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BEYOND GOOD INTENTIONS: RESPECT AND RECIPROCITY AS ETHICAL ISSUES IN CULTURAL REPRESENTATION

An entire industry has sprung up in which Indigenous spirituality is appropriated, distorted, used and sold without respect or permission, even while physical assaults on Native people, lands and ways of life continue (Ronwanien:te Jocks 1996:416)

I was motivated to begin studying Hopi language and culture by my desire to find a world view different from that of global capitalism which seems intent on spoiling and desecrating the earth for profit. I did discover this different perspective in Hopi culture, a respect for life, earth and community as having more value than affluence and progress. The differences that I discovered between the Hopi culture and the values of the dominant Euro-American system apply to the other Native cultures, Apache and Tohono O'odham, mentioned here. These differences explain the conflicts discussed in this article between scientists, collectors etc. and Native peoples. Ultimately as I understood Hopi values, I realized the inappropriateness of research that I had initially perceived to be harmless to the Hopi and possibly even beneficial to the dominant society if it could learn to appreciate these different values. Thus from my original naïve opinion that those whose values are destructive to life on this planet might really be open-minded enough to learn respect for the values of Native American cultures, I now recognize the complexity of cultural representation as well as the intransigence of those who oppose Native American sovereignty and religious freedom.

In 1990 I wrote a masters thesis for the University of Arizona on "A Dynamic Poetics in the Hopi Sa'lakwamanawyat". I had been encouraged by my Hopi professor, Emory Sekaquaptewa in the Anthropology Department of the University, to analyze the poetics of the Katsinsa songs for the Salakwmanawyat. Emory thought that this would be acceptable since the songs had already been published in Children of Cottonwood, a book about Hopi puppet ceremonies by Armin Geertz. While studying Hopi oral traditions in a graduate program of Comparative Cultural and Literary Studies at the University of Arizona, I also studied with Larry Evers, an established professor of Native American literature and editor of Sun Tracks at the University of Arizona. Emory, Larry and Armin Geertz, with whom I had corresponded about my thesis, all encouraged me to submit it for publication. When I did submit it to American Indian Quarterly, an anonymous Hopi reviewer took issue with some of my statements. My initial reaction was amazement that the appropriateness of my work was being questioned. Again encouraged by Emory and Larry awhile later I tried to speak to Victor Masayesva, Hopi filmmaker, about a paper I wrote on his film, *Ritual Clowns*. I can't remember his exact words but I do recall being subtly accused of colonialism. How could I be suspect? The material was in the public domain. I was well-intentioned and had even been encouraged by my Hopi professor who thought my research might contribute to Anglo appreciation of Hopi aesthetics.

When I revisited my Sa'lakwmanawyat paper while writing this article, I felt sadness at my naïve assumptions and hopes for intercultural understanding. Below are two excerpts from that unpublished manuscript, comments that I believe would not offend the Hopi because these beliefs are widely known.

The Hopi people envision a dynamic world in which paradise is one phase of the cycle. They believe that they emerged into the current fourth world after the three previous worlds became corrupt. Through following the Hopi path of life which includes ceremonies associated with the corn cycle, perfection is attainable although it is never permanent. (Armstrong 1990:3-4)

I especially appreciated the respect for life in Hopi culture. Kachinas, or Katsinam in Hopi, are supernatural beings associated with spirit and moisture, in other words with life or qatsi. The Hopi respect for all life encompasses respect for the corn cycle, which is a metaphor for the fertility of nature, and respect for women as bearers of life.

Just as an emergence is followed by decay which is followed by another emergence as new paradise, the Hopi Sa'lakwmanawyat uses the motif of female fertility and corn-grinding to represent the cyclical process of life-renewal (Armstrong 1990:4)

If I felt sadness that Hopi values could not respectfully be shared, the Hopi themselves evidently experience sadness at having to exclude non-Indians from their ceremonies because they believe that they perform these rituals for the good of all not just to benefit the Hopi. "The Hopi people feel a unique responsibility for the welfare of our planet and all of humanity. Protection of Hopi wisdom over the centuries has helped it to survive as a wellspring of social and spiritual nourishment for our own future generations and the world at large".¹

