

# ATADA NEWS

A PUBLICATION OF THE ANTIQUE TRIBAL ART DEALERS ASSOCIATION

SUMMER 11

Vol. 21 No. 3  
\$5.00

**The Wedding at Toadlena**

**Member Close-Up: Marcia and Ted Berridge**

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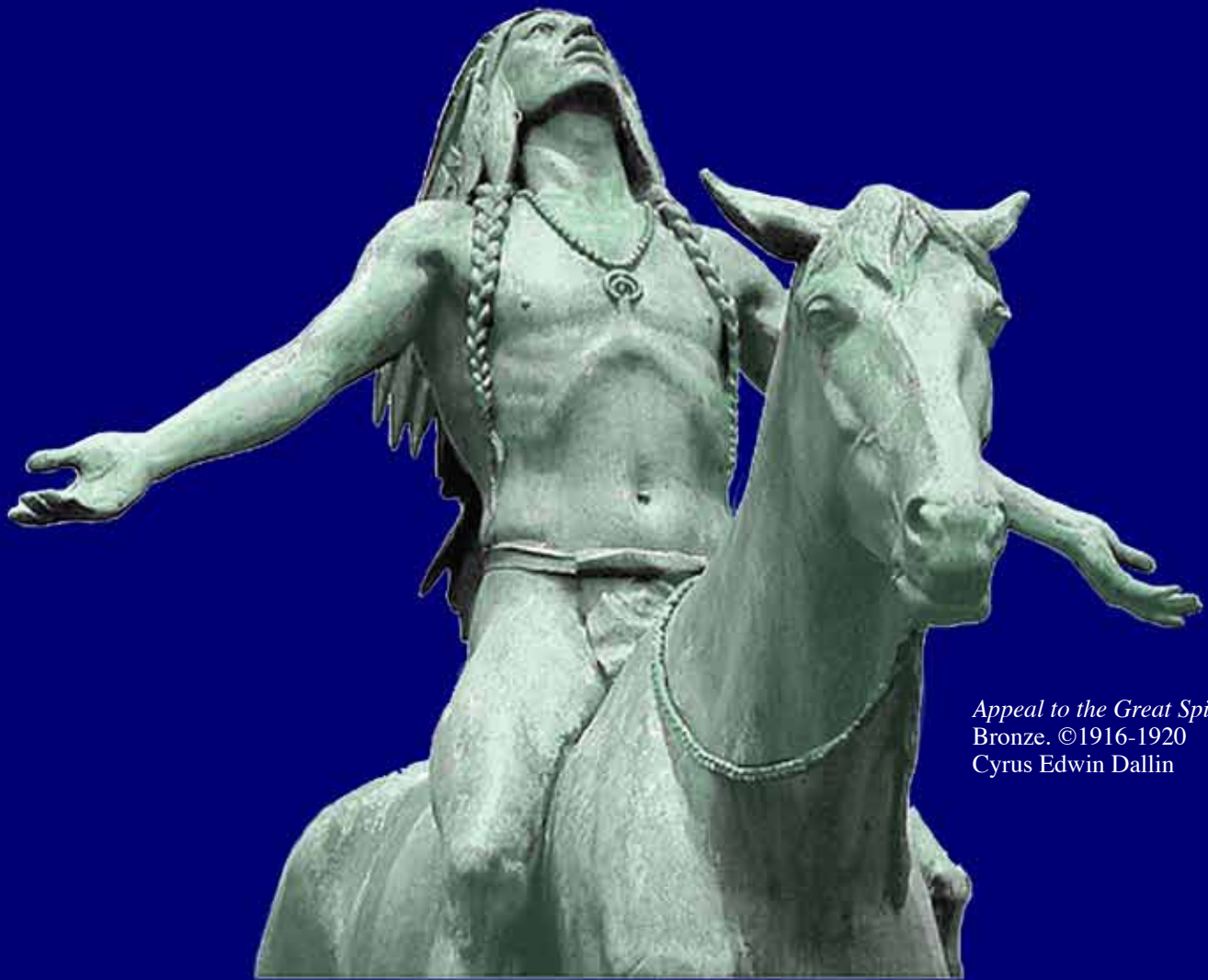
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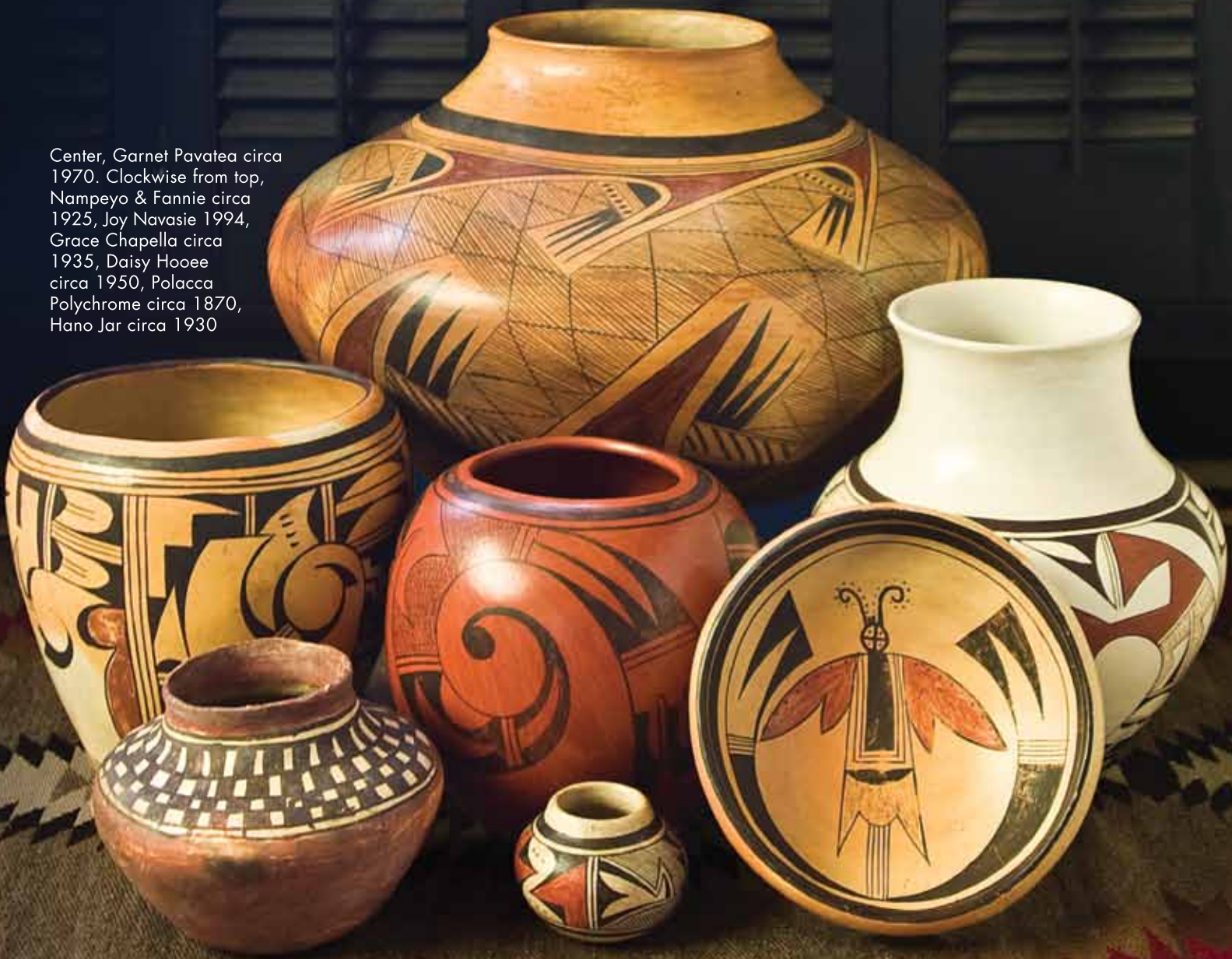
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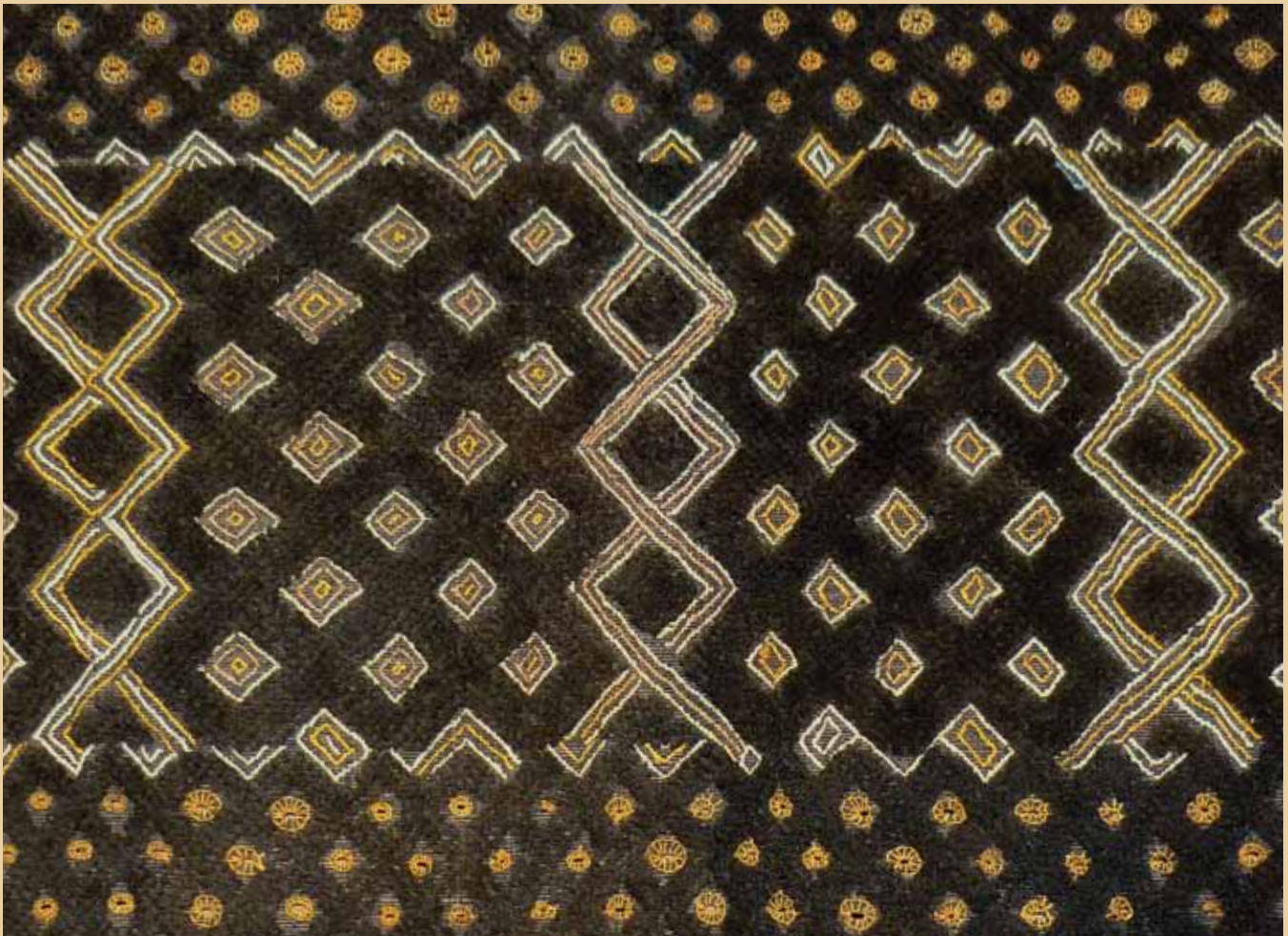


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Policy Statement: ATADA was established in 1988 as a member-based organization. Its goal is to represent professional dealers of antique tribal art, set ethical and professional standards for their trade and provide public education concerning the broad role of tribal art in the range of human experience. ATADA members are pledged to work as honest brokers, to guarantee the authenticity of their material and to provide the buying public with the available information on the age, integrity and collection history of the objects they sell. ATADA sponsors publications, conducts seminars and provides (members only) legal advice and insurance. We actively monitor and publicize governmental regulations and legislative actions that concern the trade, display and ownership of tribal art. To attain its objectives, ATADA seeks input from other organizations and individuals with similar interests.  
The ATADA Foundation is a separate, non-profit IRS 501(c)(3) entity dedicated to enhancing awareness and knowledge of the world's tribal arts, both antique and contemporary. Toward that end, the Foundation offers grants to support specific projects that advance its goal. For more information go to [www.atada.org](http://www.atada.org)

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Cover Photo: Teec Nos Pos rug, handspun with some Germantown yarn, Vallero stars. circa 1920, 50" x 106 1/2"

From the Collection of Ruth Belikove, Photo by: Ken Feehan



# President's Note

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## A Very Brief Message

This is the second issue of The ATADA News in our new format. With a more space-efficient layout, increased coverage of current events, and full color ads, we have made a transition from newsletter to magazine, while reducing the drain on ATADA's scarce resources in these difficult times.

