakeholders and the product sales, input and output costs, market trends and trade conditions such as contracts and certification systems.

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<sup>9</sup> An auditor of 30 remote area art centres has compiled unpublished information showing a 36% drop in sales since 2009.

Value chain studies can be grouped under five objectives:

- Strategic management: improving the performance of an individual firm's operations, or the operations of an industry or sector
- Sustainability: 'greening the supply chain' through policies such as reducing carbon or increasing the purchase of ethical or organic goods
- Cluster developments: businesses engage in strategic alliances with government agencies, industry associations and corporate entities to build and share knowledge
- Economic rents: studying buyer/seller relationships to maximise returns to stakeholders
- Identifying new market opportunities.

The majority of value chain studies incorporate some or all of these objectives to varying degrees. For example, the *Haitian Handicraft Value Chain Analysis* (Derks et al. 2006) was a market system perspective highlighting access to regular and affordable raw materials, financing, end-market analysis and targeting leverage points to facilitate design and market information. A Guatemalan study, *Weaving Micro and Small Enterprises into Global Value Chains* (Dunn & Villeda 2005), emphasised the decisions that micro and small businesses make in response to value chain opportunities, constraints, incentives and disincentives. Thus the Guatemalan focus was building capacity to engage in product development, whereas the Haitian focus was on understanding market systems.

Whatever the value chain research priorities and proponents, the success of a product or service is defined by the competitiveness of a value chain. The concept of competitiveness is fundamental to value chains. Competitiveness compares the ability of companies' value-adding activities (Porter 1985). Porter's competitiveness forces include the threat of substitute products, established rivals, new entrants, bargaining power of rivals and the bargaining power of customers. Other competitiveness elements include consistent product quality, traceability and on-time delivery (Campbell 2008).

Value chain analysis was used in the Desert Knowledge CRC's research projects investigating traditional bush foods products. In her report on this research, Bryceson (2008:4) drew on Porter's (1985) study of competitive advantage to understand a value chain as 'a group of companies working together to satisfy market demands'. Bryceson analysed potentials for greater benefit for Aboriginal people. She found that increasing Aboriginal suppliers' understanding of the value chain allowed them to make informed decisions about the use of agents between them and hospitality industry suppliers and commodity producers. In a similar vein, Keane and Hartley (2001) concluded from their value chain analysis *Indigenous Creative Industries in Brisbane* that more extensive data are needed about markets to enable artists to effectively engage in them.

The Aboriginal and Torres Strait Islander art value chains are similar to non-Aboriginal and Torres Strait Islander art value chains, with a large number of artists supplying a limited and changing art market. However, there are two points of difference. Firstly, non-Aboriginal and Torres Strait Islander art value chains do not have intercultural business models. Unlike the Haitian and Guatemalan value chains, the engagement of Aboriginal and Torres Strait Islander people in the art value chain is mainly restricted to the production of art (Ryan et al. 2008). Aboriginal and Torres Strait Islander art businesses – agents, art galleries, art material suppliers and indeed remote art centre managers – are (with very few exceptions) non-Aboriginal and Torres Strait Islander. Secondly, many Aboriginal and Torres Strait Islander artists live in remote locations, limiting their access to the art value chain and with agents usually their only connection. Due to both cultural and geographical boundaries, Aboriginal and Torres Strait Island artists

have limited knowledge and access to art markets, or control over the distribution of their work, or the competitiveness of their products.

The support of the Aboriginal and Torres Strait Islander art communities through government funding supports an environment where art can be produced, but it cannot create markets, beyond government commissions: ‘Training Indigenous people to paint did not give us the Indigenous art enterprises’ (Walker 2008). Keane and Hartley (2001), who studied several Aboriginal and Torres Strait Islander arts value chains in Brisbane, concur, concluding: ‘There needs to be more strategic planning at policy level to improve the synergies and the transition between subsidized and commercial sectors.’

Within a complex-systems approach to value chain analysis, the fields of enterprise development, social sciences and economics are most pertinent to assessing the scope and scale of the Aboriginal and Torres Strait Islander arts economy. The discipline of cultural economics has evolved as a way of understanding the value of arts and culture as both practice (labour, business management) and product (Klamer 1997; Towse 2003; Ginsburgh & Throsby 2006). Throsby has investigated economic approaches to analysing the production and consumption of the arts (1994), the challenges of ‘defining the artistic workforce’ (2001:255); the limitations in capturing certain aspects of the value of cultural goods and thus determining the nonmarket value of them (2003; see also Hutter & Throsby 2008); the impacts and economic functioning of a cultural industry (2004); surveys of practising professional artists in Australia (2007); census data on the arts and culture (2008) and the understanding of both the economic and cultural value created by the cultural sector (2010).