After awhile when I set my ego aside, I began to consider the climate at Hopi during that time and realize that this was not about me but about a larger problem of failed intercultural understanding and radically different views about knowledges, privacy, the natural environment and the sacred. The first area in which I think there are substantial differences in belief systems is the area of knowledges in which the Native American belief that the right to esoteric knowledge must be earned is counterposed to the belief that academic freedom means that everyone has a right to know everything. The second area where significant differences exist is the conflict between spiritual knowledge and scientific knowledge, with scientists frequently rejecting spiritual knowledge while Native American peoples believe that spiritual understanding is equal to or even more important than scientific knowledge. A related component of this latter issue is the difference between indigenous spirituality and Christian spirituality. Even when religious persons or groups are involved in the debate, such as the Vatican and their telescope project which is opposed by the San Carlos Apache, there is a radical disagreement about what is sacred. Christianity for example is a system that privileges belief whereas Native

American religions emphasize practices or ceremonies. Without the ability to perform these practices, whether Hopi Kachina ceremonies or Apache Ga'an dances, the culture could not survive. Additionally certain places are sacred sites at which these rituals are traditionally performed. We will see in the following discussion of the Mount Graham telescope controversy that some of the pro-telescope proponents fail to appreciate the sacredness of Mount Graham and the significance of this sacred mountain to Apache spiritual practices.² As David Maybury-Lewis states in his editorial for the special issue of Cultural Survival Quarterly on American Indian Religious Freedom,

The fundamental issue here is that we have difficulty in understanding the idea of a sacred site which is simply an 'unimproved' (the very word is significant) piece of earth. We certainly have difficulty in respecting it when it is only sacred to indigenous peoples who have been notoriously powerless to defend their rights. Sooner or later the desire to extract minerals, or to use the water or simply to establish recreational facilities in areas that Indians consider sacred, tends to produce powerful lobbies that override indigenous religions and even lead to the flouting or repeal of our own laws (Maybury-Lewis 1996:3)

The word "powerless" in this statement is salient because power and who owns it is the underlying issue in all the conflicts and misunderstandings described in this article. The history of the United States is a history of conquest, colonization and removal of the indigenous people so that their lands could be seized and developed in the name of progress. This history has not been forgotten by the peoples to whom scientific studies and museum appropriation of burials and sacred artifacts is yet another form of violation and conquest.

Traditionally academic scholars have privileged their practice and mystified its politics. They do this via institutionally supported prestige techniques and discourses, including the blanket invocation of old shibboleths - "academic freedom" (to inquire) and "freedom of speech" (to publish) . . . In claiming an exalted ground of 'pure research'³ scholars disavow the political situation underpinning their work, i.e. the state of dominance and subordination between their society of origin and those of their subjects (Whiteley 1993:138)

At the time that I was attempting to publish my manuscript, a controversy had erupted over the University of Nebraska's intent to publish Ekkehart Malotki's book on the Hopi salt trail written with Hopi collaboration . When Leigh Jenkins of the Hopi Office for Cultural Preservation showed the manuscript of Malotki's book to Hopi elders, they objected to inclusion of details about the sacred journey over the salt trail because of

² "I think it is foolish to pretend on the basis of a wholly materialistic science (which can only measure quantities) that there is nothing spiritual and nonmaterial in our universe. It is this attitude, as much as anything, that distinguishes Indians from the rest of American society and most certainly from the scientific endeavor" (Deloria 1992:596).

³ "The anthro is usually devoted to PURE RESEARCH. Pure research is a body of knowledge absolutely devoid of useful application and incapable of meaningful digestion" (Deloria 1969:83 cited in Whiteley 1993:138).

ongoing thefts of sacred objects and desecration of sacred sites. Consequently, the tribal council requested that University of Nebraska not publish the book. An article in the Chronicle of Higher Education characterizes this dispute as raising “concerns about censorship of studies of American Indians”(Dispute 1990:A6). When the Hopi tribal council approached Malotki’s employer, Northern Arizona University, they raised the flag of academic freedom in his defense. Armin Geertz in his article on problems in studying Native North American religions describes the conflict between the Cultural Preservation Office and Ekkehart Malotki in which the University of Nebraska Press finally decided not to publish the book as a failure of the Hopis to “distinguish between legitimate scholarly work and popularizations by pop writers and New Agers and therefore they also blame anthropologists for the undesired attention the Hopis continually are subjected to by various interest groups (Geertz 1996:407)”. However as Whiteley observes in his previously quoted article, some Hopi object to [scholarly] publications on their rituals precisely because of their accuracy. “Voth’s and Stephen’s work and some recent publications on religious ritual, for example, are targeted specifically for their accuracy” (Whiteley 1993:139). Since the publication in 1884 of The Snake Dance of the Moquis of Arizona, by J.G. Bourke, every area of Hopi life has been researched and exposed in publications. (Whiteley 1993:137)

