

Saskatchewan Aboriginal Arts (draft)



This Aboriginal Art Industry Standards/Best Practices document is a working draft that will be reviewed periodically to ensure the identified standards and best practices are current and relevant to the dynamic and ever-changing Aboriginal art practice.

A discussion document was circulated in 2009 and a series of gatherings took place across the province to address important issues specific to Aboriginal art practice in Saskatchewan such as copyright, cultural exchange, marketing art and the diversity of art practice in Saskatchewan's First Nation and Metis communities.

The purpose of the gatherings was to bring First Nations and Métis artists together to discuss Saskatchewan's Aboriginal art industry standards and best practices.

It is hoped that these end results will eventually come from such gatherings:

- a comprehensive province-wide list of practicing artists will be compiled
- artists will come together to meet and discuss common topics
- artists will be given a chance to speak about their experience as First Nations or Métis artists in Saskatchewan and identify ways their existing practice could be supported
- valuable networking at the meetings
- a draft document will be written to enhance and strengthen the province's diverse First Nations and Métis art practice – protecting the artist while aiding the development of a stronger Aboriginal art community in the province

This process was part of a larger Industry Standards/ Best Practices document being developed by CARFAC Saskatchewan. The Aboriginal component of this document was drafted according to the comments made by the artists attending the gatherings.

INDUSTRY STANDARDS

The standard of fair and respectful treatment of First Nations and Métis artists and their artworks.

BEST PRACTICES

Steps being taken by us as artists to advance First Nations and Métis art practice in Saskatchewan.

We thank all the participants for taking time to take part in the community consultation meetings, or to write or to call with their comments.

This draft document is now complete and will be incorporated into the larger CARFAC document and distributed throughout the province to all artists who have participated in the consultation meetings, their communities, galleries, museums, funders, and government agencies.

PROJECT FUNDING



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More best practice standards at www.bestpracticestandards.ca

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This project has been devised based on the "The Code of Practice for the Australian Visual Arts and Craft Sector" Edition 2, developed, commissioned and published by the National Association for the Visual Arts (NAVA).

INDUSTRY STANDARDS

The standard of fair and respectful treatment of First Nations and Métis artists and their artworks.

1 RESPECTFUL CULTURAL EXCHANGE: DIVERSITY

There are nine (9) distinctly different Aboriginal cultural groups in the province of Saskatchewan including néhiyawak (Plains Cree), néhinawak (Swampy Cree), nihithawak (Woodland Cree), Nakawē (Saulteaux / Plains Ojibway), Nakota, Lakota, Dakota, and Métis. While there are similarities in beliefs, there are regional and geographic differences among nations, communities, languages, traditions and protocols.

- 1.1 In order to ensure fair and respectful treatment of diverse nations, it is recommended for organizations/ individuals to research cultural backgrounds of Aboriginal artists.
- 1.2 Aboriginal cultures are dynamic and this is reflected in their arts through the incorporation of both old and new materials, techniques, concepts, and design.
- 1.3 Educate one's self on the various Aboriginal art practices to determine how to find artists with appropriate skills and knowledge within their specialized genre in order to successfully work in partnership on projects related to Aboriginal arts.
- 1.4 Tourist shops, commercial galleries and contemporary public galleries each offer distinct types of Aboriginal art. The public should become mindful of the present and past stereotyping of Aboriginal art.

2 RESPECTFUL CULTURAL EXCHANGE: PROTOCOL

- 2.1 Aboriginal art is created in both sacred and secular contexts. Seek advice from knowledgeable Elders if the work being used contains content of a sacred nature.
- 2.2 Inquire directly with the artist and/or community members about the subject matter and cultural content of historical or contemporary artwork.

3 FAIR AND EQUITABLE TREATMENT: COPYRIGHT

- 3.1 Copyright of individual artworks is held by the artist as per the Canadian Copyright Act. Artists should be consulted for approval before their work is used.
- 3.2 Copyright of traditional indigenous knowledge is collectively owned and its use requires advice and permission from knowledgeable Elders. The process of seeking permission for use of collectively owned artwork can be extensive and may involve many community members.

Traditional indigenous knowledge may include art images, songs, symbols, crests, performance, proverbs, stories, folklore, community laws, practices, rituals, technical processes, science and inventions.
- 3.3 Public recognition and formal credit must be given where artistic Indigenous knowledge being used is connected to Aboriginal communities, families and culture groups.

- 3.4 Measures have been implemented by the Canadian government to protect objects that are meaningful to Canada's heritage based on the UNESCO 1970 *Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property*. As such, Aboriginal artwork and cultural objects of "outstanding significance and national importance" are protected under the Canadian *Cultural Property Export and Import Act*.
- 3.5 The intentional use of Aboriginal cultural materials and artworks without permission from the artist or appropriate Aboriginal representatives is considered copyright infringement.
- 3.6 Cultural appropriation of Aboriginal arts through the mass-producing commercial industry is an exploitation of Aboriginal art and artists for mass profit and such products are considered fraudulent imitations. Direct purchase from Aboriginal artists and Aboriginal organizations, or their designated representatives, is strongly encouraged to contribute to Aboriginal economic development.

4 FAIR AND EQUITABLE TREATMENT: AUTHORIZATION AND COMPENSATION

- 4.1 When using Aboriginal artworks and/or cultural materials contact the appropriate artists and/or communities to negotiate terms for fair compensation. If used in the educational context fill out appropriate copyright forms such as Cancopy.