Cunningham & Potts (2008) studied the ‘value of the creative industries from an economic perspective’. They propose four models of economic and creative industries relationship, examining the evidence and finding that the ‘growth models fit the data well but not everywhere’ (2008:233). This has implications for economic and cultural policy (ibid). Likewise, Frey (2008:261) warns that ‘[w]hereas a great deal can be gained from a fuller understanding of the economic value of art, there is a real danger that financial considerations will tend to crowd out all other aspects of value’.

## Gaps

No value chain analysis has been undertaken of the remote Aboriginal and Torres Strait Islander art sector. Further, all existing measures of the sector, including assessment of the overall value, scope and scale are based on varying and contested estimates. This knowledge deficit presents considerable challenges to the sector for setting policy and in advocating for, and sustaining remote area enterprise. There is significant scope for research to investigate and analyse the sector, for the first time, in a comprehensive way.

## The business of art centres

### Remote area livelihoods and the place of arts practice

The last 40 years have seen over 100 community-controlled art centres established across remote Australia. Supporting this enterprise development are numerous policies, initiatives and strategies focused on the development of Aboriginal and Torres Strait Islander art practices, products and markets by state, territory and federal governments (see, for example, Northern Territory Government 2003; Queensland Government 2009; Commonwealth of Australia 2004). Government support for art centres is, at least in part, for non-art outcomes, with the Commonwealth’s Closing the Gap agenda highlighting art enterprise contributions to health, employment, training, safer communities, governance and economic participation

and noting that ‘art sales are the primary or only source of non-government income’ (Commonwealth of Australia 2012).

Jon Altman, of ANU’s Centre for Aboriginal Economic Policy Research, has contributed more than any other commentator to discourse on the sector. His signature argument is that remote Aboriginal and Torres Strait Islander people live in a ‘hybrid economy’ of state (welfare, housing, health, education, etc), customary (traditional knowledge and practices) and market interaction (Altman 2001, 2011). Altman uses the hybrid economy model to argue for greater policy acknowledgement of the complexity resulting from the contrasting economic worldviews between the individualistic, market-based norms of western systems and the communal approaches of Aboriginal and Torres Strait Islander people (Altman 2011:5).<sup>10</sup> The hybrid economy concept is also used by Altman to highlight the competitive advantages that Aboriginal and Torres Strait Islander people have in art and craft production compared with other Australian artists. This advantage is, however, almost universally dependent on state support for community art enterprises.<sup>11</sup>

Christen’s ethnography (2008) looks at intercultural and political agency in Tennant Creek, including the designing, building and launching of the Nyinkka Nyunyu Art and Culture Centre (see also Christen 2007). This analysis points to the importance of Aboriginal people’s inclusion in the initiatives and projects that shape communities. In a similar vein, McHenry’s research into the role of the arts in Australian rural, remote and Aboriginal and Torres Strait Islander communities (2009a, 2009b and 2011) demonstrates ‘the place for the arts in rural revitalisation and therefore, the social wellbeing of a community’ (2009b:157). McHenry finds that artistic and creative activities are important for communities both directly, by creating economic benefits and community activities, and indirectly, by enhancing social cohesion and improving notions of identity. Art activities create a ‘common ground’ for communities, enabling exchange with new influences.

The twenty-first century has seen a burst of new art innovations or the mixing of old and new materials, forms, mediums, styles and production techniques.<sup>12</sup> Women in particular are setting new artistic directions (Dussart 1997; Morphy 2005), as skills development activities are often delivered by female art centre staff.

Anthropologists have looked specifically at art centres as key institutions in remote communities (May 2006; Carty 2011) and at local histories of art production and commercial exchange in the absence of a permanent art centre (Fesq in progress; Schmidt 2011). Fesq’s research examines the history and contemporary practice of the fibre art of the Ngan’gikurunggurr/Ngen’giwumirri language groups in the Northern Territory (pers. comm. 2012).

Schmidt’s doctoral work looks at the development of Utopia (Alywarre, Eastern Anmatyerr) region art over the past four decades and asks ‘[h]ow do artists negotiate these market demands and their relationships with the art world?’ (2011: abstract). Schmidt’s research investigates the strategies artists use in their dealings with the art market, in the absence of an art centre. One of the more compelling findings is

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<sup>10</sup> In contrast, the study *Māori Entrepreneurship in the Contemporary Business Environment* shows that in a blend of Māori kin-based and non-Māori business, Māori cultural dynamics may stifle business development in an urban context (Zapalska 2003).