We hope you like it as much as we do. Alice and Wes - keep up the good work!

We look forward to a summer filled with great art backed up by a busy schedule of interesting and educational events. I invite you all to join ATADA and The New Mexico Lawyers for the Arts for talks by Bonnie Magness-Gardner, Director of the FBI's Art Crimes Bureau and others, followed by a panel discussion on current issues in antique Tribal and American Indian arts.

I hope to see you all in Santa Fe this summer. Come and join the fun!

A handwritten signature in black ink, appearing to read "Archie". The signature is fluid and cursive, with a large initial letter.

## Editor's Desk

As you will see in this issue, and in the Whitehawk show program, ATADA has scheduled a busy series of events for four days (and one evening) this August. Reaching out to our members and to anyone interested in exploring current issues affecting Tribal and American Indian art is part of ATADA's mission.

We hope to see you all at many/most/all of the ATADA breakfast seminars. Come for the coffee, stay for the conversation.

If you have any ATADA-related suggestions, questions -- or if you want to say hello -- please visit our table in the lobby of the Convention Center for both Whitehawk shows, and at the first opening night of The Santa Fe Show: Objects of Art.

See you in Santa Fe --

A handwritten signature in black ink, appearing to read "Alice". The signature is cursive and elegant, with a large initial letter.





## ATADA at Whitehawk

**Friday, August 12 8 AM-10 AM**

Santa Fe Convention Center

U.S. Fish and Game agent Dan Brooks will speak to our members about what he and other federal agents are looking out for at Tribal and American Indian art shows. Brooks will be attending both Whitehawk shows, and requested specifically that he speak to ATADA members before the shows open, as the information in his talk may inform show exhibitors what not to exhibit and sell.

**Saturday, August 13 8 AM-10 AM**

Santa Fe Convention Center

Attorneys/collectors/ATADA members Roger Fry and Len Weakley present a 2011 Update of Laws Affecting the Sales and Collecting of American Indian and Tribal Art

**Monday, August 15 8 AM - 10 AM**

Santa Fe Convention Center

A round table discussion led by attorney/ATADA Associate Jim Owens on archaeological resources laws and their use by the Federal government in the 2009 raids; the ensuing court cases; and the aftermath: the results of the cases.

**Tuesday, August 16 8 AM -10 AM**

Santa Fe Convention Center

Annual ATADA General Meeting

Members and friends welcome







# Art Theft Symposium

Featuring three specialists from the F.B.I.  
followed by a panel discussion

Monday, August 15, at 7 PM  
Auditorium, Georgia O'Keeffe Museum, 217 Johnson  
Street

The speakers:

Dr. Bonnie Magness-Gardner, Program Manager,  
FBI Art Theft Program  
David Hall, F.B.I. Art Theft Trial Attorney  
David Kice, F.B.I. Art Theft Special Agent

A panel discussion will follow the talks

The panel:

The three FBI Art Theft specialists  
Kate Fitz Gibbon, ATADA board member, Santa Fe  
attorney  
Wilbur Norman, ATADA board member,  
Santa Fe Tribal art dealer  
Either Leonard Weakley or Roger Fry, ATADA board  
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## What a Swell Party it Was

Wedding guest Marcia Berridge reports on the wedding of Linda Larouche and Mark Winter June 18 at the Historic Toadlena Trading Post. Marcia's husband Ted, was with her.



The bride and groom photographed by Mark's daughter Lerina Winter

with many other guests, started arriving at the Toadlena Trading Post around 11:30 AM for the 1:30 ceremony and were encouraged by Mark and Lindy to make ourselves at home and look around.

It was a beautiful, sunny day. As guests arrived, they staked out seats for the upcoming ceremony under large cottonwood trees, on railroad tie-terraced areas and at tables under tents. Women from the community were making Indian fry bread that would serve as the base for the lunch for the 800-plus (just a guess) guests.

In addition to the wedding, events also included, to quote the invitation, "The Grand Opening of the Master Weavers Gallery, Featuring the works of the Toadlena/Two Grey Hills region's finest Master Weavers." Guests were encouraged to go through the gallery and were treated to an amazing collection of rugs and tapestries.

The wedding invitation featured a photo of a weaving, a pictorial of Mark and Lindy, a surprise from Master Weaver Pamela Brown. A photo of the weaving was also featured on

large sheet cakes to be served later in the afternoon.

Two alternating bands provided music before and after the ceremony. Well known Native American actor Wes Studi was a band member, and his wife, Maura, was the lead singer of Firecat of Discord. There was also a Colorado bluegrass band called Bluegrass Cadillac. Right after the

ceremony, a group of Native American singers and drummers encouraged the guests to join in traditional Navajo dances.

Guests were then invited to lunch. But first, 20 or so men, including dealers Bob Caparas, John Hill and John Pyson, donned hats and shirts with a photo of the Pamela George pictorial on the back, saying "Toadlena Boyz" on the front. Mark announced that he didn't want any of the Grandmothers (which included all of the weavers) to stand in line for lunch and that the Toadlena Boyz would be serving them. This was a great gesture (and the Boyz worked hard).

The guests were an eclectic group to say the least: lots of family from all over, Master Weaver friends, Master Weavers' families and friends, dealer friends, show-promoter friends, collector friends, as well as friends from the community. Visitors to the trading post who were unaware that a wedding was planned for that afternoon included two young men in crisp white shirts and black ties with name tags indicating they were Mormon missionaries. All were invited to share a meal and a glass of lemonade and stay for the festivities. Ted and I were most impressed with the outpouring of affection and respect for Mark and Lindy from the community and from their family and friends. It was a joyous event.



Images of Pamela Brown's rug, a tribute to the couple, were everywhere, including the invitation and wedding cake



# MEMBER CLOSE-UP

## Marcia and Ted Berridge

Moving seemingly effortlessly from Whitehawk show attendee to Whitehawk show owner/producer, Marcia Berridge became an integral part of the American Indian and Tribal art world when she bought the show in 2005. The two years she spent behind the scenes at the show before taking over helped her to achieve the effortless effect. With the “full-time and overtime” help of her husband, Ted, in the summer, she still makes it look easy.



**T**hey first met 10 years before they started dating, when he was president of the New Mexico Petroleum Marketers’ Association, planning a convention. She was the new catering manager at the Eldorado Hotel and was married at the time. She thought he was “so nice, so polite,” that she set him up on a blind date with her BFF.

Fast forward 10 years. She is a widow, working as director of catering and convention services at the Hotel Loretto in Santa Fe. His one-time relationship with the BFF quickly turned from a few dates to a lasting friendship, and turnabout is fair play. The BFF suggested that Ted call Marcia and ask her out. He “hesitated” for one month,

and when the BFF told him again to call Marcia, he did. “And that’s how we started dating, and it went from there,” he says now.

“It’s quite well-known that Marcia is very well organized,” Ted continues.

“Okay, I’ve been called the ‘queen of minutia,’ ” Marcia interjects.

“Organizing is one of her true talents,” Ted continues. A talent he was first exposed to when she suggested they take a weekend ski-trip to her condo in Durango, Colorado. “It was the first time a woman made plans for me. I had always been the initiator. It was a new and wonderful experience.”

Part of that experience was Ted’s introduction to Marcia’s packing technique. “When I go on a car trip, I pack absolutely everything that will fit and then some,” she says now, adding that her Ford Explorer was “packed to the gills.”

“You would have thought we’d be there for a month,” Ted says.

When they pulled up and parked, Ted got ready to unload the Explorer (“I was used to being the Sherpa who schleps everything”). But Marcia surprised him once again, telling him to go to the outside bar and watch the skiers. Five minutes later, she joined him. All the while Ted was thinking about how long it would take to unload the very full SUV. Half an hour went by and a hotel staff



Whitehawk at the Santa Fe Community Convention Center 2010 / Photo courtesy of Whitehawk

member came in and handed the car and room keys to Marcia. “She told us that she had finished unloading everything for us,

# MEMBERCLOSE-UP

and had brought in a stack of wood and lit a fire. That was basically the hook." Also the line and sinker.

Ted was 41 at this point, and had never been married. He was in the petroleum marketing business, working for his father's company, Berridge Distributing; Ted became president in the early 1990s. They were in the wholesale fuel and oil business, and owned a number of service stations and convenience stores in New Mexico. In 2001, the company merged with another, and in 2006 the combined company "got an offer we couldn't refuse." On reflection, alluding to the current economy, Ted says "the timing couldn't have been better."

Before her job as a catering manager, Marcia, who has an M.P.A. in Public Administration and Health Care Administration, was working in the corporate offices of Presbyterian Hospital Services, then a 16-hospital company, in Albuquerque. Among her responsibilities: to coordinate an annual 1500-guest management retreat in Abiquiu, NM. And a star was born. After she married her late husband and moved to Santa Fe, she got a job as a catering manager at the four-star Eldorado Hotel and realized "it was the job I always should have had."

When Ted and Marcia first got married 13 years ago, Marcia was working as a catering and convention services director working days, nights, weekends and many holidays, "a lot of the times I wasn't working," Ted says. "I asked her to do me a big favor and stop working so I could be with her. She took me up on it. But Marcia has the talent of being able to define what she wants to happen in her life, and then manifesting that vision."

One day, Marcia announced, "I found the business I want to buy." As it turned out, the Berridge's neighbor, Sherry Maxwell, was a co-owner of the Whitehawk shows. "Ted and I were fans of the shows and went every year." Once she realized what she wanted to do, Marcia approached Sherry, telling her "I'd like to buy your business." Sherry replied that she and her partner, Nikki Rivera (now married to dealer Bob Vandenberg), had a "ten-year plan" for the shows. Marcia said she'd wait, and then started working the front desk at both shows so she could "learn from the inside."

During the other 51 weeks of the year, she volunteered on the Buckaroo Ball Committee which provided grants to organizations providing services to "at risk" children of

Santa Fe County. She also volunteered as a driver for Kitchen Angels, an organization that provides meals to housebound individuals.

After about two years of volunteer work, all the time waiting for Sherry and Nikki to sell the business to her, Marcia decided one day that Ted needed to clear out his exercise room so that she could re-purpose the space as an office. When Ted reminded her that she didn't have a business or even a job yet, she told him she would.

About a month later, Sherry and Nikki told Marcia "the time was right" and the deal was done.

To quote Marcia on her sudden and full emersion into the world of Tribal and American Indian art: "I had worked with all types of groups and events. I have done hundreds of weddings and I really enjoyed working with the brides. It's highly stressful as you can imagine. Every woman, from the time she was six years old, has had a picture of the special day in her head, and it was my job to translate that picture into her wedding day. It was very satisfying when it came together, and the brides were always grateful for the effort I expended.

"Working with the dealers can also be challenging, stimulating, yet familiar. Sometimes I feel as if I have 200 brides! The dealers are demanding, but also very appreciative, and quick to give praise when warranted. The first year I produced the show in 2005, the set up was two

hours of the most frenzied, chaotic activity I had ever seen. I thought, 'What have I gotten myself into?' Then a calm came over the room and dealer after dealer found me to tell me the load-in and set-up was the smoothest they had ever seen. Oh my, I thought."

