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Brumaugh, Lee Philip

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Shadow Catchers or Shadow Snatchers? Ethical Issues for Photographers of Contemporary Native Americans

LEE PHILIP BRUMBAUGH

Concern over the ethics of depicting Native Americans in photographs grew out of postmodern critiques of power relations and representation, as well as the rising political and cultural awareness of Native Americans themselves. Native American activism and the "Red Power" movement preceded Foucault and Derida, and the latter postmodern authors reflect the concerns already raised by minority and indigenous authors.[1]

At the same time as concern over the rights of indigenous peoples has grown, public interest in Native Americans and the photographic record of their history has also burgeoned.[2] The period from the 1970s to the present has been marked by a spate of books on photographers of Native Americans. On the whole these books trace an increasing awareness of the representational issues raised by both Native Americans and postmodern critics, although reviewers have accurately pointed out significant areas for improvement.[3]

Collections of photographs by Edward Curtis, the best known photographer of nineteenth-century Native America, illustrate the evolution of sensitivity to indigenous concerns. Beginning

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Lee Philip Brumbaugh is curator of photographs at the Nevada Historical Society.

with works whose titles retain the "vanishing race" notion fostered by Curtis (despite his own awareness that it was inaccurate), one moves through time to Brown's still ambiguously titled collection of 1972, *The North American Indians,* which could be taken to imply that Indians, like Curtis, are part of the past (despite the editor's interior contrary statement). Next, Graybill's and Boesen's 1981 title, *Visions of a Vanishing Race,* is perhaps better, for "visions," in contrast to the earlier "portraits," could at least imply a false perception. Finally, in the 1990s, Lyman unambiguously titled his Curtis compilation, *The Vanishing Race and Other Illusions.*[4]

I should hasten to add that I do not mean to propose through this anecdotal illustration that the nation—or even the book-publishing industry—as a whole has become thoroughly cognizant of Native American issues, or routinely places ethical concerns above profit. The passage of the Native American Graves Protection and Repatriation Act, as well as the increasing number of movies (e.g., *Dances with Wolves*) and television shows (e.g., *500 Nations*), which attempt, however imperfectly, to convey indigenous perspectives, also support the idea of a growing awareness of Native American concerns.

The concept of a crisis of representation within anthropology has referred primarily to the literary portrayal of other cultures by ethnographers; however, it has a quite literal significance within photography. Few activities by the ordinary outsider raise more concerns among Native Americans than photography. Violation of treaty rights, denial of self-government, and adoptive kidnapping of Native American children are all undoubtedly larger issues, but these are not activities in which very many of us, as outsiders, are directly involved—although we certainly all share responsibility. The appropriateness of photographing Native Americans is an issue faced today not just by museum personnel and anthropologists, but by the ever-growing number of nonnative attendees at powwows and other indigenous events.

In this brief article, I shall examine some of the practical issues involved in photographing contemporary Native Americans, as I personally experienced them in California. Also, for those not already familiar with the subject, I shall try to convey my sense of why Native Americans have a particular ambivalence toward this latest of art media. The present discussion is not intended as a holier-than-thou diatribe. I cannot say that it initially occurred to me that dance groups giving public performances, as both culture sharing and professional engagements, would have any aversion to what our culture calls publicity. My discussion here reflects what I subsequently learned to be the expected cross-cultural photographic etiquette.

Although I have attempted to address certain broader ethical concerns and their historical background, the article is not intended to offer advice to Native Americans, either collectively or individually, about how they should deal with the photography issue. I would not presume to be qualified to offer such advice. The original version of this paper was presented to an audience that included administrators and personnel from museums and public agencies. The present version is similarly intended as an introduction for nonspecialists, or for anyone considering photographing at Native American events for the first time. Many Native Americans and experienced field anthropologists may well find my comments to be little more than statements of the obvious.

From my own experience, I shall describe how a number of Central California community leaders are attempting to balance public attendance with the internal spiritual needs of native participants, often within the same event venue. Again, this approach, which clearly has its own problems, is not presented either as an example of what Native American should do, or what other non-Native Americans should expect in their region. The problems faced by Native Americans in dealing with photography and photographers are different in every region and for every indigenous nation, as well as for each individual. Individual and tribal policies vary accordingly, and it is not appropriate, in my opinion, for outsiders, even well-meaning and interested ones, to attempt to influence native views about this issue, or to "speak for" Native Americans to other outsiders.

In any photographic situation, rights issues, both for the photographer and for those photographed, can be divided between legal issues and ethical issues. A number of basic legal principles apply to all photography, anywhere in the United States. However, federally recognized indigenous nations also have the right to make their own legal regulations, which the photographer must obtain from the local tribal offices. Within the general U.S. legal realm (off-reservation), the most relevant laws are probably those related to copyright and privacy.[5] At present, a photographer apparently holds copyright and is free to publish a photograph unless it was taken at a location where the subject has a "reasonable expectation of privacy." For example, from a legal perspective, a photographer can publish a photograph taken in a public location without the subject's permission, but publishing a photograph taken through the window of a home, without the occupants' knowledge or permission, would be illegal. The exception, of course, is public figures, who basically have no privacy rights. These legal privacy and publication rules apply to so-called educational photographs, such as illustrations for newspaper or magazine articles. In this context, *educational* refers to any medium that disseminates information, as opposed to selling products. Photographs used in commercial advertising, by contrast, legally require a subject's written permission and prior determination of financial remuneration to the subject. Photographic ethics deal with nonlegal concerns over possible harm done to others through photography.

In California, as elsewhere, Native Americans sometimes allow public attendance at religious or partly religious ceremonies, both on and off reservations and community rancherias. Media accounts as well as my own experiences suggest that indigenous people within the United States and elsewhere increasingly feel that photographs of sacred ceremonies should not be permitted. Without trying to speak for Native Americans, I believe it is obvious that photography of certain religious rituals is seen as potentially harmful. Since it is not currently possible to bar publication of photographs made in a public place (even on a reservation, if they were originally permitted under tribal law), U.S. indigenous nations have sometimes banned photography entirely. In California, many dance groups take the more moderate approach of barring photography during the sacred dances and ceremonies but permitting it during the social dances. In such cases, the spokesperson for the dance group usually announces when and when not to take pictures. The same rules apply to everyone present, including Native Americans, so it is not a matter of discrimination.