<sup>11</sup> Prior to state support for art centres, art enterprise was tied to mission economics and social organisation; see for example, Hilliard’s (1977) account of art and craft production in Ernabella and associated Pitjantjatjara communities Fregon, Indulkana and Amata. Hilliard notes that people applied themselves to this work even in the absence of any ‘economic necessity’ (ibid:46) due to welfare provisions.

<sup>12</sup> For example: Tjanpi grass, wool and raffia weaving, Tangentyere Artists’ use of found objects, Yarrenty Altere artists’ soft sculptures made from recycled dyed blankets, Bindi Inc.’s miniatures, boxes and new landscapes (Perrurle & Peattie 2011) and the Canning Stock Route project’s ground-breaking use of multimedia production and exhibition formats, to name only a few.

the way that artists have used both creative strategies (painting differently for different agents) and commercial strategies (using a range of different business models) (Schmidt 2011). Carty's (2011) thesis develops an ethnographic account of Balgo's (Kukatja, Pintupi, Wangajungka, Warlpiri, Ngarti, Jaru, Walmajarri) socio-cultural processes and economics of art production and trade. Identifying a significant gap in the literature regarding the economic contexts of acrylic painting, Carty frames painting as 'a form of Aboriginal labour' and Balgo art as a process of sharing and the intergenerational transmission of knowledge.

### Social impact, social evaluation, social accounting

There is a growing field of research investigating and proposing more sophisticated assessments of social enterprises that incorporate complex human attributes such as wellbeing and happiness. The primary policy document in Australia employing social return on investment thinking, the *Vital Signs: Cultural Indicators for Australia* report (Commonwealth of Australia 2007b) is explicit about the value of the arts in society and the need to develop robust ways of measuring its impacts. Central to the *Vital Signs* report is the argument that 'things that are difficult to measure can be just as important as things that are easy to measure, but ... when we do measure intangibles we need to agree on definitions and use consistent approaches' (ibid:31).

Remote area art centres, operating at the intersection of very different world views, are enmeshed with the priorities of their communities; these relationships and activities are at the nucleus of the art centre model and its success. However, this socio-cultural support sits outside the conventional business reporting systems required of art centres and is unrecognised and largely unsupported (Commonwealth of Australia 2007a). There is considerable potential for new 'measurements' – which incorporate the full range of impacts and benefits of art centres – to expand the understanding of (for both artists/members and external agencies), and recognition for art centres.

Investigation of the social impact of remote area art production is in its infancy. A project in Western Australia (Cooper et al. 2012) is seeking ways to measure the social impact and 'social return on investment' of community art centres. Following the framework of a 'sustainable livelihoods approach' Cahn (2002), Davies & Moylan (2004) and Rola-Rubzen et al. (2011) have assessed and created guidelines for the interaction of social/cultural and commercial outcomes in Aboriginal and Torres Strait Islander small businesses and other remote area small businesses. To be useful to research in the art world these models need to be able to accommodate the characteristics of the Aboriginal and Torres Strait Islander arts sector. While there are no Australian publications that currently achieve this, there are some with comparative value situated in other non-European art worlds. Studies of tourist and fine African art production and trade have shown how artisans and traders create sustainable livelihoods (Steiner 1994; Stoller 1996, 1999; cf. Myers 1999b).

### Gaps

To date, there has been only limited research into the enterprise attributes of Aboriginal and Torres Strait Islander art centres, particularly wide-ranging and comparative research. While a small number of individual centres have been researched (only recently using entrepreneurial methodologies) (see, for example, Carty 2011; May 2006), much of this research focuses on the cultural and social lives of artists, with minimal attention on the enterprise itself. Further, there has been no research into the success and failure factors of remote area art centres, particularly research that enables both inter- and intra- regional comparisons. The recent emergence of social accounting and impact as a means of understanding the work

of art enterprises in contributing to remote area wellbeing offers new possibilities for the research work of the Art Economies Project.

