

Weekend Review



GAYLE MacDONALD ON TV'S SURPRISING NEW DESIGNER GUYS

JANE FONDA TALKS TO SARAH HAMPSON ABOUT GOD, DAD AND TED'S NEWLYWED NOONER, R

ROBERT EVERETT-GREEN ON GET-NO-RESPECT WHISTLERS, R7



Paint brawl

As a planned retrospective by the National Gallery, and the native artist's own failing health, put a premium on the value of his paintings, a fierce battle has erupted over the work of Norval Morrisseau — involving allegations of concerted deception, market manipulation and forgeries being produced in an almost factory-like manner. **JAMES ADAMS** reports

The voice over the telephone line is no more than a slurred mumble. But the thoughts behind the words seem clear, and occasionally the words themselves spill forth in an articulate flow.

"The only thing I think about is to paint. I just want to paint. There are things in my head that I'd like to get out, but right now it can't happen."

The words are those of Norval Morrisseau, at 73 perhaps the most famous first nations painter in Canada, the man whose revolutionary, colour-packed synthesis of native mythology and personal expression pushed him into the mainstream of Canadian art and gave birth to an entire generation of

painters emboldened by his themes and bravura brushwork.

Next February, the National Gallery will unveil a three-month retrospective of 60 Morrisseau works. While the National has previously included Morrisseau in some group shows, and holds three of his acrylics in its permanent collection (compared to the 100 paintings and drawings by Lawren Harris), the 2006 exhibit will mark the first time a first nations artist (as opposed to an Inuit) has been given a solo showcase in the National's 126-year history. The long delay has been a reflection of "the historical ambivalence toward native art at the gallery," says curator Greg Hill.

See MORRISSEAU on page R11

A Morrisseau can sell for \$35,000 or more

MORRISSEAU from page R1

It's an ambivalence he hopes his exhibition will transcend by showing Morrisseau as a "prominent figure within the art history of this country as a whole."

Yet the Ojibwa artist and self-described shaman-trickster hasn't produced any new, commercially viable art in more than three years. He's living far from the Northern Ontario wilderness that originally inspired his art, in an extended care facility in Nanaimo, B.C., which has been his home since 1999. Severe Parkinson's disease and a stroke resulting, in part, from years of debilitating alcohol and drug abuse, as well as double knee-replacement surgery, have brought Morrisseau's vaunted productivity — estimated by some to total more than 9,000 paintings — to a halt, while confining his slumped body to a wheelchair. With no new art likely to enter the market between now and his death, whatever works out there now with a Morrisseau signature are all the more valuable.

But how many of them are real Morrisseaus? A fierce brawl has broken out in part over just that question, with charges related to forgeries, market manipulation and issues of authentication being hurled back and forth across the country. Morrisseau claims forgeries of his work have been "a problem for a long time." But it's in the last three years that disputes over what is or is not a Morrisseau have become especially intense — so much so that a Toronto auctioneer who once sold Morrisseaus recently warned that the wariness those disputes are sowing "could kill the entire market."

Just last month the Competition Bureau of Canada launched an investigation into the activities of a Toronto art dealership over allegations it is undermining the resale market for paintings and drawings by Morrisseau for its own benefit. At this stage, the investigation of Kinsman Robinson Galleries, which has represented Morrisseau as his major Canadian dealer since late 1989, implies no civil wrongdoing. Rather, the federal Competition Act requires the commissioner of competition to initiate an enquiry on any complaint filed by "six persons resident in Canada."

In this instance, the six — their names have not been disclosed, as permitted by legislation, but they are believed to be owners and auctioneers of Morrisseau art, as well as dealers in the resale market — requested the enquiry last month. They argue that Kinsman Robinson has been violating the Competition Act by making "misleading statements to the public with a view to promote (sic) his (sic) business ... at the expense of other sellers of Morrisseau art and to the detriment of the Canadian public."

If the competition commissioner obtains enough evidence in support of the allegations, the case can be forwarded to a competition tribunal that can impose a remedy, including fines. Enquiries are conducted in secret.

Part of the impetus for the enquiry seems to derive from a recent series of Kinsman Robinson-sponsored ads in *The Globe and Mail*. The first, appearing in February, includes a detail of a Morrisseau painting and the text: "Kinsman Robinson Galleries are the sole au-



The artist in his studio in 1974, from the CBC documentary, *A Separate Reality — The Life and Times of Norval Morrisseau: the prospect of competing committees charged with authenticating the painter's works.*

"The day you make a rule about Norval Morrisseau — that he didn't put titles on the front of his paintings, say, or he never signed on the back of a canvas — the next day you'll find it broken."

thorized representatives for Norval Morrisseau in Canada. Artworks sold by Kinsman Robinson ... are guaranteed to be by the artist Norval Morrisseau." Subsequent ads have featured a photograph of a healthy-looking Morrisseau accompanied by the words: "For the record, I would like to state that Kinsman Robinson ... [etc.]" Questions or concerns? Please contact Kinsman Robinson Galleries ...

