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# NATIVE AMERICAN CULTURAL DISSONANCE & DARK HERITAGE SOLUTIONS

Victoria Parker

## Introduction

This paper argues that public institutions have an obligation to consider the weight of their responsibility to educate and inform the public about all forms of American history and heritage. Moreover, public institutions should embrace controversy, engage discourse and proactively work on exhibiting balanced representations by re-working or removing antiquated and false narratives surrounding Native American history. In this paper, I proffer solutions from case studies, examples, models, and my own perspective as a Native American tribal member, as to what public institutions and curators can do in the future to deal with cultural dissonance and creating awareness of (Native) American heritage and history.

The goal of this paper is to present solutions specifically focused on public institutions addressing the dark heritage of the United States while struggling with cultural dissonance when dealing with Native American Tribes.<sup>1</sup> For the purposes of this paper, “cultural dissonance” is referring to a cognitive phenomenon related to an uncomfortable sense of discord, disharmony, confusion or conflict experienced by people in the midst of a change in their cultural environment. These changes are often unexpected, unexplained or not understandable due to various types of cultural dynamics. Cultural dissonance often results from challenging long-held beliefs about a fact or subject. The term “dark heritage” is related to tourism that displays or represents a tragedy, atrocity, crime, death or human suffering. For this paper, this specifically encompasses exhibits, sites, and monuments that remind us of negative events of the past. Finally, “public institutions” include museums, historic sites, and statues. The hope is that the analysis in this paper will assist curators and the public in recognizing that they are not divorced from this issue; and encourage the reader to consider and challenge narratives they’ve been presented their entire lives. Hopefully, public institutions will bring Native People into the folds of American society by representing light *and* dark Native American heritage equally. Awareness and historical education can help society progress and begin questioning public policies regarding segregation, teachings of inferiority, and inhumane treatment of minorities.

Heritage construction in public institutions presents our country’s heritage and perspective to visitors in a tangible form. Cultural exhibits aid in the creation of visitors’ understanding and opinions on our Nation’s history and people. To date, there have been few attempts to address cultural dissonance around these exhibits and sites or reconcile our Nations’ dark history and heritage in a factually accurate manner. These places and structures have significant power and influence. If curated and exhibited properly they can teach cultural awareness and sensitivity, especially when they focus on education instead of just preservation. But many public institutions and curators are not ready, nor willing, to address the complexity and history of violence the United States has with Native Americans. The article, *Heritage Tourism – Current Resource for Conflict*, best sums up this paper’s theory by discussing the dangers of one-sided narratives, separatism among groups, and creating inferiority and

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<sup>1</sup> Native American Tribes is capitalized to recognize and respect their status as sovereign nations within this country.

dehumanization in heritage tourism.<sup>2</sup>

The lesson to be learned here is that public institutions need to fully inform the visiting public by presenting dual perspectives surrounding cultural heritage and let visitors decide for themselves what lessons they choose to take away from it. Public institutions should work together with communities to analyze the history of current heritage presentations and assess what should be done to rectify or balance those presentations. Institutions could put up competing statues or information to counter-balance current representations, or remove them if that's in the best interest of society. But erasing history hasn't historically benefited anyone. Encouraging discourse and presenting multiple perspectives is what will bring us closer together in learning and humanity.

Part I of this paper examines heritage construction and addresses backlash fears with a rhetorical analysis of the Sand Creek Massacre Exhibit at the Historic Colorado Center Museum in conjunction with the National Historic Site opening. Then, the Columbus Day Holiday revision and statue removal are analyzed to explore what public officials did well and how they avoided public backlash when dealing with dark heritage. Part II delves into solutions for public institutions and the art community when dealing with controversy over dark heritage construction through an analysis of the Sam Durant Controversy at the Walker Art Center. Part III explains the importance of museum reformation through tribal collaboration and partnership through an analysis of the Sam Noble Museum's collaboration with the Kiowa Black Leggings Society. The section further examines the benefits of state-tribal collaboration and how New York counter-balanced historical narratives in the Letchworth State Park case study. Part IV provides benefits, solutions, and resources that are currently available to decisionmakers at public institutions. Finally, Part V concludes with the lessons learned throughout this paper.