## Art outside of art centres

Researchers have long been interested in finding ways of measuring and understanding what is variously referred to as the informal economy – economic activity that operates outside of conventional, accountable business models (Dallago 1990 Altman & Allen 1992:148; see also Galemba 2008; Halperin & Sturdevant 1990; Portes et al. 1989; Roberts 1990; Smith 1989).<sup>13</sup>

Much of this research links participation in this sector to economic ‘subsistence’ on the margins of neo-liberal nation-states (Ferguson 2006; Nordstrom 2007; Sassen 1996). In 1979–80 Altman (1987) conducted economic research with Gunwinggu people at Momega outstation in Arnhem Land. He found that artefact manufacture accounted for 10% of the outstation’s income, with 64% in the form of subsistence and 26% from welfare, across a 25-hour working week.<sup>14</sup> Altman and Allen (1992:147) have long highlighted the failure of conventional measurements of economic activity to include informal activities (see also Smith 1990), including art and crafts. There are considerable methodological issues in the collection of data on informal economic activity (Gregory & Altman 1989).<sup>15</sup> The issues of informal economic participation are pertinent to research as it seeks to understand the motivation of artists to produce art in a variety of contexts, from community art centres to private dealerships to urban art markets.

Trade practice issues, including unconscionable and illegal conduct, are primarily associated with the ‘freelance’ market, where artists and dealers have a direct relationship, and a wide spectrum of business models are used. There has been extensive media and industry discussion of ethical trade and its flipside, particularly in the Alice Springs commercial sector (Ellingsen 2003; McDermott 2008; Rothwell 2010; Wilson 2011), but very limited scholarly examination (Wilson-Anastasios 2010). Occasional prosecutions and ongoing allegations of dubious artwork provenance have provoked considerable anxiety in the market, possibly further cooling the early twenty-first century boom (De Marchi & Wilson-Anastasios 2009). The Senate Inquiry (Commonwealth of Australia 2007a:105) noted that ‘some, perhaps most, carpetbagging<sup>16</sup> is not illegal’.<sup>17</sup>

Community-controlled art centres, with the support of their respective peak bodies, can be empowered through understanding the Aboriginal and Torres Strait Islander art value chain. However, artists working outside of the art centres are frequently not empowered with this kind of knowledge. Future Aboriginal and Torres Strait Islander artists, working with both community art centres and private art businesses can benefit from research into the dynamics of the contemporary art business ‘money story’.

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<sup>13</sup> See also George’s *Traditional Production in Primitive African Economies* (1962), Meillassoux’s *The Development of Indigenous Trade and Markets in West Africa* (1971) and Stack’s *Strategies for Survival in a Black Community* (1974). More contemporary work in this area includes Millar’s ethnography *Making Trash into Treasure: Struggles for Autonomy on a Brazilian Garbage Dump* (2008).

<sup>14</sup> See also Meehan’s (1982) research on Burada subsistence activity on Kopanga outstation in coastal Arnhem Land in 1972–73.

<sup>15</sup> Following Dixon-Mueller & Anker (1988:32–3), Altman recommended a measure of the labour force, including 1) the paid labour force, 2) the market-oriented labour force, and 3) ‘the ‘new standard’ labour force, which includes those engaged in informal economic activity’ (ibid:141).

<sup>16</sup> An industry term covering a wide variety of perceived or actual unethical and/or illegal conduct.

<sup>17</sup> Similarly, Wardrop (2008:2) argues, ‘there is only so much that codes of conduct, regulations and enforcement can do. In the unruly marketplace ... great care is needed. Buyer beware’.

## Gaps

There is no published research pertaining to remote-area artists working for private art dealerships. Personal communication with private dealers and other art world insiders indicates that the current value of private primary production is possibly 50% of all primary production (paintings); further, it is possible that over 80% of fine art canvasses being sold overseas are produced in private enterprises. The extent of art production and trade in art centres, private dealerships and through sole traders that does not comply with ATO regulations remains to be researched. Limitations to long-term artist participation in art centres should also be investigated (Taylor 2005). There are likely factors other than structural disempowerment and discrimination that impact this mode of labour force participation as suggested by some authors (e.g. Gregory 2005; Hunter 2005).

## Marketing and consumer dynamics

### Art worlds

Howard Becker's *Art Worlds* (1982) examines how art is a collective action involving artists, art suppliers, dealers, curators, critics and consumers. Anthropologist of US art markets Stuart Plattner argues that the primary challenge for an inquiry into any art world is to understand the 'social creation' (2003:18) of pricing art, as the personal relationships between artists, dealers, collectors and others is at the nucleus of setting prices. In the Aboriginal and Torres Strait Islander art market, Morphy (2005:21) has made similar observations about the 'processes of persuasion' used by the various actors in the supply chain to set and change the value of the artworks. Pardo-Guerra (2011) argues that auction houses are instrumental in establishing and reinforcing both economic and cultural values of individual works of art, and shaping the secondary art market.

