I, Rebekah C Shipe, hereby submit this original work as part of the requirements for the degree of Master of Arts in Art History.

It is entitled:  
Authenticity, Originality and the Copy: Questions of Truth and Authorship in the Work of Mark Landis, Elizabeth Durack, and Richard Prince

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Authenticity, Originality and the Copy: Questions of Truth and Authorship in the Work of Mark Landis, Elizabeth Durack, and Richard Prince

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Abstract

As contemporary artists transgress accepted definitions of authenticity and challenge ideas of originality and creativity, we must re-evaluate our understanding of these concepts. By focusing on three illuminating case studies, I examine how recent practices complicate basic concepts of authorship and artistic truth.

Chapter One explores the case of art forger, Mark Landis (b. 1955), to illuminate the ambiguity of the copy and the paradoxical aura of forgeries in the wake of postmodernism. Focusing on the case of Australian artist Elizabeth Durack (1915-2000), who created and exhibited paintings under the fictitious persona of an Aboriginal artist, Eddie Burrup, Chapter Two links the controversies surrounding her work to key theoretical explorations of aura, reproducibility, and originality. Chapter Three deals with the self-conscious deployment of postmodern notions of originality and authorship in the re-photographed photographs of notorious ‘appropriation artist’ Richard Prince (b. 1949).

The thesis aims to draw out a number of key patterns with regard to notions of the copy, authenticity, and originality in contemporary culture: the slipperiness of the line drawn between the fake and the original (for example, a kind of excess of ‘uniqueness’ that carries over into the copy); the material interplay between ‘old’ technologies such as painting and new reproductive (e.g. digital) visual technologies in the manufacture and/or counterfeiture of artistic authenticity; and the ambivalence of media narratives relating to appropriation, forgery, and the copy.
Acknowledgements

The nature of forgeries has always been a fascinating subject and when an opportunity arose for me to do expanded research on the subject, I knew it was what I was meant to do. Working for DAAP Galleries as a graduate assistant I was privy to the gallery exhibition schedule, planned a year in advance. In the spring of 2011 the idea was presented that DAAP Galleries would do an exhibition on a modern forger, providing me with the opportunity to not only be a research assistant but to also handle the fake works firsthand. The seed for my thesis was planted and ideas only grew from there.

Faced with a research topic that was very new to me, my thesis advisor Dr. Morgan Thomas provided a tremendous wealth of information for me. I am most grateful for her interest in my topic, her constructive criticism, and encouragement. Morgan’s knowledge on this subject has opened my eyes to new topics and because of her dedication to her students, removed my fear of critical theory.

I would like to also thank my committee members, Dr. Kimberly Paice and Professor Vincent Sansalone for their helpful suggestions and genuine interest in my topic. I cannot thank them enough for their time, and for their efforts to help me improve my thesis. I have learned so much from both of them and am truly thankful for all they have taught me.

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Finally, to my parents Charles and Julie Shipe, I cannot thank you enough for your continued support of my love of academia and for always believing in me. I would like to dedicate this study to you both. Without your love and encouragement I would not be where I am today.
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Introduction

As contemporary artists transgress accepted definitions of authenticity and challenge our ideas of originality and creativity, we must re-examine our understanding of these notions. By focusing on three illuminating case studies, this thesis will examine how contemporary practices challenge basic concepts of authorship and artistic truth. The objective of my thesis is to explore increasingly complex issues relating to authenticity, originality, and creativity in contemporary art making through case studies of three art producers: Mark Augustus Landis (b. 1955), Elizabeth Durack (1915-2000), and Richard Prince (b. 1949).

The first chapter focuses on self-styled philanthropist, Mark Landis who has been in the business of art forgery for the last two decades. While his motivations remain difficult to pinpoint, Landis has been donating his forgeries to museum curators and institutions, forcing museums to question the “authenticity” of their collections. The problems that arise come from the manner in which the media portray forgery and the celebrity well-made forgers produce. Chapter One aims to illuminate the ambiguity of the copy and the paradoxical aura of forgeries in the wake of postmodernism. My investigation in this chapter draws on information provided by the media in three articles, published in The New York Times, The Financial Times, and Maxim magazine, which provide accounts of Landis’s activity. I also refer to several writings by David Summers and Michael Camille from Critical Terms for Art History (2003), entitled “Representation” and “Simulacrum.” In addition, I incorporate Jean Baudrillard’s book Simulacra and Simulation (1981) to explain postmodernity’s complex idea of simulacra. Finally, Sándor Radnóti’s explanation of a postmodern notion of visual representation
and forgery in *The Fake: Forgery and its Place in Art* (1999) opens up ways to discuss new terms for understanding forgery in relation to the notion of originality.

In the second chapter I focus on Australian artist Elizabeth Durack who gained notoriety within the Australian art world by assuming the persona of a fictitious Aboriginal artist, “Eddie Burrup.” Painting in the guise of this “alter ego,” Durack freely assumed the right to create Aboriginal art. Her paintings seem to imply an authentic Aboriginal voice, but to understand what Durack’s intentions are, one must examine the critical implications of her work. Chapter Two links the controversies surrounding her work to key theoretical explorations of aura, reproducibility, and originality.

To contextualize Durack’s controversy surrounding issues of cultural appropriation I will look at Caroline Holmstrom Hoban’s essay, “The Field of Art Production and Western Desert Acrylics,” (2002) and Eric Michael’s essay, “Post-Modernism, Appropriation, and Western Desert Acrylics,” (2004). These essays discuss the Aboriginal style of Western Desert painting that is often appropriated by Australians who are not authorized to paint these designs. These authors argue that Western Desert painting, as an Aboriginal art form, needs to be authenticated by the art world, and help contextualize the serious nature of the Durack controversy. I will also discuss essays by Elizabeth Burns Coleman, Franchesca Cubillo, and Marguerite Nolan to contextualize the controversy surrounding Durack, focusing on the questions they raise within this context regarding artistic identity and authenticity.

In this chapter I also utilize “The Work of Art in the Age of Mechanical Reproduction” (1969) by Walter Benjamin, which addresses the effects of modern technology on art and describes the loss of aura through mechanical reproduction. For
Benjamin, aura seems to stem from the originality and authenticity of the work of art that has never been reproduced, opening up the question of the fate of aura in the case of works of appropriation. I will also discuss Jean Baudrillard’s essay, “Gesture and Signature: Semurgy in Contemporary Art” (1981) to discuss the differences between Aboriginal art and postmodern work.

In the third chapter I examine the re-photographed photographs of Richard Prince and his appropriation of cultural themes and their consequences. I will discuss the critical writings of Rosetta Brooks, Jeff Rian, and Nancy Spector on his work. These writers examine issues of appropriation in Prince’s art from multiple perspectives in relation to discourses of postmodernism. Chapter Three deals with the self-conscious deployment of postmodern notions of originality and authorship in the re-photographed photographs of notorious ‘appropriation artist’ Richard Prince. I argue that Prince’s appropriation art thrives on controversy, using the media as its forum.

“The Originality of the Avant-Garde: A Postmodernist Repetition” by Rosalind Krauss is another key text for my research, which questions the status of the copy. Krauss sees the copy, or the inauthentic, as the unavoidable nature of Modernism to ask why we value originals and to ultimately question how art relates to the past. In his influential essay “The Death of the Author,” (1967), Roland Barthes attacks traditional ways of reading, which explain a work through the voice of a single person, the author.

Through these case studies I will examine notions of authenticity and authorship in contemporary art-making, focusing on critical responses and public fascination in each case. I will consider the ways in which certain key sites of artistic production are upset yet also energized by the acts of these artists, including: the art market, museums and art
institutions. By exploring the media narratives generated by the work of these artists, I will analyze the critical responses and public fascination to emphasize the importance of public reception to the artists’ works, focusing on the ambivalence of media narratives relating to appropriation, forgery, and the copy.

Themes of cultural appropriation, appropriation art, and artistic forgery are continually subjected to scholarly debate; however, this thesis draws them together in a new way. Although it may appear strange to compare the activities of these artists, each of them is essentially taking something that is not theirs. Landis forges paintings of artists and gives them to unknowing museums. Durack took the identity and culture of a fictional Aboriginal artist to create paintings. Prince takes images that are not his and calls them his own. This thesis explores points of difference and common ground among these artists, who are taking ideas that they did not originate and altering them. In this way these artists are challenging conventional understandings of truth, authorship, and authenticity in art.
Chapter One

A Contemporary Understanding of Forgery: Mark Landis and a Critique of Originality

In this chapter I will specifically discuss forgeries in relation to the art made by the forger, Mark Landis, ideas of originality related to art production, and the portrayal of forgery in the art world and in the news media more generally. Art forgery occurs when false claims are made concerning the authenticity of an artwork. The notion of forgery implies deception of one kind or another. The deception in question may include a variety of aspects: the dating of a work, its authorship, the use of old fragments to simulate antiquity, selling copies as originals, and the false attribution of minor works from a studio or workshop to great masters.¹ Forgeries are different from copies, which include reproductions not intended to pass as the original. Often made for financial gain, forgeries reflect prevailing taste and fashion, customs of collecting, and current rules of art criticism.²

In recent years, an art forger who is somewhat of an enigma, has come to the media’s attention. Mark Landis (b. 1955) has been donating his own forgeries to museums and other institutions in the United States for the last two decades and does not show any signs of stopping. The issues surrounding forgeries are not new, but the recent attention Landis has received in the media, as well as the attention that museums and institutions are giving forgeries, brings to our consideration new issues surrounding authenticity and the copy. In this chapter I will explore the issue of forgery in Landis’s

case and the fundamental nature of forgery with reference to artistic concepts of
“representation” and “simulacrum.”

**Giving but Never Taking**

One art forger does not seem to have broken any laws regarding copyright. Mark Landis, although currently known under different aliases, has been duping museums and curators with his forgeries for the last two decades. With his copies of lesser-known artworks in hand he has traveled to over nineteen states and has contacted at least forty museums in attempts to make artistic donations.\(^3\) In contrast to most forgers, Landis has no motive of financial gain. To date, no transactions have been found as evidence that Landis has sold any of his fakes. Rather, he stipulates that museums display his pieces in memory of his father, his mother, and in some cases, a fictitious relative.\(^4\)

With reference to the donation of his first forgery, given to an undisclosed location in 1985, Landis said, “It was just an impulse.”\(^5\) In an interview with journalist Jesse Hyde of *Maxim* magazine, Landis described how his forgeries began. At the age of thirty-one, Landis had invested his savings in a failed gallery and was ready to move home and live with his mother. In response to his financial downfall he decided to do something he thought would impress her. Landis stated that his prolific output of forgeries began as a means of impressing his mother; he donated a piece of art in memory

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\(^5\) Ibid.
of his father.\textsuperscript{6} Landis admitted that when he gave away his first forgery he experienced an intense feeling of satisfaction. He was hooked on what he referred to as “philanthropy.”\textsuperscript{7}

Although Landis’s donations were not always accepted by museums, with practice his forgeries improved. During Hyde’s interview, Landis admitted that his experience donating taught him that the quality of the work was not as important as its provenance.\textsuperscript{8} In one instance, Landis provided the institution with accompanying paperwork to make it appear as if the piece had a verifiable provenance (fig. 1). Landis continued to gift his paintings but donated them to smaller, lesser-known museums, mainly in the South. In an interview with John Gapper from \textit{Financial Times Magazine}, Landis admitted that he was comfortable with the making of specific works over and over again; for example, he repeatedly forged a watercolor by Paul Signac (1863-1935) (fig. 2), a portrait by Marie Laurencin (1885-1956) (fig. 3), and an oil painting by Stanislas Lepine (1835-1892) (fig. 4), although his output is not limited to these artists.\textsuperscript{9}

To execute the paintings he set up what he referred to as an “assembly line.” In his small apartment bedroom, he reproduced small, less complicated works that didn’t require precise lines or details. Landis would then purchase any additional materials from a local Home Depot or Hobby Lobby. Occasionally Landis painted directly on wood to match the technique of the original artists. In other instances he printed a replica on a digital printer, glued it to the wood panel, and then applied paint over it. He cut the

\textsuperscript{6} Ibid.
\textsuperscript{7} Ibid.
\textsuperscript{8} Ibid.
wood that he painted into the correct dimensions himself with a handsaw in his bedroom.\textsuperscript{10}

Two of his forged paintings, \textit{Three Women}, after Charles Courtney Curran (fig. 5), and an untitled piece, after Marie Laurencin (fig. 6) have both been discovered to be digital prints combined with oil on canvas. Landis learned that coffee and tea were successful agents to employ when distressing the back of the panel. These materials left the wood with a favorable aged look, but often a distinct smell. For Landis, re-creating a painting was a formality. The rush began when making plans for its donation. Gifting his forgeries to institutions Landis had finally attained the respect and attention he desired: “Everybody treated me like royalty, and that was not something I was accustomed to.”\textsuperscript{11} With regard to the material processes employed by Landis, it is perhaps important to note here the relevance of Benjamin’s very ambiguous idea of aura in this context: for Benjamin, aura has to do with a sense of uniqueness; however, paradoxically, with photography and its reproducibility, the aura is in another sense multiplied and dispersed.