Working with the City of Santa Fe is never dull. Ted tells the story: "In our first year at El Museo, Marcia invited the Fire Marshall into the show to give his stamp of approval. Even though there had been a number of shows held at El Museo before Marcia's, this was his first visit ever. He arrived a few hours before our Gala Opening and found a number of violations, most of which could be fixed except there were no approved, emergency lighted fire exit signs inside the building. I was sitting with the attorneys signing the closing documents for the sale of my business when I received this panicked call from Marcia telling me the Fire Marshall



John Molloy 2009  
Photo courtesy of Whitehawk



would not allow the show to open unless the exit signs were installed. She told me to drop what I was doing and search the town for those signs. Talk about bad timing and being put in a bad position! We made the opening of the show, with the signs, but I think it took five years off us both."

Producing the Whitehawk shows is a year-round job for Marcia, with some part-time help during the shows in August. Ted works with Marcia in the summer, a job he describes as "full-time and a lot of overtime." They have been asked to produce other shows, but plan to stay local: "We love being in Santa Fe," says Marcia, "and if we produced other shows, we would have to hire employees. Doing Whitehawk is manageable for just the two of us. And we asked ourselves, do we really want to work that much?"

"It's quality of life vs. opportunity," says Ted. "It's a matter of lifestyle."

When asked how the economic recession has affected the shows, Ted says the exhibitors' waiting list has gotten shorter. In fact, in early June, there were some exhibit spaces available. "But the shows will be full," says Marcia, adding, "dealers do what they have to do to make it work including downsizing and booth-sharing, but they continue to do the shows. We are limited by the size of the Convention Center as to how many dealers can participate, and we are selective so we can maintain the quality our collectors have come to expect."

Marcia says the best way to find new exhibitors is by personal referral from Whitehawk veterans ("one way to keep up the quality"). She attends shows all around the country, where she hopes dealers she knows will introduce her to dealers they think would be a good fit at Whitehawk ("I try to be respectful of the show promoters when attending other shows," she says).

To ensure an audience for the shows, Marcia approaches the public in a number of ways. "The shows are definitely a destination," she says, "and we work on the promotion of the shows all year long, making sure the Whitehawk shows are listed on all the important websites. This takes a great deal of work and patience, but we feel it is worth the effort, as more and more people get their information from the Internet. We also promote the shows on websites that cater to the European collectors, as this continues to be a growing market for us."

"While we do some local advertising close to the show and even have had people handing out flyers on the Plaza," says Ted, "our target audience is not necessarily those who happen to be in town. Our national advertising focuses on a huge clientele of dedicated collectors who wait all year to visit specific dealers at the shows, and consider Whitehawk one of the premier shows in the country." Since they have been involved with the shows, Marcia and Ted

have become modest collectors of paintings by Taos and Santa Fe artists ("and good historical Albuquerque artists too," adds Marcia). They also have a small collection of devotional art. "Almost everything in our collection has been purchased at a Whitehawk show or from a Whitehawk dealer. We try to pick up a few new pieces every year. The hard part," says Marcia, "is there is no time to shop. We see things we want sold to others because we can't get to them quickly enough."

As the Whitehawk shows evolve, Ted is the first to admit that he and Marcia "can't take credit" for the biggest improvement: the show's venue at the still-new-to-many-of-us Santa Fe



Lindy Winter, Historic Toadlena Trading Post 2009  
Photo courtesy of Whitehawk

Convention Center. Their first show as producers was in 2005 they were at the Sweeney Center for one year, El Museo Cultural for three years, and now the wonderful, all-on-one-floor, reliably air conditioned, electrically stable Convention Center.

As part of their "effortless" learning process, Marcia talked to her new peers, show producers including John Morris, Kim Martindale, Bill Caskey and Liz Lees, Brian Lebel and Terry Schurmeier. "All of them were very helpful," says Marcia, "and wonderful to us."

But the strength of the Whitehawk show is also its weakness. Many of the same dealers and collectors have been buying from and selling to each other for decades. So how do you attract new, younger dealers and collectors?

"That's the million dollar question," answers Marcia, and adds, "the shows are also about providing education (thanks ATADA!) and about developing long term relationships: the show producers (Ted and me) to the dealers, and the dealers to the collectors. There is a great sense of trust among and between the dealers and collectors, and even though the economy has been difficult in the last few years, collectors continue to come to the shows to interact with the dealers. The shows have been around for 33 years, and as long as we maintain the quality of dealers and merchandise, it will continue to be around for many more years."

# Repatriation: New Life in an Old Debate

*The pros and cons, as Wilbur Norman explains, and his suggestions on the topic*

The recent turmoil in Egypt has added fuel to the repatriation debate, not least because Zahi Hawass, the recently resigned Minister of State for Antiquities Affairs, has been one of the most flamboyant voices on the issue since early 1983 when Melina Mercouri did a short film pressing for the return of the Elgin Marbles. Opinions on repatriation have been forwarded from many sides and predictably run the gamut from 'let the locals decide' to cautious, toe-in-the-water statements from the dealer fraternity. The scholarly set, for the most part, have decried the theft and vandalism in Egypt and left the war of words to others.

From the 'let the locals decide' corner I read this blog:

"It is sad if they [Egyptian antiquities] are restolen (sic), destroyed or resold to private collectors ... as many were during the golden age of archaeology in Egypt. But it is not the (sic) our responsibility to tell them how to preserve their history. They've been raiding their own tombs since the age of the Pharaohs. It is their own history that has been lost. We have enough of our own to discover and preserve.  
- <http://www.blufftontoday.com/blog-post/original-gangsta/2011-03-04/got-ya-zahi-hawass-limits>

**Opinions on repatriation have been forwarded from many sides and predictably run the gamut from 'let the locals decide' to cautious, toe-in-the-water statements from the dealer fraternity.**

From the antiquities trade (International Association of Dealers in Ancient Art, Cologne, Germany) we can read the following mild sentiment: "the incidents during the Egyptian revolution could be taken as a basis for a change of discussion."

A natural consequence of the first voice would seem to be, for example, that the destruction of the Bamiyan buddhas in Afghanistan, while unfortunate, is, or was, really none of our business. In this light people have the right to determine what happens to cultural patrimony within their sphere of power (well, the powerful people do, anyway.) This view, as

odd as it may sound to culture mavens, finds some expression in UNESCO's simple equation that cultural property = national patrimony. That is, the current government of a country has the decision-making authority over all cultural items found within its borders whether or not the existing, modern culture and peoples have any connection to the cultural material in question. This position is hardly surprising considering that UNESCO is a part of the United Nations, an organization of nation-states that seek to maximize their own interests. This is why it is perfectly legal for Libya's Col. Gaddafi to sell antiquities in London from the great Roman ruins at Leptis Magna (yes, he has) and why it would be illegal for me, or an ordinary Libyan for that matter, to spirit a few things out and consign them to the sales rooms.

Hawass, responding to current musings on the early 2011 Egyptian upheavals and his government's failures to successfully secure, in a timely manner, its museums and storehouses, offered this sound bite:

"Arguments against repatriation because of the current situation in Egypt are completely wrong.... If the police left the streets of New York City, London, or Tokyo, criminals of those cities would smash the Metropolitan Museum of Art, the British Museum, or any other museum in those cities."

As there are always criminal elements waiting for an opportunity, Hawass may be correct but a natural or industrial catastrophe is a far different animal than political instability, even if the after-effects of both may have similarities. Deep, game-changing, political instability is not part and parcel of the so-called western democracies though safety of artifacts is always, like freedom, a relative thing.

As it happens, we have a tragic, instructive example coming immediately on the heels of Hawass' comment. After the March 2011 tsunami in Japan, people stood in orderly lines at supermarkets, among other good-citizen behaviors, and bought only what they needed so as to leave supplies for others. No riotous behavior ensued and no banks were robbed. Oh, and no museums were looted (even as known members of the organized crime syndicates, the Yakuza, assisted in relief efforts).

Can we use the 'home' country's ability to care for returned artifacts in the course of ordinary stewardship as a factor in repatriation debates? Perhaps this is a key question in light of the oft-heard, "they can't take care of what they have!" Some of the dreariest, needy museums I have visited are in



western, democratic countries. The state of many displays in Italy's premier museums is but one example. And as for stewardship, one only need look to Italy's Culture Minister, Sandro Biondi, for a telling comment. Writing on the recent collapses of famous buildings in Pompeii (15 have crumbled since 2008) he penned, "The [recent] collapse did not involve anything of artistic, archeological, or historical worth." This, at a site visited by more than 2.5 million tourists each year, each of whom pays Euro 11 for a visit! I must add, as a personal note, that not once in a month-long visit to Italy last year (where many signs in Pompeii tout the importance of these fragile structures) did I see in any museum any Italian contributors' names on the label under a work of art naming the benefactor who paid for a work's restoration. Surely they must exist, but all the names I read appeared non-Italian. (I concede that some names could have been Tyrolean.)



The Author at Pompeii

We Americans, of course, cannot lay any claim to taking care of our non-displayed cultural heritage any better than some so-called Third World countries. In his December 2009 report, Museum Collections:

Accountability and Preservation, the

Office of Inspector General of the U.S. Department of Interior (DOI) wrote,

"Our audit found that DOI is failing to fulfill its stewardship responsibilities over museum collections. Specifically, we found a widespread failure to properly accession, catalog, or inventory museum collections. At DOI facilities [holding an estimated 146 million items], elements of the Nation's heritage are being neglected and forgotten in thousands of boxes that contain millions of objects neither identified nor accounted for. Additionally, DOI has little idea of what museum collections non-DOI facilities hold."

Would you want to give your cherished items to an institution or country with this report card?

But, having written this, there are compelling arguments,

indeed, for the return of artifacts, especially those recently taken from their land of origin. (Iraq comes readily to mind.) Just as raw materials moved from "less-developed" economies to the more developed ones, so too, has art. I find the rebuke of culture writer Kwame Opoku a thought-provoking one:

"A person who steals my Mercedes-Benz may be a better driver than myself and may even look after the vehicle better

**Deep, game-changing, political instability is not part and parcel of the so-called western democracies though safety of artifacts is always, like freedom, a relative thing.**

than I can ever dream of doing. But would his skill in driving or his excellent maintenance affect the property relations involved?" – Dr. Kwame Opoku, *A History of the World with 100 Looted Objects of Others: Global Intoxication?*

At the same time I find Fayza Haikal's argument a more emotional and less compelling one:

"I believe that people who use the revolution [in Egypt] as an argument for not returning artifacts do not even deserve to be taken into consideration. These people are taking advantage of a dramatic situation to justify their point of view, a fact that is unethical and better ignored". *Egypt's Museums XXV: 'Our open-air museum'. A Q & A with Fayza Haikal, Egyptology professor.* - <http://www.almasryalyoum.com/en/node/360092>

Yet, despite Opoku's logic, I do find myself torn on the many variations in repatriation as the issues very often do not lend themselves to a black or white, right or wrong summation. As in life, there is nuance; there are shades of grey. On one hand I think of Dr. Opoku's comparison and, on the other, posit the question, why hand non-transparent governments the plum of repatriation when these governments are, by their authoritarian and totalitarian nature, unstable? The bubbling ferment of the dispossessed is always just under the surface and the safety of artifacts, more likely than not, will eventually come into question as such governments rarely go peacefully. Some would say, however, that the internal workings of a country are no one else's business.

Western institutions obviously are not blameless in the age-old grasp for the rare and beautiful, just simply the current target. And well might they be in a number of cases. The hubris of the Getty in behaving much like any arrogant, rich,

western country comes to mind. In their relations with Italy over the famous and iconic cult statue of a goddess usually identified, probably mistakenly, as Aphrodite, their modus operandi was deny, deny, deny and stick their heads in the sand. The long-drawn-out end result is that they gave up a curator as the sacrificial lamb, sullied their reputation and lost 40 artifacts. Much of their distress would have been avoided if they had done the right and honorable thing in the first place: given up those pieces with a recent problem provenance.

