



Kate Wilson Sheppard. Alexander Turnbull Library, Wellington, New Zealand. Ref: 1/2-C-09028-F.

## Consent: a local context

From 1840, marriages in New Zealand were governed by English common law. Marriage was legal for girls aged 12 and boys aged 14, but all people under the age of 21 required the consent of their father, guardian (in the absence of a father), or mother (in the absence of a father or guardian). In 1933, the minimum age of marriage for both men and women was raised to 16, with the consent of a parent or guardian required for those under 21. Consent of a parent or guardian is now required for those aged 16 or 17.

At the time *Consent* arrived in Christchurch, the city was the centre of New Zealand Women's Suffrage movement, led by local Kate Sheppard.

Sheppard and other campaigners had organised a series of massive petitions to Parliament, gathering more than 9,000 signatures in 1891, almost 20,000 in 1892 and nearly 32,000 in 1893 – almost a quarter of New Zealand's adult European female population.

In 1893, after a long political struggle, the bill to allow women to vote was signed into law. Suffrage campaigners in Britain, Australia, the United States and elsewhere celebrated alongside New Zealand women: one writing that New Zealand's achievement gave new hope and life to all women struggling for emancipation.

Unlike the experience of the young woman in *Consent*, whose future depends on decisions made by the men around her, these changes increasingly positioned women as active participants in their own lives, the architects of their own destinies.

## How did Consent come to be here?

Gotch travelled widely and visited Australia in 1883. On his return to England he helped found the Royal British Colonial Society of Artists, which established strong exhibiting ties between the two countries. *Consent* was sent out to Australia in 1889, and was exhibited in Melbourne and then Dunedin, including in 1889 at the New Zealand and South Seas Exhibition.

It was later exhibited in the 12th annual exhibition of the Canterbury Society of Arts in 1892 and was purchased by public subscription for £52.10.0 and donated to the CSA in 1895 by 'several gentleman members'.

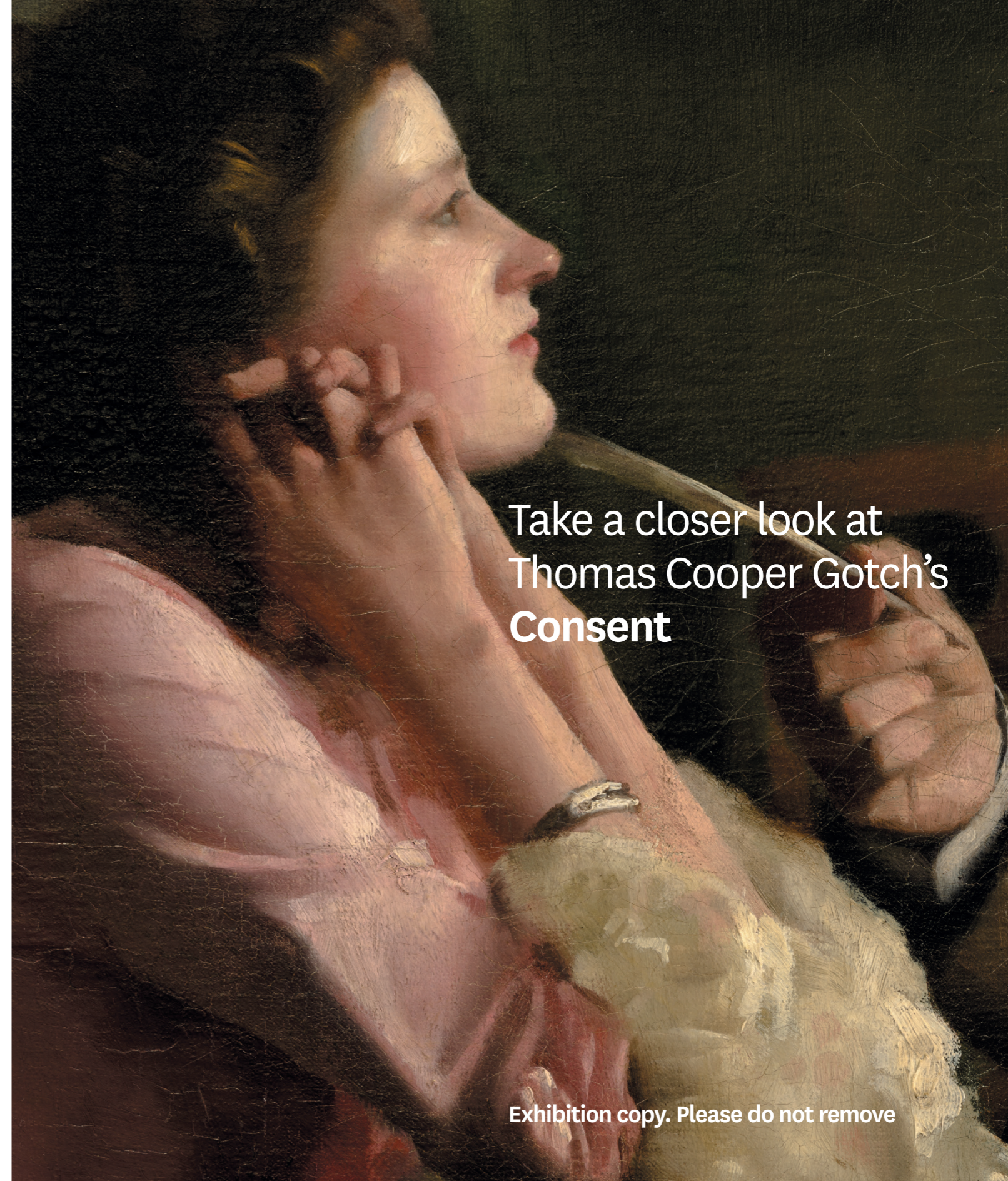
*Consent* was one of 125 works presented to the Robert McDougall Art Gallery by the CSA when it opened in 1932.