In addition the invasive and disrespectful strategies of early researchers is still remembered in Hopi oral tradition. Don Taleyeva describes Voth as an aggressive thief who caused the rain to fail by stealing ceremonial secrets and “sacred images and altars to equip a museum and become a rich man” (Taleyeva 1942:252 cited in Ronwanien:te Jocks 1996:430). George Wharton James snuck into a kiva to photograph the Walpi snake ceremony in 1897 and Heinrich Voth forced his way into a kiva during the Wuwuchim in 1893. Researchers often fail to recognize the privacy of esoteric knowledge in Hopi culture. Even Hopi who are not of a particular clan do not have access to that knowledge. In some cases, only one individual who is the keeper of sacred objects for certain rituals has the appropriate knowledge. Victor Masayeva, Hopi filmmaker, observed that Malotki told the Hopi that they didn’t know about the sacred trails in the Grand Canyon but according to Masayeva, “The fact that nobody talked about the sacred trails was due to the fact that they were truly sacred, known only to the initiated (Rony 1994:24)”. Lori Minkler, Hopi spokeswoman, said “Basically, we no longer recognize him [Malotki] as an expert. If he was an expert on our culture, he would know where to draw the line (Dispute 1990:A8) At that time I was the archivist at the Arizona State Museum, an anthropology museum at the University of Arizona. A co-worker Charles Adams who is an archaeologist specializing in Hopi prehistoric sites and who has a good relationship with the tribe, informed me that he and other Hopi experts had written to the University of Nebraska Press urging them not to publish the book over Hopi objections since that would jeopardize if not end the future of research at Hopi. The protection of privileged ritual information about this sacred pilgrimage was in conflict with the world view which holds that academic freedom should be the priority. Peter Whiteley refers to a 1991 speech by Vernon Masayeva at Northern Arizona University who describes Hopi reaction to the Malotki incident and also predicts the 1995 Hopi Protocol for Research.

“It is this type of research that is causing many Hopis to pressure the Hopi Tribal Council to enact an ordinance prohibiting all future research activities on the Hopi reservation. . . Although the [salt trail] research wears the cloak of scholarly enterprise, its publication denotes to us a lack of sensitivity to our religious values and the way we organize and conceptualize our sacred traditions. Research needs to be based on the reality of our existence as we experience it.
(Whiteley 1993:140)

In 1991, three Hopi and one Navajo mask were to be auctioned at Sotheby despite protests from both tribes. One of the Hopi masks is worn by Aholi, a chief Kachina. Because the masks⁴ were owned by an individual and NAGPRA (Native American Graves Protection and Repatriation Act) only covers objects of cultural patrimony in Federal agencies and federally funded museums, the tribes had no legal way to prevent the sale. Leigh Jenkins, Director of the Hopi Cultural Preservation Office, said the tribe would not buy back the masks because it already owns them and because sacred objects can't be sold. “They are not pieces of art in the way the public sees them (Rief 5/21/91:C18). In other words, the Hopi perspective is that the masks could not belong to the individual who claims to own them because they are owned collectively by the tribe as cultural patrimony. Because Sotheby refused to withdraw the masks from auction, Elizabeth Sackler bought them at the auction with the intention of returning them to the two tribes. Miss Sackler explained that she recognizes that ceremonial objects should not be bought, sold or collected. “The whole point of coming here was to purchase these ritual objects and to return them to the Hopi and Navajo nations to whom they apparently belong” (Rief 5/22/91:C11)

Woodruff Butte, Tsimontukwi in Hopi, is the location of one of nine major shrines that mark the boundaries of Hopi land, Hopitutskwa. The butte also contains clan shrines for the Bearstrap and water clans and shrines for the Porswiwimkyam? curing society. The area is also sacred to the water clan because of its association with the myth of the water serpent (Ferguson 1993:37)?. The shrines are located on private property and the archaeologist who surveyed the site failed to identify them. The white family that owned land where a Hopi boundary shrine was located leased the land to Blackrock Sand and Gravel. When the tribe discovered the threat to their shrines, they discussed this with the contractor who promptly bulldozed the shrines to eliminate any obstacles to the completion of his project. In a conversation with a tribal representative, the owner “threatened to blow up the whole butte rather than return it to the Hopi” (Whiteley 1993:128). Ironically this situation was resolved when other objections to the project developed. More than half of the town's 200 people signed a petition asking the owner to spare the butte, which is a local landmark (NYT 1/31/91 A12)**check date/author? 1/3 or 1/31 see bib** Also when a revised survey discovered the shrines, Blackrock Sand and Gravel was prohibited from using the gravel on any state or Federal project, which

⁴ “For Hopis, even the concept ‘mask’, implying representational falsity, in itself violates the items’ sanctity. In English Hopis usually refer to them as Kachina ‘friends’. . . actively avoiding ‘mask’” (Whiteley 1993:128).

includes Arizona Department of Transportation for whom the gravel was originally being mined. However, the threat of future mining remains.