\textbf{In Pursuit of a Forger}

By the mid-2000s, Landis was donating his copies to a half-dozen museums a year. But after Matthew Leininger, at the time working as registrar at the Oklahoma City Museum of Art, uncovered some of Landis’s fakes in August 2008 he took it upon himself to expose the forger. Leininger contacted the FBI, who determined that Landis had not committed a crime because he had received no compensation thereby he was

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\textsuperscript{10} Hyde, 4.
\textsuperscript{11} Ibid., 4.
\end{flushleft}
legally untouchable. At this point Leininger had sent pictures of Landis to other museum directors, notifying institutions of Landis’s appearance and intentions. After a failed attempt at donating a work of art to the Lauren Rogers Museum of Art in Laurel, Mississippi, Landis realized that he had been discovered and started using different aliases. Landis dressed himself as a Jesuit priest, an idea that he had taken from the British television series, “Father Brown,” about an inept priest who solved crime.

In the summer of 2010, Landis’s mother died, and Landis, grieving for his mother, went on a donating spree. Landis would complete multiple copies of the same fake, quickly and efficiently using the computer as an aid. Discussing these methods Landis says, “That’s how I was able to be so prolific. And it seemed like it was good business sense because traveling is expensive.” Landis later admits this was what eventually gave him away: “The mistake I made is I gave away too many of the same thing.”

Landis currently resides in Laurel, Mississippi, where he grew up. He lives in a retirement community, staying in a small apartment where he completed the majority of the forgeries he has donated to museums over a twenty-year period. Now that Landis has been discovered he is unsure what he will do next. However, in correspondence with Hyde, Landis disclosed that he has been traveling in the United States again. He sent Hyde a picture of himself holding a painting he had just donated and another of himself dressed as a priest, his arm around a curator.

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12 Kennedy, 3.
13 Hyde, 5.
14 Ibid.
15 Ibid., 5.
16 Ibid., 2.
17 Ibid., 9.
The Media’s Portrayal of Landis

Certainly by now it is apparent that forgery is not new, but Landis is portrayed in articles, the media, and an exhibition at the University of Cincinnati’s College of Design, Architecture, Art, and Planning, (DAAP) art gallery in Cincinnati, Ohio, as a kind of curiosity. In an article by reporter Randy Kennedy, published in the New York Times on January 11, 2011, Kennedy relates Landis’s story in a tone of wonderment and with dramatic flare, relating Landis to a character from a Southern gothic novel. Kennedy highlighted his use of different aliases and provides a dramatic account of Landis donating a forgery as Father Arthur Scott, arriving in a big red Cadillac. The tone of Kennedy’s story revolves around the issue of Landis’s motives. With no incentive for money, Landis created these forgeries for baffling reasons and Kennedy’s article is a brief introduction to Landis’s actions.

In the article published in the Financial Times Magazine later that same January, journalist John Gapper examines further the mystery of Landis. Gapper is interested in Landis’s appearance:

…he was short and thin with sparse hair and jug ears, and looked frail and sickly. …He had attention deficit disorder worse than anyone I’d ever met…He was constantly distracted in the middle of sentences by shiny objects or jewelry.

By Gapper’s description, Landis is portrayed differently than in Kennedy’s article. Here Landis is depicted as pitiable, whereas in the New York Times article Landis is seen as theatrical. Gapper accounts his interactions with Landis, providing stories from Landis’s youth and direct quotes from him. The article from the Financial Times Magazine

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18 Kennedy, 1.
19 Ibid.
20 Gapper, 1.
provides a sympathetic narrative quoting Landis stating in regard to those he’s affected with his forgeries, “I like people to think of me as an art dealer and philanthropist, but I guess I get to be a dishonorable schoolboy.”21 After reading Gapper’s article the audience is left with a picture of Landis as a plaintive human.

In the most recent article on Landis published in Maxim magazine (December 2011), journalist Jesse Hyde provides the most information as well as the most dramatic account. Again, Hyde mentions Landis’s unusual appearance, describing him as a sort of art historical Rain Man.22 All of these articles allude to two basic facts about Landis: that Landis is not motivated by financial gain and that he is unable to be stopped by legal means while presenting his case as a sort of curiosity.

Landis’s case has been showcased at DAAP Galleries in an exhibition entitled, FauxReal. The exhibition, on view April 2 until May 11, 2012, presents the story of Landis, the works he has donated to different institutions, personal memorabilia, and includes a look at the science involved in uncovering forgeries. The exhibition highlights many of Landis’s unique traits and includes a personal biography written by Landis himself. Although much of the exhibition alludes to Landis’s enigmatic qualities, DAAP Galleries also examines the consequences Landis’s actions have for museum collections. FauxReal uses Landis to open up discussion of larger issues surrounding forgery and representation.

Showcasing Fakes and Forgeries

The University of Cincinnati’s DAAP Galleries is not the first institution to

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21 Ibid., 5.
22 Hyde, 1.
recognize the existence of forgeries and their impact on the art world. Some art institutions, like the Museum of Art Fakes in Vienna, Austria, are providing a public forum to display and discuss the copy. The Museum of Art Fakes exhibits works by the notorious Vermeer-forger, Han van Meegeren (1889-1947) and the British art restorer Tom Keating (1918-1984).\(^\text{23}\) In addition to displaying the art creations of these forgers, the Museum also presents information on the history of famous forgeries and the fates of their creators.

Another example of a museum that exhibits fakes can be found in Italy, at the Museo del Falso. Operated by Salvatore Casillo, the Museo del Falso acquired large collections of works attributed to famous contemporary artists, like Andy Warhol (1928-1987), without paying a cent. They came courtesy of the Carabinieri, Italy’s military police, and from their Department for the Protection of Cultural heritage, which is the biggest anti-art fraud task force in the world. Rather than being destroyed, these fakes and forgeries will survive in the Museo del Falso, established in 1991 as part of the University of Salerno’s Center for the Study of Forgery. The university museum is now a warehouse for all fake artworks confiscated in Italy.\(^\text{24}\)

Ironically, these master forgers are now getting respect from the art establishment they challenged. A growing trend, other respected museums around the world are giving counterfeits shows of their own. Even London’s Victoria and Albert Museum has a separate gallery devoted to first-class fakes and forgeries. Casillo commented on the museum’s intent stating, “through the most beautiful fakes we want to keep alive the


memory of a history of art, which, although perverse, is often fascinating.” Casillo’s statement reminds the audience that forgery is part of art history but also reinforces the curiosity factor forgery possesses.

**Forgeries and Representation**

The art historian David Summers has examined the history of the problems of representation and how they affect present issues in art history. Paintings, according to Summers, are connected to personal sensations, perceptions, and conceptions. A representation is always placed between a thing and its actual image. Summers admits that the problem with representation is that we do not know if we are presented with the truth. In the case of Landis, his paintings do not present the truth but rather a good visual representation of a painting made by someone else. Forgeries ultimately create opinion, not truth. Uneasiness about these images and their duplicity, has been a characteristic of critical art historical discourse through to the present day.

Summers argues that visual representations are significant in terms of what they represent and how they are represented. The “what” reveals the object’s significance and the “how” reveals the combination of ideas that form its theory. What is presumed to express the structure of a more or less internal historical reality becomes the primary object of study. Sándor Radnóti, professor of aesthetics at Budapest University, argues that in the case of forgeries representationalism itself is called into question and the historical authenticity is no longer valid. Forgers, like Landis, appear to be dangerous

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25 Ibid.
27 Ibid.
because they call into doubt notions of originality, giving the impression that the forgery contains the same history. Once it is discovered, the forgery begins to take on its own history, sometimes becoming cultural garbage.  

Summers describes artistic representation as being a product of the mind. This mental image corresponds to our sensations and perceptions, formulating a connection between sight and thought. As our minds create their own images, after seeing a work of art, they are also formulating a truth. When representation can no longer be deemed truthful or authentic it moves to a new, more dangerous category: misrepresentation. Forgeries not only misrepresent art history but our sense of cultural reality.  

Summers asserts in his essay that there is a circular connection between individual and collective representation. This relationship must also mean that there is a link between personal and group understanding of misrepresentation. If “culture” is a historical process and from this view, representation is a social act, it must mean that we should look beyond representation as imitation, and examine the role of representation as it affects our society. Forgeries must then be examined with the understanding that there is an intention of corrupting our individual representation while simultaneously disrupting our cultural perceptions.

In the case of Landis, although his intentions are unclear, he essentially meant to convince museums and institutions that he was donating an authentic work of art. For example, authorities at Cabrini High School in New Orleans, Louisiana, understood that Landis was donating an authentic Hans van Aachen painting (fig. 7) when in fact, Landis

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30 Summers, 18.
was misrepresenting the truth.³¹ By deceiving, or in this case almost deceiving, the institution and potentially altering their view of truthful representation, Landis used misrepresentation. The truth of the “what” and “how” are nonexistent. For any institution that accepted Landis’s forgeries, the possibility remains that viewing audiences will have an altered image, manipulating both individual and collective cultural perceptions of authenticity.

**Forgeries and Simulation**

The deceptive nature of forgery also links to recent debates focusing on simulation and the difficulty or impossibility of distinguishing between true and fake. This theory is based upon the relationship between the real and its copy. Simulation threatens the very concept of representation because it corrupts the relationship between original and reproduction.³² As Camille recalls exploring this theory in classical terms, Plato understood the simulacrum to include two kinds of image-making methods which involved a faithful reproduction, copying the original with no alterations, and the simulacrum, distorted intentionally to appear more accommodating to the viewer. This Platonic anxiety over objects as real or simple reproductions can be seen to foreshadow current issues surrounding modern forgery.

This cynical vision parodies the French philosopher Jean Baudrillard’s sociocultural theory on simulacra from his book *Simulacra and Simulation* from 1981. Of the several different scenarios of modern society, Baudrillard questions our relation to the objects and events these simulacra, or reproductions, produce:

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³¹ Gapper.
It is no longer a question of imitation, nor duplication, nor even parody. It is a question of substituting the signs of the real for the real, that is to say of an operation of deterring every real process via its operational double, a programmatic, metastable, perfectly descriptive machine that offers all the signs of the real and short-circuits all its vicissitudes.  

For Baudrillard, the method of reproduction is also the method of social relations and power. The simulacrum becomes an independent form and swallows up reality.

While overall, the simulacrum is defined as a stationary condition; it involves a deception of the viewer on the level of experience, manipulating our senses, which transforms the doubtable into the believable. The simulacrum uses our experience of reality against us, creating a perversion of imitation that reproduces so exactly our visual experience with the real that we cannot discern the falseness of the imitation.