But only relatively recently has Kinsman Robinson had this "sole authorized" status. True, Kinsman Robinson had a trans-Canadian exclusivity deal between 1989 and 1994 for the marketing of new Morrisseau works. But from 1994 until at least the end of 2003, at least five other commercial galleries outside of Ontario had been permitted to sell new Morrisseaus, in an arrangement Kinsman Robinson was party to. Furthermore, virtually any commercial gallery, auction house or individual, not just a "primary-market" gallery like Kinsman Robinson, can sell a previously owned Morrisseau painting.

The demand for Morrisseaus has spanned more than four decades. His first public exhibition, in 1962, of 42 works at the Pollock Gallery in Toronto, sold out (for a grand total of about \$5,000), prompting *Time* magazine to declare: "Few exhibits in Canadian art history have touched off a greater immediate stir."

Nowadays a Morrisseau canvas can sell for as much as \$35,000, sometimes more, depending on its size, thematic significance, the year it was painted (generally collectors

prefer works done between 1960 and 1980) and its quality. (Earlier this month, Morrisseau's Toronto lawyer, Aaron Milrad, indicated there's a batch of Morrisseau paintings and drawings, completed before 2002, that Kinsman Robinson and the artist are holding back from sale. Some likely will be offered around the time of the National Gallery show; others, probably after Morrisseau's death.)

The market, however, experienced a pronounced slump in the 1980s, after the Pollock Gallery declared bankruptcy and Morrisseau embarked on an almost decade-long binge of wine, tequila, whisky and cocaine that saw him stumbling around the streets of Thunder Bay, Jasper and Vancouver, among other communities. Estranged from his wife (now deceased) and seven children, Morrisseau continued to paint and sketch, but now he was selling pieces for as little as \$10. According to Tax Court of Canada documents published in 1996, Morrisseau didn't have a substantive solo show of new works by "a private gallery sponsor" in Canada for almost nine years — a "drought" that ended when Donald C. Robinson, founder of Kinsman Robinson, presented a sold-out exhibition of 40 Morrisseaus in Toronto in 1990.

By this time Morrisseau had sobered up considerably. Much of the credit for this was due to Gabe Vadas, a fatherless Vancouver skid row kid and high-school dropout who took the artist under his wing. Explains Vadas's wife, Michele: "[Gabe] was so overwhelmed with Norval's spiritual endowment that he decided Norval could be his liege lord." Now, almost 20 years later, Vadas, 39, serves as Morrisseau's business manager. Morrisseau calls Vadas his son and companion shaman, and Michele his "daughter-in-law and Florence Nightingale."

During his '80s hiatus, Morrisseau occasionally sold art on his own to feed his habits, but mostly he relied on a bewildering array of "managers" (including a small-time mobster Albert Volpe, now deceased), galleries, institutions, roommates and other intermediaries to provide him with materials

(artistic, culinary, inebriant) and opportunities to produce, sell and trade his art.

In one instance, a handful of Thunder Bay lawyers bought almost 225 Morrisseau paintings over 24 months, starting in 1984, for a total of \$130,000. After getting an appraisal by what is now the Art Dealers Association of Canada that determined their "fair market value" was more than \$990,000, the lawyers donated the works to four not-for-profit cultural institutions and got to apply the appraisal as a tax deduction. (In 1996 a Tax Court of Canada judge reduced the value of the donation to \$660,000.)

Back then, no one seemed to raise questions about the authenticity of those 200-plus Morrisseaus. Such a scenario seems highly unlikely today. Kinsman Robinson, Morrisseau himself and their backers are convinced the market is rife with works that are, at best, sincere homages, and, at worst, crude fakes. Just last month Tom Hill, museum director of Brantford, Ont.'s Woodland Cultural Centre and co-author of *Norval Morrisseau and the Emergence of the Image Makers*, said some Norval connoisseurs "feel that prints put out in the market recently with his signature ... they don't believe they're by him."

Four weeks ago, lawyer Milrad, who has acted on behalf of both Kinsman Robinson and the artist, announced he was establishing a five-person committee that would, with Morrisseau's help, authenticate paintings brought to its attention. Another function of the committee, expected to be named later this month, would be to start the daunting process of assembling a catalogue raisonné, or definitive inventory, of Morrisseau's oeuvre.

It's presumed the committee, which will be financed by Morrisseau, would function much like the Andy Warhol Art Authentication Board established nine years after Warhol's 1987 death. The four-member board has been a perennial source of controversy, not least because it was founded (and continues to be funded) by the Andy Warhol Foundation, which has sold its own Warhols over the years. The

board invites submissions of works believed to be Warhols to its New York office three times a year, and eventually assigns each a grade: A for "work of Andy Warhol," B for "not the work of Andy Warhol" or C for "not able at this time to form an opinion." To avoid lawsuits, the Warhol board says its evaluations are "merely an opinion," not statements of fact, but most major U.S. auction houses, when asked to sell a Warhol, request the consignor have it graded by the authentication board first.