### Development of an art market

US anthropologist Fred Myers has opened important ground in considering the role of art worlds in the creation of price and value for the art of remote communities, especially those associated with the Papunya Tula art movement (Myers 2002). He has traced the rise of Aboriginal and Torres Strait Islander art into an 'industry' in the 1980s (2001)<sup>18</sup> and explored the cultural history of acrylic painting's ascension to the status of 'fine art' through exhibition and collecting practices and the desert painters' aspirations to demonstrate their culture to outsiders (see also Bennett & Carter 2001; Van den Bosch & Rentschler 2009). Altman (2000) has long observed and analysed the growth of the market, with its attendant marketing strategies and industry development initiatives.

### Art as investment

Aboriginal and Torres Strait Islander art features prominently in the upper levels of the Australian art market, where paintings (primarily) are traded as investments, forming part of valuable private collections and/or included in superannuation portfolios.<sup>19</sup> Coate (2009) and Taylor & Coleman (2010) each assessed the financial implications of investing in Aboriginal and Torres Strait Islander art, compared to both mainstream art and more conventional investments. Both found that Aboriginal and Torres Strait Islander

<sup>18</sup> See also Dubin (2001) and Mullin (2001) for accounts of the inequities of the art world and market for Native American arts, including in the south-west US desert region.

<sup>19</sup> The 2010 Cooper Review into superannuation proposed changes that have proved controversial in the sector and are likely to result in significantly fewer works of art featuring in personal portfolios.

art has returns ‘superior to non-Indigenous art’ (Coate *ibid*:254) and that, despite some qualifications, overall, ‘Aboriginal art matches that of other asset classes’ (Taylor & Coleman *ibid*: 1527). Both studies also highlight that art, as a different class of asset, provides aesthetic and social returns.

There is some debate about the relationship of provenance to final market values. Lim et al. (in Coate 2009:240) argue that provenance is ‘important in determining higher prices for Indigenous art’, while Coate (2009:239) claims that provenance has an ‘often negative and insignificant effect’ on price.<sup>20</sup>

### Art writing, ‘taste’ setting and industry commentators

Art writing is essential to the functioning of an art world and its markets, granting recognition to selected artists, artworks and art movements. It also further consolidates the status of the writer as an expert whose opinion counts, in a recursive cycle of producing value across what Bourdieu calls ‘the field of cultural production’ (1983). Specialist Australian magazines, including *Artlink*, *Art Monthly*, *Australian Art Collector* and *Art and Australia*, regularly feature Aboriginal and Torres Strait Islander art and serve as important marketing sites for both art centres and private galleries.

Alongside these publications, exhibition catalogues provide ongoing commentary on emerging and established artists and art-making communities. Art historians have documented the careers of individual artists and communities (see, for example, Bardon & Bardon 2004; French 2002; Johnson 2008) and public gallery collections of Aboriginal and Torres Strait Islander art (see, for example, Ryan 2002). Art writers have essayed artists and art movements (Johnson 2010; Rothwell 2006, 2007a, 2010, for example) and produced narratives about the market boom in Aboriginal and Torres Strait Islander arts from 2003 to 2007 (Genocchio 2008). Aboriginal curators bring particular forms of expertise and insights, balancing nuanced understandings of both international and Aboriginal and Torres Strait Islander art history with a commitment to a culturally sensitive understanding of artists’ motivations, within an encompassing history of struggle and post-colonial identity (Perkins et al. cited in McLean 2011).

In Australia, journalist Nicolas Rothwell has contributed extensively, via *The Australian* newspaper and in collected writings (2007b), to the public discourse on the Aboriginal and Torres Strait Islander art sector. Rothwell has swung his support behind the work of artists associated with community-controlled art centres but has also criticised the ‘art centre paradigm’ (2009a) as paternalistic and sheltering artists from economic and even aesthetic freedom. He has also declared that the Indigenous Art Code is a mode of regulation that will likely stifle artist creativity (*ibid*). Art historians have weighed into these debates (Jorgensen 2011a, 2011b), arguing for the achievements and importance of community art centres to creative and cultural health.

There is ongoing discourse on what individual artists ‘earn’, as evidenced in the Senate Inquiry (Commonwealth of Australia 2007a) and elsewhere (Coslovich 2003; Genocchio 2008; McLean 2011; Moore 1999; Rothwell 2006). The corollary of public interest in the ‘money story’ for artists has been debate among art-world commentators concerned with the impacts of commoditisation and commercial