Threatening our understanding, forgeries call into question the soundness of the knowledge assumed to be the basis of aesthetic judgments. It is disconcerting to learn that experts are unable to distinguish an original from a blatant fake. Therefore, we are left with the suspicion that artistic knowledge and visual representation are more unstable than we had thought.

**Forgery as the Criticism of Originality**

The harm caused by forgeries, like those of Landis, stems from the fact that the notion of originality lacks foundational criteria. But the success of forgeries does not mean that there are no legitimate modes of gaining aesthetic understanding. Although art forgeries cause harm by undermining our strategies, in the face of this uncertainty, they

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34 Ibid.
do leave us questioning truth.\textsuperscript{35} It matters to us that we can spot the difference between authentic and fake, especially in a contemporary society when we are capable of making copies that are indistinguishable from the original, and appropriation art is an accepted part of the contemporary art world.

Radnóti argues that the history of exposed forgeries could be seen as the next dimension of their historical authenticity, as forgeries themselves become historical objects.\textsuperscript{36} This is the case with the forgeries housed in The Museum of Art Fakes in Vienna or the Museo del Falso in Italy, which are now seen as valuable. Considering the problem of originality within the framework of the modern art establishment, forgery is a functional art form, which in principle interchanges the interchangeable. As Radnóti notes, forgery resembles the modern spirit of uninterchangeability with the postmodern spirit of interchangeability.\textsuperscript{37} Once forgery is discovered to be a copy why is it treated differently than the postmodern artist who appropriates the work of another artist? Therefore, we must ask ourselves if forgery’s criticism of originality is justified.

When forgery criticizes originality as invention, then in the debate of creation against the copy, it restores imitation. It calls attention to the fundamental significance of imitation, copies, and repetition in the arts. It questions the conjecture that what comes before the work of art is “nothing” and the work of art itself is a something completely new. As Radnóti argues, when forgery criticizes the concept of originality as historical authenticity it directly addresses the question of the cult of antiquity.\textsuperscript{38} Originality as

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\textsuperscript{36} Radnóti, 41.
\textsuperscript{37} Ibid., 46.
\textsuperscript{38} Ibid., 52.
\end{flushleft}
historical authenticity is not an artistic value, but a documentary one, forging its place in history.

The rule of artistic originality cannot be condemned on the basis of past styles and models, where the truth is no longer absolute, hence the crisis of modern art. 39 If we think of forgery in relation to modern art, its application in the practice of art, there would need to be an expansion of art concepts. Specifically there would be many arts, but no art. As the status of the original work declined the forgery would assume a new temporary category and rapidly lose meaning. 40

But this becomes more and more difficult, because it is practically impossible to isolate the process of simulation, through the force of inertia of the real that surrounds us, the opposite is also true (this reversibility itself is part of the apparatus of simulation and the impotence of power): namely, it is now impossible to isolate the process of the real, or to prove the real. 41

In the case of modern art, the forgery of the banalities of everyday life could withdraw from art and turn into a depressing metaphor of life, similar to Baudrillard’s analysis. Deception lies at the heart of forgery, as it misrepresents the artist’s achievements, but it does not mean that we cannot learn from forgery. Forgeries bring to our attention the significance of the copy and force us to reevaluate the place of the forgery in art history.

39 Ibid., 54-55.
40 Ibid., 212.
41 Baudrillard, 21.
Chapter Two


In the late 1990s Elizabeth Durack (1915-2000), a respected Australian artist and a notable member of a famous landowning family, became the subject of controversy in the Australian and Aboriginal arts communities. Durack became the subject of numerous debates that emerged after she publically confessed in 1997 that she was the creator behind the name and works of Eddie Burrup, an artist previously thought to be an Aboriginal man. This controversy raises issues about the appropriation of Aboriginal culture, along with questions of authorship, identity, and authenticity.42

Here I shall examine the controversy raised around issues of appropriation, authorship, identity, and authenticity, and specifically issues of authenticity in Aboriginal art, to provide a framework to better understand the issues implicated in the Durack controversy. I will also consider the initial response of the media to the Burrup confession, as both positive and negative debates contributed to the discussion of the terms of authenticity present in the Durack case. In closing I will consider the critical texts of Walter Benjamin, Rosalind Krauss, and Baudrillard to argue the artistic authority of Durack’s oeuvre as Burrup in postmodern terms, specifically with reference to notions of authorship, identity, and authenticity.

42 Franchesca Cubillo, “’I drew very close to these men, sharing their dilemma....’” Anna Cole, et al. in Uncommon Ground: White Women in Aboriginal History, (Canberra: Canberra Aboriginal Studies Press for the Australian Institute of Aboriginal and Torres Strait Islander Studies, 2005), 232.
Contextualizing Indigenous Australian Art and Culture

The situation of Aboriginal people in Australian society is marked by the problematic historical context of colonization, racial and governmental discrimination, as well as exploitation of the colonized.\textsuperscript{43} The emergence of Aboriginal art outside the context of Aboriginal societies indicates the effects of colonization and globalization on traditional Aboriginal art practices. Aboriginal art, including Western Desert acrylic painting, was increasingly included in the realm of contemporary art in the late 1980s. By that time Aboriginal art had achieved a new level of popularity in commercial and state public galleries in Australia as well as internationally.\textsuperscript{44} However art historian Ian McLean has argued that many Aboriginal artists and critics are against practices of cultural appropriation and when Australian artists use appropriation they do so critically and with caution:

Even though the strategies used by contemporary Aboriginal artist are so crossed-over with white discourses that they are difficult to distinguish from the other, Aboriginal and non-Aboriginal art cannot be uncritically collapsed into a shared postmodern/postcolonial discourse, as if today we are all white Aborigines.\textsuperscript{45}

McLean contends that Aboriginal art cannot share a postmodern and postcolonial discourse without critical discussion when it comes to issues of appropriating Indigenous culture.

\textsuperscript{44} Ian McLean, \textit{White Aborigines: Identity Politics in Australian Art} (Cambridge, MA: Cambridge University Press, 1998), 129.
\textsuperscript{45} Ibid., 133.
**Authenticity in Aboriginal Art**

In order to better understand what “Aboriginal” means, it is necessary to take a brief look at notions of authenticity in Aboriginal art. The Dreaming is a major religious concept in Aboriginal culture and involves the exploration of traditional ideas about the nature of the world and its origin.\(^{46}\) Aboriginal art merges the distinction between the ancestral past and the present. Indigenous ancestors first used paintings in ceremonies to express their connection to ‘country’\(^{47}\) and their people. Anthropologist Howard Morphy argues that ancestral painting enables Aboriginal people to participate directly in the spiritual world of their ancestors because their ancestors created these ceremonies and traditions. By manifesting the ancestral past through painting, Aboriginal people can re-enact those events and make them part of their present lives. Aboriginal art unifies their experience of the world with that of the ancestral being.\(^{48}\)

In 1971, art teacher Geoffrey Bardon encouraged Aboriginal residents at the Aboriginal settlement of Papunya to paint their Dreaming designs. Up until this time these designs were reserved for rituals, generally painted on the body or drawn in the sand, therefore ephemeral in their execution. By applying these representations on portable media the designs were given permanence, placing them within the realm of


\(^{48}\) Morphy, *Aboriginal Art*, 100.
Western art presentation. This form of Aboriginal art, also known as Western Desert acrylic painting, is contingent upon authenticated Aboriginality:

…Western Desert acrylics are differentiated from art created in the West; with the acrylics it is the cultural identity of the artist that is the criterion for its authentication…The focus upon the Aboriginality of a painting infers that the artwork be legitimate through the Aboriginal culture embedded in the artwork. Thus, Western influence is shunned in deference to authenticating the art as Aboriginal.

Here Caroline Holmstrom Hoban, anthropology professor at the University of Newcastle, Australia, describes the notion of authenticity in Western Desert acrylics under different terms than in Western art. According to Hoban, the identity of the artist and the authenticity of the art are indivisible in Aboriginal art.

Western Desert painting, like other types of Aboriginal Australian art, is contingent upon identity and it is this issue of identity that authorizes the production of authentic Dreaming designs. Hoban argues that the art market willing to buy does not regard Dreaming designs as authentic art unless an Aboriginal person or peoples produce them. Within the field of Western Desert acrylics, Aboriginal culture is seen to be fundamental to art authenticity. Therefore, according to Hoban, if authenticity is based on the concept of Aboriginality, or being created by an Aboriginal person, the problem stems from the success of Aboriginal art with audiences in an imitation based postmodern art market.

50 Ibid.
51 Ibid., 184.
52 Ibid., 185.
Although there are many other kinds of Indigenous art originating from all parts of Australia, Western Desert acrylics however is a type of contemporary Aboriginal artistic production, which is often appropriated under postmodern conditions. The connections between the debates on appropriating the primitive forms of Western Desert Acrylic paintings are similar to the issues of Durack’s appropriation of Aboriginal culture in her Burrup series. Both the Western Desert Acrylics and Durack’s Burrup series incorporate traditional Aboriginal designs that Eric Michaels argues do not survive their Post-modern reconstruction.

**Elizabeth Durack, Growing Up with the Miriuwong Peoples of Western Australia**

Born July 6, 1915, in Perth, Australia, Durack was the daughter of an esteemed Irish-Australian agricultural pioneer, Michael Patrick Durack (1865-1950). In the nineteenth century the Duracks were among the few farming families who refused to use force against the Aboriginal people living in the area, who are known specifically as the Miriuwong people. According to Australian journalist Susan McCulloch, the Durack’s relationship with this Aboriginal group was largely one of coexistence; it included many instances of friendship and respect, not only for Aboriginal culture but also a genuine mutual respect for each other.

During her adolescence, Durack spent much of her time on the Kimberley cattle stations in the northern region of Western Australia where she established an enduring relationship with the indigenous people of the Ord River region, which would later

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55 Ibid., 219.
influence her artistic work.\textsuperscript{57} The Aboriginal people included Durack in cultural ceremonies and rituals, often inviting Durack on journeys, which could take up to two weeks of travel through the countryside. While along on these excursions Durack spent her time sketching the different ceremonies of the Ord River Aborigines.\textsuperscript{58}

From 1936 to 1937, Durack and her older sister, the author Dame Mary Durack (1913-1994), traveled to Europe where Elizabeth received artistic training in London at the Chelsea Polytechnique.\textsuperscript{59} In 1946, she returned to the Kimberley then settled in the port of Broome. During her career Durack collaborated with Mary, illustrating nine of her books and producing artistic works for over sixty-five exhibitions in Australia, London, New York, and Dublin.\textsuperscript{60}

Some of Durack’s earliest works from her Kimberley home are black and white ink drawings on paper, and black thread sewn onto calico scrolls. Her initial sketches were of workers on the cattle station, both Aboriginal and white. Some of these drawings later developed into more intricate paintings tracing the Aboriginal way of life.\textsuperscript{61} Durack’s sketches and line drawings quickly developed into more authoritative illustrations. An example of this can be seen in the illustration from the publication \textit{Way of the Whirlwind} (1939) (fig. 8). Durack depicted the Australian landscape she had grown up with and manipulated it into what was to become her own style.\textsuperscript{62}

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\textsuperscript{57} Cubillo, 236.
\textsuperscript{59} Patrick Hutchings, \textit{The Art of Elizabeth Durack}, (Australia: Angus & Robertson Publishers, 1982), 11.
\textsuperscript{60} Marguerite Nolan, “Elizabeth Durack, Eddie Burrup and the Art of Identification,” in \textit{Fakes and Forgeries} (Amersham: Cambridge Scholars, 2005), 135-137.
\textsuperscript{61} Hutchings, 11.
\textsuperscript{62} Ibid.
\end{flushleft}
Durack painted and continually developed her oeuvre throughout the next four decades, which continually evolved, ultimately resulting in a series of over thirty-six paintings entitled, “The Art of Eddie Burrup.” From 1994 until her death Durack worked on this series, painting and exhibiting Aboriginal Dreaming legends under the pseudonym Eddie Burrup.\(^{63}\) Kept hidden from the public for years, Durack revealed Burrup’s real persona in 1997. Durack feared that the situation was getting out of hand, and she asked her friend, art historian Robert Smith, to reveal the truth, which he disclosed in the March 1997 issue of the journal, *Art Monthly Australia*. Despite the outpouring of controversy from the media, Durack produced works in Burrup’s name until two weeks prior to her death in 2000.\(^{64}\)

**The Eddie Burrup Controversy**

As Durack assumed the right to create work under her pseudonym “Eddie Burrup,” the controversy ignited a heated debate in the Australian and Aboriginal arts community. Aboriginal artists did not appreciate or tolerate this fictional identity. Some of Durack’s works were representations of Aboriginal people and spirits. Durack created Burrup with ‘signs’ of authenticity: she provided Burrup with a life story, even including a transcription of his speech.\(^{65}\)

Before Durack revealed her identity as the real author of the work ascribed to Burrup, the art community thought Burrup was an Aboriginal artist living in Western

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Australia. Burrup’s autobiographical information, still available online, gives a fictitious account of his upbringing and artistic experience. Durack attributed Burrup’s intimate knowledge of the country to his experience cutting the new railway lines during the 1960s. While working for the railways Burrup supposedly had a serious accident that provided him with significant compensation to the degree where he was able to maintain a certain amount of financial independence.  