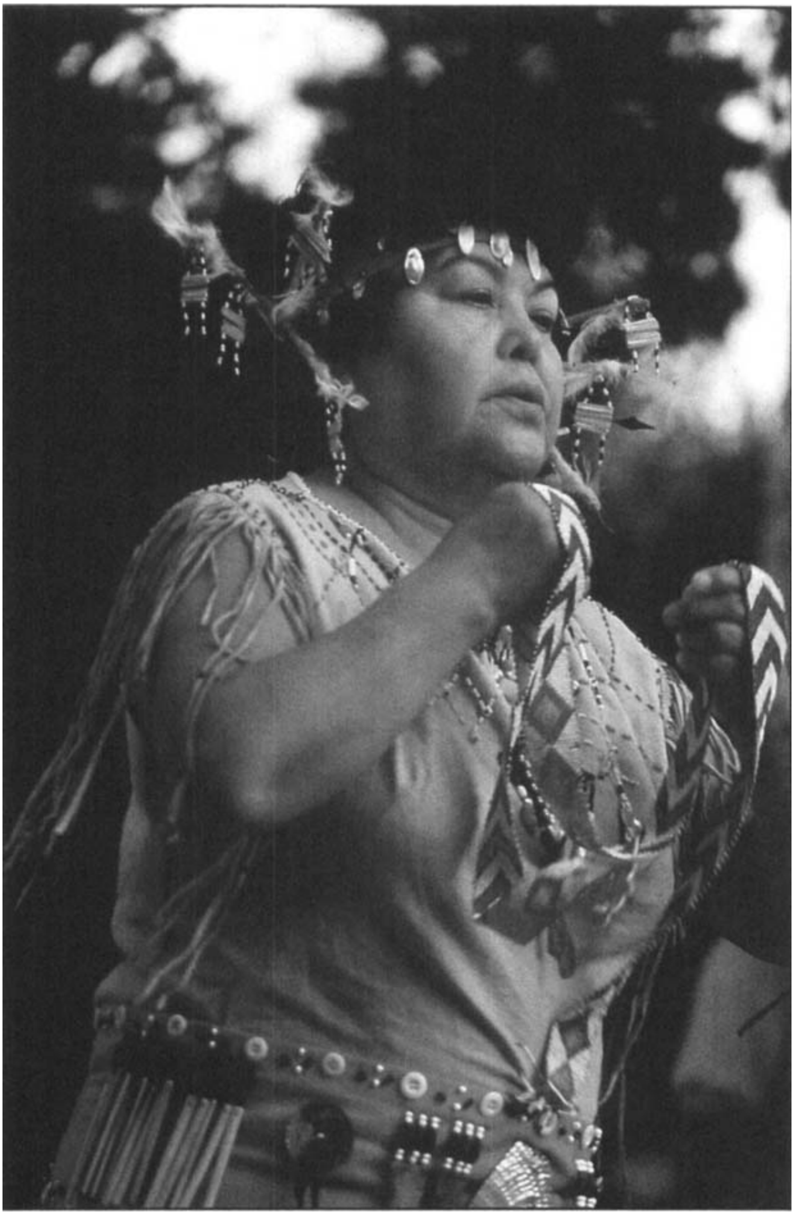
However, permission to photograph, in the minds of most indigenous Californians (and probably most people generally), does not automatically constitute permission to publish or exhibit. Although in my experience most indigenous Californians will grant permission for any reasonable use of images, they at least would like to be asked, as well as to be offered copies of the photographs and publications. Even though it is not legally required for educational photographs taken in a public location, it would be best for any photographer to get written permission for use at the time the photographs are taken, as well as addresses for sending copies. Native Americans often feel that they are not being treated fairly or with respect if these rules are not followed. If photographers grant publication approval to the relatively powerless, they are actually extending a privilege that is not available to the power elite, who are often public figures and thus have no photographic privacy rights. However, the ethical position is, I believe, to follow the wishes of the individual subjects, because it is their perception of harm that matters, not the objective reality, if there is such a thing.

Although banning the use of existing archive photographs might be considered censorship or even a First Amendment violation, Native Americans clearly have the right, like any other group, to control photography of current religious events. Christian churches do not typically permit photography during services, except for special, preapproved purposes. Even if there were no denotation of a power differential, one can see how the whirring and snapping of cameras and the associated tourist atmosphere would not be conducive to religious experience. This, of course, was less of a problem earlier in the century, when only a few people had cameras. On the down side, I would note, banning photography means that the photographic history of Native American religious growth and transformation is no longer being preserved. The old photographs of indigenous ceremonies are just as valuable to tribal historians and native educators as they are to anthropologists. For example, in California, the early photographs, along with the material collections of museums, have been used by some indigenous groups to help revive the old dance costumes and other material aspects of ceremony. Usually, this has involved a revitalization of existing ceremonies, but in some cases long-discontinued dance styles have been revived. I am, of course, not trying to influence Native Americans in favor of unlimited photography, but merely noting that the old-time permissiveness did have some positive consequences in its period. It is better, today, I would think, to have active, healthy traditions that do not need to be revived.

In recent times, there has been an effort to portray anthropologists and museums strictly as cultural appropriators and exploiters of indigenous cultural traditions. In my own view, one of the functions of anthropology museums has always been to educate the public about the beauty and worth of other cultures and their arts. Anthropology museums once followed the nationalistic paradigm that other cultures were only preludes to the glory of Western civilization. But such extremes of museological ethnocentricity have not been the norm for many decades. Those who prefer a monolithic picture of the white oppressor, I believe, tend to ignore the positive contributions of anthropology and museums in promoting the value of non-European cultures.