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<sup>20</sup> Art centres and private dealers offer a variety of provenance assurances from ‘authenticity certificates’ to photographs and videos of artists painting, holding up, or signing canvasses. In 2006, a ‘chemical barcoding’ technology called ‘Identart’ was developed by CSIRO and promoted as a solution to the problem of provenance (Easterby-Wood et al. 2006) but was only taken up by a few businesses. The Indigenous Art Code membership provides a (contested) quality assurance that works are both ethically sourced and ‘authentic’. Some top gallery owners are more cynical: ‘The ethical question is a simple one: what was the artist paid? I’ll open my books and show you the cheque. But the trouble is there’s such a demand these days, plenty of collectors no longer give a shit about the artist’ (Mora 2005 in Eccles 2008). Examining the rise of ‘fair trade’ production, marketing and consumption of a variety of other non-art commodities, Devinney et al. (2010) have investigated ‘the myth of the ethical consumer’.

success on Aboriginal and Torres Strait Islander art and craft practice: do commercial imperatives sully ‘authenticity’ and scarcity or inspire new modes of creativity? Does the market shape creativity, or the other way around? (Alder 1999; Moore 1999; Rothwell 2007a, 2009b; Wilson-Anastasios 2010)

## Gaps

The consumption of Aboriginal and Torres Strait Islander art is a complex and entangled zone, with competing and contrasting interests. It is also a zone rich in research possibility, though – despite the volume of commentary – the only existing research into consumer and audience behaviour falls into two general categories: analysis of auction data (see, for example, Coate 2009; Wilson-Anastasios 2008) and, to an even more limited extent, audience surveys (Young & Collins 2011). Both of these approaches offer narrow and specific sets of information, but little insight into the motivation and triggers for consumers and audiences. This presents a significant research opportunity for the Art Economies Project as it investigates and analyses what purchasers of Aboriginal and Torres Strait Islander art are buying and why – knowledge that will be of value to artists and art businesses. Research from the Australia Council for the Arts (2010) identifies strong audience interest in Aboriginal and Torres Strait Islander art: ‘Nine out of ten Australians agreed Indigenous arts are important to our culture and while 17 per cent of the population have attended Indigenous arts in the past year, 47 per cent have a growing interest’ (p. 1).<sup>21</sup>

## Human resources

It is a notable characteristic of the Aboriginal and Torres Strait Islander art sector that almost all of the people participating in the non-art making roles (art centre staff, gallerists, dealers, collectors and audiences [curators, as noted earlier, is one important exception]) are non-Aboriginal and Torres Strait Islander people. This is of interest to the Art Economies Project as it examines the successes, failures and potential futures of remote area, community-controlled art centres, as – almost without exception – art centre managers are employed from outside the community and placed in complex, highly challenging and often volatile situations. These placements are done with little or no training, orientation or support. To date, the only research undertaken into staffing issues in remote art enterprises found that 19% of staff received some form of induction, 66% had no employment contract and 75% experience ‘significant stress’ at work (Wright 2000:51). Meanwhile, criticism of the management, skills and experience of art centre staff and questions about the rights of artists has been voiced by prominent Aboriginal people working with private dealers (Anderson 2011 in Eccles 2011a).

There is very limited research into, or understanding of, the employment of outside people in remote Aboriginal communities, though some work has been done on recruitment and retention of remote area workforces (Haslam-McKenzie 2007). While this report, and others looking at small business management in remote locations (Rola-Rubzen et al. 2011), examine attraction and retention issues, there is little focus on the intercultural, and often unsupported circumstances that non-Aboriginal and Torres Strait Islander employees at art centres (and other small, independent community organisations, such as community stores) find themselves in. Anecdotally, recruitment and retention of appropriate staff is one of the most significant challenges for remote art centres.

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<sup>21</sup> The report found that ‘64 per cent of Australians either already have a strong interest in Indigenous arts or have a growing interest.’

## Gaps

Research is needed into human resource management in both art centres and private art businesses. Currently, there is an absence of anything other than anecdotal claims about the role of art centre managers in the success or failure of art centres (cf. Eccles 2011b) and in the qualities of the art produced. New knowledge in this area could enhance the employment of suitable staff and improve the stability of these enterprises.

## E-commerce, licensing and merchandise

One market area that is currently less contested – and also poorly understood – is the production and trade of licensed products and merchandise. The few studies (Altman et al. 2002; Hoegh-Guldberg 2002; Jacobsen 2011; Wright 1999) that exist of this market segment have faced significant challenges with terminology, definitions and an absence of industry data. No estimates exist for the scope and scale of licensing and merchandising activity, despite its prominence in the commercial and retail sphere throughout Australia (and internationally).