Also in 1991 there was a controversy over the filming of Dark Wind, based on a Tony Hillerman novel, by Robert Redford. The book and movie treat sensitive subjects such as relations between Navajo and Hopi, the drug trade and a skinwalker or witch. Although the tribal council had given permission to film at Shungopovi? the village objected to the filming due to the subject and the intention of filming near a kiva. This Hopi village filed a lawsuit claiming defamation of character and invasion of privacy based “on a general objection to be associated with a story about drug dealing and death” (Carrier 1992:1C). Two objections to earlier scripts resulted in revisions. Instead of the book’s climax scene near a sacred kiva where photographs are banned, the film uses a mythological place where powaqa (two-hearted witches) gather. Also the man who commits a murder in this scene is no longer wearing a Kachina mask which he later removes as in the original script. Having seen this film, my observation is that the dancing and the masked man are sufficiently suggestive of Kachina dances to make the Hopi uncomfortable, especially considering that the sacredness of Kachinas makes it inappropriate to associate them with evil deeds at all.

In 1992 most Hopi villages closed Kachina dances to non-Indians in response to an issue of Marvel comics that showed Hopi Kachinas impersonated by a “white, mafioso gambling cartel”. One of the most upsetting elements was that Kachinas masks were knocked off “revealing their human vehicles” (Whiteley 1993:140). Until they are initiated, Hopi children believe that Kachinas are really sacred beings. The children only discover that men from the village are dancing these sacred beings when they undergo this initiation. This issue of Marvel comics exposing the men behind the masks appeared on newstands at the time of Powamuy initiation when Hopi children should learn the truth about Kachinas in the appropriate kiva ritual.

“Mystery at Second Mesa”, a 1992 article in the Tucson Weekly, contains a moving plea for the return of stolen sacred objects belonging to the Mazaw’s (a secret religious society) Mishongnovi altar. The items which had been stolen in 1979 were still missing in 1992. New members couldn’t be initiated into the society without the altar. The matriarch of the Eagle Clan, who possesses ritual knowledge associated with the altar, had been ill. If she died without passing on the knowledge, this would mean the end of the society at Mishongnovi Village. Because of this prospect, the clan decided to break with the traditional secrecy surrounding this society and publicize the loss. Leigh Jenkins said of this situation, “I’m a full-blooded Hopi and I can’t even look at these altar pieces. You can imagine how important it is to the clan if they’re opening up this way” (Banks 1992:10) As a result of this theft, the village built a warehouse to store its sacred items. Jenkins describes this type of theft as ongoing since the beginning of the century when anthropologists collected (stole) objects from shrines and graves. According to Jenkins, art dealers don’t understand Hopi values and that sacred objects should not be commodified.

In addition to these issues surrounding Hopi, while I was the archivist at the Arizona State Museum, I witnessed some disputes between the Museum, the University of Arizona with which it is affiliated and area tribes. The San Xavier Bridge Project was a source of conflict between Museum archaeologists and the Tohono O’odham Nation since it began in 1984 because of its location on a prehistoric burial ground. The O’odham Nation insisted on guidelines for removal of burials as well as repatriation of burials previously removed from the site. In 1984 the San Xavier District Council issued resolutions stipulating that the Tohono O’odham (formerly known as Papago) must grant permission to the Arizona State Museum to excavate; that human remains should be treated with respect; and that a medicine man or woman oversee handling of remains and perform appropriate ceremonies. Permission, though not unanimously, was granted to the Arizona State Museum to excavate. Some Council members were opposed to disturbing the burial ground and the Council required that a medicine woman serve as consultant. Furthermore the archaeologists were instructed not to throw away anything, not to touch quartz crystals and not to wash interiors of cremation vessels. The Council also required that human remains be reburied without analysis. **Cite Ravesloot** This latter requirement met with objections from the museum. After negotiations on this issue, the Tohono O’odham Nation and the Arizona State Museum reached an agreement in 1985 concerning excavation and analysis leaving disposition of the human remains to officials of the San Xavier District, a medicine woman and the tribal chairman.. **cite Ravesloot**