However, the "bad rap" of museums among Native Americans is not entirely undeserved. Museum curators traditionally have seen little need to consult with members of the cultures they displayed and promoted, and were thus operating—if unconsciously—on the same hegemonic principle that they saw themselves as opposing. This was/is probably not always a matter of Eurocentric arrogance. A sensitive, reflexive, and politically correct show is also a show that is more expensive than the traditional arrangement, in which the curator hauls some artifacts up from the basement and slaps a few hastily typed labels on the wall next to them. In many cases, curators would probably have loved to consult with indigenous people about the meaning and significance of the objects or photographs in their collections, but funding for such "new research" was not available. Increasingly, it may not be politically possible to have exhibitions of Native American materials without such consultation, and museums will have to come up with the money required. I believe the new knowledge obtained through such consultation and preserved with the collected photographs and objects will far outweigh any drawbacks of the potential thematic restrictions.

In my experience, the different uses of photography also present different kinds of ethical problems for the photographer. Mass-market publications, for example, often do not allow the photographer final say on captions and may introduce errors or drop out the names of the individuals photographed. A typical mass-market caption might be something like, "Maidu woman preparing acorn soup." Should one therefore, on ethical grounds, refuse to contribute images to general audience publications, or can their value in educating the public about Native American issues be seen as outweighing their flaws? In the case of one popular book to which I personally contributed, the text is strongly pro-Native American, but, without the last-minute addition of a few of my contemporary photographs, the publication might have unwittingly furthered the notion that indigenous Californians are extinct.



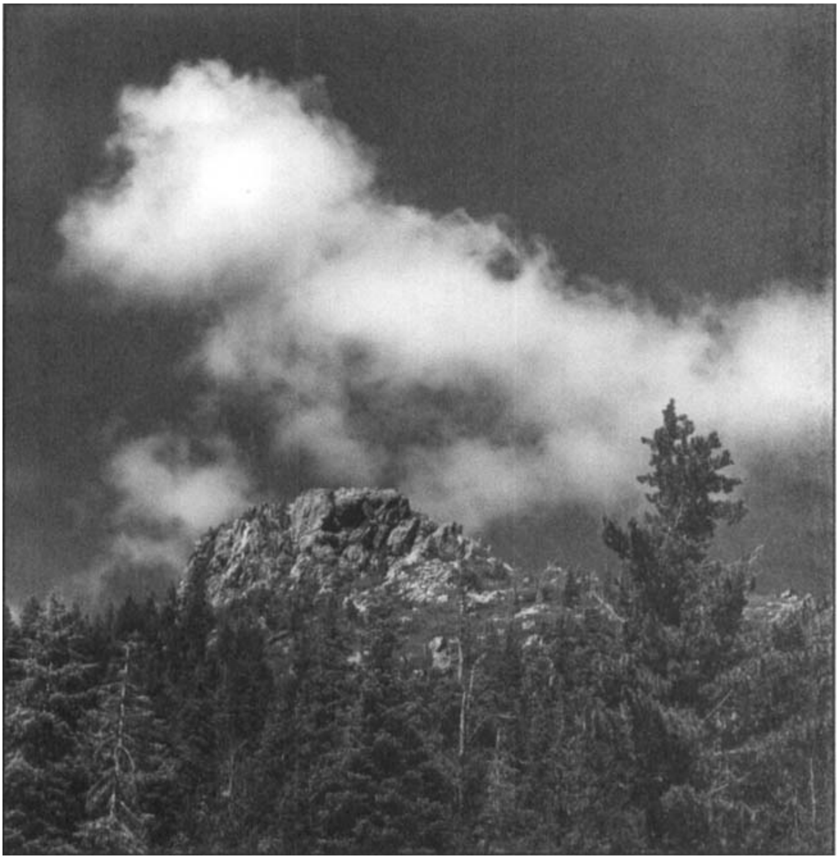
Mass-market publications often do not include the names of the individuals photographed, even if the photographer has provided them. This photograph of Rose Enos was titled "Maidu Dancer" in one publication. Although it is not the publisher's intent, such generic titles can be seen as contributing to the dehumanization of other cultures.

Certainly the safest approach for the anthropologist working in Native America is to avoid doing photography, unless it is essential to her or his project. Barring that perfect solution, it is crucial to determine indigenous rules and expectations regarding photography. Projects planned and published or exhibited by Native Americans are perhaps the least likely to be controversial. For example, I shot one series of photographs for a well-known Karuk artist/activist, who used them in articles and lectures promoting preservation of spiritual power-quest areas in northwest California.

However, no photographic project is likely to be beyond criticism. Native American groups often are divided (among other ways) between factions termed the "traditionalists" and the "progressives"; the traditionalists favor preservation or revival of the old ways and the progressives champion European-style economic development over other values. In the case of the GO (Gasquet-Orleans) Road controversy, the progressives saw the economic advantages of a new log-transport road to the coast as more important than the consequent infringement on sacred geography. By providing photographs to the traditionalists, I was, in effect, taking sides in an internal conflict. For a number of reasons, anthropologists tend to align themselves with the traditionalists. First, most anthropologists are more interested in traditional culture than they are in the highly acculturated lifestyles of many progressives. Further, anthropologists tend to be politically liberal to leftist, while indigenous progressives are often perceived as conservative.

Within anthropology, supporting the native equivalent of the left is usually seen as perfectly desirable and ethical, whereas anthropologists who actively support right-wing causes are typically denounced as unethical. The possibility of finding an indigenous-sponsored photography project that has the support of all tribal factions is remote. In any event, one cannot assume that because a project has native support or official tribal-office sanction it will be free of controversy or ethical problems.