Janke & Frankel (1998) and others (Anderson 2002; Commonwealth of Australia 2007a; Janke 2001; Johnson 1996; Maddigan 1994) have noted potential, or actual unethical and inappropriate practices in the production and/or licensing of merchandise. One of the more notable instances was the ‘carpet case’, in which a Perth-based business reproduced the unauthorised images of three leading Aboriginal artists onto carpets made in Vietnam, falsely labelling them for added authenticity. The artists won the legal proceedings and were awarded compensation; the company was bankrupted (Janke 2001). This case embodies many of the challenges and contradictions when western, individualist legal conventions are applied to the communal ownership central to Aboriginal and Torres Strait Islander society (Graber 2009).

There have also been calls to establish categories of art/products within this sector as a step in collating data (Hoegh-Guldberg 2002) and building understanding of both market dynamics and economic opportunity. It is a striking feature of this section of the market that there is such limited knowledge, despite the potential financial and entrepreneurial advantages (Wright 1999) and possible social, cultural and financial equity (Altman et al. 2002; Janke & Frankel 1998).<sup>22</sup>

One of the primary concerns with commercial activities in this area of the market is with ‘Indigenous cultural and intellectual property’ (ICIP), which encompasses numerous and overlapping subcategories: copyright, cultural rights, moral rights, trademarks and patents (Anderson 2002). While many of the legal conventions regarding intellectual property are long established in non-Aboriginal and Torres Strait Islander legal processes, these conventions are challenging to, and, at times, incompatible with the social and cultural systems of remote Aboriginal and Torres Strait Islander people (Alder 1999; Anderson 2009, 2010; Janke & Frankel 1998; Van den Bosch & Rentschler 2009). The contradictions between the individualistic principles of established intellectual property laws and the communal and interconnected worldview of Aboriginal and Torres Strait Islander people are illustrated by Mangkaja (Fitzroy Crossing, WA) artist Daisy Andrews ‘returning home after winning the National Aboriginal and Torres Strait

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<sup>22</sup> Several remote art centres (e.g. Warlukurlangu in Yuendumu) license designs for home wares and jewellery. Several private art businesses have also developed merchandise product lines. Others, such as Koskela Designs, have worked with art centres to license and commission artworks for limited edition and bespoke designed furniture items.

Islander Art Award.<sup>23</sup> Her success became entwined with the issue of country and ownership, with her sister (who did not paint at the time) insisting that she be given half of the prize money' (Dayman 1999:4). This tension between local cultural regimes of value and commercial values are a feature of remote arts enterprise, whether in the Kimberley, the desert or Arnhem Land (Morphy 2005).

As variations of this situation unfold throughout the Aboriginal and Torres Strait Islander art supply chain, a number of industry-relevant (and, at times, industry-defining) issues are conflated into a wide-ranging scholarly and populist discussion of 'authenticity' (Alder 1999; Alexander 2001; Dayman 1999; Coslovich 2003; Eccles 2008; Rothwell 2010). Wilson-Anastasios (2008), among others (see, for example, Coate 2009), summarises the tensions related to authenticity as being anchored to ethnographic (and often romantic) notions of Aboriginal and Torres Strait Islander art, noting the 'double standards' that exist around authenticity when comparing Aboriginal and Torres Strait Islander art with non-Aboriginal and Torres Strait Islander artists.

'Authenticity' is a highly variable and contested term in the Aboriginal and Torres Strait Islander art world (Kleinert 2010). The term is problematic as it immediately raises questions about power and who has authority to identify and determine this quality. Notwithstanding these issues, 'authenticity' continues to appear in discussions as varied and topical as ethical trade (Acker 2008, 2011; Rothwell 2006; Wardrop 2008), commercial practices (Altman et al. 2002; Eccles 2011a, 2011c; Jorgensen 2011a), provenance (Alder 1999) and cultural integrity, copyright and authorship (Janke & Frankel 1998). Alder (1999) has distilled the (at times hysterical) debates in the sector regarding 'authenticity' into two key questions: 1) is a named artist responsible for a given work? (and to what degree?), and 2) is the artwork an authentic Aboriginal and Torres Strait Islander product (with all the attendant complexities of defining 'Aboriginal and Torres Strait Islander')? These questions could become instructive for buyers of Aboriginal and Torres Strait Islander art (and are central to the Indigenous Art Code) through improved education about the conditions of artwork production (Acker 2008, 2011; Dayman 1999; Wardrop 2008). As Dayman states, 'the issues surrounding authenticity become less critical as the consumer gets closer to the source' (1999:6).