## **PART I: Heritage Reconstruction and Addressing Backlash Fears**

One of the primary reasons for reluctance among public institutions, curators, and historians is a resounding fear of public "backlash" and an underlying fear of unpopularity due to refashioning beliefs, or happy-go-lucky representations, with honest ones. Granted, there will always be some initial pushback or controversy due to cultural dissonance and the idea of removing "history" when it comes to reconstructing heritage exhibits and sites. But when controversial change is implemented properly these fears often never come to fruition.

Public institutions should recognize there will be some type of public backlash when they challenge long-held beliefs about our Nation's history and revise these exhibits. But this shouldn't intimidate public institutions from being progressive and making changes that fit current societal expectations and needs. Public institutions are not afraid to be controversial with art pieces like Andres Serrano's *Immersion (Piss Christ)*<sup>3</sup> or Chris Ofili's *The Holy Virgin Mary*.<sup>4</sup> So why is there hesitation to honestly portray dark heritage

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<sup>2</sup> Yaniv Poria & Gregory Ashworth, *Heritage Tourism – Current Resource for Conflict*, 36 ANNALS OF TOURISM RESEARCH 522 (2009).

<sup>3</sup> Piss Christ exhibited at the Stux Gallery in New York in 1987. Amanda Holpuch, *Andres Serrano's controversial Piss Christ goes on view in New York*, THE GUARDIAN (September 28, 2012, 10:43 EDT), <https://www.theguardian.com/artanddesign/2012/sep/28/andres-serrano-piss-christ-new-york>.

<sup>4</sup> A painting of a Black Madonna using elephant dung and collaged pornographic images of female genitalia and buttocks exhibited at the Brooklyn Museum as part of the *Sensation* Exhibit in 1999. Jerry Saltz, *Chris Ofili's Holy*

in public institutions? Perhaps it is because Native American history doesn't comport with the commonly held narratives we've been taught in school. Or possibly because public institutions are afraid of public response to showing our Nation's historical faults. But public institutions should not be intimidated from supplying new ideas or alternative narratives to the public.

It should be noted that tensions fade, and individuals and society benefit when public institutions share these stories. Native American Tribes have an opportunity to heal through this acknowledgment and can assist in cultivating appropriate representations. People are curious and want to know about these erased histories, it's why they visit these sites. Who are public institutions to deny that opportunity? If done sensitively, dark heritage can become an invaluable teaching tool as seen with the Sand Creek Massacre site. To do it successfully, public institutions should engage the community in thoughtful discourse to spread awareness and understanding of why change is necessary.

By acknowledging and teaching dark history through public installations and exhibits, public institutions can cure the type of ignorance that plagued the History Colorado Center and the State. Public institutions have an opportunity to enlighten the majority population, by explaining and showing them, that this is part of their history too. Public displays like the dedication of the Sand Creek Massacre site can also provide healing opportunities for Native American Tribes. A similar type of healing and enlightenment that has been exemplified nationally and internationally are seen in the results of the Comfort Women Movement and the statues placed in Taiwan and San Francisco, CA to honor those victims.<sup>5</sup> Holocaust memorials, museums, and remembrance days also support the conclusion that showing "negative" or dark heritage can have positive effects for victims, their descendants, and observers.<sup>6</sup> It's easy to show the dark heritage of other nations but much harder to approach it when it comes to our own. Public institutions should consider doing it though. The effects can be profound and cascading.

## **A. Sand Creek Massacre**

Today, there is much contention over whether dark heritage should be shown to the public. The decisions surrounding the Sand Creek Massacre site are strong examples of public officials and curators engaging controversy, weathering the short-lived storm of public disapproval, and realizing their efforts were indeed educational and beneficial to the public and society in the long-run. A brief historical background on this site: In the early morning of November 29, 1864 there were approx. 1,000 Cheyenne and Arapaho living in teepees at the edge of their reservation lands, when U.S. Cavalrymen rode into the camp and began opening fire on the village with rifles and cannons. After murdering over 150 (mostly) women, children, and elderly; the troops burned the village and mutilated the corpses for body-part trophies. This war crime was exposed by one of Chivington's own men, Capt. Silas Soule. Capt. Soule refused to participate in the action and instead watched as the events unfolded that day. Capt. Soule wrote to a sympathetic major about the events that occurred. Those reports reached Congress in early 1865 resulting in the U.S. Government condemning Col. Chivington's actions. The

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*Virgin Mary*, ARTNET (October 8, 1999), [http://www.artnet.com/magazine\\_pre2000/features/saltz/saltz10-08-99a.asp](http://www.artnet.com/magazine_pre2000/features/saltz/saltz10-08-99a.asp)

<sup>5</sup> Comfort Women Movement Documentary: *The Apology* (PBS television broadcast Oct. 22, 2018).