It is also obvious that formal repatriation is not the only possible method of art restitution. We need only look to the Chinese to see individuals rapidly buying back their cultural patrimony. One day, presumably, these items will enrich Chinese museums as bequests of their current owners. (Although China also is said to have created research teams in the last few years as a possible prelude to repatriation claims. These teams have been pouring over the catalogued holdings of western museums. They appear to be searching for, in particular, items from the 1860 sacking of the Old Summer Palace during the Second Opium War – carried out under the orders, by the by, of the 8th Earl of Elgin, son of Lord Elgin of Parthenon marbles fame.)

If Nigeria wants re-possession of Benin art that was taken in the nefarious British 1897 'Punitive Expedition' (for a description of the sacking of Benin see this short video: <http://www.youtube.com/watch?v=Nh2Tac1gNPU>), could they not continue to buy them back with their oil revenues? Or, use some of the money that goes into the pockets of the corrupt? So what that the bronzes were taken by force? However terrible and bone-headed war may be, it is one of the constants in human interaction. For most of human history the gathering up of the defeated's most precious objects was a staple activity for the victor. How far back in time do we go with transferring cultural material back to its 'rightful' owner? The restitution of Nazi-looted material from WWII has sharpened this dialogue, but may not tell us much except that the attempt to make whole (in an art sense) those affected, benefits from the fact that they are (or were) Europeans and, hence, are 'more like us.' The return of Nazi loot is also about returning material to individuals whereas most other current repatriation dialogues involve countries.


Where do we draw a statute of limitations on artifact restitution and do we start the clock from the time taken or from when their return is sought? Should the famous Horses of St. Marks in Venice be returned to the Hippodrome of Constantinople from whence they were looted in the Fourth Crusade of 1204 AD? Or, should they be re-installed on the island of Chios, where, under Theodosius II, they are mentioned in the 8th or early 9th century? Or, might they be given to Greece since there is a belief and possibility that the 4th century B.C. sculptor Lysippos created them? Perhaps we ought to suspend judgment until science decides if the horses are actually the product of a Roman hand, as some metallurgists believe. As if this is not confusing enough, the horses did once leave Venice, residing in Paris as Napoleonic spoils of war before they were given back to Venice in 1815!



Yiheyuan (New Imperial Summer Palace). Photo by John Thomson, 1871. (Courtesy of the Wellcome Library, London)

Is Spain really entitled to the \$500 million cargo of coins (as a Tampa, Florida court has ruled) that were salvaged in 2007 by Odyssey Marine Exploration from what is thought to be the wreck of the Nuestra Senora de las Mercedes? The frigate was deep-sixed by the British in 1804. Peru and descendants of Spanish colonial figures who had private material aboard have also made claims of ownership. Spain argues the treasure comes from a flagged naval





vessel and even though no attempts were ever made to salvage it in international waters, they say the coins remain Spain's. But what of the rights of Peru? What of the rights of the descendants of the thousands of slaves who worked the mines from whence came the silver to make the estimated one million coins? What of the rights of the descendants of the indigenous peoples whose artifacts were melted down to mint the coins?

Perhaps we should take repatriation claims to their logical, silly maximum? One of the hallmarks of any given culture or country is its languages. Is there anything that types a people/culture more than its language? Why not rule that languages can be spoken only in their country of origin, by the people born there? Why not stipulate that coins and currency can only be used in their home country and repatriate all the world's physical money right away?

Why not, indeed! For me the answer is that, just as in matters of art, the necessary exchange of the world's ideas and commerce is made possible by the ability to communicate outside of one's native language anywhere in the world. Likewise, the necessary buying and selling of commodities is supported by the ability to exchange monetary instruments any and everywhere. And just as these exchanges often take place between partners unequal in power, knowledge, and willingness to parley -- in fact often between unwilling partners == transactions still take place. While I hesitate to say it is the way of nature, it is the way of men. Are we to stipulate that Spain ought to pay enormous and long-term reparations to countries in Central and South America because they looted the physical and human wealth of those lands? Ought Africa be reimbursed for the generations of misery sustained during and after the slave trade? How would we even approach such tasks?

In the same way, it seems to me to be a Pandora's box without resolution to empty the world's western museums of their long-held art to fulfill a 'restitution' demand from the countries that say this material is rightly theirs. I count myself among those who believe it better to begin dialogues for the long-term loan of cultural material in both directions.

A final note: Art loans seem to be going in the opposite direction. Since I wrote this in March, the Czech Republic has withdrawn many loaned artworks around the world, fearing their legal seizure. This stems from a successful (so far) suit brought against the Czech government by an individual and his company. He has filed seizure petitions in Austria and France, among other countries, to take possession of Czech-owned art to pay for the judgment. Austria has actually

taken 3 artworks into custody. Along similar lines, Russia has banned loans to U.S. museums in retaliation for a U.S. judge's ruling it must return some 37,000 books, manuscripts and pages of rabbinic writings (known as the Schneerson Collection) to the Jewish group Chabad. The group was founded in 18th century Russia, and the materials had been seized during the Russian Revolution and World War II.

Lastly, Zahi Hawass, who always seems to land on his feet, has a new appointment from Egypt's Prime Minister. He is now the Minister for Antiquities, surely good news for Egypt if bad news for some of the world's museums.

See the Media File on page 38 for more about the Czech situation.

# COLLECTOR'S CORNER

Following a familiar arc, collector Ruth Belikove started as a fan, became a collector, then a dealer, and now, is a collector again. She “fell in love” with Teec Nos Pos rugs (“how could you not?”). Here’s how it happened.

Ruth Belikove



Thirty-three years ago, Ruth Belikove became a widow. After her husband died, she continued to live in their house in Metuchen, New Jersey, and continued to work as a school librarian, a job she loved. Then, three years later, she retired and began to travel. “But after many trips, including five trips to Sri Lanka

go, then introduced me to Tyrone Campbell, who was the textile consultant for their current show. It was an awkward moment. Should I invite Mr. Campbell to go with me or not? What have I got to lose, I thought. If he doesn’t like it, too bad. He loved it.”

Teec NosPos rug, c1925, 62x107, 2 wide borders, handspun  
Ruth Belikove Collection

where I lived with a family, I realized how much I needed something to keep me busy. I found myself going to New York City a lot, even without a specific plan.”

Then her new direction came from an unexpected source: friends in New Jersey who had started to collect Native American pottery and kachinas invited her to dinner to see their collection. Lightning didn’t strike, but after the first dinner, they called again, asking her to accompany them to an opening at Gallery 10 in New York. “Another new experience! My friend was returning a concho belt that hadn’t fit his wife. ‘You should buy it,’ he suggested. ‘Don’t be silly,’ I said, ‘how could I wear that to the opera?’ ”

But in fact, she did buy the belt – which would actually look good at either the Santa Fe or the Metropolitan Opera -- and “wore it 360 days a year. Everybody noticed it and commented. I also bought a necklace that needed restringing.” Not a bad start for a fledgling collector.

Soon after that, Ruth went to the city to attend an exhibit at the Asia Society, where she served as a volunteer. “Gallery 10 was around the corner from the Asian Society, so first I went there to pick up the re-strung necklace. While talking to Phil Cohen, I invited him to join me at the exhibit. He said he couldn’t





Tyrone invited Ruth to lunch to thank her for her invitation, and with lunch came “Chapter One of Tyrone’s History of Navajo Weaving. I guess I was a good listener, because he asked me to lunch again, which was Chapter Two. I was getting an education, and it was interesting.”

With her new connections and knowledge, what Ruth calls “a whole new world” opened up. “When Pueblo potter Dorothy Torivio and Navajo jewelers Gail Bird and Yazzie Johnson had a show at Gallery 10 in New York, Phil invited me to go to dinner with them. I was thrilled and excited. I sat next to Dorothy, said I was from New Jersey and told her she was the first Indian I ever met. We talked about families, the usual things any two women have in common, and when we said goodnight after dinner, she hugged me. Wow!”

Three months later, Ruth visited Tyrone in Albuquerque. Along with continuing her textile education, Tyrone told Ruth about the flora and fauna of the desert. They went to the Case Trading Post, where, after looking around, “Tyrone showed me what he described as ‘a terrific piece.’ I’d never heard him use that word before. It was a Late Classic serape, I bought it, and I still have it.

“I thought I’d buy ‘a little something from Santa Fe’ to take home and show my friends. But this purchase changed that pattern. I was getting more interested, more committed and more educated (of course, there was lecture with everything). I was looking for something to do, and I found it. Knowing that I need a focus, I asked Tyrone if he wanted to go into business with me.”

And so Campbell-Belikove was born, in 1986, in Metuchen, New Jersey. And for five years, it worked. C-B had an exhibit at Herschl & Adler Gallery, where their Navajo weavings were hung with work by Kenneth Noland, Donald Judd, and other contemporary artists who were influenced by Navajo blanket design. They even sold Navajo textiles -- briefly -- at one of New York’s premier home furnishings stores. “We tried to train the salespeople, but they were very hesitant. They were used to Oriental rugs... We made a real effort, and if we’d succeeded, it would have been great for New York.”

Perhaps the highlight of the C-B story was “Historic Navajo Weaving 1800-1900,” an exhibit at the Zimmerli Art Museum

at Rutgers University in New Brunswick, NJ. The textiles came from an unidentified collector who owned what guest curator Tyrone Campbell told *The New York Times* was “the largest private collection in the world.” A catalog was published and the show was reviewed in *The Times* (“extraordinary Navajo weavings - pulsing with color... a spectacle of breathtaking color and dynamic graphics”).

“We ran the business out of my house in New Jersey, buying and selling, retail and wholesale. We did shows. My living room walls were dotted with pinholes because everything that came in went up on the wall for evaluation.”

Five years later, when Tyrone and Ruth left New Jersey for Scottsdale, “we were among the premier dealers in the country for really great material.” But when they got to Scottsdale, they closed the business and Tyrone joined Gallery 10. Ruth needed to find substitute activities in a hurry. She thought about “what made me happy.” The answer: ballroom dancing. And another chapter began.

She signed up for lessons, and was assigned to an ASU student who hoped to become a doctor and was teaching dancing to pay his way

through school. “Naturally, I wanted to help him, I couldn’t give him money, but I could take a lot of dance lessons. And while we were dancing, I discovered how bright and smart he was. Conversations were very much part of our lessons. He was ‘my Jeff,’ and together, we entered my first dancing competition – and won. It was like going to the race track for the first time and winning – so lucky. I went on to dance in all of the major competitions in the country. I loved it. It meant dressing up in ball gowns and wearing false eyelashes and dangling earrings.” Jeff is a chiropractor in Portland now, and they are still friends.

Then Ruth “had an epiphany. I had four grandchildren in California with no nearby grandparent.” Greatly influenced by the role of the grandmother in Navajo culture (“it was the grandmother who told the stories, made the lunch”), she became that grandparent, moving to the Bay Area, “one of my best decisions ever. Now those kids will have memories, good or bad, but memories.”

Ruth’s specialty is Teec Nos Pos rugs, dated from 1910-1950,



Teec Nos Pos rug with three female yei figures, circa 1915-20, 54" x 106".  
Ruth Belikove Collection



Teec Nos Pos rug, handspun with some Germantown yarn, four borders, circa 1915, 44" x 64"  
Ruth Belikove Collection

"most of them 9's and 10's," as Gallery 10's Lee Cohen used to say. Why Teec? "I fell in love with the style – how could you not?" She became "a true collector," buying one thing at a time, being "very selective."

to collecting Classic material for its value, although I find the art less interesting visually than Teec weavings." Spoken like a true collector.

She concludes, "I have had one of the best times of my life 'walking in beauty' and meeting so many terrific people. Thank you all."

She remains active in the Indian art world, going to shows and exhibits, and she exhibits some of her Teec collection at museums and galleries, including the California Academy of Sciences and the Museum of Indian Arts and Culture in Santa Fe. She recently contributed both rugs and Pueblo pottery to an exhibit focused in depictions of corn at St. Mary's College across the bay from San Francisco.

She continues to do research, looking for the elusive missing link between Oriental rug designs and Teec Nos Pos rug designs. "How did this happen? What inspired the weavers?" The trader there never displayed pictures of Oriental rugs as J. L. Hubbell did at Ganado. The trading post was so remote that when it rained, it was inaccessible. This mystique, this mystery led Ruth to research and publish "The Rugs of Teec Nos Pos: Jewels of the Navajo Loom."