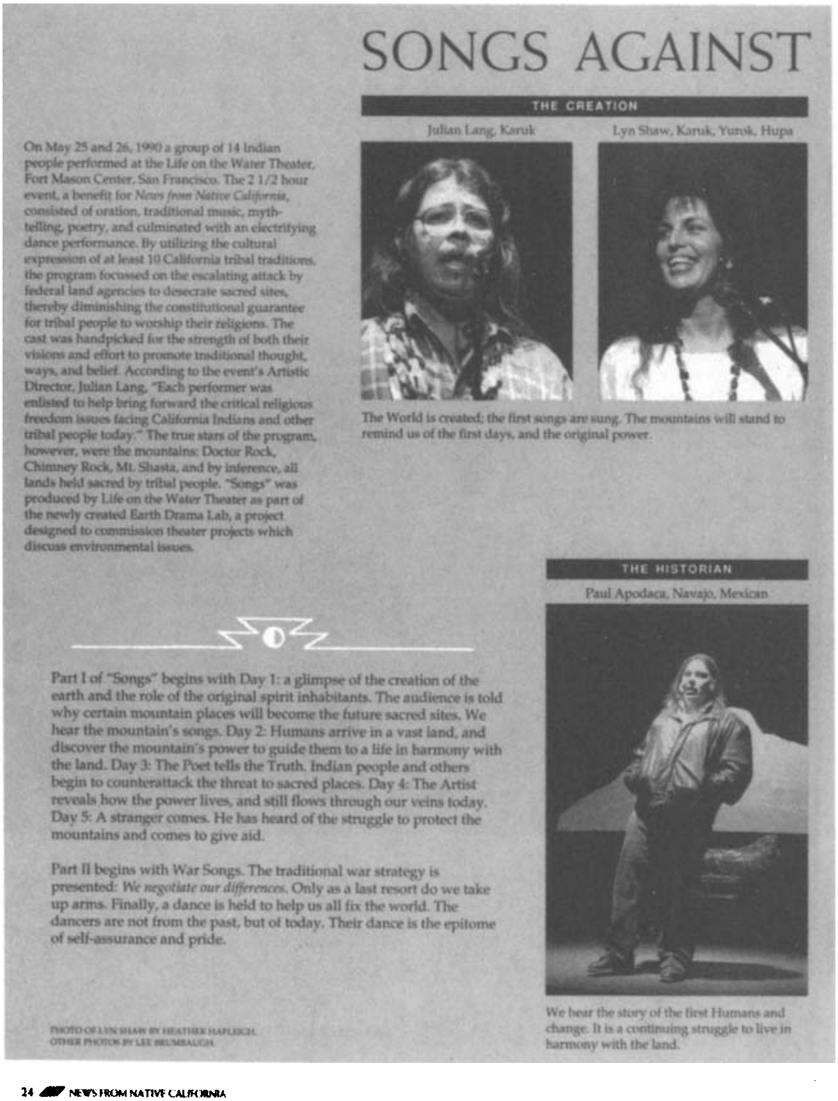
Photographs for publications that are primarily by or for Native Americans, especially if they do not pay their photographers, are also likely to be received favorably. For example, I have made a number of photographs for *News from Native California,* a nonprofit newsletter for Native Californians and anyone interested in their current activities. In one series, I documented a fundraiser organized by Native Americans to support continued publication of this newsletter.[6]



On this mountain traditional doctors in northwest California seek spiritual power. Native American authors and lecturers have used photographs in their efforts to protect sacred sites; however, publishing the exact location of such sites could be harmful to traditional practitioners.

In another *News from Native California* article, Julian Lang of the Karuk tribe used some of my photographs to illustrate his article on the G-O Road protest at Six Rivers National Forest Headquarters in Eureka, California.[7] It is advisable to get written permission from anyone photographed even if the author of an illustrated article is Native American and has permission to do the article. Such permission given to the author may or may not be seen as including the use of photographs.

Donation of photographs to a public archive creates yet another set of problems. The managers of such archives do not necessarily



SONGS AGAINST

On May 25 and 26, 1990 a group of 14 Indian people performed at the Life on the Water Theater, Fort Mason Center, San Francisco. The 2 1/2 hour event, a benefit for *News from Native California*, consisted of oration, traditional music, myth-telling, poetry, and culminated with an electrifying dance performance. By utilizing the cultural expression of at least 10 California tribal traditions, the program focussed on the escalating attack by federal land agencies to desecrate sacred sites, thereby diminishing the constitutional guarantee for tribal people to worship their religions. The cast was handpicked for the strength of both their visions and effort to promote traditional thought, ways, and belief. According to the event's Artistic Director, Julian Lang, "Each performer was enlisted to help bring forward the critical religious freedom issues facing California Indians and other tribal people today." The true stars of the program, however, were the mountains: Doctor Rock, Chimney Rock, Mt. Shasta, and by inference, all lands held sacred by tribal people. "Songs" was produced by Life on the Water Theater as part of the newly created Earth Drama Lab, a project designed to commission theater projects which discuss environmental issues.

THE CREATION

Julian Lang, Karuk

Lyn Shaw, Karuk, Yurok, Hupa

The World is created; the first songs are sung. The mountains will stand to remind us of the first days, and the original power.

THE HISTORIAN

Paul Apodaca, Navajo, Mexican

We hear the story of the first Humans and change. It is a continuing struggle to live in harmony with the land.

* * *

Part I of "Songs" begins with Day 1: a glimpse of the creation of the earth and the role of the original spirit inhabitants. The audience is told why certain mountain places will become the future sacred sites. We hear the mountain's songs. Day 2: Humans arrive in a vast land, and discover the mountain's power to guide them to a life in harmony with the land. Day 3: The Poet tells the Truth. Indian people and others begin to counterattack the threat to sacred places. Day 4: The Artist reveals how the power lives, and still flows through our veins today. Day 5: A stranger comes. He has heard of the struggle to protect the mountains and comes to give aid.

Part II begins with War Songs. The traditional war strategy is presented: *We negotiate our differences.* Only as a last resort do we take up arms. Finally, a dance is held to help us all fix the world. The dancers are not from the past, but of today. Their dance is the epitome of self-assurance and pride.

PHOTO OF LYN SHAW BY HEATHER HAFLEIGH.
OTHER PHOTOS BY LEE BRUMBAUGH.