Tribal officials constantly consulted the medicine woman for spiritual guidance regarding the excavation and treatment of burials. I remember at that time overhearing disparaging comments about this process from some museum archaeologists who had difficulty understanding the significance of the medicine woman’s spiritual role. Some of them viewed this as an obstruction to the archaeological process. Yet John Ravesloot mentions in his article on this project that the medicine woman was supportive of the excavation and ultimately mediated with more recalcitrant Council members **cite Ravesloot**. Obviously these scientists could not comprehend the concept that human remains are sacred and that their disinterment and reburial requires the rituals of a medicine man or woman. On August 4, 1986 a group of tribal members came to the museum to discuss the return of human remains and objects at the museum. They wanted a list of all sacred objects and human remains at the Arizona State Museum that had been removed from Tohono O’odham land. Negotiations continued for almost a year with the Tohono O’odham Nation actively pursuing repatriation until it was accomplished in 1987. I remember that during August 1986 tribal members came to the museum and occupied the office of the Director who was then on sabbatical until they were satisfied that the museum was willing to cooperate. At that time there was an owl’s nest on a window ledge outside his office. The Tohono O’odham believe that the souls of the dead return as owls and some of us at the museum wondered about the coincidence.⁵ NAGPRA, which was passed in 1990, provides protection for grave sites on tribal and federal land and permits repatriation of human remains and associated artifacts held in federal agencies and federally funded museums.

⁵ “One who ‘meets’ the owl may also commune with the dead who take owl form” (Underhill 1969:294).

Alos during this time when I was the archivist I witnessed the controversy over the Mt. Graham telescope project. The Museum archives and manuscript collection included the Grenville Goodwin papers, which became central to this controversy because they documented songs and oral traditions that demonstrated the significance of the mountain to the Apaches. An international consortium of astronomers led by the University of Arizona and including the Vatican, the Arcetri of Italy and the Max Planck Institute of Germany planned to build multiple telescopes on the old-growth summit of Mt. Graham, managing to circumvent the National Environmental Policy Act, Endangered Species Act, National Forest Management Act and the American Indian Religious Freedom Act despite opposition by environmental groups and the San Carlos Apache. Other U.S. universities that has initially shown interest withdrew because of the controversy.⁶ One of the salient misunderstandings in this conflict is due to the differences between indigenous spirituality and Christian spirituality. The Vatican and some Jesuit priests have rejected the Apache position that Mt. Graham is a sacred mountain essential to their spiritual practices.

The free practice of many Indian religions requires privacy and undisturbed access to culturally and religiously significant sites and their resources. It is irrevocably tied to specific places in the world which derive their power and sacred character from their natural undisturbed state
(Brandt 1996:51)

Mt. Graham, Dzil Nchaa Si An, is such a place for the San Carlos Apaches. It is a sky-island with a unique environment supporting five different ecological life zones. Because of its springs and streams, Mt. Graham is associated with the water essential to life and this is enough to justify its significance to the surrounding desert and thus its sacredness to the Apaches. It is a home to eagles whose feathers can be used for spiritual purposes. It is a home to natural springs believed to have healing properties and it is a home to the Ga'an, Apache mountain spirits, sacred beings that are danced by Apache men most notably at girls' puberty ceremonies. Mt. Graham is also the path by which prayers travel. According to Franklin Stanley, San Carlos spiritual leader, "The construction would be very detrimental because our prayers would not travel their road to God...If you take Mt. Graham from us, you will take our culture" (quoted in Brandt 1996:56). A "great life-giving force" the mountain is mentioned in 32 sacred songs and the peaks are important shrine areas. "The mountains are an outer form, assumed by living sacred beings" (Brandt 1996:52). While Apache religion sees a living world filled with supernatural power, the Catholic religion as espoused by Father George Coyne, a Jesuit and Director of the Observatory disagrees with this view. "Nature and the earth are just there, blah! And there will be a time when they are not there. . .It is precisely the failure to make the distinctions I mention above [nature, earth, cultures, human beings] that has created a

⁶ A detailed chronology of the Mt. Graham controversy is provided in *Sacred Rites, Sacred Sites*. In 1988 two Republican senators from Arizona attached a rider to the Arizona-Idaho Conservation Act exempting Emerald Peak from the National Environmental Policy Act, the National Forest Management Act and the Endangered Species Act. In 1990, the Apache Survival Coalition was organized to defend Mt. Graham (Smith 1998:20).

kind of environmentalism and a religiosity to which I cannot subscribe and [that] must be suppressed with all the force that we can muster”(Brandt 1996:53).⁷

