

ART AND LAW - THINGS THAT ENDURE...

By Anita Angel

On 29 November 1991, the late Hon. James Henry Muirhead AC QC, the then Administrator of the Northern Territory, acting "with the advice of the Attorney-General for the Northern Territory", and pursuant "to all powers and prerogatives enabling [the Administrator] to do so", proclaimed the new Supreme Court building in State Square officially open. The Proclamation, enshrined in a plaque outside Court 1, declared that the building,

shall be surrendered and delivered to the judges of the Supreme Court of the Northern Territory for the purpose of the administration of justice in and for the Northern Territory of Australia.

In a real sense, the "business of the

Court" — the administration of justice — had already begun in the new building. That night, at the "Supreme Court wake", when Court staff, the judges and magistrates, and members of the legal profession paid their last respects to the old Court house, Justice Kearney was presiding over a trial in Court 2 of the new building. As the wake proceeded, His Honour, counsel and their instructing solicitors waited patiently for the result of the jury's late deliberations. The accused was eventually found not guilty, the news conveyed across the road to the party-goers as soon as it became available. The wake continued until the late hours and many stories and reminiscences were exchanged. Nine years later, the old Court building was bulldozed to make way for what is now a fenced-in grass 'common' — to all appearances, part of the gradual,

territorial expansion of the Parliament House site.

In another sense, what has now become very much a feature of the current Supreme Court building — its art collection — also had its genesis in events which preceded the hand-over of the building to the judges. What many Aboriginal artists refer to as 'painting business' — itself an activity closely related to the business of law and ceremony — got underway with the commission in late 1990 by the Solicitor-General, Tom Pauling QC, of an art work from Yuendumu by Warlpiri artist Norah Napaljarri Nelson. Following completion, Nelson's *Yiwarra Jukurpa* (Milky Way Dreaming) (1990-1) became the subject of dispute within the artist's community. Both its subject matter and innovative style caused some

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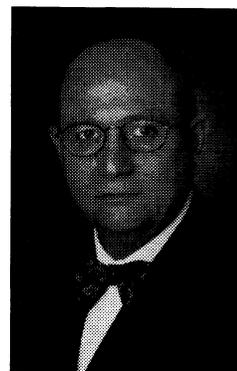
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degree of discord amongst senior law men and women at Yuendumu, but the matter was ultimately 'settled' before it reached the Court door — a tribute to indigenous dispute resolution to which the Court remains indebted. The painting was originally hung on Level 2 above the sunken foyer area, but was eventually re-located to Level 4 of the Court, where it affords a better comparison with the floor mosaic, which is best viewed from above. The mosaic was itself a separate artistic commission, undertaken by Melbourne Mural Studios in Venetian glass, in collaboration with Nelson. It is slightly ironic that the desert night sky, captured by the artist on canvas, and then ultimately transposed in glass to the foyer floor (what would it have been like in the domed ceiling?), should be more sympathetically viewed from above, given the aerial perspective offered by the mezzanine on Level 4. Art, life and the law, it seems, are replete with paradoxes.

Another artistic commission which predated the Supreme Court's official opening was Geoff Todd's *Coat-of-Arms*, located on the building's façade. More sculptural and free-standing than Parliament House's *Coat-of-Arms* (which operates, successfully, as a distinct but integrated architectural feature of the entrance way), Todd's Supreme Court *Coat-of-Arms* has attracted much comment (and bird life!). One judicial observation concerned the kangaroos' 'watchful eyes', which seem to follow you through the front door. They are in fact — like justice — 'blind', the eye sockets cut cleanly through the architectural brass medium.

It is telling, perhaps, that two vestiges of the old Supreme Court building (with the exception of the judges!) which survived the transition to State Square and the eventual demolition of the old Court house, were both art works: *The Judge and the Judged* (1964), a relief sculpture by Andor Meszaros, and Harold Vincent Lane's large triptych oil painting entitled *The Growth of Darwin* (1973). The Meszaros sculpture of the 'justice figures' was relocated from the façade of the old building to Level 4 of the Supreme Court some time in 1991.¹ The sculpture had been originally commissioned by the then Federal

Attorney-General, Sir Garfield Barwick, together with the NT Works Department 18 months before it was 'raised' onto the façade of the then newly constructed Court building, in July 1964. It was surrounded by controversy from the moment it was erected (in keeping with the history of most public commissions²), and then later when unveiled at the official opening of the Court in 1965³. In an interview with the *NT News*⁴, Meszaros defended his oeuvre from local criticism⁵, pointing out that Sir Garfield had come to see the work in the early stages of preparation and had offered 'advice' as to changes he felt should be made to the judge's overly-stern visage, which the artist followed. The artist explained:

He [Sir Garfield] was right. The written law is cruel and impersonal but it goes through a highly developed human mind — the judge's — which puts the human element into justice.