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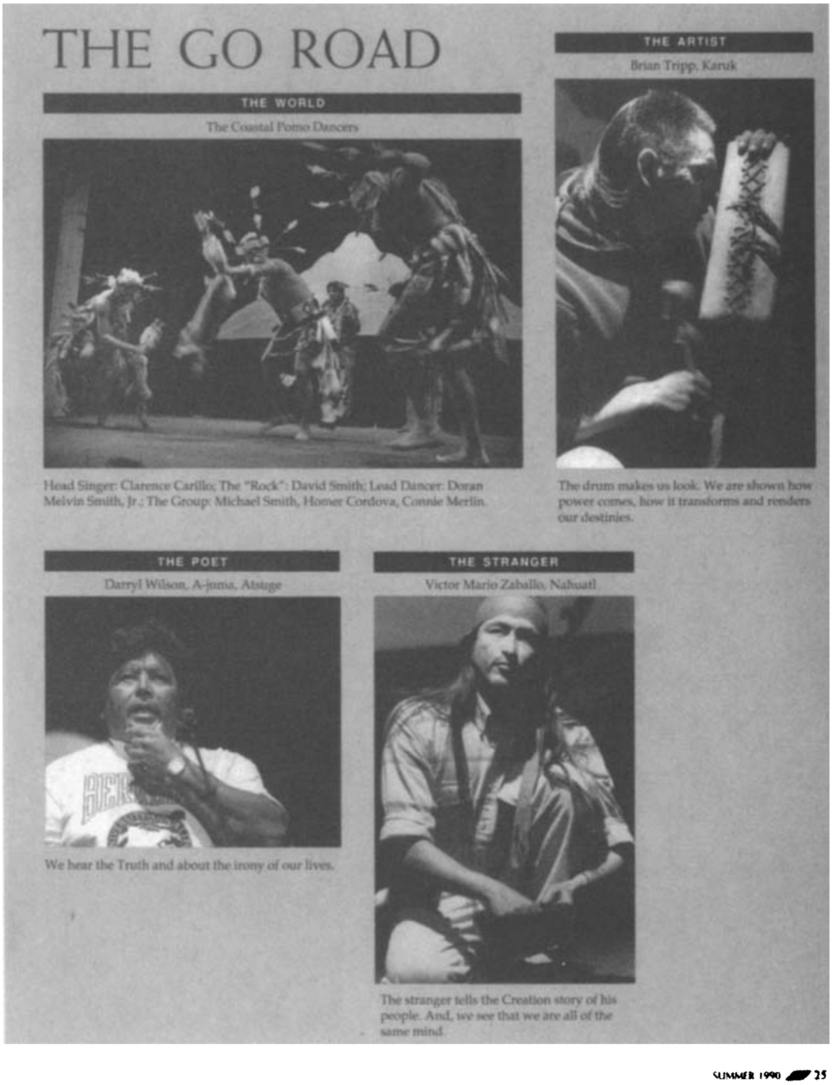
Providing the photographs for a layout of volunteer supporters of News from Native California *was comparatively safe ethically, since the participants approved of the project and no payment was involved.*



THE GO ROAD

THE WORLD

The Coastal Pomo Dancers

Head Singer: Clarence Carillo; The "Rock": David Smith; Lead Dancer: Doran Melvin Smith, Jr.; The Group: Michael Smith, Homer Cordova, Connie Merlin.

THE ARTIST

Brian Tripp, Karuk

The drum makes us look. We are shown how power comes, how it transforms and renders our destinies.

THE POET

Darryl Wilson, A-juma, Atsuge

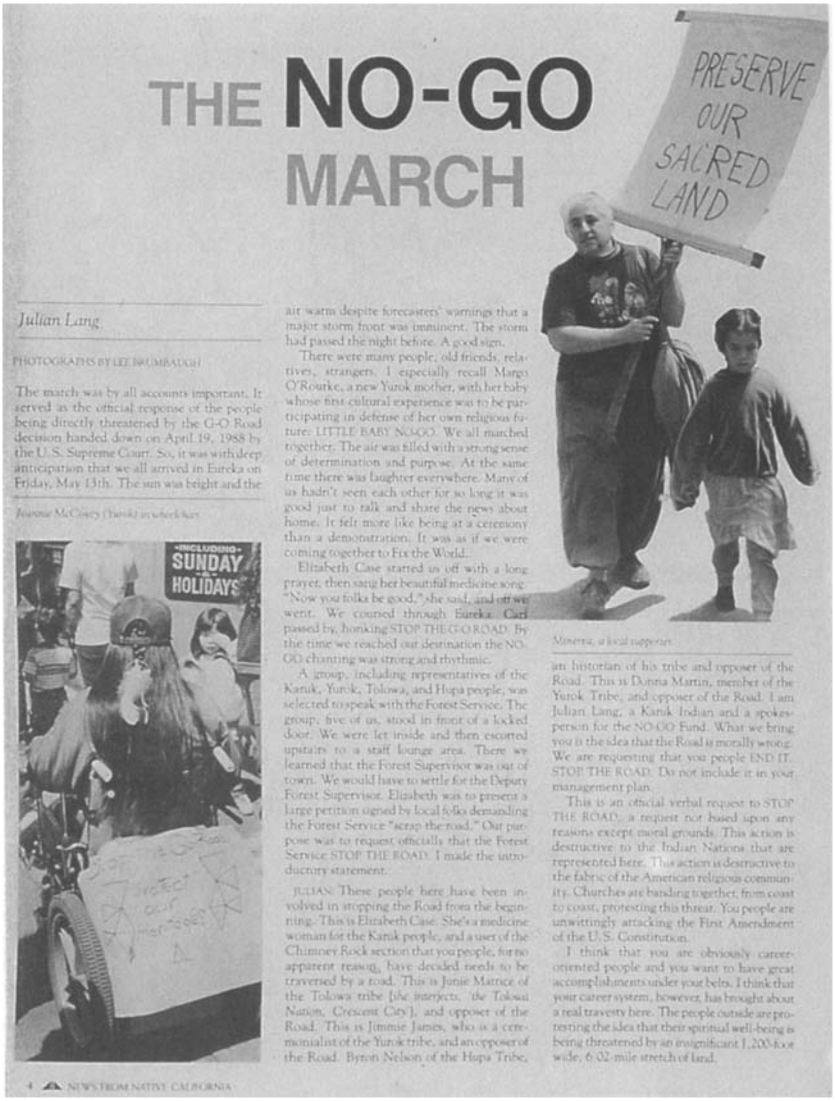
We hear the Truth and about the irony of our lives.