Durack gave Burrup the Aboriginal social status of a Maban meaning he had a high rank, privileging him to secret knowledge and expanding his rights of access to cover a huge range of territory extending throughout the majority of Australia. According to Dr. Marguerite Nolan, from the Department of Australian Studies at the Australian Catholic University in Brisbane, Australia, Burrup’s art was not similar to any traditional Aboriginal iconography. Burrup’s timeline is brief and simple. He does not provide an intimate account of the events in his life but when Burrup discussed his artistic training he merely stated that his style emanated from the artistic training he received at convent schools and while interned in prison, he received European art training.

By 1996, Burrup had been exhibiting art for about two years. Doreen Mellor, an Indigenous curator at the Tandanya National Aboriginal Cultural Institute in Adelaide, South Australia, was interested in Burrup’s work because of its unmistakably original nature. Mellor invited Burrup to submit some work in the exhibition, Native Titled Now (1996), for the Adelaide Festival. This exhibition was intended to be a forum for Australian Indigenous artists to comment on the High Court decision on Native Title in

66 Ibid.
67 Nolan, 135.
1992, the ‘Mabo’ decision. This decision marked the recognition by Australian law that some Indigenous people have rights to their land that comes from Indigenous sovereignty and prior occupation. That year, Burrup entered three works in *Native Titled Now*, and two were selected for the prestigious National Aboriginal and Torres Strait Islander Art award in Darwin.  

Shortly after this exhibition Durack revealed Burrup’s true identity and accusations of fraud began.

**Durack’s Art**

According to Louise Morrison, Australian artist and art critic, opinions of Durack’s work prior to the Burrup scandal varied widely. Morrison mentions art critics like Christine Sharkey and Janda Gooding who argue that Durack’s work had been overlooked, expressing Durack’s depictions of Aboriginal people as progressive statements for her time. Morrison also mentions negative responses to her work from such critics as David Bromfield:

> David Broomfield, noted Western Australian academic and art critic, was not particularly impressed. He felt that she “was not a great artist. Nor was she particularly innovative in the wider context” and stated that her painting “came uncomfortably close to a range of familiar styles…”

Regardless of critical opinion, Durack created an extensive level of artistic output over six decades.

Although Durack’s work begins as far back as the 1930s, my discussion will begin with Durack’s creative output during the 1950s. Art historian Patrick Hutchings describes the artist’s work during this decade as emerging into two streams of painting:

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68 Ibid.
69 Morrison, 78.
those of Social Realism and those influenced by Aboriginal legends. Durack’s first major series, signed with the signature of “Elizabeth Durack” and inspired by Aboriginal ritual and legend, was “The Cord to Alcheringa” (1953). *The Elders of the Tribe* (1953) (fig. 9), from “The Cord to Alcheringa” series, Durack depicts restricted men’s ceremonies. The men are displayed wearing body paint, ceremonial headpieces, and sitting on ground paintings. Under careful observation Western Desert-style designs are noticeable, which signify ceremonial sites, alluding to the Dreaming. According to Franchesca Cubillo, a curator of Indigenous art, the designs of the Aboriginal desert region had entered the public via Durack:

“This was the first time Aboriginal Western Desert-style paintings/ceremonies had been produced as artwork by a non-Aboriginal person. So even before the Papunya Western Desert art movement took place, the iconography of the desert region had already entered the public arena via this woman’s art.”

*The Elders of the Tribe* is an example of Durack’s view of Aboriginal tradition through her first-hand experience of Aboriginal ceremonies and other cultural activities.

This series was later followed by three more groups of paintings, which also incorporated an Aboriginal view of the world: “The Chant for Kurdaitcha” (1954), “Love Magic” (1954), and “The Legend of the Black Swan” (1956). The Legend of the Black Swan is a tale of Aboriginal lore from the Dreaming where two brothers are transformed into swans to help an attack party gain access to weapons during a raid. In these two panels from “The Legend of the Black Swan” series, *The Transformation* (1956) (fig. 10) and *The Wonderment of the Women* (1956) (fig. 11), Durack illustrates the moments in the Dreaming story where the two brothers are transformed into swans. In the next panel

70 Hutchings, 35.
71 Cubillo, 236.
72 Ibid.
they are seen distracting the women who are in awe having never seen birds. These four different series groups reflect Durack’s perspective of Aboriginal life combined with the artist’s distinct style. The paintings originate from Durack’s personal experience of ceremonies, and the Dreaming story, from familiarity with ancient rock carvings in northern Australia, and from lessons personally received from an Aboriginal bark painter, Argyle Boxer.

Durack’s notes, dated from January 1954, elucidate certain aspects of the paintings, while the artist acknowledged that many elements within these groups of paintings couldn’t be explained:

…without wishing to indulge in fantasy I can frankly say I am not quite sure where this particular crop of work came from. I know that while I worked on it I was in a peculiar state of being possessed – this particular expression called for this particular treatment…the fact is, whatever I have captured of the tenuous ‘Cord to Alcheringa…’ could only be translated by a reversion of the first available medium [ochre] and by a re-orientation to the primary arrangements of composition and formal construction…

“Cord to Alcheringa,” “The Chant for Kurdaitcha,” “Love Magic,” and “The Legend of the Black Swan” are series painted with the signature of Durack that express a rare intuitive fusion of two worlds.

During the 1960s Durack exhibited in twelve exhibitions and this decade is represented by Durack’s use of the ‘melted image’ or tachiste painting. Here the ‘melted image’ demonstrates a blending of figure with landscape, described as one becoming part of the other. Figures in Landscape (1961) (fig. 12) is a an example of this artistic

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74 Cubillo, 237.
76 Ibid.
77 Hutchings, 45.
“melting,” as the figures are obscured by the dramatic scrawls of red hue, their postures suggesting a hard and bitter endurance.

The 1970s proved a decade of extreme artistic activity for Durack, as the artist exhibited in fourteen exhibitions. The first series, “The Rim, The Rim of our Brittle and Disintegrating World…” was exhibited in 1974 at the University of Western Australia, Undercroft Gallery. This thirty-six part series is a continuum of work which bridges the years in Australia before the Australian government confronted and acknowledged the degeneration of the Aboriginal communities. The Rim paintings where reflections of what Durack believed to be the misguided, but well-intentioned, sanctioned policies to regain control of the Aboriginal communities.79

The Rim paintings went on to include any form of calamity taking place in all of Australia. Durack’s series was triggered by collision, failed rescue, attempted or ill-resulting escape, ineffectual human activity and the collapsing of bridges. Some of Durack’s works contain familiar Australian subject matter like one of the earlier pieces from the series also entitled, The Rim, The Rim of Our Brittle and Disintegrating World (1974) (fig. 13). This painting shows a clear depiction of an impoverished group of Aboriginal people, watching what little they have left disappear. In figures in the composition are still recognizable but the outlines of the figures begin to blend into the rest of the composition.

Other paintings during this series are reminiscent of distant lands like Crossings are Made Alone and Encumbered (1976) (fig. 14) where a bridge appears to be on the brink of collapsing. Durack identified and named the Rim paintings during a time of

78 Ibid., 59.
tremendous social and political upheaval in Australia. The series contains many paintings, which vary in size and mediums, produced over some twenty-two years. The subject matter is puzzling and often disturbing, reflective of that time in Australia. In another series Durack continues to make a commentary on contemporary events taking place in Australia. In her series “Flightless Birds Achieve Lift-off” (1975) (fig. 15) Durack expresses her sentiments in a series of ten paintings. The emu, an Australian bird, serves as a symbol for seasonal and political fluctuations. In the early 1970s, the population of the emu grew so high that the birds became more confident and began to encroach upon public areas where they were not welcome. The birds, having no choice, confronted their limitation and attempted to fly, which obviously failed. Durack produced these paintings in 1975, a year marking a turning point for political action in Australia. “Flightless Birds Achieve Life-off” is a reflective, satirical commentary upon these contemporary events, occurring both in the industrial center of Australia and in the Aboriginal territories.

These two series are closely related in style and sentiment as the artist is reflecting the times, differing views and ideologies, sparked by the economic changes affecting the Aboriginal people. Durack wanted to capture the aura of Aboriginal culture, whether she depicted nature or sacred ceremonies. Both series, “The Rim, the Rim of our Brittle and Disintegrating World” and “Flightless Birds Achieve Lift-off,” show the artist’s deep concern with the shattering of an old world, the nature of the Aboriginal people’s ecology being destroyed.

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80 Ibid.
81 Ibid.
82 Perpetua Durack, 75.
83 McCulloch, 19.
Around the mid 1990s Durack’s *Rim* paintings broke away into works of a subtly different kind. The artist considered them works of pure form. Her goal was to focus on shape and Durack used the word “morphological” for the new works, creating highly complex compositions. These artworks contain subliminal impressions and images imprinted on the artist at an early age from original artistic forms by various unknown Aboriginal cave artists. Relatively few in number, the morphological works serve as the immediate successors of *The Rim* paintings, and are Durack’s artistic precursors to the series “The Art of Eddie Burrup” (1994-2000).


The final phase in the artistic career of Durack lies in the extensive body of work, visual and written, entitled “The Art of Eddie Burrup.” Although created between 1994 and 2000, the spirit of this series can be traced back some sixty years, originating in the 1930s and most likely beginning to emerge during Durack’s work in the early 1940s. Towards the end of her life, through the fictitious persona of Burrup, Durack reflected upon and recreated the lost worlds of an ancient culture.

The paintings in the Burrup series are very poignant, heightened by their dual titles. Durack’s piece *In the Beginning...*(Genesis 1) (1997) is also titled *All that ol’ Dreamin’ mob – ‘e ‘alf way now for comin’ out brom underneath...* (fig. 16). This work is a mixed media on linen where the artist depicts creation. The creatures break free from some subterranean region and a creative force emerges. These animals will shape the

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84 The Estate of Elizabeth Durack, “The Official Website of Elizabeth Durack.”
85 Ibid.
universe then submerge again having created a universal cycle. This artwork depicts the natural phenomenon where the beginning and end are an indivisible closed circuit.  