Felicity Milburn

		Value £ 736. 15 7.
52	"In 10th April 1881"	
1	Water Colour drawing. "Mount Cook from Pukekahi" by R. W. Servey Esq.	5 5 0
1	do do do "Pukekahi from the Coast" by R. W. Servey Esq.	5 5 0
1	do do do "Lake Pukaki on the Coast" by R. W. Servey Esq.	5 5 0
1	Water Colour drawing by John Gully "On the Banks of the Pukaki" presented by Mrs. J. Gully	5 5 0
1	Oil Painting by T. C. Gotch R.S.D. "Consent" (purchased by subscription presented to the Society)	52 10 0
1	do do do "Christ Church" presented by Captain G. G. G.	50 0 0
1	do do do "The long tramp" purchased by subscription	20 0 0
1	Oil Painting by T. C. Gotch R.S.D. "Consent" (purchased by subscription presented to the Society)	52 10 0
1	Oil painting - portrait of the late Hon. W. Rees M.A. presented to the Society by the employees of the Lyttelton Dock Co Ltd	31 10 0
1	Oil painting - portrait of J. Cass Esq. - by S. Baller. presented to the Society by J. Cass	25 0 0
62		£ 736. 15 7.

Earliest records of pictures acquired from 1881 in CSA Archives, box 2, Robert and Barbara Stewart Library and Archives, Christchurch Art Gallery Te Puna o Waiwhetu

Cover: Thomas Cooper Gotch *Consent* (detail) 1884-5. Oil on canvas. Collection of Christchurch Art Gallery Te Puna o Waiwhetu, presented by the Canterbury Society of Arts, 1932



Take a closer look at  
Thomas Cooper Gotch's  
**Consent**

**CHRISTCHURCH  
ART GALLERY  
TE PUNA O  
WAIWHETU**

Exhibition copy. Please do not remove



## Who was Thomas Cooper Gotch?

**Thomas Cooper Gotch (1854–1931) was born in Kettering, Northamptonshire, but spent most of his life painting in the seaside town of Newlyn, Cornwall, where he was a popular member of the famous local art colony. He initiated the Newlyn Industrial Classes, where young people could learn arts and crafts. Gotch was a founding member of the New English Art Club, a group of French-trained artists who challenged the conservative approach of the Royal Academy.**

In William Orpen's satirical sketch below, Alphonse Legros, Slade Professor of Fine Art from 1875 to 1892, is accompanied by French sculptor Rodin as they lead members of the avant garde New England Club out of the gloom of English conservatism and towards the fresh breeze of the French style.

Following a trip to Italy in 1891–2, Gotch adopted a much more stylised approach to painting, which added a religious intensity to the realism seen in *Consent*. Luminously painted, these later pre-Raphaelite works have been described as 'imaginative symbolism'. *Alleluia*, in the collection of the Tate, London, is one of the most well-known examples.

## Unanswered questions

At first, Gotch's painting *Consent* appears straightforward – it is likely that the consent referred to in the title relates to the woman's hand in marriage. However a second glance at *Consent* prompts more questions than it answers. What is the exact nature of the relationship between the two figures? Who is the potential husband? What else is at stake – money, politics, property? What is the young woman hoping for? And, since her father has paused before signing his name to touch her chin with his quill, will the answer be yes or no?