<sup>6</sup> Nancy Berns, *Why remembering matters for healing*, THE CONVERSATION (April 11, 2018, 1:47 PM EDT), <https://theconversation.com/why-remembering-matters-for-healing-94565>.

atrocities committed by Col. Chivington and his men led to a military inquiry and several Congressional investigations of his actions.<sup>7</sup>

In Colorado, there were two efforts to memorialize the Sand Creek Massacre; the former failed where the latter succeeded. The failed effort was due to the apathy and cultural dissonance of the History Colorado Center's CEO. The success was due to tribal, government and community involvement and discourse surrounding this dark heritage construction.

## 1. History Colorado Center

When Colorado's new historical museum, the History Colorado Center, wanted to include the Sand Creek Massacre as an inaugural exhibit for its 2012 grand opening there was a negative response from the community. Dissent came from donors and veteran groups claiming the exhibit would "portray the state and the military in a bad light. A lot of people feel this a place [the museum] to celebrate Colorado and wonder why we're dwelling on the negatives."<sup>8</sup> The logical counter to that viewpoint is that Colorado has no problem teaching military successes which usually requires dark heritage to furnish that "success." Furthermore, if the goal of the Museum is to celebrate Colorado, should it not include representations of all its diverse population instead of just the majority's preferences? Members of the Northern Cheyenne criticized the exhibit because it wasn't truthful enough and the title *Collision: The Sand Creek Massacre 1860s-Today* downplayed the exhibit by making it sound like a no-fault car accident instead of a massacre.<sup>9</sup>

It's ironic in this situation that history is only considered "negative" or "dark" when Native American history is included and dual representations are shown. The irony comes from the cultural dissonance of local dissenters when they refer to the massacre as negative while seeing the military as successful. In this situation, the dissenting public did not see the massacre site as a part of their history, nor did they have any sympathy for the tribes affected by this event. The state historian that helped the museum develop the exhibit recognized his own cultural dissonance and apologized to the tribe for failing to consult them, and for the lack of authenticity and downplaying the event. The Northern Cheyenne Tribe asked the museum three times to delay opening the exhibit and consult them, which the Museum's CEO Ed Nicholas refused to do each time.<sup>10</sup> Due to public furor from both the local community and the tribes, and negative media attention, the museum closed the exhibit less than a year later.

Less controversial, faceless, jewelry case style exhibits showing Native American objects now stands in place of this dark heritage representation in the History Colorado Center. The failure here, on the museum's part, was that it did not gauge the wants and needs of its local population. Nor did it consult with the Cheyenne or Arapaho Tribes as to how it would be best to respectfully present this dark heritage to visitors. If the museum had consulted with the tribes and used something like the Present-Centered Dissonant Heritage Model (which I discuss in depth

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<sup>7</sup> Tony Horwitz, *The Horrific Sand Creek Massacre Will Be Forgotten No More*, SMITHSONIAN, (Dec. 2014), <https://www.smithsonianmag.com/history/horrific-sand-creek-massacre-will-be-forgotten-no-more-180953403/?page=2>.

<sup>8</sup> *Id.* at 2.

<sup>9</sup> *Id.* at 2.

<sup>10</sup> Patricia Calhoun, *History Colorado could shutter its controversial Sand Creek Massacre exhibit*, WESTWORD (April 25, 2013, 4:00 AM), <https://www.westword.com/news/history-colorado-could-shutter-its-controversial-sand-creek-massacre-exhibit-5120374>.

later) they may have been able to create something that all parties would have understood and appreciated.