In 1992, the Apache Survival Coalition leaders Ola Cassadore Davis, her husband Mike Davis accompanied by Elizabeth Brandt, anthropologist and Apache expert, visited the archives to research the Goodwin papers. I remember Mrs. Davis’ remark that the astronomers would never find God through these telescopes. Shortly after their visit, the University’s astronomy department sent an astronomer to examine the papers. I refused access to him because he didn’t have the qualifications required to evaluate the material nor to understand its sensitive nature. Eventually Father Polzer and John Wilson, another ethnohistorian, viewed the papers to determine whether there was justification for the Coalition’s claim of the mountain’s sacred status. Unlike Keith Basso and Elizabeth Brandt who supported the Apache view, neither Polzer nor Wilson are Apache experts yet they claimed the authority to assert that there is no evidence in historical records or in the Goodwin papers to prove the mountain is sacred and significant to Apache culture.

Father Charles Polzer, a Jesuit priest and curator of ethnohistory at the Arizona State Museum, clearly sided with his employers, the Vatican and the University, in favor of the telescopes and made offensive remarks in a letter to the Governor of Arizona vilifying Elizabeth Brandt for her public statements supporting the mountain’s sacred status. His co-worker Thomas Sheridan denounced Polzer’s letter for “inappropriately defaming Brandt’s credibility and relying on questionable evidence (Smith 1998:24). Polzer also made phone remarks to Guy Lopez, an anti-telescope activist, similar to remarks in his letter to the Arizona Republic that “the opposition to the telescopes and the use of Native American people to oppose the project are part of the Jewish conspiracy that comes out of the Jewish lawyers of the (ACLU) to undermine and destroy the Catholic Church (Morrissey 1992:3). Bruce Hilpert, Curator of Exhibits at the Museum wrote a reply to Polzer’s letter in the Arizona Republic. Clearly other museum employees were embarrassed by the overt racism of such remarks.

Keith Basso had had custody of the portion of the Goodwin papers dealing with religion but some months before these incidents he decided to donate those papers to the Archives to be integrated into the Goodwin Collection. Basso requested that the Apache tribe be consulted about access to this material. When the Curator of Collections and I met with the museum administration to discuss this recommendation, the director adamantly refused to permit the Apaches to dictate museum policy. Ironically the museum has been forced to change this stand. In a footnote to John Welch’s article “White eyes’ Lies and the Battle for Dzil Nchaa Si’an”, John states

⁷ An editorial in the National Catholic Reporter offers a different Catholic perspective in response to Cardinal Rosalio Lara of the Vatican, who applauded a decision of the San Carlos Apache Tribal Council to remain neutral on the telescope project. The editorial criticizes his comments as ill-informed, pointing out that five of the Council members were absent when this vote was taken and the full Council had voted two weeks previously to oppose the project. “The Mount Graham project, with its environmental destruction and cultural desecration, should be a source of embarrassment and shame” (Trampling holy ground 1993:20).

A 1986 request I made to utilize the Goodwin Archive for another project was granted with the provision that I disregard religious information. In deference to concerns expressed by Apache tribal and cultural leaders, and pending a refined proposal for researcher access, since 1994 the Arizona State Museum has provided access to Apache materials in its Archives only with the Western Apache tribe's written approval. On November 4, 1995, leaders from nine Apache tribes signed the "Inter-Apache Policy on Repatriation and the Protection of Apache Cultures"(Welch 1997:102).

One of the more absurd episodes in this controversy occurred in May 1992 when the Apache Survival Coalition traveled to the Vatican for an audience with the pope about the telescope project. They arrived there only to discover that the audience had been canceled. One month later, the San Carlos People's Rights coalition, a puppet of the University of Arizona, was granted a meeting with the pope. The PRC was to be lead by deposed tribal chairman, Buck Kicheyan, who had recently been arraigned on charges of embezzlement but the tribal judge forbid Kitcheyan from leaving Arizona. (Meyer 1992:3)

Prompted by the Mt. Graham crisis, the San Carlos Tribal Council and the Apache Survival Coalition sponsored a national conference on Endangered Native American Holy Places, May 28-30, 1992 in Tucson. I attended the conference and witnessed an amazing performance of the Apache Mountain Spirits, comparable to Kachina dances I had seen before they became restricted. These Hopi and Apache dances that I have been privileged to experience were convincing manifestations of immanent spiritual power evoked during such rituals.

