



PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

**STANDING COMMITTEE ON
INDIGENOUS AFFAIRS**

Exhibit 12

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Bec Mac: Hi. Bec Mac here for the fake art campaign, and I'm talking to the one and only Ernie Dingo. How are you, Ernie?

Ernie Dingo: Am I talking back to you?

Bec Mac: Yes, absolutely.

Ernie Dingo: Okay, I can do that.

Bec Mac: How are you?

Ernie Dingo: I'm good.

Bec Mac: Excellent.

Ernie Dingo: Bloody oath! I don't muck around.

Bec Mac: So what have you been up to lately?

Ernie Dingo: Crikey, what haven't I been up to? I've been doing a lot of work in Adelaide with Catholic Education, doing some four-wheel driving with LowRange—81,000 kays in the last year.

Bec Mac: So where do you drive with that? Like what's the—

Ernie Dingo: It's sort of like a Leyland brothers sort of thing. We go and find some nice bit of dirt or sand find or creeks or something and then drop back into low range, climb a few hills and all that sort of stuff. Other than that, NITV's *Going Places* and having fun with that NITV version of *The Great Outdoors* sort of thing. So, yes, flat out. And I'm working with a good bloke by the name of Aaron Pedersen at the moment, on *Mystery Road* up in Kununurra.

Bec Mac: You are busy!

Ernie Dingo: I have to be!

Bec Mac: Good on you. Now we're talking about fake art and the impact it has on Aboriginal and Torres Strait Islander art and culture. What's your perception of how fake art affects community?

Ernie Dingo: It's sort of like a gap between two houses that somebody's just started using as a driveway or a road going through to the back, and all of a sudden, over a period of time, it becomes an unregistered road that people are allowed to drive on. See that sort of stuff's been going on, selling Indigenous stuff, for a long time—ever since there's been art put down on a piece of paper—but the copy of that and the rights of that from an Indigenous point of view is too much to pay the artist, so the best thing to do is make fakes.

When you have a look at the fact that there's millions of dollars a year made selling Indigenous art and that non-Indigenous people are getting a cop out of it, mainly because of the fact the artwork is done by whoever, then you think why would they do that? Why would people be so rude to make cheap shots and cheap artwork with regard to something that we pride ourselves on, which is our ability to perform such beautiful works? Why do they have to? It's just like my nephew when he's playing songs. If he starts singing somebody else's song, he sort of like tries to make it good, but it cheapens the side of it if he mucks it up—singing in the shower, for instance.

When you see the artwork that comes out of the desert, out of the Top End and from all around the country, there is a history, there is a totemic symbol, there is a strong connection to that artwork. But when you go down to areas where a lot of tourists accumulate, because of the site-seeings around that space, you see all this artwork on T-shirts and funny-looking boomerangs and foot-long didgeridoos and these cheap artworks and placemats—it just goes on and on and on and on—and you think, 'How many blackies are going to get a quid out of that?'

Bec Mac: Apparently 80 percent of souvenirs are fake, and a lot of them are imported from overseas. That has a massive impact on the Indigenous economy.

Ernie Dingo: So what's the government doing about it?

Bec Mac: Yes, well this is sort of what this is about. There is a parliamentary inquiry—

Ernie Dingo—

Bec Mac: Yes, there is. You're not sure about that?

Ernie Dingo: Well, I just think that if that's what they're going to—there's a smoky going on, unless they're worried about the Commonwealth Games.

Bec Mac: Well that is a big issue. There is obviously an opportunity there where a lot of fake souvenirs are already being brought into the country for that, which is crazy. So how important do you think it is for law, for parliamentary law, legislation, to change and to impact on this?

Ernie Dingo: It's vitally important. If you give all that artwork to Indigenous companies to be self-sufficient, to self-sustain their own community or their own people and stuff like that, then that would give a sense of pride,

knowing that their artwork is going international and knowing that their artwork or boomerangs or artefacts are going to be seen and purchased by these international visitors. And they would know that it comes from an Indigenous community.

Bec Mac: Yes, totally. And do you think, coming out of that, there's more can we do to promote Indigenous arts and culture? As a society, as a culture and as an economy, what more could we be doing right now?

Ernie Dingo: We first of all need to get our own logo, and that logo symbolises that the artwork had been approved.

Bec Mac: That's a great idea. Certified.

Ernie Dingo: Certified by—I mean, you get your artwork certified: you've got to do all the photographic stuff on that. But if you have a shop selling material that does not have an Indigenous logo certified by Indigenous arts and crafts, then don't go in there.

Bec Mac: That's a good idea.

Ernie Dingo: You can boycott a place because it doesn't carry the logo. If it does, then you know that some or a majority of that money is going to get back to the community—other than resting fees or appearance and whatever they need to do up front, agency fees or selling fees. If we have a symbol where we're using the flag or using the flag in some way that incorporates our own artwork, so every Indigenous artwork that carries that symbol, then I tell you what: a lot of blackfellas won't get ripped off. I mean, I know a lot of people in the desert who do paintings for \$200 that are then sold for \$2,000. That would be eliminated, because everyone would register with that.