## 2. Sand Creek Massacre National Historic Site

The public furor surrounding the History Colorado Center contemporaneously targeted the dedication and opening of the site itself. A significant part of the public backlash was due to the fact that the Sand Creek Massacre National Historic Site would be the only national historic site with the word *massacre* in its official name. Coloradans did not like the name or mission of the site, especially after the 9/11 Attacks, because they saw it as unpatriotic to memorialize a massacre by American troops.<sup>11</sup> But the site was really created to “memorialize, commemorate, and provide information to visitors to the site to enhance cultural understanding about the site; and to assist in minimizing the chances of similar incidents in the future.”<sup>12</sup> Another sticking point in creating the site was the difference in opinion about the boundaries of the massacre itself. The Park Service, local ranchers, and descendants of the Cheyenne and Arapaho relied on different evidence to define the boundaries. This led to a cultural clash over different perspectives on historical knowledge and education. The two tribes felt they were being ignored, disrespected and dispossessed again by being left out of the narrative. Finally, criminal investigator Jeff Campbell stepped in and brokered a truce of sorts. He poured over old documents and maps, analyzing geographic changes over time, which led him to conclude that all parties were partially correct about the boundaries. His help in redefining the boundaries of the actual massacre and assisted in getting the site dedicated and opened in 2007.

Proof of the positive impacts concerning the Sand Creek heritage site became apparent when tensions inevitably cooled. Locals in the area came to appreciate the history and teachings the site had to offer. Thus far, there have been many favorable reviews and educational outcomes.<sup>13</sup> Soldiers from Ft. Carson, CO have visited the site before deployments to learn about the dangers and implications their actions can have on the local populations. Local fears that “the site would stigmatize the community and invite Indian land claims” have not been realized.<sup>14</sup> Some in the area have even had their eyes opened to a history hidden from them for generations. Joyce Mayo was a local visitor who grew up near Sand Creek and didn’t visit the site until she was in her 70s. During her visit, she stated, “Something happened here that nobody should have ever did [sic]. Which makes me wonder what else happened in our history that we weren’t told about.”<sup>15</sup> The site holds special meaning for the local Cheyenne and Arapaho Tribes. It is now a source of spiritual healing and ceremony.<sup>16</sup> The 150<sup>th</sup> Anniversary of the massacre at Sand Creek was celebrated from November to December 2014. Members and supporters of both tribes honored and remembered those killed in the massacre during a 180-mile spiritual healing run that began at the site itself and ended at the CO State Capitol. This

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<sup>11</sup> Horwitz, *supra* note 7, at 2.

<sup>12</sup> National Park Service, *Sand Creek Massacre National Historic Site*, NPS, <http://sandcreeksite.com> (last visited March 20, 2019.)

<sup>13</sup> Trip Advisor currently has only 2 negative reviews out of 66 positive reviews. Trip Advisor, *Sand Creek Massacre National Historic Site*, TRIPADVISOR, [https://www.tripadvisor.com/Attraction\\_Review-g28927-d651229-Reviews-Sand\\_Creek\\_Massacre\\_National\\_Historic\\_Site-Colorado.html](https://www.tripadvisor.com/Attraction_Review-g28927-d651229-Reviews-Sand_Creek_Massacre_National_Historic_Site-Colorado.html) (last visited March 20, 2019).

<sup>14</sup> Horwitz, *supra* note 7, at 2.

<sup>15</sup> *Id.* at 2.

<sup>16</sup> *Id.* at 2.

anniversary was special because it was the first time a politician offered an official public apology, “On behalf of the State of Colorado” to tribal members and descendants of the Sand Creek Massacre when they arrived at the state capitol. During the event, there was also a sunrise ceremony held at Riverside Cemetery to honor Capt. Soule<sup>17</sup> and his soldiers; who refused the



order to open fire on the encampment.

In the photo (top left), Cheryl Wanstall LittleBird, a Northern Arapaho tribe member from Wyoming, is overcome with emotion while listening to Gov. John Hickenlooper give the Dec. 3 Capitol speech about the atrocities that occurred during the 1864 Sand Creek Massacre.<sup>18</sup> The photo (left) Gov. Hickenlooper shakes the hand of a tribal member and representative of the Cheyenne tribe.<sup>19</sup>



The only lamentable part of the Sand Creek Massacre Historic Site’s opening is that it took a non-Native researcher to legitimize this history and break the impasse between the tribes and the local community in order to help get this site dedicated. But the public furor started a discourse on the invisible people of the state. Specifically, why minority history is excluded from education in public institutions.