For Joseph McLeod, all this talk of forged Morrisseaus is a red herring. Sure, fakes exist and, as the proprietor of Maslak McLeod, a Toronto gallery that works the Morrisseau secondary market, he's seen some. But "they are rare." What the "innuendo" of forgeries really is about, he insists, is the struggle over the Morrisseau market now and in the years ahead. McLeod's dealership has been selling "second-hand" Morrisseaus for years, currently from a converted house in the city's Yorkville district, just two blocks north of Kinsman Robinson. In 2002 he mounted an exhibition and sale of more than 60 paintings and serigraphs titled *Norval Morrisseau and the Development of the Woodland School of Art*, accompanied by a full-colour 58-page catalogue with a 74-word "message" from Ontario's Lieutenant-Governor James Bartleman (whose mother was Ojibwa).

At the same time as Kinsman Robinson has been running its "sole authorized" ads in *The Globe and Mail*, McLeod has occasionally bought his own ads in the newspaper, at least one time, coincidentally, on the same page, proclaiming the availability of "classic [Morrisseau] work from all periods."

McLeod, who first met Morrisseau in the late 1950s when McLeod was a teacher and school administrator in Northern Ontario, thinks there's already a network of experts — museum curators, commercial galleries familiar with Morrisseau, and organizations such as the Art Dealers Association of Canada and the Ontario Heritage Foundation — that have been keeping (and can keep) the Morrisseau market upright.

"If we could have a sort of honest, flat playing field for the next 15 years, and let the market find itself without interference, instead of being brought under suspicion, that would be best," he says. A similar shakedown period should ensue, he says, before work begins on assembling a catalogue raisonné, especially for an artist as "prolific and scatterbrained" as Morrisseau.

It took David Silcox and David Milne's son [46 years] after Milne's death to publish his catalogue rais-

onné," says McLeod, "and it's more than a thousand pages." McLeod also has a jaundiced view of the looming authentication committee because "the day you make a rule about Norval Morrisseau — that he didn't put titles on the front of his paintings, say, or he never signed on the back of a canvas — the next day you'll find it broken. Steady, he was not."

Lawyer Milrad, however, remains just as convinced that forged Morrisseaus are being produced in an almost factory-like manner by unidentified artists in B.C. and Northern Ontario, and he says he's hired a private detective to flush them out. At the same time, he acknowledges that forming an authentication committee, and touting its authority, represents a "proactive alternative" to the time-consuming expense of dragging alleged counterfeiters into court. And he's adamant about the essential validity of such a committee: "Who exactly is supposed to authenticate if it can't be Morrisseau and a committee formed on his behalf?"

Well, how about yet another committee, this one composed of what McLeod calls "non-commercial, academic types" with no financial affiliation with Morrisseau? Such "a really amorphous preliminary group ... of over 25 persons" already exists, says McLeod, and was "struck" last year, in fact. But so far its information-sharing has been largely by phone and e-mail, and no strategy has emerged. Now "some kind of a meeting" might be in the offing this spring, "or a consensus of where we go from here."

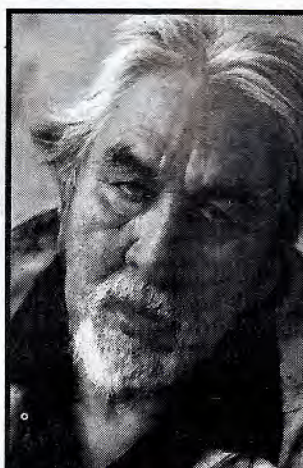
McLeod acknowledges the risk involved. With a Competition Bureau enquiry under way, and one authentication board already in the works, can yet another Morrisseau mechanism be formed "without alarming the public further?"

Out on the West Coast, Norval Morrisseau is living a life seemingly unaffected by all this Sturm und Drang. Even though he can't paint, he says he's enjoying "good relationships" with the Vadas family, the staff at his nursing home and assorted friends, including Sandra Moorhouse, who runs a native gallery in Nanaimo called Art of the Siem (where Morrisseau occasionally makes a purchase) and Phil Ashbee, a Cree artist whose studio he visits. "I enjoy the people laughing and smiling," he says.

"I've changed," he adds. And how could it be otherwise when you're in your mid-'70s and no longer capable of being the hell-bent hellion you once were? Says Vadas: "Norval recently has been heard to say that he is more sane now than he's ever been in his life."

Art Dealers Association of Canada

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**A message from
NORVAL MORRISSEAU**
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"For the record, I would like to state that Kinsman Robinson Galleries are my sole authorized representatives in Canada. Artworks sold by Kinsman Robinson Galleries are guaranteed to be by the artist Norval Morrisseau."

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