Bec Mac: And if it became legislation, if that was the law, then I guess that logo and that concept that would empower it, to make it real.

Ernie Dingo: Yes, absolutely. You have a look at the pollies in office at the moment. How many of them have Indigenous artwork in their home or have purchased artwork in their offices where they are? How much did they pay for it? How much of the money that they paid was it originally purchased for?

Bec Mac: I know; it's a massive, systematic rip-off really on so many levels.

Ernie Dingo: They've been doing it to us for a while.

Bec Mac: I know. Nothing new here!

Ernie Dingo: Yes. But it is important. If we are going to have international eyes upon us with regard to the Games that are coming up, it's important that we, as Indigenous people, have some sort of symbol that we can use. There are a lot of people around the Brisbane area and the Gold Coast and one of the other mob over the hill: they're strong people. From Straddie and that area through there, there's a strong bunch of people that come from that area, even those north of Brisbane.

Bec Mac: Yes, the Yugara.

Ernie Dingo: Yes, well if they have the symbol up-front, generated by the rest of the community, and they are our representatives, if they stamp it not only on their country but also through a symbol that we've created as a unity of people, then we can sell our artefacts and stuff like that. I really don't like the idea of Aboriginals selling their artwork though. I'd prefer it, and we can do this if a decent organisation set this up for us—I'd love to help it out in any way I can—if we didn't sell our artwork, but rent the bloody thing.

Bec Mac: Lease it?

Ernie Dingo: Lease it to big offices, so they can check out the artwork but they don't own it. The blackfellas would still own it over a period of time, unless they really want to sell it.

Bec Mac: So it still remains your legacy and your cultural heritage, and you lease it out. That's a great idea!

Ernie Dingo: So I'm full of it, hey!

Bec Mac: I know, you are. You've got the logo; you've got the leasing thing.

Ernie Dingo: Yes, I'm that full of it my eyes are brown!

Bec Mac: No, but they're great ideas.

Ernie Dingo: This is what we need to do with regard to saving our own identity. You know if we're going to cheapen it and let other people cheapen it, what's the point of being who we are and trying to paint, create music or art in any form of the arts if we're going to let somebody else just rip it off. It's just like singing a song and everyone making a copy of it and doing with it as they will.

Bec Mac: And there are so many artists now who are of Indigenous heritage who are so well recognised as contemporary artists that are being bought by the Tate Modern. It is art and culture that is recognised across the world, but still the economy behind it is not going to the people. I guess that is the absolute crux of the matter.

Ernie Dingo: I look at a lot of artists in the seventies that I knew personally, Lin Onus and [inaudible] from the top of Queensland, and especially the lady from the desert Emily—even Namatjira stuff. What are they printing those on these days? Who has the rights to those? All these great artists of this work out there, artwork that came from Yirrkala, from Banduk, do absolutely beautiful stuff that is based around all this ancient history, this ancient culture, that we're giving out to not only our communities but also beyond that for the sale of it. Don't sell it. Don't sell it. Let the mob lease it. If you don't like it, you can give it back after a year, but you've got a year's lease on it. Then you protect yourself. You can sell it if you want, after a year or two years, but it's up to you.

Bec Mac: Coming back to the community again, what can we do to stop fake art happening? Right now, before the laws happen, what responsibility can everyone take to make sure that it discontinues?

Ernie Dingo: Do you really want to make a noise?

Bec Mac: Yes.

Ernie Dingo: You want to get me into trouble?

Bec Mac: Yes, why not?

Ernie Dingo: Yes, why not? You wouldn't bloody care. There are places, warehouses and shops, that are already doing this. If there is some way—I have to be careful how I say this. It is important—not in a radical sense, but more in a positive, proactive Indigenous artist saviour sense—to go to those people and say: 'Please, we need to know who your suppliers are. Where are you getting your art from?' If they can't tell you, well then investigate and find some way of getting that investigation onto it where they say, 'No, you can't sell any more until you give us information where all this artwork's coming from and as to where the finance is going to.' If it's not going to Indigenous organisations—if we try to rip-off Gucci, if we try to rip-off RM Williams or if we try to rip-off Ralph Lauren or anyone like that, there is a certain thing they have that can stop us from doing that.

Bec Mac: Yes, absolutely; it's called copyright.

Ernie Dingo: Yes, I know. But if they're taking our art and using it for their sales, what do we get out of it? Nothing. Right? So get rid of all that stuff. If they can get rid of guns, they can burn all that shit too.

Bec Mac: Yes. And hopefully, if we can get enough people to submit to the inquiry and give details like what you're saying—details around the logos, around what you just said then, and the leasing idea—then ideas like that could go into the legislation. That's why it's so important for people to record their ideas and how it impacts on them. It's very important.

Ernie Dingo: You can record your artwork as you're setting it up. You can see the style. If you have a look at artwork normally, you can tell the style of where it come from. Generally there are certain artefacts on it; you can tell who painted that picture because of the totemic symbols on it. It's getting harder in a lot of senses, because we have dot style from the desert and we have X-rays from the Top End, and now it's being used in various forms all around the place. Noongar art in the South West has got this beautiful sunset scenario, with roos and trees. That is something that totally comes from this area, as with the dot paintings that come from the Centre, as with the X-ray paintings that come from the Top End. There is art that is specifically coming from certain areas. The Quinkan style that comes from the top of Queensland. We know their identities; we need to get those people to show their identities and then every time you see the stuff in the shops, ready to go out to all the tourists coming in, we can ask: 'Who owns this? No, none of that belongs to any of our mob here'. You can then identify it as a fake.