Sadly, Native Historians telling their own stories carried no weight until a non-Native person spoke up and advocated for them. Hopefully in the future states’ and museums will collaborate with tribes and include native perspectives on history.

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<sup>18</sup> Colleen Slevin, *Cheyenne, Arapahoe runners remember 1864 massacre*, STAR TRIBUNE (December 3, 2014), [https://trib.com/news/state-and-regional/cheyenne-arapahoe-runners-remember-massacre/article\\_6aab3450-44d0-58f5-a790-5b45f25bacc9.html](https://trib.com/news/state-and-regional/cheyenne-arapahoe-runners-remember-massacre/article_6aab3450-44d0-58f5-a790-5b45f25bacc9.html). Photo Credit: Brennan Linsley

<sup>19</sup> Westword, *The Sand Creek Massacre Marks its 150<sup>th</sup> Anniversary with a Healing Run*, WESTWORD (December 3, 2014, 4:00AM), <https://www.westword.com/slideshow/the-sand-creek-massacre-marks-its-150th-anniversary-with-a-healing-run-6150044/1>. AP Photo Credit: Brennan Linsley



## B. Columbus Holiday Revision & Statue Removal

An example of a public institution mitigating backlash and controversy through civil discourse, community involvement, and taking action was visible in the efforts of the Los Angeles City Council when they voted to rename the Columbus Day Holiday and remove his statue. After the Los Angeles City Council voted to replace Columbus Day with Indigenous People's Day in 2017, there was soon talk of removing Columbus's statue from Grand Park due to his abhorrent actions and the immutable fact that he never set foot in the U.S.<sup>20</sup> L.A. County Supervisor Hilda Solis and Councilmember Mitch O'Farrell were credited with spearheading this effort. O'Farrell is the first Native American from the Northeast Oklahoma Wyandotte Nation to serve on the City Council. He was joined by Chrissie Castro, who is a Navajo Nation member and the Vice Chairperson of the LA City-County Native American Indian Commission.

These two Native American people combined their efforts, historical knowledge, and cultural experiences to launch discussions on the issue of the holiday and statue.<sup>21</sup> Their biggest argument against celebrating Columbus was that he had never stepped foot on American soil and the United States should not celebrate his genocidal policies. Columbus is known for committing barbaric human rights violations, slavery, and genocide against the indigenous Arawak people of Hispaniola (currently the Dominican Republic and Haiti).<sup>22</sup> O'Farrell and Castro brought their unique perspectives of American history which sparked awareness in the community and the



City Council causing them to question whom they were truly honoring and why. Unlike the Sand Creek Massacre controversy, the local community and indigenous populations participated in Council meetings concerning whether the statue should remain or be removed. Ultimately, the Council voted to remove the statue and there was minimal controversy surrounding the statue removal. Instead, a celebration was held during the removal with all demographics of the community present in support.<sup>23</sup>

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<sup>20</sup> NBC Los Angeles, *Columbus Statue Comes Down in Grand Park*, NBC LOS ANGELES (November 10, 2018, 11:14 AM), <https://www.nbclosangeles.com/news/local/Columbus-Statue-Comes-Down-in-Grand-Park-500206491.html>.

<sup>21</sup> Christine Hitt, *Christopher Columbus statue removed from Los Angeles' Grand Park after 45 years*, INDIAN COUNTRY TODAY (Nov. 12, 2018, 07:18 AM), [https://newsmaven.io/indiancountrytoday/news/christopher-columbus-statue-removed-from-los-angeles-grand-park-after-45-years-FD\\_Zbdz-a0GqiLOh2YIMtQ/](https://newsmaven.io/indiancountrytoday/news/christopher-columbus-statue-removed-from-los-angeles-grand-park-after-45-years-FD_Zbdz-a0GqiLOh2YIMtQ/).

<sup>22</sup> The Harvard Crimson, *Celebrating Genocide*, THE HARVARD CRIMSON (October 12, 1996), <https://www.thecrimson.com/article/1996/10/12/celebrating-genocide-pit-seems-that-everyone/>.