On April 26, 1996, President Clinton signed a Republican appropriations bill with a rider approving construction of a third telescope on Mt. Graham. Ironically, the following May 24, Clinton signed an executive order to protect American Indian sacred sites. A news release dated August 13, 1998 on the Native Religions listserv stated that the "University of Arizona has asked the U.S. Forest Service for authority to regulate Native Americans who pray on the Apache sacred mountain, Mt. Graham". Steward Observatory sent a letter dated Oct. 7, 1997 to the U.S. Forest Service requiring that Native Americans make a written request to the Observatory Site Manager at least two business days prior to the date requested for prayer. The request must describe the location where prayer will take place and "All Indians must already have previously obtained permission for prayer from the U.S. Forest Service to enter the summit region above 10,000 feet (which is closed to members of the public except for astronomers)" (NAT-REL List 8/18/98). Ola Cassadore Davis' response to this was, "The Forest Service and the University of Arizona should be ashamed of their continued campaign to restrict the free exercise of traditional Apache religion" (NAT-REL List 8/18/98)

In the context of these issues of cultural survival concerning the Hopi, the Apache and the O'odham, I began to appreciate the need to regulate research on Native American tribes, especially if it involved sacred and esoteric knowledge. In his article, "The End of

Anthropology at Hopi”, Peter Whiteley emphasizes the importance of secrecy about ritual knowledge for the Hopi. Even within the tribe some knowledge is kept only by certain individuals or clans and not available to all. According to Whiteley scholars need to be aware of the social effects of representations, to consult with the tribe and to respect their wishes. Indeed he even advocates that scholars should be activists on behalf of the groups they study. Whiteley decided not to publish his extensive research on Hopi place names, realizing it would be a site guide for pot hunters. He also emphasizes the importance of recruiting Native Americans into the field of anthropology so that they can speak for themselves and represent themselves and in this context he strongly supports Native American novelists and filmmakers like Victor Masayesva, a Hopi who has made several films about Hopi history and culture.

In 1995, Armin Geertz, Professor of Comparative Religion at Aarhus University in Denmark and Louis Hieb of the Center for Southwest Research, University of New Mexico organized a conference, entitled “Dialogue with the Hopis: Cultural Copyright and Research Ethics” to address concerns about Hopi cultural property rights raised by the controversy over the Malotki book. I was invited but unable to attend since I was then living in Seattle. The intention of the conference was to create a forum to discuss issues of cultural copyright, public domain and ethical questions. Apparently many Hopi scholars were unable to attend and Hopi participants were not interested in cooperating with scholars. Initially Marilyn Masayesva a Hopi lawyer drew up a set of questions for discussion, including how and to whom should scholars be accountable; how can scholars reciprocate; do Hopis have a voice in deciding what research should be done. In fact the discussion was foreclosed when Leigh Jenkins of the Hopi Cultural Preservation Office presented a document entitled “Protocol for Research, Publications and Recordings” that requires the tribe be consulted for permission on all projects involving Hopi intellectual property. Proposals should address benefit to the tribe, risks to the tribe, tribal consent, right to privacy, confidentiality, fair compensation, and right of the tribe to review results. By the time this conference occurred, I had distanced myself from studying Hopi culture and decided to write my dissertation on four post-colonial novels by women-Irish, Jamaican, Native American and Mexican American. As Geertz states in a recent article, “cultural research conducted on the reservation in the interests of general cultural science is a closed chapter” (Geertz 1996:409).

However there is some continued collaboration between Hopi consultants and scholars in archaeology. “Working together the roles of archaeology and ethnohistory in Hopi cultural preservation”, co-authored by Anglo-American archaeologists and their Hopi collaborators, describes the successful collaboration of archaeologists with the Hopi Cultural Preservation Office, which is interested in documenting and preserving archaeological sites that confirm Hopi migration history. Established in 1988, the HCPO is “dedicated to preserving the spiritual and cultural essence of the Hopi people”. (Ferguson 1993:28). To encourage trust in the work of the HCPO, a Hopi Cultural Resources Advisory Task Team was formed in 1991 consisting of Hopi men representing most of the villages and a number of clans and religious societies. The guidelines for collecting information include collecting only as much information as is necessary for site

management and conducting interviews entirely in Hopi when possible, only translating portions as needed. Usually this research does not require disclosure of esoteric aspects of rituals.