Bec Mac: And it is such a fantastic opportunity for everyone in Australia to understand the difference between the different arts styles and where they come from and get a knowledge of that, because that's part of the cultural heritage and the history, I guess, that we want to protect.

Ernie Dingo: Do you know one of the funniest things about all this with regard to copyright? There's a certain bloke we call 'Uncle David' on what some people call the pineapple, the \$50 note. He had all these wonderful ideas. He invented all these wonderful things, but because he was an Aboriginal under the Aboriginal Protection Act he wasn't allowed to make money. So somebody, a friend of his, patented all his ideas. Did David Unaipon get paid for that?

Bec Mac: How long ago was this?

Ernie Dingo: David Unaipon's been on the \$50 note ever since I promoted it back in the seventies or eighties, but his work goes back last century, which is only 17 years ago. This is what I'm saying about this type of artwork that is based on copyright: all these beautiful paintings from Hermannsburg, from the Namatjira family, after that

wonderful man had done that, you can still see the people from Hermannsburg or from that community still painting in the same style as did Albert Namatjira. To paint something like that—my cousin had a crack at it back in the sixties and seventies. His paintings were brilliant, but his ideas were—I'd say: 'Hey, this is not our country here you're painting. You're painting from what you seeing with regard to Namatjira's style.' And he'd go, 'Yes, but I just want to paint like Namatjira.' He was good enough and he dared, but being signed by Larry Ryan is a lot different from having the name Namatjira on the bottom of it.

There is a lot of art out there. There are a lot of great artists out there. We need to protect them, and not have their artwork cheapened by replicas or fakes. We need to stand up positively with regard to finding out if these people have a licence to sell Indigenous art that belongs to Indigenous people. And if they haven't got a licence to sell Indigenous art, which Indigenous people are they looking after? They should be able to at least, those who have gone before already—I don't know why the government hasn't done something about this years before, unless they think blackfellas are that silly that they can emulate us. They can't. We have the oldest continuing culture in the world, so why are we going to allow these nutcases into parliament?

Bec Mac: Well hopefully this is the opportunity now to make it law and make a legal change to it—

Ernie Dingo: Is that going to happen in your lifetime?

Bec Mac: and then for legislation to be made. And that could happen next year.

Ernie Dingo: Tell the mob straightaway to—

Bec Mac: To go to the Senate and then for legislation to be made. And that could happen next year.

Ernie Dingo: Tell the mob straightaway to get something done with regard to certified Aboriginality. We had the little kangaroo that showed it was Australian made. All right, get something that's 'Aboriginal made'. Get a symbol that's based around the colours and the flag, or something similar to that, or whatever we need, and have that as a symbol. If that symbol's on the front of a shop when there's all the arts and stuff in there, then you can go in there. I'd go in there, because that symbol's on there. I wouldn't go in there—I go down The Rocks and stuff, and even down in Brisbane, and look at all that stuff can go 'Hmm'. It's amazing how much saliva's hit the floor at the front of their places, because it's just wrong. It's wrong.

But if you have a symbol that is upfront—we are a community based on symbols. All our totemic backgrounds, that is us. So when we see that symbol and we know that shop is looking after our interests, we will provide art for them. And they can talk to us with regard to: 'How do I get my art—this is my art. I would like this on a T-shirt. I'd like this on a mug. I'd like to put this on a boomerang. I'd like to put this in a print or whatever, placemats and all that sort of stuff.' That would work for the community. If they've got the nous to make all these little artefacts—boomerangs and didges and stuff like that—if they've got the people who can do that, put our art on that, put our sticker on it.

Bec Mac: And do a campaign around it so that everyone knows.

Ernie Dingo: Yes. Blackfella grapevine's pretty fast. But don't do it negatively. As soon as you do it negatively, there's going to be people jumping around saying, 'Them blackfellas running amok again!'

Bec Mac: You just want it to be an opportunity for everyone to understand the truth of the matter, and how important it is to protect them. Thank you so much, Ernie. They're some bloody good ideas.

Ernie Dingo: I might design the logo then. All you mob there, don't you steal my idea! But this is one thing: we had a young lad, so-called drew a picture of the flag. We accepted that. When it went to the floor, it became a symbol that we still acknowledged today. So if we have some of our budding artists—there are a lot of great artists we have out there—submit to somewhere important, an arts centre I'll find through your mob, these ideas for this little badge that's going to be no bigger a 50c piece or whatever shape they want to put it into, and using the colours, then that is what can be recognised as a symbol that this work is owned and operated by Indigenous people.

Bec Mac: Yes, and that the money from this will go back to the artist and the community. Thank you. I'm Bec Mac.

Ernie Dingo: Bye, Bec.

Bec Mac: Bye, Ernie.