"I found no information in my research that established any connection to Oriental design in the Tees Nos Pos culture. But it was fun, especially for a librarian, to do the research."

She also continues to buy -- "you can't ever stop" -- but would "love to find someone to buy the entire collection. My children don't have the time to take on the responsibility of a large collection."

Ruth collects other things – contemporary pottery by Maria, Margaret Tafoya, Al Qoyawayma ("Al Q"), and Jody Folwell – "but not in the same way as Navajo textiles." She also collects fine art, folk art, Rio Grande weavings, and jewelry, "but not like Marti Struever. What red-blooded American woman would let a beautiful piece of jewelry pass her by?" she asks. "I loved shopping with Jay Evetts and Bob Gallegos," she adds.

"If I were starting again," she says, "I might pay more attention



# In Memoriam: William Jamieson

*"Like a lighthouse for the arts in Toronto" – Kip McKesson*



photo: james ireland / [www.jamesireland.ca](http://www.jamesireland.ca)

The tribal art world lost one of its endearing originals on July 3rd with the passing of Billy Jamieson, one day after his 57th birthday. The preliminary coroner's report lists cardiac arrest as the cause.

William Jamieson, known to friends as Bill or Billy, was employed by Canadian Customs and worked as a building contractor before finding his real vocation in the

world of tribal art. Though he may be remembered as an engaging and enthusiastic collector of shrunken heads and other oddities, Bill was a serious dealer, at times obtaining record prices for his objects. Never one to shy away from publicity, he was in the process of completing the first season of a series for the History Television channel.

Since 1997 he had been a member (and Vice Chairman) of the Canadian Chapter of the New York Explorers Club. His membership was based on his interest and travels to the Amazon (five times between 1995 and 2001) focusing on the Jivaro's Shuar people. He is said to own the world's most extensive library and archival photo collection relating to the Shuar.

In an example of the business acumen that made him a successful dealer, Jamieson bought the Niagara Falls Museum in 1999. Among its riches were nine Egyptian mummies that he sold to Emory University's Michael C. Carlos Museum. Study confirmed that one of the mummies was that of Pharaoh Ra-

meses I. It was eventually repatriated to Egypt with a PBS TV special covering the whole story.

In one of his many interviews Bill is described as a "modern-day treasure hunter, an ancient and tribal arts collector and dealer. ... Part P. T. Barnum, part Indiana Jones.... with a rock and roll sensibility." Nowhere was this more in evidence than at the legendary Halloween parties held at his incredible ("collector chic" wrote the *Globe and Mail*) Toronto home occupying the entire floor of an old warehouse. The evening's events began with the annual meeting of the Explorer's Club at 7 pm and segued into the costume party later in the evening. Always fond of practical jokes, Bill once invited fellow dealer Kip McKesson to the Club meeting and party saying it was OK to come to the Club meeting in costume as "most people do." When Kip and a friend showed up they were, of course, the only two in costume for a meeting whose membership is rather obviously 'upper class.'

I will always remember Billy as one of the most enthusiastic, energetic and non-judgmental people I have had the privilege of calling a friend and our condolences go out to his fiancée Jessica Phillips and his son Jordan.

As a final coda, there is some small, parting comfort to think that Billy would give a long, hearty laugh to know that the office of the Chief Coroner of the City of Toronto telephoned the studio of artist Mark Prent to determine if the white box they had found at Billy's house contained a "real body." It is actually a 1972 Prent sculpture made of polyester resin and fiberglass. As the Prents write, we "are confident that Billy would have approved."

- Wilbur Norman

# About ATADA's Members-Only Insurance

*Q & A with Gaile Sweeney, Fine Arts specialist at Flather & Perkins*

## **How old is the company?**

Flather & Perkins, Inc. [F & P], located in Washington, DC, was founded in 1917.

## **When did the F & P relationship with ATADA begin? Who approached whom to start providing insurance to members?**

Around 2000, Marcy Burns, the former ATADA president and one of our clients, approached Bruce Perkins, whom she knew, and asked about getting coverage for ATADA members. She was familiar with the fact that we had specialized in fine arts coverage for more than fifty years.

## **Do you provide insurance to other dealer & collector organizations?**

ATADA was the first organization of its type that we worked with. Afterward we thought, why not add other organizations to our roster? We now have several including the Art & Antique Dealers League of America, the Antiques Council and Antique Dealers Association of America.

## **What sets F & P apart in the insurance world?**

As I mentioned, we have more than fifty years of experience in the fine arts field – and that includes work with both dealers and collectors. A big advantage is that our president, Bruce Perkins, was once a dealer in Middleburg, VA. He collects Chinese Export Porcelain, so he knows the business as both a dealer and a collector.

## **Who at F & P handles the ATADA accounts?**

I [Gaile Sweeney] work with the commercial dealer accounts and Denise Hiner handles collector accounts.

## **Does F & P recommend appraisers to its clients who need such services?**

We do not offer referrals for appraisers or conservators. If anything goes wrong we stand to be in the middle and that is not a position we want to be in. In any case, private collectors tend to ask their network of dealers for referrals and deal-

ers already have their own network of experts. I don't think I have ever been asked this question since I started fine arts work in 1997.

## **Has ATADA's claims record been in line with claims from similar organizations?**

The third year of our relationship with ATADA, we paid out more claims to your members than we took in premiums. It was a bad year for us in our relationship! [laughs] Most of the money went to transit claims which always represent the bulk of payouts. We expect to pay claims – that's why people buy insurance, but that year was pretty bad.

But then, one of our underwriters from AXA Art Insurance wrote an article about how to properly pack items that are being shipped, and Roger Fry [ATADA lawyer and Board member] made it known that members ought not nickel and dime the company with their insurance claims. Since then our relationship has been a good and successful one. It is one of the best!

People look at insurance and ask, "Do I really need to pay this premium?" I ask, 'What limits do you need to get back on your feet in the event of a fire that wipes you out?' I say it is less important to worry about someone walking into your gallery and taking three pots, or whatever, or your shipper flattening some baskets than it is to worry about the big catastrophe that will wipe out your business.

## **What things do you suggest our members do before they call you about insurance?**

Get a good handle on inventory! The 'valuation clause' drives the amount of insurance you need to be compensated for a claim: cost plus 20% or selling price less 20%, whichever is greater. You do need to have your cost and selling prices handy for a proper quote.

Those who come to us without already having insurance require more information gathering. The most important thing is documentation! We are not talking about aggregate receipts that read, "5 items, \$100." We are talking about actual invoices that detail what you bought.

A verbal lending agreement, where you take something from a dealer friend at an exhibition to show one of your customers, is also not going to be covered. It does not meet the requirements of a consignment agreement that is contracted in writing. This is especially important, now, where many dealers have customers who bought items twenty years ago and those customers are at the point where they are letting some of that property go and want to consign it back.



We also find that dealers are taking more consignments at this time in order to avoid tying up their cash. A written consignment agreement ought to contain the lowest agreed consigned amount, that is, the net amount that you pay the consigner. I cannot point out too strongly that consignment agreements must be in writing and must be specific.

**Gaile, when did you start with F & P? Were you in the insurance industry before this? Are there special challenges in this business that keep you engaged in the work?**

I started with F & P in 1994. Previously, I worked in Richmond, VA, for Liberty Mutual, beginning in 1983. I wanted to move back up to northern Virginia where I grew up and wanted more challenging work. I had done everything I could do in my previous job and F & P provided more challenges. I got involved with the fine arts policies in 1997.

**I know that every other year you come to Santa Fe to solicit business. What do you think of our city? Are there special places you like to visit when here?**

Denise and I rotate going to Santa Fe to advertise our policies to ATADA members (and anyone else, for that matter.) I think my first visit was in 2001. Some friends gave me a list of things to do and it took two visits to cover them all!

I'm really an East Coast girl, however. I like the oceans and green mountains and the distinct seasons here where I live. Having said that, I love visiting Santa Fe because of the ATADA dealers. The area is also such a cultural change for me. I've been to a pueblo Feast Day, took a zillion photos of mesas and buttes, and have been on several tours of cliff dwellings – my favorite.

**Do you collect anything?**

I don't collect. I inherit. [laughs]

But seriously, I have learned an awful lot since beginning working with ATADA members. Like about tribal art from all over the world, not just American Indian art. Prior to this I had only had experience with paintings, furniture, etc. A lot of your organization's dealers have opened my eyes to new things!

# Theft Alert

*For details and older postings, please  
access [atada.org](http://atada.org).*

**Contemporary Navajo Weaving  
Stolen from a Santa Fe, NM  
Gallery, May 28, 2011**

**Iroquois Pipe Stolen from a  
Rochester, NY Museum,  
April, 2011**

# ATADA

## Board Meeting Minutes

*Telephone meeting*

*April 1, 2011*

*On the phones:*

*Roger Fry*

*Kate Fitz Gibbon*

*Aiice Kaufman*

*John Molloy*

*Clinton Nagy*

*Wilbur Norman*

*Arch Thiessen*

*Len Weakley*

The board discussed the article by Chris Kortlander ("Another Battle at Little Big Horn," published in the Spring issue) and agreed that the ATADA News should publish the story.

Arch described the "beta version" of the ATADA News in its new format, "a better version." [Ed: This is the second issue of the beta version, which we still look at as an improving work in progress.]

John Molloy commented on the role of auction houses in our market. Much of the material sold at auction houses comes from ATADA dealers [Ed: John recently joined Christie's as a consultant.] John believes that provenance is important, that if no provenance exists, it is the dealers who should initiate the process, not the auction house.

Kate said that provenance, even if recent, legitimizes material and always should be provided to purchasers. In her law practice, Kate said that she is "routinely asked to provide information on Peruvian material. Our dealers sell Peruvian."

John Molloy replied that most ATADA dealers sell historic Native American material, and don't have most of the problems of a dealer selling old Peruvian material.

Kate said that her clients "work with antiquities. Agencies have been asking questions, and auction houses and dealers need provenance." But, although her comments are limited to Peruvian material only, she warned that the federal government is paying "more attention," and that perhaps they might start to ask people to supply provenance for Native American material too.

The idea of writing a letter to auction houses asking them to demand – or initiate – provenance, has been discussed at previous board meetings, and when it came up again, Arch

said that writing only to auction houses might make them feel "picked on unfairly. ATADA should write a letter to everyone, not just auction houses."

Len said he thought there should be two letters – one to members, one to auction houses.

Roger said that we could combine both letters and publish the result in the ATADA News.

Kate offered to make notes and suggestions for such a letter.

John said that "an article on the case for provenance could be useful" and said he would try to write it.

Wilbur said that provenance is a "pet peeve" and the issue will have to be addressed by the government or "it will never happen. Many people want to protect their sources."

Kate: "If you know the provenance, write it down. If you don't know, state that you don't know of any illegal transaction. Start the clock somewhere." Kate suggested a statement from the seller, saying what he/she does know about the piece. "If there isn't a provenance, start one."

Arch said that John will need concrete examples for his article.

Kate said that the Kortlander case wouldn't have happened if he had gotten an affidavit stating that the piece was legally collected. "It is in one's interest to protect one's self."

Kate offered to circulate examples with names removed.

It was decided that we would not write any letters at the moment.

John: "We need a form for provenance similar to the ATADA guarantee."

The meeting was adjourned.



## From ATADA's email: The "Loyola Professor"

*ATADA member Jeb Taylor sent the following letter to The ATADA News in June, 2011:*

In regard to the excerpt "Loyola professor" in the Spring 2011 issue of ATADA News regarding a sting operation reported on by the Chicago Tribune involving collectors and a prominent archaeologist, I feel compelled to make several comments. Partly because this issue has very negatively impacted the already tenuous relationship between amateur and professional archaeologists--and partly because I was indirectly involved with it.

The relationship between amateur and professional archeologists has been one of constant divergence from a common origin over the last 50 years or so. Historically, both professional and amateur archaeologists were artifact hunters. The primary difference between them was that amateur archaeologists hunted for themselves and professional archaeologists hunted for institutions. Professional archaeologists were generally better funded and equipped than amateur archaeologists, but initially, their motives were quite similar.