THE STRANGER

Victor Mario Zaballo, Nahuatl

The stranger tells the Creation story of his people. And, we see that we are all of the same mind.

SUMMER 1990 25


PRESERVE OUR SACRED LAND
-INCLUDING-
SUNDAY & HOLIDAYS

THE NO-GO MARCH

Julian Lang

PHOTOGRAPHS BY LEE BRUMBAUGH

The march was by all accounts important. It served as the official response of the people being directly threatened by the G-O Road decision handed down on April 19, 1988 by the U.S. Supreme Court. So, it was with deep anticipation that we all arrived in Eureka on Friday, May 13th. The sun was bright and the air warm despite forecasters' warnings that a major storm front was imminent. The storm had passed the night before. A good sign.

There were many people, old friends, relatives, strangers. I especially recall Margo O'Rourke, a new Yurok mother, with her baby whose first cultural experience was to be participating in defense of her own religious future: LITTLE BABY NO-GO. We all marched together. The air was filled with a strong sense of determination and purpose. At the same time there was laughter everywhere. Many of us hadn't seen each other for so long it was good just to talk and share the news about home. It felt more like being at a ceremony than a demonstration. It was as if we were coming together to Fix the World.

Elizabeth Case started us off with a long prayer, then sang her beautiful medicine song. "Now you folks be good," she said, and off we went. We coursed through Eureka. Cars passed by, honking STOP THE G-O ROAD. By the time we reached our destination the NO-GO chanting was strong and rhythmic.

A group, including representatives of the Karuk, Yurok, Tolowa, and Hupa people, was selected to speak with the Forest Service. The group, five of us, stood in front of a locked door. We were let inside and then escorted upstairs to a staff lounge area. There we learned that the Forest Supervisor was out of town. We would have to settle for the Deputy Forest Supervisor. Elizabeth was to present a large petition signed by local folks demanding the Forest Service "scrap the road." Our purpose was to request officially that the Forest Service STOP THE ROAD. I made the introductory statement.

JULIAN: These people here have been involved in stopping the Road from the beginning. This is Elizabeth Case. She's a medicine woman for the Karuk people, and a user of the Chimney Rock section that you people, for no apparent reason, have decided needs to be traversed by a road. This is Junie Mattice of the Tolowa tribe [she interjects, 'the Tolowa Nation, Crescent City'], and opposer of the Road. This is Jimmie James, who is a ceremonialist of the Yurok tribe, and an opposer of the Road. Byron Nelson of the Hupa Tribe, an historian of his tribe and opposer of the Road. This is Donna Martin, member of the Yurok Tribe, and opposer of the Road. I am Julian Lang, a Karuk Indian and a spokesperson for the NO-GO Fund. What we bring you is the idea that the Road is morally wrong. We are requesting that you people END IT. STOP THE ROAD. Do not include it in your management plan.

This is an official verbal request to STOP THE ROAD, a request not based upon any reasons except moral grounds. This action is destructive to the Indian Nations that are represented here. This action is destructive to the fabric of the American religious community. Churches are banding together, from coast to coast, protesting this threat. You people are unwittingly attacking the First Amendment of the U.S. Constitution.

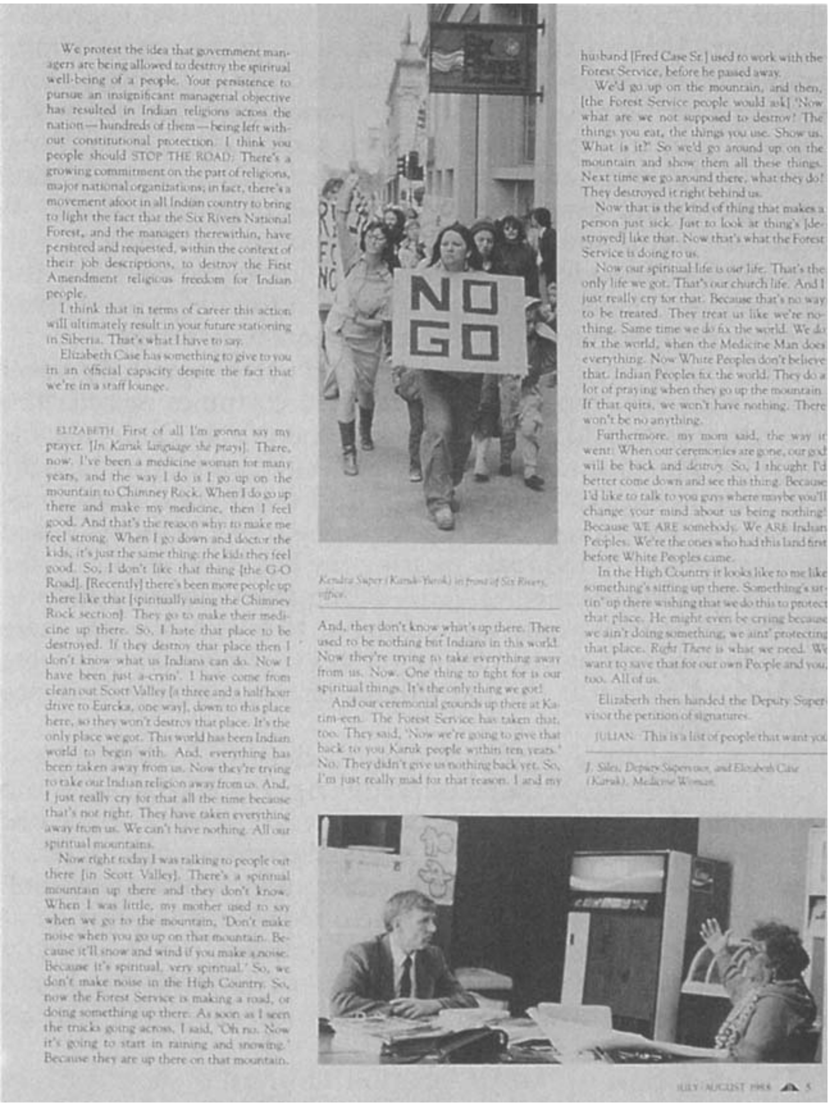
I think that you are obviously career-oriented people and you want to have great accomplishments under your belts. I think that your career system, however, has brought about a real travesty here. The people outside are protesting the idea that their spiritual well-being is being threatened by an insignificant 1,200-foot wide, 6.02-mile stretch of land.