“The Art of Eddie Burrup” clearly refers to Durack’s series, *The Rim*, from the 1970s, as the style and subject matter in both series are similar. As in the *Rim* paintings, “The Art of Eddie Burrup” exists within its own disturbing environment, referring to political issues of dispossession. Comparing a work from each series the expressive symbols and figures of *The Border* (1976) (fig. 17) from *The Rim* series and *Signals From Howling Dog Rock* (1998) (fig. 18) from *The Eddie Burrup* series closely relate to each other, as both groups of work rely heavily on movement, almost divorcing themselves completely from recognizable subject matter.  

Durack’s paintings, created under the guise of Burrup, are similar to her earlier morphological works but they are slightly different in their coloration. The Burrup paintings are reduced to varying tones of the same basic hue, burgundy, blue or grey. Animals and figures move throughout the surface as if they are coming from an ancient source. For Durack, Burrup’s creation allowed her to have an outlet for her knowledge of the Aboriginal spiritual world. For instance, both the *Mulunga* and *Djanba*, the great song and dance cycles of the Miriuwong people, infiltrate Durack’s Burrup paintings. The use of the stark, strong palette is suggestive both of Durack’s modernist aesthetic and of the aura and originality assumed to inhere in Aboriginal art - in other words, the aura and originality associated with the name of Eddie Burrup. The material impact of the work thus involves a conflation of the ‘false’ aura of (non-) Aboriginal art with the material aura of a certain painterly, modernist originality.

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86 The Estate of Elizabeth Durack, “The Official Website of Elizabeth Durack.”
87 Hutchings, 59.
88 McCulloch, 21.
Durack painted both cycles in two different paintings in 1996, *Djanba!* (fig. 19) and *Mulunga the Hook* (fig. 20). McCulloch describes Djanba and Mulunga as two mythic figures who presented themselves through elaborate song cycles and dramatic enactments. They are surrounded by mystery and uncertainty but Durack believes they operate throughout all of Australia. Djanba is the spirit of cooperation and reconciliation, pragmatic and pacifist.89 This spirit is said to have originated during post-colonial times in Australia and is a being of great antiquity.90 Unlike Djanba, Mulunga is the spirit of vengeance and retribution. Arrogant and militant, this creature may have also emerged during the post-colonial period. Durack believed both spiritual cults were widely apparent but Mulunga, the destroyer, seems to be the most prevalent.91 For Durack, the Burrup paintings were produced in the spirit of Djanba. For the artist these paintings go beyond race and she views them as an act of reconciliation, she said: “I see it as working within the spirit of reconciliation – as *gissa-gissa* – arm in arm, within mutual respect, within progression together, within unity.”92

**The Media’s Response**

By September of 1996 Perpetua, Durack’s daughter, pushed for Durack to confess so the association between Durack and Burrup could be formally clarified. Durack agreed it was time to reveal Burrup’s identity and argued that it would be best to bring in a third party. The opportunity arose in September of 1996 when scholar and art historian Robert Smith came to visit Western Australia. Durack had known Smith professionally

89 Ibid.
90 The Estate of Elizabeth Durack, “The Official Website of Elizabeth Durack.”
91 McCulloch, 21.
92 Morrison, 81.
during his time in Perth in the 1950s and decided that he would be the best person to write about her and the false identity she created as Burrup. The meeting resulted in a carefully constructed article written by Smith for the March issue of *Art Monthly Australia*, entitled “The Incarnations of Eddie Burrup” (1997). In the article, Smith was sensitive to the role of the creative artist and the potentially damning predicament Durack was confronting:

> I immediately begin pointing out to her some of the many contentious ideological and ethical issues raised by her invention of Eddie, but she is already well aware of them and anxious to extricate herself from a potentially damaging situation…It seems to me that the work of Eddie Burrup can be seen as not just a homage to Aboriginal Australia, but a concrete exemplar for reconciliation between two communities and two cultures.\(^\text{93}\)

Smith presented Durack’s Burrup identity as a sensitive issue but one the artist is fully aware of.

> The media storm following the release of Burrup’s true identity included a mixed review, mostly condemnatory.\(^\text{94}\) Durack was being criticized in the national and international media and labeled as the creator behind the greatest artistic hoax in Australia and as a perpetrator of fraud.\(^\text{95}\) The art community was quick to respond and Djon Mundine, Aboriginal Art consultant, made one of the best-known immediate responses. Mundine, Curator of Aboriginal Art for the Museum of Contemporary Art at the time, was deeply offended by Durack’s behavior. Angered by the successful creation of an Aboriginal alter ego, Mundine did not believe that by being closely associated with Aboriginal people and the land made Durack capable of fully understanding the culture.\(^\text{96}\)

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\(^\text{93}\) Smith, 5.
\(^\text{94}\) Hoban, 186.
\(^\text{95}\) Morrison, 77.
\(^\text{96}\) Ibid., 79-80.
In an essay entitled, “A Letter to a Young Aboriginal Artist,” Mundine provides a clear definition of what he views to be Aboriginal art. To Mundine there are two different avenues for the Aboriginal artist: to be understood exclusively as an Aboriginal artist or to be a contemporary artist who just happens to be Aboriginal. Mundine specifically states that Aboriginal art is can only be made by Aboriginal people and understand authenticity to be an honest portrayal of the Aboriginal artist:

Authenticity means to me someone who is honestly working at making an expression to do with their lives and to do with the history – the Aboriginal history – that touches and impinges on our lives.

According to Mundine, in order for Aboriginal art to be authentic, the work must make an expression of Aboriginal life or Aboriginal history created by an Aboriginal person.

Some art critics however, admired Durack for her innovation, pardoning Durack from total damnation. Arts writer Susan McCulloch wrote a response in The Weekend Australian magazine in July 1997. McCulloch argued that the issues of authorship and authenticity which Durack’s actions address should not mean that artistic practice should be encumbered by an imposed ideology but rather the artist maintains the right to express their art freely.

**Pardoned by Post-Modernism?**

Leaving aside any legal concerns that Durack’s Burrup series may present, the artist was accused of fraudulent behavior. Those who do not believe Durack’s work to be

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98 Ibid, 8.
99 Ibid.
100 McCulloch, 21.
authentic claim that because an Aboriginal person did not produce the work and that the person believed to have made them did not, they are not authentic. Philosophy professor Elizabeth Burns Coleman Ph.D. argues these claims then lead us to the conclusion that the questionable Burrup paintings are fakes in the sense that they are not traditional Aboriginal art. Coleman argues that for a work of art to be considered Aboriginal the author must be of Aboriginal decent. No longer able to define the Burrup series as part of “traditional” Aboriginal art we must examine the identity of the artwork under Western terms.

From a Western perspective it is not immediately clear why Durack is at fault. Western culture would pardon Durack because the artist did not steal Aboriginal designs or abuse copyright law. According to Western law, Durack’s paintings are originals. Also, it is not uncommon for Western artists to use a false identity or pseudonym. According to contemporary artistic standards, using another identity allows the artist to break social convention or even remake his or her identity. This practice does not challenge our understanding of the work as a piece of art. In a post-modern context the identity of the work, its aesthetic features, and the authenticity of any given instance of it are unaffected by the pseudonym. On this view, Durack’s paintings are authentic works provided that she created the paintings, regardless of what identity she used.

Therefore the position of Durack’s “The Art of Eddie Burrup” series, when aligned in comparison with the Western Desert acrylic genre, would seem to be conditional within the field of art production. Durack’s work as Burrup received praise for its apparent break with traditional forms of Aboriginal art, now defined under new

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101 Coleman, 83.
102 Ibid., 86.
criteria of the Modernist style. Placed within the avant-garde, the Burrup series can maintain that place because its position is relative to a perspective of criteria defined by the Western art world. 103 Durack’s Burrup series is outside the Aboriginal tradition yet considered a representation within it. 104 Durack is not an Aboriginal woman but she is depicting intimate scenes from Aboriginal culture. Some Aboriginal groups counted Durack’s case inauthentic but her work qualifies as authentic from the view of Western art practice. Durack did not use any significant Aboriginal designs nor abuse any Western copyright laws, and thus her paintings are original. 105

Other issues emerge however, when non-Indigenous people make representations of Indigenous Australian culture. For example, James O. Young from the Department of Philosophy at the University of Victoria in Canada, argues that work by outsiders is inauthentic because the author is not linked to membership in a culture, and is therefore not qualified to speak on Aboriginal matters. 106 Once an outsider creates a work it will be automatically aesthetically flawed. Young reflects that once an outsider has mastered these cultural practices his or her work can become authentic. For Young, the mastery of the artistic practice, not the acquisition of the culture, is what makes pieces authentic. 107

In “The Work of Art in the Age of Mechanical Reproduction,” written in 1936, Walter Benjamin addresses the effects of modern technology on art and describes the loss of aura through mechanical reproduction. For Benjamin, aura seems to stem from the originality and authenticity of the work of art that has never been reproduced, opening up

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103 Hoban, 186.
104 Coleman, 104.
105 Ibid., 86.
107 Ibid., 475.
the question of the fate of aura, which can be applied to the case of Durack’s Burrup series. For Benjamin, authenticity is the essence that stems from the history of the painting, what it has experienced, its aura. Applying the idea of the aura to Durack’s artistic identity, her authenticity comes from her personal experience: the time she spent with the Aboriginal people, those relationships and stories told through the constant evolution of her artwork. Benjamin’s idea of aura refers back to the moment the work was created or Durack’s expression of her time with those Aboriginal peoples presented in her artwork.

If we refer to “The Originality of the Avant-Garde: A Postmodernist Repetition” by Rosalind Krauss, we are presented with Krauss’s argument for the inauthentic and how art relates to the past. Krauss defines originality to be the works’ conception as a literal origin, a beginning from birth: “More than a rejection or dissolution of the past, avant-garde originality is conceived as a literal origin, a beginning from ground zero, a birth.” According to this notion of originality, from its birth the work possesses a naïveté as well as an aesthetic purity and freedom. For both Durack herself and for the audience, it would appear that the value of the paintings owed much to their perceived origin and authorship – the notion that they were made by an Aboriginal artist. In this case, even more clearly than in the cases discussed by Krauss, the way in which “originality” is inscribed and disseminated is fundamentally mythic: it reflects white Australia’s obsession of the “authenticity” and “aura” of Aboriginal culture.

110 Ibid., 57.
At this point we are familiar with the idea that traditional Aboriginal art is embedded in ritual and ceremonial activities. Designs are symbolic of rights: rights to songs, to myths, and the land and resources they depict and celebrate.¹¹¹ Now these ancient Aboriginal designs, traditionally made in secret, ritual contexts for Aboriginal people, are transitioning to the contemporary market and commercial circulation. Color and meaning are transformed by acrylcs. Removing paintings from ceremonial events changes the context, aligning these works with Post-Modern discourse. According to Michaels this new Aboriginal work no longer can claim “traditionalism” as authentic traditional vision does not survive the Post-Modern de/reconstruction.¹¹²

Eric Michaels discusses Jean Baudrillard’s text, “Gesture and Signature: Semiurgy in Contemporary Art” (1981) where Baudrillard understands the modernist movement as having elevated the status of the artist’s work to a place of privilege in aesthetic discourse. The artist creates a series of self-referential paintings whose value remains not in the individual work but in the work as a series.¹¹³ “The Art of Eddie Burrup” is Durack’s representation of what she believed to be the culmination of her life’s work. The difference between Aboriginal, Australian, and modern painting lies in the terms of Baudrillard’s analysis:

In a world that is the reflection of an order (that of God, of Nature, or more simply, of discourse) in which all things are representation, endowed with meaning and transparent to the language that describes them, artistic “creation” proposes only to describe…the oeuvre wishes to be the perpetual commentary of a given text, and all copies that take their inspiration from it are justified as the multiplied reflections of an order whose original is in any case transcendent.¹¹⁴

Baudrillard develops a contrast between the language of traditional art and modern art, as modern art produces “the insistent mythological demand for authenticity” which gave rise to the modern authorial series. Michaels argues that for art such as Aboriginal painting, signature is unnecessary because it is the authority of the artist as Aboriginal that authenticates the work. But because Aboriginal art has no signature of one individual artist, cultural theft is an issue. Traditional Aboriginal paintings make the claim that the landscape is speaking to those who have been initiated to the country. Authenticity is determined with reference to the adequacy with which the original text is interpreted.