As time passed, however, professional archaeologists began to concentrate more and more on the acquisition and accumulation of information and knowledge--while amateur archaeologists continued to concentrate on the acquisition of prehistoric artifacts as objects of art, primarily recognizing their esoteric and economic value.

As more time passed, professional archaeologists witnessed the wide-scale destruction of many important cultural sites--solely for the acquisition of artifacts. Sites that could have provided valuable information and knowledge of past cultures if they had been excavated under controlled conditions. Not surprisingly, they objected to that practice and worked to establish laws restricting and/or forbidding the un-permitted excavation of archaeological sites--at least on public lands. Currently, permits are only issued to professional archaeologists.

The gulf between professional and amateur archaeologists began to widen, and a general animosity ensued. However, as even more time passed, both factions began to realize that they needed each other--but neither side was, or is, quite willing to admit it.

I recently completed a book titled "Projectile Points of

the High Plains." It required tracking down all of the type site points from all of the type and otherwise significant High Plains sites in the United States and Canada. While researching the history of those sites I was amazed to find that more than 80 percent of them were discovered by amateur, rather than professional, archaeologists. In fact, if the US Department of the Interior had not decided to build



Teec NosPos rug, c1915, wide borders , handspun, synthetic dyed wool. 2 center crosses, medallion border  
Ruth Belikove Collection

dams all over the west, and had not surveyed the areas to be flooded, the contribution by professional archaeologists to the discovery of sites on the plains would have been insignificant. In truth, what we now know about the prehistory of this continent is due to a large degree on discoveries made by amateur archaeologists--which leads us to the topic of the recent sting operation in New Mexico that was initially reported on by the Chicago Tribune and later commented on by the ATADA News.

Four or five years ago, an amateur archaeologist from New

Mexico named Don Musser informed me that a friend of his named Scott Clendenin had discovered a number of paleo era sites in New Mexico. They believed that the location of the sites should be recorded and asked if I knew any archaeologists that would be willing to work with them.

Paleo sites are rare in North America, so the discovery of new ones are always exciting events for archaeologists. Every one has the potential for providing new and important information. Consequently many professional archaeologists would have wanted to know the locations of the sites Steve and Don had discovered, but most of them hold amateur archaeologists in such disdain that they refuse to work with them--most, but not all.

Some professional archaeologists have managed to transcend that barrier; and in so doing have arguably advanced our understanding of North American pre-history considerably. I have dealt with many of them, however, one, Dan Amick, whose focus was the Folsom complex on the southern Plains, seemed to be the ideal candidate. I contacted him and he expressed an interest in corresponding with amateur archaeologists. Consequently, I shared Dan's contact information, assuming that any forthcoming relationships would be beneficial.

I did not stay abreast of the situation, but several years later, I ran into Dan and he told me that he had been working with some amateur archeologists to document the locations of the paleo sites that they had discovered and was recording the artifacts that had been collected from them. Dan seemed pleased with the data that he was accumulating as a result.

I always assumed that at least some of the sites that these and other amateur archaeologists had discovered were on federal land. This concerned me slightly because federal agents had recently begun to cite collectors for picking up arrowheads on public land--claiming that it was theft of government property as defined by the 1906 Antiquities Act. However,

I, like most amateur and many professional archaeologists regarded the Archaeological Resource Protection Act (ARPA) of 1979 as the preemptive law regarding the surface collecting of arrowheads on public land, and ARPA specifically allows it.

The stated purpose of ARPA in 16 U.S.C 470aa Sec. 2b is:

... to secure, for the present and future benefit of the American people, the protection of archaeological resources and sites which are on public lands and Indian lands, and to foster increased cooperation and exchange of information between governmental authorities, the professional archaeological community, and private individuals having collections of archaeological resources and data which were obtained before the date of the enactment of this act (1979).

Most of this statement seems quite clear, but does the section about private individuals having collections of archaeological resources and data which were obtained before the date of the enactment of this act (1979) pertain specifically to excavated collections, and if so was it the intention of the enactors of this legislation to exclude archaeological resources collected off the surface of the ground after 1979? COE, USFS, and BLM personal say yes, but if so, why did the enactors also state in Section 6 (g) under Prohibited Acts and Criminal Penalties:

Nothing in subsection (d) of this section shall be deemed applicable to any person with respect to the removal of arrowheads located on the surface of the ground.

And in Section 7 (a) under Civil Penalties:

No penalty shall be assessed under this section for the removal of arrowheads located on the surface of the ground.

Interestingly, this allowance was allegedly included in the act because ex-president Jimmy Carter was an avid surface



Red Mesa outline, second phase chief blanket style, circa 1915, 52" x 78"



collector himself. As he openly states in *Sharing Good Times* (2004:58):

*One of my life long habits has been scanning the ground for projectile points and other archaeological artifacts of Native Americans. Since leaving the farm, I've continued this habit even in city parks, golf courses, college campuses, and along other paths that thousands of people may use each day. In fact, I've been surprisingly successful in finding arrowheads even in these kinds of public places.*

and (2004:59):

*Finding an especially beautiful point was a source of pride, and I was always eager to get back home and display it to my admiring parents and siblings. I had accumulated several hundred by the time I left home for college and the navy, and I added to the collection whenever possible.*

Is ex-president Jimmy Carter guilty of theft of government property? Should he be cited, fined, and placed on probation? Should he have to forfeit his collection? No, because ARPA is the preemptive law regarding surface collecting on public land, and it clearly allows it.

I do not know exactly what precipitated the sting operation that involved Dan Amick. (For the reported story see: [http://articles.chicagotribune.com/2011-03-01/news/ct-met-loyola-guilty-0302-20110301\\_1\\_artifacts-arrowheads-loyola-professor](http://articles.chicagotribune.com/2011-03-01/news/ct-met-loyola-guilty-0302-20110301_1_artifacts-arrowheads-loyola-professor)).

Interestingly, the Tribune article stated that Amick was charged under ARPA rather than theft of government property. This means that government agencies and/or agents are currently interpreting the term arrowheads as specifically meaning arrow points—rather than the more generic and traditional definition for arrowheads which includes spear points, knives, scrapers, etc. The traditional definition of arrowheads was almost certainly the intended definition of the drafters of ARPA, and it is still accepted as such by some government agencies. To illustrate the general

acceptance of this definition, it is significant to note that the Tribune article stated that Amick had admitted to: “removing 17 artifacts, including arrowheads...”. There were no arrow points in that assemblage.

Unfortunately, the ramifications of this event will have lasting effects that may negatively impact both amateur and professional archaeology. Initial inquiries to professional archaeologists suggest that many of the will no longer risk recording artifacts from private collections or working directly with amateur archaeologists. Since the vast majority of archaeological sites, at least in the west, have, and continue to be, discovered by amateur archaeologists, and brought to the attention of professional archaeologists, the loss of this source of information will significantly and negatively impact the future of amateur and professional archaeology in this country.

Irresponsible amateur archaeologists, those who willingly destroy sites solely for their artifacts, represent only a very small percentage of amateur archaeologists. Nevertheless, because of the damage they cause, professional archaeologists have lumped all amateur archaeologists together into a derogatory category they refer to as “pot hunters.” This condescending attitude has naturally alienated many avocational archaeologists—a category of individuals who have consistently contributed a great

deal of information to professional archaeologists and, not incidentally, a great deal of financial support for them as well.

The future prospects of amateur and professional archaeology in this country are not positive. In fact, if we allow the polarity that exists between amateurs and professionals to continue or increase, neither branch is likely to fare very well. However, the polarizing issues that exist between amateurs and professionals are not insurmountable—they can be alleviated. The first step in this process will have to be taken by amateurs, and it is quite possible that ATADA would be the



Joe Loux Asian and Tribal Art 2009  
Photo courtesy of Whitehawk

best organization to initiate it.

In my opinion, it is essential that avocational and professional archaeologists establish and maintain a symbiotic relationship with each other—even though there will always be some philosophical differences between them. This will require that amateurs collectively, through an organization such as ATADA, announce their intentions to support ARPA, adamantly denounce irresponsible and/or illegal collecting practices, and disassociate themselves from individuals who are unwilling to do so. This means not buying, and/or selling, and/or trading with them, and it means not allowing them to set up at shows.

If this is done amateur and professional archaeologists can begin to work together to their mutual benefits. Most importantly, collectively, they can ensure that federal agencies adhere to the intent of ARPA which is to protect archaeological resources AND:

... foster increased cooperation and exchange of information between governmental authorities, the professional archaeological community, and private individuals ...

The Chicago Tribune reported that Dan Amick was involved: “in a scheme to plunder artifacts from an archaeological site in New Mexico.” This was not the case. Dan’s motives were purely academic. He is, or at least was, one of the few professional archaeologists who was willing to work with amateurs to advance our understanding of paleo occupation in North America. He was willing to do this because he is an extremely conscientious archaeologist.

Tragically, the actions of the misdirected federal agents who initiated the sting operation have damaged the reputation of a highly respected archaeologist and inadvertently decimated a tenuous but historically beneficial relationship between amateur and professional archaeologists. The net result of their operation, if left unaddressed, will be the net loss of

archaeological information and knowledge in the future.

The Federal agencies that have instigated the sting operations over the last three years --and the Federal agents who have implemented them should be ashamed of what they are doing. They are not effectively protecting archaeological resources and they are not upholding the intentions of ARPA. All that they have accomplished is to spend a great deal of time and tax-payer money antagonizing and polarizing

individuals and factions within the archaeological community that have been attempting to establish mutually beneficial symbiotic relationships.

If the resources devoted to these Federal sting operations had been allocated to education and encouraging cooperation between these different factions, something very positive could have been accomplished. Unfortunately, government agencies currently seem more intent on fighting than solving problems.

And lastly, media agencies (including ATADA in the aforementioned excerpt) have been remiss in ascertaining the facts regarding these sting operations before reporting on them.

Government agencies insist that there is a billion dollar a year trade in illegally obtained artifacts and/or eagle feathers. If that claim was true, then perhaps their heavy-handed operations would be justified, but they have never disclosed how they came to that conclusion, and they

never will be able to because that claim is not true.

There are many problems intrinsic to amateur and professional archaeology, but none that can not be solved if they are approached rationally. The choice is ours.

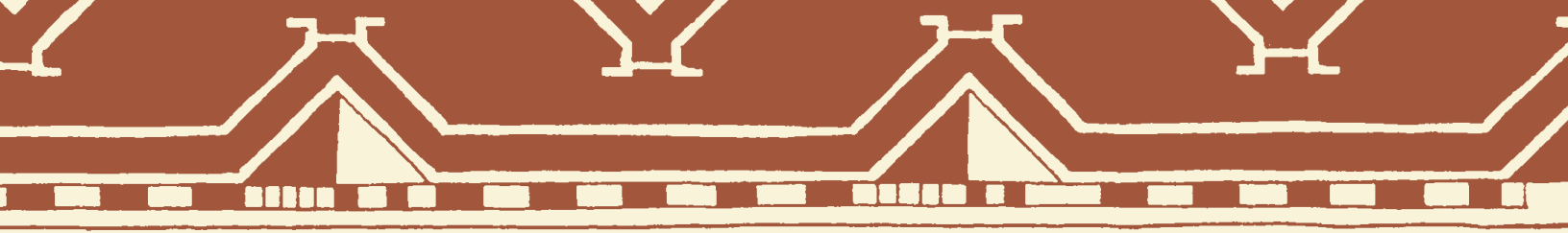
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Note: Jeb makes a very good point that certainly, in the past, points and scrapers that a layperson would see as an



Brant Mackley Gallery 2009  
Photo courtesy of Whitehawk





arrowhead have been treated by Park Service and BLM employees as arrowheads. Nonetheless, today the various federal agencies are applying a much narrower definition of “arrowhead” that includes only true arrowheads – or so we have been told. This is truly alarming, because this new treatment has the potential to turn long-ago, legally purchased or collected points into contraband. This more limited view is supported by the wording of the regulations under the statute, so naturally that is what archaeologists and prosecutors point to.

There needs to be a court case raising this issue in light of the still-current training instructions. We thought such a defense might have been raised in the Amick case if the items found were surface items.