As noted by Altman et al. (2002) and others (see Commonwealth of Australia 2007a), some of the legal and procedural matters within the Aboriginal and Torres Strait Islander art sector encompassed by the 'authenticity' debate sit outside legal frameworks and are ethical matters. The 2007 Senate Inquiry was the first credible examination of trade practices within the Aboriginal and Torres Strait Islander sector. As the report argued, '[a]t the heart of concerns about the Indigenous art market are two related concerns: the integrity of artworks that are sold in the Indigenous art market; and the condition under which those works are produced and traded' (Commonwealth of Australia 2007a:97).

Janke and Frankel (1998) analysed the many overlapping areas of existing intellectual property legislation and identify their deficiencies for Aboriginal and Torres Strait Islander people and communities. Their overarching finding was that Australia needs to implement ICIP legislation (still pending), a regime that would more equitably incorporate the value and property systems of Aboriginal and Torres Strait Islander people into existing legal conventions. In the interim, Intellectual Property Australia has published a guide for Aboriginal and Torres Strait Islander designers and holders of patents (Willimott et al. 2009). A related rights-education resource, *Artists in the Black*, specifically for artists, was developed by the Arts Law Centre of Australia (n.d.).

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<sup>23</sup> Australia's premier award for Aboriginal and Torres Strait Islander artists.

Altman et al. (2002) analysed competition and consumer issues, including trade practices within the Aboriginal and Torres Strait Islander arts sector. While greater compliance within existing legal structures of the Australian Competition and Consumer Commission (ACCC) and Trade Practices Act and enforcement was suggested, the authors noted the limitations of interventions by external agencies such as the ACCC.

## Gaps

This licensing and merchandising sector of the market is largely unresearched and is poorly understood. Jacobsen has observed that the majority of the value chain requires investigation and that the lack of knowledge, understanding and transparency about licensing ‘may be to the disadvantage of Aboriginal and Torres Strait Islander artists and communities’ (2011:49). It is at these gaps – in knowledge and in opportunity – that some AEP research is directed.

## Conclusion

The Aboriginal and Torres Strait Islander art economy is a complex, intercultural and shifting sector that links (often very old) cultural and social traditions with the twenty-first century art market. There is a wide horizon of research both possible and necessary in this domain, as much of the art making – and the enterprise opportunities that follow – is tied (fairly or unfairly) to critical questions of cultural survival, identity, livelihoods and individual and community wellbeing. Threaded through the research areas set out in this review are intricate issues pertaining to the economic forces of art markets, the social dynamics of art worlds and post-colonial, intercultural dynamics. This combination of factors involves disparities in power and knowledge and also, often, incommensurate ‘regimes of value’.

The literature on Aboriginal and Torres Strait Islander art, and its related disciplines, while broad and diverse, also contains significant gaps. There is a large body of research into the cultural, historical, social and personal contexts of artists, art-making and remote-area life. These works are in contrast to the sizeable gaps in knowledge that challenge artists, businesses and governments when seeking to maximise the potential of, and minimise the obstacles facing all participants in a sector that is often presented as a vital cultural and creative asset to Australia.

It is against this backdrop that the CRC-REP’s Aboriginal and Torres Strait Islander Art Economies Project has organised research that encompasses the three primary zones of activity within the sector – artists, agents and audiences. In testing the six proposed research areas against the existing literature, a number of findings have emerged:

- **Scope and scale of the sector:** existing measures of the size of, and activity within, the sector are too narrow, variable and/or contested to provide detailed understandings of the financial forces at work. A rich set of information is important for the sector, and, in particular, ensuring a coherent policy response from government.
- **Remote area enterprise:** art centres are at the nucleus of Aboriginal and Torres Strait Islander art production and are important contributors to remote livelihoods. Only fragmented and limited information exists on what makes art centres ‘work’ and how they might be made more robust.
- **Art outside art centres:** a growing number of artists are choosing a growing number of ways to engage with the art industry; there is no understanding of the scope, scale and motivations of this sector and its implications for existing business practices.

- **Marketing and consumer dynamics:** existing analyses of consumers are based on either auction sales or art event attendance; more detailed understanding of buyer motivation and behaviour is required and is likely to provide valuable information and resources to the sector.
- **Human resources:** there is very limited research into, or understanding of remote area and/or intercultural employment; research has the potential to improve recruitment and retention – and through that, enhance the stability of a remote-area business. The impact of external staff on the art enterprises that employ them also presents research possibilities.
- **E-commerce, licensing and merchandising:** identified as an area of potential opportunity, but with little research into, or understanding about or resources available, further investigation is urgently needed.

Through focused investigations into these key points in the value chain, the Art Economies Project aims to create new knowledge and resources that can be used by all participants in the sector to enhance their work and, through this, contribute to a resilient and exciting Aboriginal and Torres Strait Islander art sector.

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