And in this case, Durack did infringe on the Aboriginal people’s right to control their culture and art. According to Fred Myers, the Aborigines of the Kimberley region, many of whom respected Durack, were saddened by the artist’s actions. Wayne Bergmann, an Aboriginal man who knew Durack, expressed his shame for Durack and distaste for her actions. Complaints from Aboriginal people about the stealing of their culture conjoin with long-standing concerns for Aboriginal people to represent themselves. According to Myers, presuming to speak in an Aboriginal voice corrupts these opportunities for self-determination, forming deep structural issues in the possibility of forming an identity.

115 Ibid., 104.
117 Ibid., 58.
119 Ibid., 333.
The question presented by Baudrillard is now applied to Durack’s Burrup series: how do we determine a language of authenticity? Under Aboriginal terms, the Burrup series is not authentic, because Durack is not Aboriginal. Under terms of postmodernism, Durack’s case is authenticated because there is no longer an idea of the original, as art is condemned to repetition. The dilemma the Durack case presents is transferred here to the readers of this text and the viewers of these paintings. Can Durack’s identity as Burrup be attributed to terms Post-Modern appropriation? Or is this a complicated case of artistic and cultural theft?
Chapter Three

“Mountains, Cowboys, Sunsets…”: The Problem with Richard Prince

Richard Prince is an American artist who began appropriating photographs in 1975. Early in his career, he was closely associated with artists from the so-called Pictures Generation, who appropriated images for a variety of reasons. Prince was one of the first to work with re-photographed images drawn from advertising and consumer culture, in this way playing on the effects of repetition and seriality, effects that were of great interest to this generation of artists.

There is a strong argument that in his early work of the 1970s and 1980s, Prince found radical ways of challenging notions of authorship and originality. However, his later notoriety seems to reflect the degree to which certain strategies of appropriation had become, in turn, conventionalized, as well as highly profitable. Prince came back into the media spotlight in November 2005, when Christie’s auction house sold one of the artist’s re-photographed images, taken from the Marlboro cowboy advertisements, for a record-setting amount. His piece, *Untitled (Cowboy)* (1989) (fig. 21), sold for $1,248,000.¹²⁰ The attention Prince’s work has received, along with his commercial success, has caused a great deal of controversy. The very nature of his work concerns the questions surrounding the role of authorship and authenticity, as in the cases of Mark Landis and Elizabeth Durack, but Prince belongs in a different context.

Art historian Douglas Crimp has suggested that the concept of framing the strategies of postmodern work necessitated the deconstruction of the work’s

representation. The goal is not to search for an origin, but rather the source of meaning. Prince’s oeuvre belongs in a postmodern discourse, where the French literary critic Roland Barthes’s idea of the death of the author has been tremendously important. Postmodernist discourse was strongly influenced by the poststructuralist theories of Barthes. Many artists of the late seventies found inspiration from Barthes’s essay, “The Death of the Author,” written in 1967. These artists looked to ready-made images as the source of personal experience as well as the raw material of individual expressive work. This approach, which came to be known as “appropriation,” grew from collage, by way of pop art.

Prince does however share a common thread with Landis and Durack, in the controversy surrounding their work, which unfolds in a public forum. In recent years, the work of Prince has been subjected to intense media scrutiny, also involving legal controversy. By discussing texts drawn from scholarly discourse and popular media, relating to Prince’s work, I will argue that Prince’s appropriation art thrives on controversy, like Landis and Durack, using the media as its forum. Specific examples will include Prince’s work in the one-work exhibition *Spiritual America* (1983), his series of cowboys (1980-1998), and the more recent controversy surrounding a series of paintings and collage entitled “Canal Zone” from 2008.

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The “Pictures” Generation

The Pictures Generation was both the name of an exhibition at The Metropolitan Museum of Art (April 29-August 2, 2009) and the label given to a group of artists, by Douglas Crimp, who were active during the media-saturated age in which they grew to artistic maturity. These artists were born in the mid 1940s to early 1950s, growing up in a prosperous but paranoid cold war era. Raised with television, and exposed to Pop Art, these artists felt the effects of Conceptualism. Conceptualism embodies the doctrine that the application of a general term to various objects indicates the existence of a mental entity that mediates the application. Ideas replaced objects and images, while paintings were no longer prioritized in the art world. The movement questioned art and redefined its terms.123 These artists focused on ideas but these ideas emerged as images. Many of these images were photographic and taken from everyday life: life transformed by media culture.124

Richard Prince, Sherrie Levine, and Cindy Sherman are three artists from the Picture Generation who explore artistic and cultural forms, and notions of originality, by quoting through the ready-made work of someone else. Early in Prince’s work, the artist formulated a process that would become the firm foundation of his work: he used a variety of voices, blended other’s perspectives smoothly with his own, and took popular consumer culture to create a work.125 Prince’s work underscores the postmodern

emphasis on current events, taking experiences from the media and computers rather than trying to dissect the deeper issues.\textsuperscript{126}

Cindy Sherman (b. 1954) uses a different kind of personal narrative. Around 1977 she began photographing herself in the guises of famous movie stars portraying multiple feminine roles in film (fig. 22). Art historian Hal Foster argues that Sherman was not only positioning herself as author in these film stills but also that the very condition of self is based on representation.\textsuperscript{127} According to Foster, Sherman’s photographs argue that every author appropriates themselves as well as appropriating images.\textsuperscript{128} Here Sherman places herself in the role of these Hollywood narratives, acknowledging the power of the photographed image as reality (fig. 23). Issues of identity are also important in Prince’s work but unlike Sherman, his art involves an active duplicity, appearing to be one person while actually being another.\textsuperscript{129}

Sherrie Levine (b. 1947) works within the space of art historical discourse, attempting to add new perspectives on art by appropriating them and reducing them. From the Pictures Generation artists, her work is often considered the most radical challenge to authorship.\textsuperscript{130} In Levine’s series from 1980, \textit{Untitled (After Edward Weston)} (fig. 24), the artist took a group of images from Weston, which were photographs of Weston’s nude son, Neil. According to Foster, Levine fused her creative status with that of Weston. By appropriating his work, Levine challenged Weston’s claim to originality. Here Foster argues that Weston was drawing on the male nude of Greek classicism for

\textsuperscript{126} Fineberg, 455.
\textsuperscript{127} Hal Foster, \textit{Art since 1900: Modernism, Antimodernism, Postmodernism}, (New York: Thames & Hudson, 2004): 582.
\textsuperscript{128} Ibid.
\textsuperscript{129} Brooks, 35.
\textsuperscript{130} Foster, 580.
his model, proving that the author of this image is not singular. According to Rosetta Brooks, Prince’s rephotographic practice is radically different from that of Levine. Hers is always an ironic interpretation, assuming a detached critical position; Prince’s appropriation blends seamlessly with the original material.

Crimp coined the word “Pictures,” for the original show that took place in 1977, to convey the work’s most prominent characteristic, recognizable images and to highlight the ambiguity of the word. Crimp explains that ambiguity and images are what Postmodernism is composed of, unconfined to a specific medium but made up of: photography, film, performance, painting, drawing, and sculpture. The members of the emerging generation were interested in returning to image-based work, exploring questions about appropriation, quotation, and duplication. The Pictures artists engaged in critiques of authorial aura, representation, and institutional authority.

**Prince and the Theorists**

Art critic and theorist Rosalind Krauss discussed the idea of originality in terms of avant-garde tendencies in her essay, “The Originality of the Avant-Garde,” published in 1981. Krauss argues the avant-garde artists are condemned to repeat themselves artistically, but their originality has the same uniqueness of themselves, meaning that their work is an extension of their own originality. To Krauss, originality and repetition cannot be separated but, Krauss argues, Modernist discourse seeks to repress repetition:

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131 Ibid.
132 Brooks, 35.
133 Crimp, 75.
134 Krauss, 56.
From this perspective we can see modernism and the avant-garde are functions of what we call the discourse of originality, and that that discourse serves much wider interests – and is thus fueled by more diverse institutions – than the restricted circle of professional art-making. The theme of originality, encompassing as it does the notions of authenticity, originals, and origins, is the shared discursive practice of the museum, the historian, and the maker of art. And throughout the nineteenth century all of these institutions were concerted, together, to find the mark, the warrant, the certification of the original.  

Krauss argues that art institutions and art practitioners should define originality. The theme of originality belongs to the discourse of art history, which is subject to change over time.

Krauss moves her discussion to focus on Sherri Levine, from the Pictures Generation, because it is viewed as the most extreme circumstance of questioning the original. Levine appropriates images from other artists, but these artists are basing their work from other artists’ models. Like Levine, Prince is rephotographing other artists’ photographs, which based on Krauss’s theory, are not original in nature. These artists are essentially copying copies. At the end of her essay, Krauss mentions the writings of Roland Barthes, who also discusses the copy. Krauss concludes her argument by claiming that the work of the Pictures Generation could be understood as the progression of the avant-garde to the postmodern. But in actuality, postmodernism’s deconstruction of originality divides traditional understandings of originality, exposing its fake condition.

In Roland Barthes’s influential essay from 1967 entitled “The Death of the Author,” the critic stated, “a text is not a line of words releasing a single ‘theological’ meaning, but a multidimensional space in which a variety of writings, none of them

135 Ibid., 58.
136 Ibid., 64.
137 Ibid., 66.
original, blend and crash.” In this text Barthes attacked traditional ways of reading, which explained a work through the author, the voice of a single person. Barthes refuted the possibility of finding a stable interpretation of any text or image by assigning an inconstant role to the reader in defining the content of a text. He insisted that language is unstable and not governed by artistic intention, denying the concept of originality:

Did he wish to express himself, he ought at least to know that the inner ‘thing’ he thinks to ‘translate’ is itself only a ready-formed dictionary, its words only explained through other words, and so on indefinitely.

Much like Krauss, Barthes argued that artists are not working with the original but rather always re-writing, re-reading other texts.

Concluding the essay, Barthes proclaimed that, “the birth of the reader, must be at the cost of the death of the Author.” Here Barthes argued that writing destroys every voice and point of origin. Rather than existing before the creation, having a past, the artist is born simultaneously with the creation.

Barthes’s argument is directed against criticisms that seek to uncover the author’s meaning as the final meaning of the text. By refusing the authority of the creator, one ultimate meaning is not assigned to the text, refusing to fix its meaning. Barthes argues that a text cannot have a single meaning, but rather, is composed of multiple systems through which it is constructed. In Barthes’s case, this means reading texts through the signs they use, both in their structure in the text, and in their wider meanings. The death

139 Ibid.
140 Ibid., 148.
141 Ibid., 145.
142 Ibid., 147.
of the author created freedom for those interpreting the text, placing the authority with the viewer.

**An Authorless Perspective**

Prince began his method of rephotographing while employed for *Time-Life* magazine around 1974. Prince was assigned the job of cutting up *Time-Life* magazines and sending the editorial sections to staff writers to use in their research. At the end of the day, Prince was left with the unrequested advertising sections.\(^{143}\) To Prince, these authorless pictures were too good to be true. Prince described them as, “art-directed and over-determined and pretty-much like film stills, psychologically hyped up and having nothing to do with the way art pictures were traditionally ‘put’ together.”\(^{144}\)

Viewing these images presented itself as a difficult task to Prince. The concept of advertisements without text provided a challenge to an audience who viewed them, giving Prince an idea. He decided to re-photograph these advertisements, frame them, and call these images his own. Although Prince was aware of the controversy surrounding his work, for him, this was his big break. He said, “What I put out wasn’t a collage, it was a real photograph, with everything a photograph has in it.”\(^{145}\)

Prince determined a simple visual world created from the images of consumer America and recognized the suggestive force that these images were capable of producing. Through his re-photographed pictures that he took from magazines and other publications, Prince recognized the power of the everyday, banal image and how their

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\(^{143}\) Rosetta Brooks, 36.