Further discussions with Sir Garfield and the succeeding Attorney-General, Mr Bill Snedden, also led to the figure of the 'judged' being modified, so as to adopt a less supplicant attitude. Its head was raised, to emphasise an attendant pose — waiting for justice to be dispensed.⁶

Harold Vincent Lane's *The Growth of Darwin* (1973) had been commissioned by the Federal Government, probably in 1973, and was originally located in the foyer of the former Supreme Court building. It was transferred to the Jury Muster Room of the new Court building in 1991. Its plaque reads:

Early settlers, races of all colours and vocations, miners, pearlers, Aborigines and the bombing of Darwin are all seen as contributors to the growth of the Territory.

The triptych, completed before Cyclone Tracy and itself a survivor of the disaster, is an idealistic portrayal of an open and free community of individuals, united in their diversity. Ironically, their expressions are almost reminiscent of Mao's posters of benign Communism — the smiles say it all. How, one wonders, would Lane, or any other artist, depict our community today?

Two other local commissions coincided with the opening of the new Supreme Court building — Linda Chapman's ceramic *Coat-of-Arms* (1991) in Court 1 (with the juicy-thighed kangaroos) and Jenny Armour's *Coat-of-Arms* (1991), in appliqué and machine embroidery, in Court 5. Both commissions were organised by the then Department of Law on the Supreme Court's behalf. However, closer to the date of the Supreme Court's official opening on 29 November 1991, the legal fraternity began to take an active interest in the building's interior, as did one Supreme Court judge with a well-known love for the visual arts. The Sheriff's Office, the Northern Territory Bar Association and the Law Society of the Northern Territory (with the whole-hearted encouragement of Justice Angel), moved into action — and a history of donations (and loans) to the nascent 'Supreme Court Art Collection' began in earnest.

In October 1991, the former Sheriff of the Supreme Court, Karen E. Jackson, donated *Two paintings depicting ropes* to the Sheriff's Office, painted by one-time artist-in-residence at Seven Spirit Bay, Veronica O'Leary. Geoff Todd's triptych, *More Than One Side* (1991), located above the entrance to Court 1, was commissioned and donated by the Northern Territory Bar Association.

Significantly, in mid-October 1991, the Law Society President at the time, Mr John Stirk, after some anxious deliberations with the Council, advised Justice Angel that the Society would be donating to the Court a painting 'spotted' by the judge at the Todd Street gallery of Papunya Tula Artists, whilst he was on circuit in Alice Springs earlier that year. Turkey Tolson Tjupurrula's *Mitukatjirri Men and Tjikari Men — Spear Fight at Ilyingaungau* (1990) deserves special mention at

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present, as it has been selected by the Art Gallery of New South Wales to be exhibited in their forthcoming Papunya Tula retrospective, scheduled to coincide with the Olympic Games, *Papunya Tula: Genesis and Genius* (18 August – 12 November, 2000). The Law Society can be assured that Justice Nader's comment in 1991, on seeing the work *in situ* ('David, it looks like a bamboo blind'), was somewhat wide of the mark!

Turkey Tolson Tjupurrula (b.c.1942, near Haasts Bluff) is one of a few of the remaining original 'painting men', who lived at the former government settlement at Papunya in the early 1970s. As a newly-initiated young man, who had only come out of the bush in 1959, he began painting at Papunya in about 1971, using introduced media (house paint on masonite, floor tiles and whatever else was available), with the encouragement of the settlement school teacher, Geoffrey Bardon. He moved to Kintore in 1983, in the early stages of the homelands movement, and later to an outstation on his traditional lands at Yuwalki, to the south-east. In 1979, he was artist-in-residence with David Corby at Flinders University.