- 4.2 When hiring Aboriginal artists for services, lectures, exhibitions, etc. it is recommended that the CARFAC minimum fee schedule be used as a starting point for negotiations.
- 4.3 In order to ensure full knowledge and understanding of the negotiations by all parties involved, a translator should be engaged when necessary.
- 4.4 When necessary alternative methods to record the negotiations may be required such as audio recording and videotaping.
- 4.5 Aboriginal artists should not be exploited with unfair purchase pricing. Fair market value should be given when purchasing Aboriginal arts.

BEST PRACTICES

Steps being taken by us as artists to advance First Nations and Métis art practice in Saskatchewan.

5 ADVANCING ABORIGINAL ARTS: SUPPORT FOR ARTISTS AND ARTS

- 5.1 Artist and gallery should negotiate and agree to timelines for exhibitions,
- 5.2 Funding agencies and governments need to continue to support new initiatives that will promote Aboriginal art as a major force in Saskatchewan.
- 5.3 Funding agencies and governments are needed to support the writing about Aboriginal art by Aboriginal scholars and artists.
- 5.4 Funding agencies and governments are needed to support development and delivery of Aboriginal art history conferences and Aboriginal art symposiums.
- 5.5 Support for capacity building of Aboriginal art initiatives needs to be increased.
- 5.6 In all of the above listed items of support, employment equity of Aboriginal people is strongly recommended. Aboriginal artists, scholars, curators and administrators are to be considered the experts of their art and culture.

6 ADVANCING ABORIGINAL ARTS: COLLABORATION AND NETWORKING

- 6.1 Opportunities for collaboration need to be developed to create a comprehensive database of practicing Aboriginal artists in Saskatchewan.

- 6.2 Funding options are needed for the development of a feasibility study for studios and gallery community spaces for Aboriginal art in Saskatchewan.
- 6.3 Aboriginal art collectives are a valuable source for reaching the larger population of Aboriginal artists.
- 6.4 Collaborative opportunities need to be sought out to present Aboriginal artworks to a broader audience.
- 6.5 Funding sources are needed to develop a website on Saskatchewan Aboriginal art, to increase networking and provide accessibility to artists and related resources.
- 6.6 Teaching and curriculum development in art education, art history and Aboriginal art should always be contracted to an Aboriginal expert with the goal of creating permanent full-time positions.

7 EDUCATION: TRAINING

- 7.1 Opportunities need to be developed for continued art training through classes and workshops including research and development of Aboriginal perspectives on art and art practice, and the marketing of art.
- 7.2 A funding program for Aboriginal mentorship and apprenticeship within the art community needs to be developed.
- 7.3 Opportunities for stronger collaboration with school boards need to be developed to link established Aboriginal artists with youth and emerging artists.
- 7.4 More educational curriculum needs to be developed to bring awareness of the diversity of Aboriginal arts and art practice in Saskatchewan.

8 EDUCATION: TRAINING

- 8.1 Opportunities need to be developed for Aboriginal artists and Elders to meet and discuss Aboriginal art practice, interpret historical artworks and suggest protocol for culturally sensitive content.
- 8.1 Research on Aboriginal art by non-Aboriginal scholars must involve the inclusion of an Aboriginal artist/s and/or the Aboriginal community.
- 8.2 For research of historical Aboriginal art by non-Aboriginal scholars, it is recommended that they approach Aboriginal community resource experts which may include Elders from the specific community where the art originates, Aboriginal professors from the local universities, Friendship Centres, cultural centers, and Aboriginal representatives of galleries and museums.

9 MARKETING: MARKET DEVELOPMENT

- 9.1 Funding sources need to be identified to aid in the establishment of a provincial Aboriginal art market.
- 9.2 Saskatchewan Aboriginal arts needs to develop a trademark that is evidence of authenticity. This trademark will increase the economic development of Aboriginal communities.
- 9.3 Availability of small grants needs to be identified for website development for individual Aboriginal artists in Saskatchewan.

NOTES

In May 2009, the Saskatchewan government passed a new law called *The Arts Professions Act* which requires a written agreement between artists and engagers.

Further information on the Saskatchewan Arts Professions Act and the Checklist for Contracts is available online at www.tpcs.gov.sk.ca/arts-professions-act. Free contracts/model agreements are available from CARFAC SASK at www.carfac.sk.ca.

Information on Traditional Knowledge (Indigenous Knowledge) and copyright is available from CARFAC SASK at www.carfac.sk.ca/tk

This Aboriginal Arts Industry Standards/Best Practices document is a working draft resulting from individual and group consultations which were held throughout Saskatchewan in November and December 2009 in Beauval, La Ronge, Saskatoon, North Battleford, Prince Albert, Yorkton, Regina, Maple Creek and Cumberland House.

PROJECT LEADER

Audrey Dreaver

ADVISORY COUNCIL

Robin Brass

Leah Dorion

Mary Longman

PROJECT MANAGEMENT

CARFAC Saskatchewan

PROJECT PARTNERS

CARFAC Saskatchewan

Museums Association of Saskatchewan

Organization of Saskatchewan Arts Councils

Saskatchewan Arts Alliance

Saskatchewan Arts Board

Saskatchewan Craft Council

Saskatchewan Cultural Industries Development Council

Saskatchewan Professional Art Galleries Association

SaskCulture