\(^{145}\) Ibid.
constant repetition was capable of influencing our thinking. After an interview with Prince, Rainald Schumacher, art critic and writer, suggested that “authorless stuff” might also be a way of defining the source of our universe. If it is the task of the artist to reveal what is present, to translate the mystery of being and existence, then according to Schumacher, Prince has realized his goal. Schumacher suggests that the terrible realization of Baudrillard’s authorless universe is taken seriously and these visual worlds are presented in all the desire and infatuation that their banal beauty generates.

**A Retrospective Consideration of Spiritual America**

For a few weeks in 1983, Prince set up a small storefront gallery in Manhattan’s Lower East Side that functioned by word-of-mouth. Beside two other exhibitions taking place, Prince displayed a small color photograph of a young naked girl. Approximately ten years earlier, photographer Gary Gross had done a series of photographs of the then ten-year old child movie star Brooke Shields. These pictures portrayed the young Shields in a red light, her naked body oiled, an image that bordered on child pornography. Shields’s mother had commissioned the photo shoot from Gross. At the very time when Prince re-photographed one of the pictures from the series and displayed it in his storefront gallery, Shields and Gross were in a lawsuit battle over the rights to these controversial photographs. The title of the work is factually correct, *Spiritual America, by Richard Prince, a Photograph of Brooke Shields by Gary Gross* (1983) (Fig. 25).

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147 Ibid.
148 Ibid., 100.
Originally, Playboy published Gross’s original photograph in a book entitled *Sugar and Spice: Surprising and Sensuous Images of Women* (1976). At the time the picture was taken Shields was established as a child model and her mother signed a release giving Gross unlimited rights to publish the pictures. But in 1982, Shields, by then already a celebrity, persuaded the New York Supreme Court to issue an injunction against Gross to prevent him from further publishing the image. Prince was drawn to both the controversy surrounding the ownership of the image and its perverse, disorienting beauty. Prince rephotographed the image, framed it in gold, and exhibited it at his gallery New York.  

He called his appropriated version of the image *Spiritual America* (1923) after a photograph by Alfred Stieglitz, which focused on the hindquarters of a harnessed and gelded workhorse (Fig. 26).  

By referring to the Stieglitz photograph Prince suggests how much can be lost in the experience of a picture if it is subjected to a society’s repressive nature. In the Stieglitz photograph of the castrated workhorse the photographer is making an ironic commentary of the American spirit by focusing on the repressed sexual energy and muscular strength of this animal. However, Art Historian Nancy Spector argues that the photograph may alternatively offer a portrait of desperation. On the most immediate level the desperation refers to that of Shield’s mother, who exploited her daughter’s reputation, and in a broader context *Spiritual America* addressed society’s desire for excess. Shields’s own desire for recognition, or at least that of her mother in

150 Brooks, 53.
153 Spector, 47-49.
1976, is present in Gross’s picture. According to Spector, because of the celebrity status that Shields acquired in subsequent years, the image has come to embody the viewer’s motivating desire to know, and even to be the person in the frame:

In a wider context, Spiritual America addresses that broad cultural yearning for something more – a spark of fame, an escape from the mundane – and how it is often expressed in the most tawdry illicit manner.\footnote{154}

According to Spector, the image when compared to that of Stieglitz becomes a commentary on the moralizing tendency that prevents the viewer from looking beyond the photograph’s sexuality.\footnote{155} Repressed, the audience fails to understand that \textit{Spiritual America} refers to the celebrity status many long to attain.

\textbf{The Marlboro Man}

Prince worked in a similar way in the \textit{Cowboy} series, beginning in 1980. These images are rephotographed cigarette advertisements from the Marlboro advertising campaign. Prince’s rephotographed images are glossy and slick, do not have any text, and generally focus on a lone cowboy in the West. According to art critic and curator Rosetta Brooks, these images represent America’s self image and as such, pass smoothly through culture. Brooks defines the cowboy images as generic signifiers, and when Prince used them, the advertisements were no longer being used to market Marlboro cigarettes.\footnote{156}

Advertising does more than inform the consumer of price and performance, it also informs the consumer what products make us successful and attractive. In the late 1950s, advertising men Jack Landry and Leo Burnett tried several approaches to boost Marlboro

\footnote{154} Ibid, 49.\footnote{155} Ibid., 48.\footnote{156} Brooks, 56.
sales, eventually creating the Marlboro man (fig. 27). The cowboy was exactly what adolescents wanted to be, tough, independent, and free. Branded as the strongest male image for the Marlboro campaign, the cowboy became the image that convinced its audience that the right brand of tobacco would convey independence and strength.\(^\text{157}\)

The paradox of the cowboy as a mythic figure of strength being marketed by a corporation associated with disease was clearly of interest to Prince. Brooks argued that by appropriating these images Prince either was in collaboration with corporatism or undermining corporate authority. Brooks argued that by rephotographing the seductive image of the cowboy that Marlboro was eventually forced to abandon, Prince created a sense of cultural termination, the end of wilderness, and of the romantic image of the cowboy.\(^\text{158}\)

Prince found his cultural icon in the advertising campaign for Marlboro cigarettes, which featured images of cowboys on the range or riding through rugged terrain since 1955. In the 1950s, with the first reports linking smoking and lung cancer, the company was forced to popularize its only filtered brand, Marlboro, which until that point had been marketed exclusively for women. Appealing to a largely male consumer base, the company masculinized the product. By the mid-1960s the Marlboro Man, as this figure became known, was so recognizable that eventually all direct references to cigarettes were exclude in their advertising.\(^\text{159}\)


\(^\text{158}\) Brooks, 61-62.

\(^\text{159}\) Ibid.
In American culture the cowboy appealed to men and women alike as both a role model and a sex symbol. Taken from the archive of Marlboro Men, Prince’s *Cowboy* series captured the multiple levels the idea of the cowboy implied. Prince capitalized on the high budget, art-directed aesthetic of the advertising industry. After eliminating the text and enlarging the image, he does little to the pictures (fig. 28). They stand on their own as relics of an American culture. Guggenheim curator Nancy Spector argues that as art, the *Cowboys* refer as much to a mythologized American painting of the West as they do to the collective unconscious of the mass media, which includes the Hollywood Western and Marlboro’s appropriation of it. While Prince never commented on the ethical implications of these advertisements, it is obvious that the photographs are designed to lure the consumer to a life of addiction. The cowboys may promote an image of health and virility, but this image ended when two Marlboro models, dying of lung cancer, publicly denounced the company for promoting cigarettes.\(^{160}\)

**Prince and Issues of Copyright**

In 2003, a Prince photograph, *Untitled (Cowboy)* (2000), sold at Christie’s auction house for $332,300 (fig. 29). Some might be surprised that a rephotographed image could bring in such a price but no one more than Jim Krantz, the original photographer. Prince has rephotographed Krantz work, taken on assignment for Marlboro in 1997 of a calf stranded in the snow. In actuality, Prince created multiple works based on photographs of Krantz’s commercial work (fig. 30 and 31).\(^{161}\)

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\(^{160}\) Spector, 33-34.  
\(^{161}\) Hicks, 185.
Schumacher argues that there is no copyright on reality. Prince recognized Marlboro Country as part of America’s cultural reality, and determined that this fantasy world was not fictitious but rather part of America’s culture. The Marlboro Man connected to society’s expectations that are conveyed in Westerns that demonstrate the life of the cowboy in terms far removed from the reality of life and work. Schumacher asserts that Prince’s Cowboys are simply an exploitation of our collective consciousness, coming from what we desire reality to be like.\(^{162}\)

Then what do we do with Krantz’s work? If the copy is an artwork, then what should we make of the original? In this case, Hicks concludes that Krantz’s work, or the authored work, lacks something that Prince’s work possesses. By appropriating another’s work he has made a new claim: authored work does not necessarily mean artwork.\(^{163}\)

**Prince v. Cariou**

There are some artists however who do not accept Prince’s appropriation of their art work. In December 2008, French photographer Patrick Cariou, filed suit for copyright infringement against Prince, Larry Gagosian, Gagosian Gallery, and Rizzoli books. The legal battle began after Cariou discovered a number of his photographs had been appropriated, without consent, in Prince’s “Canal Zone” series. The photographs first appeared in Cariou’s publication, *Yes, Rasta*, published in 2000. *Yes, Rasta*, chronicled Cariou’s six-year stay in Jamaica, documenting Rastafarians.\(^{164}\)

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\(^{162}\) Schumacher, 114.

\(^{163}\) Hicks, 199.

Prince came across Cariou’s work while he was on vacation in St. Barts in 2007. Prince purchased Cariou’s book and collaged a grid of pages he had torn from Yes, Rasta, on fiberboard. He painted on some pages and left other pages untouched. He called the collage “Canal Zone,” after his birthplace in the Panama Canal Zone, and included the collage in an exhibition in St. Barts. Prince later extended “Canal Zone” into a series of paintings that appropriated Cariou’s Rastafarian figures and Jamaican landscapes. The “Canal Zone” series was shown in Prince’s first solo exhibition with the Gagosian Gallery in New York.  

The intense legal battle between Prince and Cariou had as much to do with the commerciality of the work as with the debate over fair use. Much of the controversy surrounded the Gagosian gallery, directed by Larry Gagosian, who promoted “Canal Zone,” and attacks the manner in which he promoted the show. Widely used to advertise for the show, Gagosian used a full-sized portrait of one of Cariou’s appropriated Rastas (fig. 32). Prince overlaid the Rasta with a blue guitar and a facemask (fig. 33) and used this image in the promotional material for the show. Cariou argued that Gagosian and Prince exploited his work by launching a massive, publicity campaign, which included a printed catalogue and a dinner party. This dinner party included celebrities, millionaires, and museum curators who Gagosian believed would buy Prince’s work. According to

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court papers, the gallery sold eight paintings for a cash total of $10.48 million, while sixty percent of those profits went to Prince, while Gagosian gallery received the rest.\textsuperscript{167}

In March 2011, the judge ordered in Cariou’s favor. The decision was made that Prince’s work was not different enough from the original, creating something new from its original purpose of creation. The judge thereby ordered that all unsold copies of the “Canal Zone” paintings and books of Cariou’s Rastafarian photographs be impounded and destroyed.\textsuperscript{168} Although the court ruled in favor of Cariou, the legal battle continues with appeals from both sides. This debate involves questions of consequences when the art world and law collide. How is artwork defined, and by whom can it be declared legal?

In the Prince v. Cariou case the resulting standard for fair use transformation was defined so narrowly that artists and museums are warned it will potentially threaten the tradition of appropriation. Several museums, including the Museum of Metropolitan Art, came to Prince’s defense, issuing papers in his support. Other scholars and lawyers on the opposite side of the debate hailed it as a welcome corrective in an art world which has gone too long in adoration of the Pictures Generation.\textsuperscript{169}

\textsuperscript{168} Charlotte Burns.
The Problem with Prince

Comparing Prince’s work to the theory of Krauss and Barthes discussed earlier, Prince’s appropriation makes sense. Prince transforms the original work providing these images with new meaning, in essence creating something new. But there are those who are not persuaded by these arguments.

Art critic John Yau reviewed the Richard Prince retrospective at the Solomon R. Guggenheim Museum, which took place in New York from 2007-2008. Yau’s first problem is against the idea proposed by the exhibition organizer, Nancy Spector, of equaling Prince’s “antimasterpieces” with the paintings of the generation that came to prominence in the 1950s and 1960s, like Robert Rauschenberg (1925-2008) and Brice Marden (b. 1938). Yau argues that Prince’s paintings are more like store-bought, mass-produced, commercial objects, and have nothing in common with the handcrafted works Spector references. Yao uses Spector’s reading of Prince’s Cowboys as an example. Rather than viewing the Cowboy series as a reference to President Reagan and a national longing for simpler times, Yau argues that Prince’s minor manipulations to the Marlboro advertisements do not have that power of revelation. Yau would rather believe that Prince’s real accomplishment is flattering his audience into thinking they are in the know.  