So - there is a contradiction between the prior and current application of the law, although the law itself has not changed. However, since Amick pled guilty, this avenue of approach appears to be closed.

It is ATADA's policy not to comment on punishment handed out in any case. A remark at the end of the article published in the previous ATADA News story about the Amick case violated our editorial policy, for which we apologize.

# Calendar of Events

August-December 2011

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## August 5 - 7, 2011, Albuquerque, New Mexico

The Great Southwestern Antique Show, at the LUJAN BUILDING AT EXPO NEW MEXICO (STATE FAIRGROUNDS). Early entry is Friday, August 5th from 2pm to 7pm, General admission 9 am - 5 pm, Saturday, August 6th; The show hours are 10a.m. to 4p.m. Sunday, August 7th. Two-day passes available. Please contact Terry Schurmeier at (505) 255-4054, e-mail: cowgirls@rt66.com, web site <http://www.cowboysandin-diansnm.com/> for information and special hotel rates. The Lujan building has been updated with a new cooler system and the leaks have been fixed.

*Many ATADA members/dealers historically participate in this show - come and meet them in person!*

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## August 6 - 7, 2011, Flagstaff, Arizona

The 62nd Annual Navajo Festival of Arts and Culture will be hosted by The Museum of Northern Arizona Heritage Program. An authentic presentation of the Navajo "Beauty Way" philosophy of living in harmony is offered by more than 55 Navajo artists, storytellers and cultural interpreters from many clans. Contact the museum for further information.

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## August 11 - 14, 2011, Red Rocks State Park, Gallup, New Mexico

The 90th Annual Inter-Tribal Ceremonial (second week in August, Wed - Sun) will be held at Red Rock State Park, Gallup, New Mexico. Please call (505) 863-3896 for details after about June 1, 2011. More than 30 tribes throughout the US travel to Gallup for this annual event.

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## August 11 - 13, 2011, Santa Fe, New Mexico

28th Annual Antique Ethnographic Art Show Ethnographic and tribal art from around the world. Over 100 dealers. Preview Gala: Thursday, August 11, 6:00 - 9:00pm. General Admission: Friday, August 12. 10:00am - 6:00pm; Saturday, August 13, 10:00 am - 5:00pm. Preview tickets are \$75.00, show \$10.00, and all tickets available at the door, cash and checks only. For information e-mail [mailto:whitehawk02@hotmail.com](mailto:mailto:whitehawk02@hotmail.com), phone (505) 992-8929 or visit the website at <http://www.whitehawkshows.com/> for updates.

*Many ATADA members/dealers historically participate in this show - come and meet them in person!*

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## August 12 -15, 2011, Santa Fe, New Mexico

ATADA Sponsored talks:

Friday, August 12, 8 AM-10 AM, Santa Fe Convention Center; U.S. Fish and Game agent Dan Brooks will speak to our members about what he and other federal agents are looking out for at Tribal and American Indian art shows. Brooks will be

attending both Whitehawk shows, and requested specifically that he speak to ATADA members before the shows open, as the information in his talk may inform show exhibitors what not to exhibit and sell.

Saturday, August 13, 8 AM-10 AM, Santa Fe Convention Center; Attorneys/collectors/ATADA members Roger Fry and Len Weakley present a 2011 Update of Laws Affecting the Sales and Collecting of American Indian and Tribal Art

Monday, August 15, 8 AM-10 AM, Santa Fe Convention Center; A round table discussion led by attorney/ATADA Associate Jim Owens on archaeological resources laws and their use by the Federal government in the 2009 raids; the ensuing court cases; and the aftermath: the results of the cases.

Monday, August 15, 8 PM, Georgia O'keefe Museum Auditorium; Ms. Bonnie Magness-Gardner, the FBI Art Crime Program Coordinator, may talk about the National Stolen Art File, as well as Antiquities crime. We may also request a government attorney to explain antiquities laws. The 1/2 hour talk may follow by a panel discussion. Details to be worked out in time for the August in Santa Fe shows.

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## August 12 - 21, 2011, Santa Fe, New Mexico

The Santa Fe Show: Objects of Art at El Museo Cultural de Santa Fe from August 12 to August 21, 2011, covering two weekends. There will be a break when building will be closed to the public, but available for private exhibitor showings. The show will include Asian, Fine Art, Furniture, Indian, Jewelry, Modernism, Textiles, Tribal and Objects of Art from many centuries, countries and cultures, all to be presented with an artful estheticism. For more information, please contact John Morris or Kim Martindale at (310) 456-2120 and (310) 822-9145 or visit <http://www.thesantafeshow.com/>

*Many ATADA members/dealers historically participate in this show - come and meet them in person!*

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## August 13-14, 2011, Santa Fe, New Mexico

Doug Allard's Best of Santa Fe Auction, 2011 will be held at Scottish Rite Hall, 463 Paseo de Peralta, in Santa Fe, NM; For more information, please call (888) 314-0343 or e-mail [info@allardauctions.com](mailto:info@allardauctions.com)

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**August 14 - 16, 2011, Santa Fe, New Mexico**

The 33rd Annual Invitational Antique Indian Art Show. Oldest and largest antique event of its type in the world. Location - Santa Fe Community Convention Center. The Whitehawk Indian Art show Preview Opening: Sunday, August 14, 6:00-9:00pm. General Admission: Monday August 15, 10:00am - 5:00pm; Tuesday, August 16, 10:00 am - 5:00 pm. Preview tickets are \$75.00, show \$10.00, and all tickets available at the door, cash and checks only. For information e-mail whitehawk02@hotmail.com, phone (505) 992-8929 or visit the website at <http://www.whitehawkshows.com/> for updates. *Many ATADA members/dealers historically participate in this show - come and meet them in person!*

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**August 15 - 19, 2011, Santa Fe, New Mexico**

Numerous gallery openings and shows related to Santa Fe Indian market will be held this week. Check web sites and gallery news for details. <http://www.santafeindianmarket.com/>

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**August 16, 2011, Santa Fe, New Mexico**

Annual ATADA General Meeting: Santa Fe Convention Center, 8 - 10 am. Members and friends are welcome!

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**August 18 - 19, 2011, Santa Fe, New Mexico - event and dates to be confirmed**

The 35th Wheelwright Museum Annual Silent Auction and Live Auction Preview Party will be held Thursday, August 18th 4:00-6:00pm, and the Collector's Table and Live Auction of American Indian Arts and Crafts will be held on Friday, August 19th.

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**August 20 - 21, 2011, Santa Fe, New Mexico**

The Santa Fe Indian Market is the preeminent Native arts market in the world; it simultaneously embraces the past, present and future of Indian Arts. There is simply no other time and place in the Native arts world where the impact and influence of Native culture and identity is reinforced, reestablished and reinvented. The Indian Market features visual arts, literature, film, music, culinary arts, symposiums and much more. The Santa Fe Indian Market hosts over 1100 artists from 100 tribes and is the largest cultural event in New Mexico, attracting 100,000 visitors per year. Indian market is held on the Plaza in Santa Fe, New Mexico. <http://www.santafeindianmarket.com/>

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**August 25 - 28, 2011, Baltimore, Maryland**

The Baltimore Summer Antiques Show is the largest summer antiques show in the U.S.A., Now in its 31st year, 550 International Dealers, 70 Dealer Antiquarian Book Fair. Held at the Baltimore Convention Center, Downtown at the Inner

Harbor, One West Pratt Street. 2 main entrances: West Pratt Street Lobby, Charles Street Lobby. Tickets: \$12.00; Good for all show days. For more information call the Palm Beach Show Group at (561) 822-5440 or visit <http://www.baltimoresummerantiques.com/>

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**September 4 - 11, 2011, Window Rock, Arizona**

The 65th Annual Navajo Nation Fair with rodeo, arts, and crafts at the fairgrounds in Window Rock. The Fairground is located on approximately 100 acres, located 0.9 mile west of BIA Junction N12 & Highway 264 in Window Rock, Arizona Phone: (928) 871-6647.

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**September 6 - 11, 2011, Brimfield, Massachusetts**

The Brimfield Antique Market hosts Antiques and Collectibles dealers in the center of Brimfield, Massachusetts. Known as the largest outdoor antiques and collectibles gathering in the world, Brimfield attracts tens of thousands of dealers and buyers every May, July and September.

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**September 17, 2011, Hubbell Post, Ganado, Arizona**

Friends of Hubbell Native American Arts Auction, Fall 2011 Preview 9-11:00 am. Bidding begins at noon, Mountain daylight saving time. Auction helps indigenous artists to sell their hand made ceramics, katsinas, Navajo rugs, and other items. Your purchase benefits not only the artisan, but the park as well. Native American vendors also offer food, handmade jewelry, musical instruments, recordings, folk art, and much more. For more information please call (928) 755-3475.

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**September 23 - 25, 2011, Cortez, Colorado**

The Fourth Annual Southwest Traders Rendezvous will take place September 23-25, 2011 in Cortez, CO, at the Cortez Cultural Center. This unique and historic gathering of Southwestern Indian Traders brings together generations of Indian traders from throughout the Southwest to honor them for their contributions to Native American cultures, commerce, and the arts. and includes story telling, lectures, exhibits and films, field trips, traditional foods and a banquet. A rug and craft auction and appraisals are scheduled for Sunday, September 25th; R. B. Burnham Native Auctions is the auctioneer. For information contact Frank Lister at (970) 565-1151 or visit <http://www.cortezculturalcenter.org/>

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**September 30, 2011, Taos, New Mexico**

Taos Pueblo San Geronimo Day. Experience this centuries old trading event and shop for authentic American Indian arts and crafts on the Taos Plaza. Concludes with ceremonial pole climbing at Taos Pueblo. Please call (575) 758-1028 for additional information.



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**October 8-9, 2011, Glendale, California**

The Sixth Annual Golden California Antiques Show and Sale will be held at The Glendale Civic Auditorium, 1401 N. Verdugo Rd., Glendale, CA 91208. (Centrally located in The Greater Los Angeles Area). Show hours are Saturday, October 8, 10:00am - 6:00pm & Sunday, October 9, 10:00am - 4:00pm. Admission is \$12.00 and good for both days of the show. A variety of merchandise including American Indian and ethnographic tribal arts from around the world will be on display. For more information visit our website at [www.goldencaliforniashow.com](http://www.goldencaliforniashow.com) or email ATADA members Ted Birbilis and Sandy Raulston at [tednsandy@goldencaliforniashow.com](mailto:tednsandy@goldencaliforniashow.com).

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**October 9 - 10, 2011, Jemez Pueblo, New Mexico - event and dates to be confirmed**

Open Air Market will be held at Jemez Pueblo, Walatowa Visitor Center, Multicultural Arts and Crafts Vendors, Traditional Jemez Dances, Bread Baking Demonstration, Food Vendors, and Farmers Market. Phone (575) 834-7235 for details.

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**November 5 - 6, 2011, St. Louis, Missouri**

The 2011 St. Louis Indian / Western Art Show and Sale at the Heart of St. Charles Banquet and Conference Center, 1410 S. Fifth Street in St. Charles, Missouri. The sponsor is the Gateway Indian Art Club, 342 Thunderhead Canyon Drive, Wildwood, MO 63011. Call or email Paul Calcaterra (314) 664-7517, [hdtannr@sbcglobal.net](mailto:hdtannr@sbcglobal.net), or Joyce Mundy, (636) 458-0437, [joyce@mundy.net](mailto:joyce@mundy.net) for more information.

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**November 5 - 6, 2011, Los Angeles, California**

American Indian Arts 2011 Marketplace at the Autry Pottery, jewelry, sculpture, paintings, mixed-media artworks, weavings, beadwork, woodcarvings, and cultural items created by more than 100 Native artists. Saturday, Nov 5, 2011, 10:00 am - 5:00 pm. Sunday, Nov 6, 2011, 10:00 am - 5:00 pm.