Joanne McCovey (Yurok) in wheelchair

Minerva, a local supporter

4 NEWS FROM NATIVE CALIFORNIA

This layout of Julian Lang's article on the anti-G-O Road march in Eureka is another example of volunteer photography for nonprofit activities by Native Americans. Although this kind of photography is not entirely free of ethical dilemmas, at least it precludes the accusation of exploitation.



We protest the idea that government managers are being allowed to destroy the spiritual well-being of a people. Your persistence to pursue an insignificant managerial objective has resulted in Indian religions across the nation—hundreds of them—being left without constitutional protection. I think you people should STOP THE ROAD. There's a growing commitment on the part of religions, major national organizations; in fact, there's a movement afoot in all Indian country to bring to light the fact that the Six Rivers National Forest, and the managers therewithin, have persisted and requested, within the context of their job descriptions, to destroy the First Amendment religious freedom for Indian people.

I think that in terms of career this action will ultimately result in your future stationing in Siberia. That's what I have to say.

Elizabeth Case has something to give to you in an official capacity despite the fact that we're in a staff lounge.

ELIZABETH: First of all I'm gonna say my prayer. [*In Karuk language she prays*]. There, now. I've been a medicine woman for many years, and the way I do is I go up on the mountain to Chimney Rock. When I do go up there and make my medicine, then I feel good. And that's the reason why: to make me feel strong. When I go down and doctor the kids, it's just the same thing: the kids they feel good. So, I don't like that thing [the G-O Road]. [Recently] there's been more people up there like that [spiritually using the Chimney Rock section]. They go to make their medicine up there. So, I hate that place to be destroyed. If they destroy that place then I don't know what us Indians can do. Now I have been just a-cryin'. I have come from clean out Scott Valley [a three and a half hour drive to Eureka, one way], down to this place here, so they won't destroy that place. It's the only place we got. This world has been Indian world to begin with. And, everything has been taken away from us. Now they're trying to take our Indian religion away from us. And, I just really cry for that all the time because that's not right. They have taken everything away from us. We can't have nothing. All our spiritual mountains.

Now right today I was talking to people out there [in Scott Valley]. There's a spiritual mountain up there and they don't know. When I was little, my mother used to say when we go to the mountain, 'Don't make noise when you go up on that mountain. Because it'll snow and wind if you make a noise. Because it's spiritual, very spiritual.' So, we don't make noise in the High Country. So, now the Forest Service is making a road, or doing something up there. As soon as I seen the trucks going across, I said, 'Oh no. Now it's going to start in raining and snowing.' Because they are up there on that mountain.

Kendra Super (Karuk-Yurok) in front of Six Rivers office.

And, they don't know what's up there. There used to be nothing but Indians in this world. Now they're trying to take everything away from us. Now. One thing to fight for is our spiritual things. It's the only thing we got!

And our ceremonial grounds up there at Katim-een. The Forest Service has taken that, too. They said, 'Now we're going to give that back to you Karuk people within ten years.' No. They didn't give us nothing back yet. So, I'm just really mad for that reason. I and my husband [Fred Case Sr.] used to work with the Forest Service, before he passed away.

We'd go up on the mountain, and then, [the Forest Service people would ask] 'Now what are we not supposed to destroy? The things you eat, the things you use. Show us. What is it?' So we'd go around up on the mountain and show them all these things. Next time we go around there, what they do? They destroyed it right behind us.

Now that is the kind of thing that makes a person just sick. Just to look at thing's [destroyed] like that. Now that's what the Forest Service is doing to us.

Now our spiritual life is our life. That's the only life we got. That's our church life. And I just really cry for that. Because that's no way to be treated. They treat us like we're nothing. Same time we do fix the world. We do fix the world, when the Medicine Man does everything. Now White Peoples don't believe that. Indian Peoples fix the world. They do a lot of praying when they go up the mountain. If that quits, we won't have nothing. There won't be no anything.

Furthermore, my mom said, the way it went: When our ceremonies are gone, our god will be back and destroy. So, I thought I'd better come down and see this thing. Because I'd like to talk to you guys where maybe you'll change your mind about us being nothing! Because WE ARE somebody. We ARE Indian Peoples. We're the ones who had this land first before White Peoples came.

In the High Country it looks like to me like something's sitting up there. Something's sittin' up there wishing that we do this to protect that place. He might even be crying because we ain't doing something, we aint' protecting that place. *Right There* is what we need. We want to save that for our own People and you, too. All of us.

Elizabeth then handed the Deputy Supervisor the petition of signatures.

JULIAN: This is a list of people that want yo

J. Siles, Deputy Supervisor, and Elizabeth Case (Karuk), Medicine Woman.

check with individuals to see if public use has been approved. Ethical considerations often are largely up to the donor. Photographs intended for permanent inclusion in a public archive actually need to be accompanied by more than a simple model release. From an ethical position, one should also obtain letters from tribal councils and religious leaders authorizing publication and other public use of the images on behalf of the tribe and its legitimate authorities. Individuals now or in the future may or may not be deemed to have the right to grant permission to use their images. This is especially the case if individuals are involved in ceremonial activity or wearing ceremonial costumes.

