

# Sucking the Quileute Dry

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**A**LL the world, it seems, has been bitten by "Twilight." Conservative estimates place revenue generated from Stephenie Meyer's vampire chronicles — the books, movies and merchandise — in the billion-dollar range. Scarcely mentioned, however, is the effect that "Twilight" has had on the tiny Quileute Nation, situated on a postage stamp of a reservation, just one square mile, in remote La Push, Wash.

To millions of "Twilight" fans, the Quileute are Indians whose (fictional) ancient treaty transforms young males of the tribe into vampire-fighting wolves. To the nearly 700 remaining Quileute Indians, "Twilight" is the reason they are suddenly drawing extraordinary attention from the outside — while they themselves remain largely excluded from the vampire series' vast commercial empire.

Just last month, MSN.com issued an apology to the Quileute for intruding on its territory while videotaping a "Twilight" virtual tour in September. MSN.com sought permission from the Chamber of Commerce in nearby Forks, Wash., but didn't pay the same courtesy to the Quileute. The video team trespassed onto a reservation cemetery and taped Quileute graves, including those of esteemed tribal leaders. These images

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were then set to macabre music and, in November, posted on MSN.com. The tribe quickly persuaded MSN.com to remove the Quileute images.

But this was only one episode in the story of the tribe's phenomenal, and apparently increasing, new fame. "Twilight" has made all things Quileute wildly popular: Nordstrom.com sells items from Quileute hoodies to charms bearing a supposed Quileute werewolf tattoo. And a tour company hauls busloads of fans onto the Quileute reservation daily. Yet the tribe has received no payment for this commercial activity. Meanwhile, half of Quileute families still live in poverty.

It's important to point out that the outside uses of the Quileute name, from the "Twilight" books to the tattoo jewelry, are quite likely legal. American intellectual property laws, except in very specific circumstances, do not protect indigenous peoples' collective cultural property.

In fact, many businesses use tribal names without involving the Indians themselves. Consider, for example, well-known products like Jeep Cherokee trucks, Oneida flatware and Apache helicopters — none of which are officially associated with Indian tribes. (The Quileute say they have never been contacted by Ms. Meyer or any of those who use the Quileute name for merchandising.)

The most significant federal law that addresses the marketing of Indian cultural goods — the Indian Arts and Crafts Act, passed in 1935 — is meant to ensure truth in advertising. It requires that any artistic products claiming to have a tribal origin are in fact produced by that tribe. Hopi kachina dolls, for example, must be Hopi-made. But it does not come into

play for the Quileute hoodies, jewelry or other goods, because there is no claim they were made by the Quileute.

So what can be done? Even absent legal protection, the Quileute should be able to have a say in, and benefit financially from, outsiders' use of their cultural property.

Many Indian tribes develop markets for their own cultural property — or at least the part of it that is not deemed sacred and therefore private. Some have introduced culturally appropriate commercial products — Navajo rugs, for example, or Potawatomi porcupine-quill earrings — to educate non-Indians about their traditions or to earn a living.

The Quileute are likewise eager to share their tribal culture, even if the in-

### Why the 'Twilight' series owes Native Americans.

terest in it was created primarily by Hollywood. The Quileute welcome outsiders, as my own interactions with them have confirmed. When hordes of "Twilight" fans showed up in La Push in 2008, the tribe, as a sovereign Indian nation, could have closed its reservation, but tribal members chose not to do so.

At the same time, like indigenous peoples around the globe, the Quileute want to be meaningful participants in the treatment of their own cultural property. This means, first and foremost, having their sovereignty and their culture respected by outsiders. The Quileute's Web site tells visitors about the tribal laws

that govern Quileute territory. One of these laws specifies that burial grounds and religious ceremonies are "sacred and not to be entered." Had MSN acknowledged the tribe as a sovereign government, it might not have broken that rule. The Quileute believe that respect for Indian tribal sovereignty could likewise bridge cultural gaps between other Indian communities and outsiders.

Going forward, the Quileute should be engaged in the "Twilight" phenomenon. They should be able, first, to welcome Ms. Meyer to the reservation and introduce her to the Tribal Council and all the Quileute people. They should be consulted on projects where the Quileute name and culture are used to market products. And Quileute elders should be able to share with the world the true Quileute creation story, in which tribal members were transformed into humans from wolves (not vampire-fighting wolves).

Undoubtedly, the Quileute, whose remote reservation leaves them with few options for economic development, would also welcome "Twilight"-based profit-sharing arrangements or other opportunities to capitalize on the phenomenon. They struggle to maintain adequate tribal housing and to support their tribal school, Elder Center and tribal court, all of which are integral to ensuring that their culture continues for future generations.

The ultimate choice, regarding not only the Quileute but all indigenous peoples, is not simply whether outsiders are free to appropriate tribal cultural property. For the sake of fairness as much as law, indigenous peoples must play a significant role in decisions regarding their cultural property.