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**November 11 - 13, 2011, Phoenix, Arizona - event and dates to be confirmed**

Doug Allard's Big Fall Auction 2011 will be held at the The Holiday Inn Hotel & Suites, 1600 S. Country Club Dr. Mesa, AZ 85210. Day 1: Preview: 10:00 a.m. Start: 5:00 p.m.; Day 2: Preview: 8:00 a.m. Start: Noon; Day 3: Preview: 8:00 am Start: 10:00 am. Telephone: (406) 745-0500 or visit <http://www.allardauctions.com/> for details.

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**November 26 - 27, 2011, Santa Fe, New Mexico**

2011 SWAIA Winter Indian Market Saturday, November 26, 9:00 a.m. - 5:00 p.m. Sunday, November 27, 10:00 a.m. - 4:00 p.m. The SWAIA Winter Indian Market, formally known as the "SWAIA Winter Showcase," is a yearly Native arts sale

held during Thanksgiving weekend at the Santa Fe Convention Center. Like its summer counterpart, the Winter Indian Market hosts Native artists for a premiere Native art sale. It is an opportunity to buy authentic Native artwork directly from the artists. One noticeable difference, however, is its size. Rather than the 1100 artists selling artwork work during the summer Indian Market, only a select 130 artists are invited to participate in Winter Indian Market.

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**December 3 - 4, 2011, Jemez Pueblo, New Mexico - event and dates to be confirmed**

The Annual Jemez (Walatowa) Pueblo Winter Arts and Crafts Show is held at Jemez Pueblo Civic Center; annually, first weekend in December, phone (575) 834-7235 or visit <http://www.indianpueblo.org/> for details.

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**December 10 - 11, 2011, Phoenix, Arizona**

The 35th Annual Pueblo Grande Museum Indian Market the Pueblo Grande Museum will host its 35th Annual Indian Market Saturday December 10th from 9:30am - 5:00pm & Sunday, December 11th, 2011, from 9:30am - 4:00pm at its original home - the Pueblo Grande Museum and Archaeological Park located near 44th Street and Washington Street. Please call (602) 495-0901 for more information.



## ATADA at Whitehawk

**Friday, August 12 8 AM-10 AM**

Santa Fe Convention Center

U.S. Fish and Game agent Dan Brooks will speak to our members about what he and other federal agents are looking out for at Tribal and American Indian art shows. Brooks will be attending both Whitehawk shows, and requested specifically that he speak to ATADA members before the shows open, as the information in his talk may inform show exhibitors what not to exhibit and sell.

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**Monday, August 15 8 AM - 10 AM**

Santa Fe Convention Center

A round table discussion led by attorney/ATADA Associate Jim Owens on archaeological resources laws and their use by the Federal government in the 2009 raids; the ensuing court cases; and the aftermath: the results of the cases.

**Tuesday, August 16 8 AM -10 AM**

Santa Fe Convention Center

Annual ATADA General Meeting

Members and friends welcome



# Media File

Recent articles from the newspaper, magazine and Internet of interest to the Membership. Please be aware that links may have been relocated or removed. All opinions are those of the writers of the articles and of the people quoted, not of ATADA. Members are encouraged to submit press clippings or email links for publication in the next Newsletter.

**“Court: Eagle Feathers Only for American Indians”** was the headline for Brian Sokoloff’s Associated Press story, reported on MSNBC on March 29. The complete story is at [http://www.msnbc.msn.com/id/42326213/ns/us\\_news/](http://www.msnbc.msn.com/id/42326213/ns/us_news/).

**From Eagle Feathers to Narwhal Tusks.** The headline for Andrew Stiny’s March 22 story in New West read **“Bizarre Endangered Species Act Case: Narwhal Tusks in Santa Fe: What’s the Punishment for Keeping Seven Narwhal Tusks in Your Home?”** Read the story at [http://www.newwest.net/topic/article/bizarre\\_endangered\\_species\\_act\\_case\\_narwhal\\_tusks\\_in\\_santa\\_fe/C41/L41/](http://www.newwest.net/topic/article/bizarre_endangered_species_act_case_narwhal_tusks_in_santa_fe/C41/L41/)

**“Enchantment in Mesoamerica”** was the headline for the March 26-27 Wall Street Journal’s recommendation of a new book on Maya art. See the full story with illustrations at <http://online.wsj.com/article/SB10001424052748703858404576214923106032328.html?KEYWORDS=Reading+Maya+Art>

**From The Art Newspaper** by Martin Bailey, published online April 7, **“Race to Save Buddhist Relics in Former Bin Laden camp: Workers are desperately trying to excavate Mes Aynak before a Chinese mining company moves in.”** See the story at <http://www.theartnewspaper.com/articles/Race+to+save+Buddhist+relics+in+former+Bin+Laden+camp/23443>

**“The Power Suits of the Past, as Worn During Ancient Empires”** by Karen Rosenberg appeared in The New York Times on April 22. The full story is at [http://www.nytimes.com/2011/04/23/arts/design/the-andean-tunic-at-the-metropolitan-museum.html?\\_r=1&cp=27&sq=karen+rosenberg&st=nyt](http://www.nytimes.com/2011/04/23/arts/design/the-andean-tunic-at-the-metropolitan-museum.html?_r=1&cp=27&sq=karen+rosenberg&st=nyt).

A heartbreaking essay from the High Country News: **“A Misguided Investigation Ends an Era in Arizona,”** by Andrea Lankford, was posted on May 2 and can be found at <http://www.hcn.org/issues/43.7/a-misguided-investigation-ends-an-era-in-arizona>

**“Custer Buff’s Last Stand: Fight the Feds”** by Brandon Loomis, published in the Salt Lake City Tribune on May 18, reports on ATADA member Chris Kortlander’s suit saying the federal government violated his rights in a 2005 raid. Kortlander told his side of the story in the Spring 2011 issue of the ATADA News. See the full story, including a photograph of Kortlander with Dr. Joe Medicine Crow and Barack Obama, at <http://www.sltrib.com/sltrib/politics/51805908-90/kortlander-agents-artifacts-government.html.csp>.

**“Wife of Blanding Doctor in Indian Artifacts Case Sues FBI, BLM for his Suicide,”** is the heartbreaking headline for Dennis Romboy’s May 27 story in the Derseret (UT) News. See the story at <http://www.ksl.com/?nid=148&sid=15728562>

**“Ex-SWAIA Administrator Sues Director, Association: Suit Alleges Breach of Contract, Retaliation, Misuse of Funds”** is the headline for Anne Constable’s May 18 story in The New Mexican. Access <http://www.santafenewmexican.com/localnews/Ex-SWAIA-administrator-sues-director--association>

**ARPA and NAGPRA: More Broken Promises from the Government** by Steve Elmore ran as an editorial in the June 4 issue of The New Mexican. See <http://www.santafenewmexican.com/LocalColumnsViewpoints/My-View--Steve-Elmore-Broken-promises-from-the-government#.UP7qSles-gs>

**“Island Art, and All That Comes With It”** is David Littlejohn’s Wall Street Journal review of San Francisco’s Asian Art Museum’s exhibit, **“Bali: Art, Ritual, Performance.”** The story ran on June 7; the exhibit runs through September 11. The story’s url is at <http://online.wsj.com/article/SB10001424052748704495004576264961416465694.html?>



**“Bad Blood: Czech Government Scrambles to Recall International Art Loans, Fearing They Will Be Seized in \$500 Million Dispute” is the headline from artinfo.com, posted June 15. See the story at [http://www.artinfo.com/news/story/37881/bad-blood-czech-government-scrambles-to-recall-international-art-loans-fearing-they-will-be-seized-in-500-million-dispute/?utm\\_source=nlda&utm\\_medium=email&utm\\_campaign=newsletter](http://www.artinfo.com/news/story/37881/bad-blood-czech-government-scrambles-to-recall-international-art-loans-fearing-they-will-be-seized-in-500-million-dispute/?utm_source=nlda&utm_medium=email&utm_campaign=newsletter)**

**“Glimpsing Africa Anew in Its Art,” Holland Cotter’s June 23 New York Times review of “Art in Cameroon: Sculptural Dialogues,” at the Neuberger Museum of Art. See <http://www.nytimes.com/2011/06/24/arts/design/art-in-cameroon-at-the-neuberger-museum-review.html>**

**“Backward at the F.B.I.,” an editorial published in The New York Times on June 18. The full editorial is at <http://www.nytimes.com/2011/06/19/opinion/19sun1.html?>**

**“Shipwreck Show Postponed” was the headline for Kate Taylor’s June 28 Arts Beat item in The New York Times. See the story at <http://artsbeat.blogs.nytimes.com/2011/06/28/shipwreck-show-postponed/>**

# Last Word

*Wilbur Norman on the truth about art crime statistics*

In February, Global Financial Integrity (Washington, DC) released their long-awaited report, *Transnational Crime In The Developing World*. It examines and ranks 12 illicit world markets. Intellectual property theft, piracy and weapons sales (other than light weapons) are not included but would surely rank high in a more comprehensive survey. Given that many authorities believe that, worldwide, illicit economies account for about 20% of our total commerce (see, M. Glenny, *McMafia*, 2008), crime has dissolved borders much like any other 'business.'

The report's three-page section on the illegal art market is not especially well-done but the overall results stack up as follows:

1. Drugs \$320 billion
2. Counterfeiting \$250 billion (which includes pharmaceuticals, electronics & cigarettes)
3. Humans \$31.6 billion
4. Oil \$10.8 billion
5. Wildlife \$7.8 to \$10 billion
6. Timber \$7 billion
7. Fish \$4.2 to \$9.5 billion
8. Art & Cultural Property \$3.4 to \$6.3 billion
9. Gold \$2.3 billion
10. Human Organs \$0.614 to \$1.2 billion
11. Small Arms & Light Weapons \$0.3 to \$1 billion
12. Diamonds & Colored Gemstones \$86 million

Illegal art issues, taken in this context, appear to be less of an intractable problems than many that face us. In any case, spreading financial opportunities to the world's poor areas will go a long way toward solving the most vexing illegal digging, looting and smuggling issues; if archaeological looting is perceived as your only chance to feed your family, it is going to be hard to pass up.

In the final analysis, however, I believe we have to look to the rich dealers, collectors and museums of the world to take the steps toward really breaking the cycle of antiquities pillaging that exists. Let's face it, while there are thousands of little, relatively inexpensive items looted throughout the world, many diggers are looking for the next Getty Aphrodite. And such an item is not something that will be purchased by the average dealer, collector or museum. Taking those rich players out if the equation

would be a big step in the right direction. That still would leave us with the casual, 'weekend' potter/looter but behavior is something addressed in the long term, I think, by education and, perhaps, 'feedback loops.'

The basic premise is simple. Provide people with information about their actions in real time (or something close to it), then give them an opportunity to change those actions, pushing them toward better behaviors. Action, information, reaction. It's the operating principle behind ... the consumption display in a Toyota Prius, which tends to turn drivers into so-called hyper-milers trying to wring every last mile from the gas tank, as well as the very effective roadway dynamic speed displays that tell you your speed in real time.

But the simplicity of feedback loops is deceptive. They are in fact powerful tools that can help people change bad behavior patterns, even those that seem intractable. Just as important, they can be used to encourage good habits, turning progress itself into a reward. In other words, feedback loops change human behavior. And thanks to an explosion of new technology, the opportunity to put them into action in nearly every part of our lives is quickly becoming a reality. (See: Thomas Goetz, *Harnessing the Power of Feedback Loops*, *Wired Magazine*, June 2011.)

Why not try cameras, interactive signposts, and other high-tech options at important archaeology sites. Certainly, in the western countries, there is money to do this. Look at the huge financial and personal costs associated with enforcement endeavors like the 2009 so-called Four Corners Cases, and the results: no jail time for any convicted defendants, 3 related suicides, etc. Ought not archaeologists take year-round site security into consideration when writing their grant applications? Should they bear any less responsibility than looters when they unearth a site and leave it, poorly guarded, to the vagaries of chance and profiteers after the 'season' is over?

It seems to me that education and feedback loops are working possibilities, Serious efforts to de-incentivize the making of fortunes from antiquities smuggling by eliminating the possibility of buyers is a task worth undertaking. Pie-in-the-sky? Perhaps, but shouldn't we give it a shot?

Wilbur Norman

# Directory Update

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#### **Vickie Yorke**

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## Museum Members

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