Turkey Tolson has for some time been regarded in Australia and abroad as an artist of high degree, and it is no coincidence that he is both a senior Pintupi law man and an artist of great expertise, with an extended repertoire of imagery at his disposal. He paints Bush Fire, Emu, Snake, Woman and Mitukatjirri Dreamings from his traditional country south of Kintore around Yuwalki, Mitukatjirri and Putjya Rockhole.⁷ In May 1980, he was elected to the Board of Directors of the Aboriginal-owned company, Papunya Tula Artists, and from February 1985, served as Chairman. His work is represented in most major State and national museums and art galleries in Australia, in university and regional collections, in major private collections (such as the Robert Holmes à Court collection), in the

National Gallery of Ethnology in Osaka, Japan and in the Hudson River Museum in Yonkers, New York.⁸ An early example of the artist's work can be seen in the foyer of the Alice Springs Court house and a more recent acquisition for the Supreme Court collection is currently exhibited opposite the entrance to Rumpoles. The painting donated by the Law Society of the Northern Territory to the Supreme Court — a donation which demonstrated the Council's generosity and foresight — was originally exhibited in the Australian Art section of the 1990 Venice Biennale. It is reproduced in Gallery Gabrielle Pizzi's catalogue of the same year, and its 'sister' painting, also executed in 1990, *Straightening Spears at Ilyingaungau*, forms part of the Aboriginal art collection at the Art Gallery of South Australia.

The subject matter of *Mitukatjirri Men and Tjikari Men — Spear Fight at Ilyingaungau* (1990), refers to the artist's distant ancestors at Ilyingaungau, a rocky outcrop to the far west of Alice Springs. In the Dreamtime, Tolson's Mitukatjirri ancestors, who had travelled from a claypan at Tjukula to Ilyingaungau, engaged in battle with the Tjikari Men from the north.⁹ Following a spear fight — depicted in the painting by abstracted parallel bands — the Mitukatjirri Men travelled to a nearby cave at Mitukatjirri, and made their ceremonies. Litigation, followed by a formal, ceremonial resolution to a dispute — the real 'business' of art and law, are in this instance, synchronised. In its symbolic abstraction of ancestral events, rendered in tonal earth colours and pure white, the artist has offered us a glimpse into one aspect of Pintupi philosophy which has potentially universal application. Like other iconic images in the history of art, its visual strength and its artistic authority are at one: therein lies its beauty and its power.

Although the handsome Don Tancredi in Giuseppe di Lampedusa's *The Leopard* may have believed and

lived out the philosophy that, 'If we want things to stay as they are, things will have to change'¹⁰, the real test of 'great' art (and 'good' law?) is its capacity to endure and mean something for generations to come. Perhaps Andor Meszaros, the sculptor of the 'justice figures', had that in mind when he said of his work:

[It] must speak to the mind and the heart...The bronze lasts forever.¹¹

¹See: *Balance*, May 1991.

²Think of Richard Serra's *Tilted Arc* in New York or Ron Robertson-Swann's 'Yellow Peril' in Melbourne. And cf. Norah Napaltjarri Nelson's *Yiwarra Jukurrpa*, in the context of Aboriginal society at Yuendumu.

³See: *The Northern Territory News*, 17 June 1965 & wall plaque on Level 4 adjacent to sculpture.

⁴*The Northern Territory News*, 27 July 1964.

⁵Then barrister RC Ward was heard to say that it reminded him of 'a nude waiter at a Christine Keeler party without the apron...or maybe a waiter in a free house with a Swan in one hand and a Vic in the other': *Ibid*.

⁶*The Judge and the Judged* sculpture design was used as the Law Society's letterhead until early 2000.

⁷Johnson, Vivien, *Dreamings of the Desert: Aboriginal Dot Paintings of the Western Desert*, Art Gallery of South Australia, 1996, pp.131-2 and see plate, page 97.

⁸Most biographical descriptions of the artist include reference to his art works in the Supreme Court Art Collection.

⁹The AGSA painting depicts the straightening of the spears preparatory to the ancestral battle.

¹⁰G. di Lampedusa, *Il Gattopardo*, Feltrinelli Editore, Milano, 1958.

¹¹*The Northern Territory News*, 27 July 1964.