According to Yau, Prince is merely craving for approval and seeking attention. By “stealing” Gross’s Shield’s photograph, Yao argues Prince is desperately trying to fit in:

The critic’s justifications of Prince’s use of Gross’ photograph of Shields reveals the depths of their hostility toward creativity and craft. Blinded by their ideology,

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they eagerly argue that the artist has turned a commercial, pedophilic image into an institutional critique. They want you to believe that two wrongs make a right.\footnote{171}

Yau strongly questions this critique and contends that those who admire Prince are against originality and creativity.\footnote{172}

Yau’s review of the Prince retrospective in *The Brooklyn Rail* is precisely the kind of criticism Prince’s work depends on. If no one was upset by appropriation in the art world perhaps, I suggest, it would not be possible for Prince’s work to sell for a million dollars at auction. Art historian Robert Nelson argues that appropriation means the artist has taken something from someone else and has actively engaged in the taking of an image. Appropriation, he argues, is an active distortion of the original image and should appear innocent.\footnote{173} According to Nelson, appropriation is complicated and different in every case. To study appropriation is to question these shifts in art history and to take responsibility for the consequences:

> Compared to traditional terms of art history – for example, “influence”-considering appropriation shifts the inquiry toward the active agents of signification in society and illumines historical context.\footnote{174}

Appropriation, Nelson suggests, contemplates the art object’s place in history, while taking away the privileged status of the original.\footnote{175} In these terms, appropriation art, like that of Prince, encourages us to ask why art is important in contemporary culture and how and why we value it. Prince’s appropriation may just be another cynical approach to art,

\footnote{171}{Ibid.}
\footnote{172}{Ibid.}
\footnote{174}{Ibid., 165.}
\footnote{175}{Ibid.}
but his rephotographed images do comment on the reproducibility of a work and its indistinguishability from the original.
Questions of Truth and Authorship in the Work of Mark Landis, Elizabeth Durack, and Richard Prince: A Conclusion

There are many other examples of contemporary artists who push accepted definitions of authenticity and challenge ideas of originality. However, the examples discussed in this thesis are relevant when combined because of the media’s portrayal of the artists’ activities. In the case of Mark Landis, the media presented him as an enigmatic character, capable of producing visual representations so good they were able to fool museum collectors for over twenty years. The confession of Elizabeth Durack as Eddie Burrup fueled the debate surrounding cultural appropriation of Aboriginal designs. The media either viewed Durack’s Burrup series as detrimental to Aboriginal rights or admired her actions. The work of Richard Prince is not only fueled by the media, but uses the media for its images and inspiration. These artists are redefining the idea of the copy by transgressing what has already proven to be culturally acceptable.

To better understand what these artists are doing it is necessary to look back at the writing of Walter Benjamin in “The Work of Art In the Age of Mechanical Reproduction.” Here we learn that copies and reproductions undermine the authenticity of artworks, subverting the presence of the original. According to Benjamin, the concept of authenticity is based on the aura of the original:

…that which withers in the age of mechanical reproduction is the aura of the work of art. This is a symptomatic process whose significance points beyond the realm of art. One might generalize by saying: the technique of reproduction detaches the reproduced object from the domain of tradition. By making many reproductions it substitutes a plurality of copies for a unique existence.¹⁷⁶

¹⁷⁶ Benjamin, 221.
Copies and reproductions threaten the aura, thereby endangering authenticity. By getting rid of the aura of the original, the copy weakens the original work of art.\textsuperscript{177}

In an essay by art historian David Carrier, entitled “The Fake Artwork in the Age of Mechanical Reproduction,” published in 1994, Carrier argues that reproductions do not destroy the aura but establish the value of the original.\textsuperscript{178} Here Carrier discusses an exhibition that displayed copies. Rather than being upset at the shocking paintings, the audience was more concerned with the fact that they were not viewing originals:

However earlier generations perceived the content of these pictures, for us they are just artworks. Learning that these three paintings had been replaced by visually indistinguishable copies would be disturbing. How strange, how very surprising that we can respond aesthetically to the content of these pictures, which was intended to be disturbing, but not to the possibility that the images we view might be fake.\textsuperscript{179}

It does not matter than the audience is familiar with the idea of reproducibility; we as viewers still value the status of the original. Carrier argues that the copy is upsetting because it does not carry the same aura of an original.\textsuperscript{180}

Some postmodern discourses surrounding issues of the copy, or fake, may suggest forgery could be a new model for contemporary art. Sándor Radnóti has examined the conceptual implications of how autonomous art has been transformed in the practice of contemporary art:

The extreme case of elevating banal objects, acts, or texts to the level of art is to present them in their original condition. In this case the artistic effect is expected to come from the change of function or context. Nevertheless, the process can just as easily be described the other way around: The aim of forging the original

\textsuperscript{177} Benjamin, 224.
\textsuperscript{179} Ibid., 123.
\textsuperscript{180} Ibid.
function or context is to test the full power of artistic effect, or even to examine its mode of operation.\footnote{Radnóti, 207.}

Radnóti argues that two forces are being copied: tradition and banality. By representing the historical canon of tradition and objects from everyday life, Radnóti suggests that the materials are forged as artistic material, concluding that the two have become a problematic.\footnote{Ibid.} A forger who takes from tradition perhaps wants to, like Landis, stand out in order to attract attention. Motivated by a desire to honor his family and gain recognition, Landis fits the role Radnóti has described. Radnóti suggests that forgery becomes an experiment in testing the limits of the artistic original.

This idea can also function in reverse. Rather than elevating the traditional, the banal can be elevated to the place of art and presented, like Prince’s work, almost unaltered from its original condition.\footnote{Ibid., 207-208.} Prince takes the Marlboro advertisements, removes the text, and presents an image from everyday life, elevating it to the status of art object. Radnóti suggests another danger that exists when high art is preserved but its qualifications are not defined. Radnóti refers to the market of reproductions, which profit from copying culture.\footnote{Ibid., 209.} Although Durack was not motivated by profit, the artist serves as an example of this danger. Durack appropriated Aboriginal design elements and used them in her work although she did not have the authority to do so. Here these cultural symbols fall victim to an aggressive market of reproductions.

The study of these controversial measures of artistic creation is not easily resolved, but the significance of the examples I have discussed in my thesis indicates an important step towards understanding authenticity from a postmodern perspective. In her
essay, “The Originality of the Avant-Garde,” Krauss invokes a widespread attitude to artistic authorship, “We do not care if the copyright papers are all in order; for what is at stake are the aesthetic rights of style based on a culture of originals.”\textsuperscript{185} All the cases I have considered here, however problematic, heighten our perception of the problem of the original, calling into question our previous ideas of originality and authenticity, forcing us to revaluate our understanding of these concepts.

\textsuperscript{185} Krauss, 53.
Figure 1. Mark Landis (Donated under the name Father Arthur Scott),
*Portrait of a Woman Playing a Lute*
Original attributed to 1590; 2011
Photograph by Michael Everett
Figure 2. Mark Landis after Paul Signac

*Double-boat watercolor*

Photograph by Michael Everett
Figure 3. Mark Landis after Marie Laurencin

*Self-Portrait*

Photograph by Michael Everett
Figure 4. Mark Landis after Stanislas Lepine

*Laborers of the Trocaderos*

Oil on panel, 5 5/8 x 9 ¼ in.,
Original attributed c.1890; 2008
Photograph by Michael Everett
Figure 5. Mark Landis (Donated under the name Father Arthur Scott)

*Three Women* after Charles Courtney Curran

Ink jet print mounted on oak pane with pigment and varnish coating

5 7/16 x 9 9/16 x 7/16 in.
Figure 6. Mark Landis after Marie Laurencin

*Untitled*
Digital print and oil on canvas
11 ⅜ x 9 3/16 in.
Photograph by Michael Everett
Figure 7. Mark Landis (Donated under the name Father James Brantley)
Mark Landis after Hans van Aachen
*Holy Family with St. Anne*, Oil on copper
Original attributed c.1590s; 2011
Photograph by Michael Everett
Figure 8. Elizabeth Durack,
‘...They Came Upon the Flying Foxes Further Down the River’
illustration from *The Way of the Whirlwind*, 1939,
Gouache on paper, 79 x 54 cm, Collection of the artist
Figure 9. Elizabeth Durack
*The Elders of the Tribe* (from the series, “The Cord to Alcheringa”), 1953
Earth pigment on board, 88 x 112 cm
University of Western Australia Art Collection
Figure 10. Elizabeth Durack
*The Transformation* (from the series, “The Legend of the Black Swan”), 1956
Oil on wood, 180 x 91 cm
Collection of Sir Charles Gairdner Hospital, Perth
Figure 11. Elizabeth Durack
*The Wonderment of the Women* (from the series, “The Legend of the Black Swan”) 1956,
Oil on wood, 180 x 91 cm
Collection of Sir Charles Gairdner Hospital, Perth
Figure 12. Elizabeth Durack, *Figures in Landscape*, 1961
Enamel and dammar on board, 69 x 91cm
Collection Art Gallery of Western Australia
Figure 13. Elizabeth Durack

*The Rim, the Rim of our Brittle and Disintegrating World...,* 1974,
Goache and acrylic on paper, 60 x 93 cm
Private collection, Perth
Figure 14. Elizabeth Durack
*Crossings are Made Alone and Encumbered*... (Diptych), 1976
Acrylic on paper, 91 x 60 cm
Collection of Mr. and Mrs. M.F. Clancy, Queensland
Figure 15. Elizabeth Durack
*Flightless Birds Achieve Lift-off* (No. 1 of a sequence of 10), 1975
Mixed media, each 92 x 122 cm
Private Collection, Perth
Figure 16. Elizabeth Durack

*In the Beginning...*(Genesis 1), 1997,
Mixed media on linen, Diptych, each 190 x 92 cm
From the estate of Elizabeth Durack
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*The Border* (from *The Rim* series), 1976
Mixed media on paper on composition board, 100 x 75 cm
Private collection
Figure 18. Elizabeth Durack as Eddie Burrup
*Signals from Howling Dog Rock*, 1998
Mixed media on canvas, 148 x 95 cm
From the estate of Elizabeth Durack
Figure 19. Elizabeth Durack as Eddie Burrup

_Djanba!,_ 1996

Resiste, acrylic, and ochre on canvas, 200 x 100 cm

From the estate of Elizabeth Durack
Figure 20. Elizabeth Durack as Eddie Burrup  
*Mulunga the Hook*, 1996  
Resiste, acrylic, and ochre on Arches paper, 76 x 56 cm  
From the estate of Elizabeth Durack
Figure 21. Richard Prince
*Untitled (Cowboy)*, 1989
Ektacolor photograph, 50 x 75 in.
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Collection of The Museum of Modern Art, New York
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*Spiritual America by Richard Prince, a Photograph of Brooke Shields by Gary Gross*
1983
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Gelatin Silver print, 11.6 x 9.2 cm  
Collection Metropolitan Museum of Art
Figure 27. Marlboro cigarette advertisement, 1978
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*Untitled (Cowboy)*, 1980-84,
Ektacolor photograph, 61 x 50.8 cm
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*Untitled (Cowboy)*, 2000

Digital print on canvas, 92 x 209 ½ in.
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Ektacolor photograph, 98 ½ x 56 ½ in.
Figure 32. Patrick Cariou
a photo of a Rastafarian from *Yes, Rasta*, 2001
Figure 33. Richard Prince painting from “The Canal Zone” series
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