The 'meaning' of a painting like this shifts subtly depending on who is doing the looking – we all view the works we encounter through a filter of our own experiences and beliefs. What we know about Thomas Gotch, the work and the history of consent, can offer new dimensions to our interpretation.

Top: Artist unknown *Thomas Cooper Gotch* Date unknown. Photograph. © Tate, London 2017

Centre: Sir William Orpen *Group associated with the New English Art Club* c.1904. Pencil, black chalk (or charcoal), pen, ink and watercolour. Courtesy of the National Portrait Gallery, London, purchased 1995

Bottom: Thomas Cooper Gotch *Alleluia* c.1896. Oil on canvas. Tate Collection. Presented by the Trustees of the Chantrey Bequest 1896. © Tate, London 2017



## How was *Consent* viewed at the time?

A Victorian interpretation of the scene can be found in a review of the Dudley Art Society in the *London Times*, 1885: "[T]he place of honour is occupied by a rather large picture by T.C. Gotch – 'Consent' (118); a fresh English girl kneeling by her good-natured father's side, and coaxing him with no difficulty into allowing the suit of her lover, whose photograph he holds in his hand. It is truly an every-day subject and demands no great originality of conception on the painter's part; but Mr Gotch, though his colour gives one a certain impression of thinness, is so good a painter that he has succeeded in making the picture decidedly interesting."

## Symbolism

Gotch used symbolism to hint at deeper meanings in his paintings. Here, the man's clothing and well-stocked library suggest his wealth and status, and we can assume the power to grant consent rests with him because he holds both a pen and a document or photograph. Using colour to help us make connections, Gotch matches exactly the pink and cream fabric of the young woman's dress to the rose in the small vase on the desk. The flower, probably picked as a bud, has now dropped several petals, which would have been interpreted by a Victorian audience as a reference to the young woman moving from youth into adulthood.

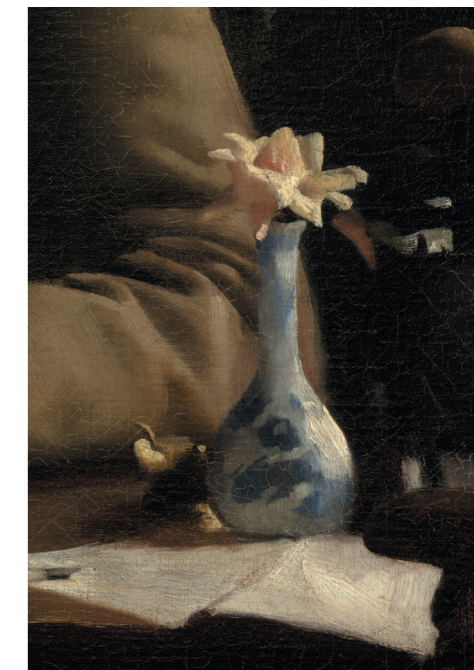
## What is consent?

**In its simplest definition, consent is permission for something to happen. It can be sought or given, can relate to legal rights, medicine and sexual relationships. In recent years, the impact of power imbalances on the process of consent, especially in terms of sexual contact, has been hotly debated.**

## What did 'consent' refer to when this work was painted?

The Marriage Act of 1753 (An Act for the Better Preventing of Clandestine Marriage) was the first statutory legislation in England and Wales to require a formal marriage ceremony. It decreed that a marriage was only valid if it had been performed in a church after a public announcement of the intention of two people to marry (known as banns) or by obtaining of a license. Those under 21 had to have parental consent if they married by licence; marriages by banns were valid as long as the parent of the minor did not actually forbid the banns. Prior to this, English common law set the age of consent at 10–12. Quakers, Jews and the Royal Family were exempted from these restrictions. Young couples could evade the 1753 Marriage Act by marrying in Scotland where it did not apply. Many 'runaway marriages' took place at Gretna Green, the first Scottish town after the English border.

Women who held property of any kind were required to give up all rights to it to their husbands on marriage. However, a long-running campaign by various women's groups led in 1870 to the Married Women's Property Act, which allowed any money that a woman earned to be treated as her own property. By 1882, married women in England legally had personal control over all of their property.



Cover: Thomas Cooper Gotch *Consent* (detail) 1884–5. Oil on canvas. Collection of Christchurch Art Gallery Te Puna o Waiwhetu, presented by the Canterbury Society of Arts, 1932



Photo: Gary Knight