In addition to this possibility of collaboration between Native Americans and non Native scholars, there is the work of Native Americans engaged in examining and representing their cultures. For Victor Masayesva, “having roots in a community and a sense of historical continuity were to him essential prerequisites to representing his own people”(Rony 1994:22). While Masayesva would argue that he has the credibility to represent the Hopi, he is still constantly examining and critiquing his gaze and his position behind the lens. In his 1992 film *Imagining Indians*, Masayesva examines various representations of Native Americans, especially in films such as *Dances with Wolves*. Some Native Americans objected to representations of sacred rituals, such as the Ghost Dance or the sweat lodge shown in *Dances with Wolves* and *Thunderheart*. In Victor’s film, one woman speaks thus about filming inside a sweat lodge, “When did the sacredness lose its sacredness?” (Rony 1994:31) Masayesva believes that “right now the simple safeguard of . . . knowledge and sacred information is in language” (Rony 1994:32). In 1990 he joined with other Native film-makers to form the Native American Producers Alliance to oppose their exclusion from the mainstream media. He would like to require participants in this Alliance to have ties to the reservation and to know their native language. Rony objects to this as exclusionary but perhaps Masayesva’s attitude will soften if more Native Americans become accepted as valid spokespersons whether as anthropologists, novelists or filmmakers.

In his article, “Native American Intellectual Property Rights Issues in Control of Esoteric Knowledge”, James Nason suggests that restrictions imposed on research by various tribes like the Lummi and Hopi are compatible with the American Anthropological Association code of ethics that “Anthropological researchers have primary ethical obligations to the people, species and materials they study and to the people with whom they work”(AAA web site). Some of the concerns in the Hopi Protocol for Research are to obtain tribal consent, and to consider benefits and risks to the Hopi, right to privacy and confidentiality while the AAA code of ethics mentions avoiding harm, respecting the well-being of humans and primates, and consulting with the affected individuals or groups to establish a mutually beneficial relationship. Nason points out that while NAGPRA protects tangible cultural property, many tribal governments are concerned with controlling access to their intangible cultural heritage. Much knowledge, including esoteric knowledge, has been collected from Native Americans often through illegal or unethical methods and now resides in the public domain where it is widely disseminated in scholarly and commercial markets.

Attention to this intangible cultural heritage is broadly based and ranges from concerns about the maintenance of traditional and detailed knowledge of the natural world and all types of oral history, oral literature, and other knowledge that could generically be referred to as ‘lore’. Of particular interest is the esoteric knowledge. . . traditional, valued knowledge that is intended for and is to be used

by the specially initiated or trained and that is most often owned or held in trust and treated as private or secret by an individual, by a group within the community (such as a clan or society), or by the community as a whole (Nason 1997:242).

From the dominant Euro-American perspective, knowledge should be free and open and field notes, oral histories or other documents in museums and archives are not restricted. However, a survey of tribal museum and tribal center staff in the United States and Canada revealed that most of those surveyed thought that tribes should control access to these collections much like the agreement between the Arizona State Museum and the Apaches regarding the Goodwin Collection. As a result of museum summaries produced in response to NAGPRA, the Hopi tribe requested restrictions on access to archival materials. According to Leigh Jenkins, “We feel very strongly that here is a connection between the intellectual knowledge and the sacred objects that were collected from our religious altars. The knowledge and the object are one.” (Nason 1997: 249). However museum and archival policies don’t allow this type of restriction unless this was requested at the outset. In the case of the Goodwin materials dealing with religious matters, Keith Basso did make such a recommendation.

In conclusion, there are some opportunities for dialogue on these issues. Archaeologists or anthropologists can collaborate with Native Peoples if they are willing to respect their concerns about the privacy of esoteric information and if they are willing to compensate their Native American advisors as well as to reciprocate by undertaking research that benefits the community. There is also a need for more Native People to represent themselves and for their voices to be heard whether as anthropologists, authors or as filmmakers. In this way, there is the opportunity to understand their world views, to create a dialogue between these world views and hopefully to increase understanding and tolerance for differences. Also when Native Americans represent their cultures, as Victor Masayesva asserts, there is greater likelihood that they will understand the sensitivity of certain research and the need to protect esoteric knowledge.

Furthermore it is essential for anyone engaged in research or representation of Native Americans to understand that the Hopi, Apache or whichever nation is involved regard these controversies about rituals, ritual objects, sacred sites and esoteric knowledge as crucial to their struggle for survival as a people. This is illustrated by a quote from “Spirituality for sale: sacred knowledge in the consumer age”.

Traditional ceremonies and spiritual practices. . .are precious gifts given to Indian people by our Creator. These sacred ways have enabled us as Indian people to survive-miraculously-the onslaught of five centuries of continuous effort by non-Indians and their government to exterminate us by extinguishing all traces of our traditional ways of life. **(foot CSPIRIT (Center for the support and protection of indian religions and indigenous traditions) 1993 “Alert concerning the abuse and exploitation of American Indian Sacred Traditions” press release quoted in Ronwanien:te 1996 420)**