The photographer and archivist should not assume that present distinctions between secular and sacred costumes or activities will necessarily hold in the future. For example, in California, the Big Head dance has always been sacred, but there is nothing in the literature to suggest that the Big Head outfit itself used to be considered too sacred to be photographed, as it is today. Posed photographs of individuals wearing the Big Head regalia in the P.A. Hearst Museum collection—dating from the early 1900s—probably were not in any way illicit, but, to my knowledge, there is no documentation with the negatives to show that they were authorized by either the individuals or the appropriate dance leader and elders.

Before beginning my concluding discussion, I would like to suggest that the rise of the conservative right should be taken into account in the current political debate over control of our public museum collections. Unless all multiculturalists work together, there may soon be no public museums under anyone's control. The far right would be glad to close our public museums, or at least rid them of any non-Christian elements, but it certainly would not be out of any multiculturalist sentiments. We should keep in mind that so far as Newt Gingrich is concerned, we are all "enemies of normal Americans."

The uneasiness of Native Americans toward photography, as well as the guilt-tinged, newly discovered ethical concerns of anthropologists, I would argue, can be understood only in their historical context. A number of recent histories of the photography of Native Americans summarize the so-called revisionist view of American history.[8] According to this perspective, with which I am certainly in agreement, a major part of the history of Native America since the arrival of the Europeans has been one of conquest and exploitation by Europeans, based on the numerical superiority of the invaders and the power advantages of their technologies. Photography not only recorded that history but in some cases became a tool of it. The early expeditionary photographers saw the indigenous people as part of the natural scene and as curiosities whose images could be sold at a profit to incredulous easterners. After the Western conquest was completed, live examples of the native personage were displayed and endlessly photographed at a series of expositions and world fairs. Then, as the influence the romantic movement permeated photography, the Pictorialist photographers saw in the indigenous people a vision of a noble but doomed race. For these romantics, the Native Americans were essentially the New World equivalent of the ancient Greeks, whose more noble civilization inevitably fell before the crass but more powerful imperial order of the Romans. The emotional piquancy of Pictorialist imagery was based on the assumption that their idealized native subjects would soon be extinct.

When the anticipated racial extinction of the Indian did not arrive but the automobile did, a new wave of tourist photographers descended in person upon the Indian reservations of the West. Their motives as photographers were even less clear than those of their predecessors, signifying perhaps a token of passage, but it is clear that tourist photographers typically had little sense of Native Americans as individual people with rights to privacy and dignity. The ordinary tourist was frequently joined by the anthropological field worker, who at this time saw in the more traditional Native Americans an opportunity to approximate visually the precontact lifeways of those they regarded as "primitive." To these insults within the still-photography genre were soon added the full range of negative and racist stereotypes promulgated through the medium of "moving pictures."

The "taking" of photographs by whites has been one of the most recent of a series of disastrous takings, including the taking of Native American lives, the taking of Native American lands, in many cases the taking of the Native Americans' means of livelihood, and the taking of their freedom and sovereignty as independent nations. In my personal experience I have found that Native Americans are often remarkably forgiving of these rather extreme grievances. When photographers, even anthropological photographers, attempt to redefine the photographic act as a mutually agreed-upon "giving," rather than a "taking," their efforts, even if naive, will often be well received.[9] This attitude of giving, I believe, means more than just handing out free prints; it means accepting Native American limits and conditions for the making and use of photographs. It also means putting in the time and effort to understand and accurately portray each separate culture and each individual being photographed. Still, one must be careful even here. Revisionist history and politically correct accommodation can become one more facet of hegemony and misunderstanding if they involve a rhetorical "speaking for" Native Americans or an assumed contract.[10] Only the views directly expressed by the Native Americans and tribal authorities have validity in determining whether photography is an appropriate part of cross-cultural experience.

NOTES

1. Jacques Derrida, *Derrida Reader* (New York: Columbia University Press, 1990); Peter Matthiessen, *In the Spirit of Crazy Horse* (New York: Penguin, 1980); Peter Nabokov, ed., *Native American Testimony: A Chronicle of Indian-White Relations from Prophecy to the Present* (New York: Penguin, 1991); Gerald Vizenor, "The Ruins of Representation: Shadow Survivance and the Literature of Dominance," *American Indian Quarterly* 17 (January 1993): 7–30.

2. Alfred L. Bush and Lee Clark Mitchell, *The Photograph and the American Indian* (Princeton, NJ: Princeton University Press, 1994); Paula Richardson Fleming and Judith Lynn Luskey, *Grand Endeavors of American Indian Photography* (Washington, DC: Smithsonian Institution Press, 1993); Ulrich W. Hiesinger, *Indian Lives: A Photographic Record from the Civil War to Wounded Knee* (New York: Prestel, 1994).

3. For the latter, see especially Michael Dorris, "In the Eyes of the Beheld," *Natural History* 103 (November 1994): 24–29.

4. Joseph Epes Brown, *The North American Indians: A Selection of Photographs by Edward S. Curtis* (Princeton, NJ: Princeton University Press, 1972); Florence Curtis Graybill and Victor Boesen, *Edward Sheriff Curtis: Visions of a Vanishing Race* (New York: American Legacy Press, 1981); Christopher M. Lyman, *The Vanishing Race and Other Illusions: Photographs of Indians by Edward S. Curtis* (Washington, DC: Smithsonian Institution Press, 1994).

5. Diane Cochrane, "The New Copyright Revision Act," *American Artist* (April 1978): 2–97.

6. "Songs Against the GO Road," *News from Native California* 4 (August/September 1990): 24–25.

7. Julian Lang, "The NO-GO March," *News from Native California* 2 (July/August 1988): 4–7.

8. The works cited in the second endnote are all examples of this revised view of American history and the photography of Native America. The authors

collectively provide expanded discussion of each of the aspects covered in my brief synopsis.

9. William Albert Allard, foreword to John Running, *Honor Dance: Native American Photographs* (Reno: University of Nevada Press, 1985).

10. The present article is not above reproach in this regard, since I freely mix reportage on Native American practices with my personal opinions and those of non-Native American historians. I have, at least, tried to mark the shift each time.