<sup>23</sup> Hitt, *supra* note 21.



The photo (top left) shows the Columbus statue being removed from Grand Park on November 15, 2018. As you can see all demographics reflected in the community showed up to support the removal.<sup>24</sup>

After the statue removal, Taino member and Grammy nominated singer-songwriter Irka Mateo stands with her daughter prior to their performance of a 500 yr. old traditional song that carries the

message, "We'd rather be dead than slaves." The result of the City Council's efforts provided for more inclusive representations in public institutions reflecting the diverse population of LA.

The key to the successes found in the Sand Creek Massacre Historical Site dedication, and Columbus Day examples, were due to the inclusion of tribal nations and people in these conversations, as well as the local community. Without Native American perspectives on Columbus, I doubt this project would have ever begun. I posit that there was less controversy and backlash because members of the community had a chance to present their views to the City Council and have a logical discourse about the result they wanted to see in their community.

These interactions and results are in stark contrast to the heated debates around the Confederate statue removals, which are tried in the court of public opinion (produced by sensationalized media) and often result in immediate knee-jerk reactions by local governments without community consideration, input, or analysis.<sup>25</sup> Public institutions have an obligation to assess the wants and needs of their local populations and Native American people (when dealing with their dark heritage) to ensure that those representations are what they really want and that they are represented in an accurate and balanced manner.

## **PART II: Solutions to Deal with Public Backlash and Controversy**

The following case study analyzes what happens when museums and artist don't gauge the temper of the local public when dealing with public art installations. It also shows the effects of self-imposed ignorance on the part of the artist and museum by failing to contact local tribes and get feedback about art pieces that represent their heritage. Both the museum and artist

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<sup>24</sup> *Id.* Hitt. Photo Credit: Christine Hitt

<sup>25</sup> Tyler Stiem, *Statue wars: what should we do with troublesome monuments?*, THE GUARDIAN (Sep. 26, 2018, 07:00 AM EDT), <https://www.theguardian.com/cities/2018/sep/26/statue-wars-what-should-we-do-with-troublesome-monuments>.

David Olusoga, *Statues are not the issue. These are 'history wars', a battle over the past*, THE GUARDIAN (Aug. 26, 2017, 07:29 PM EDT), <https://www.theguardian.com/commentisfree/2017/aug/26/statues-were-not-erected-to-teach-us-history-but-to-exert-power>.

responded in the best way possible considering the situation and devised solutions the Dakota were amenable to.

## A. Durant Controversy

The Durant Controversy is a compelling case study into the repercussions of presenting tribal history for public consumption without using available resources or consulting with Native American Tribes. Durant built a scaffold sculpture (also known as “The Gallows”) based off the seven historical hangings sanctioned by the US government between 1859-2006 which included the largest mass execution in the history of the U.S.<sup>26</sup> Durant intended for the piece to bring about public discourse on criminal justice in the United States. He didn’t foresee it becoming so contentious because the exhibit had been a major success while it toured Europe.<sup>27</sup> But when the Walker Art Center built it in their sculpture garden it was assaulted with a media firestorm and public protests from non-Native and Native American community members. People objected to using genocide history as art. Worse yet, they found it profane to allow children and adults “play” on the interactive art piece.

The Dakota People saw it as a trivialization of their traumatic history. The US-Dakota War of 1862 was an uprising by the tribe due to treaty violations and late or unfair annuity payments by Indian Agents which caused starvation and hardship among several bands of the Dakota. After several months of battling between the Dakota and the U.S. Army, most of the bands surrendered. By late December 1862, U.S. Soldiers had captured more than a thousand Dakota warriors, women, children and elderly and interred them in jails in Minnesota. Those who surrendered were quickly tried in unfair military tribunals and 303 were condemned to death.<sup>28</sup> President Lincoln felt 303 deaths was too genocidal, so he modified the criteria of what charges warranted a death sentence – resulting in only two Dakota warriors sentenced to die. President Lincoln felt this was too lenient and was concerned about white settlers uprising, so he changed the criteria again and the resulting number was 39 Dakota men sentenced to die.

On December 26, 1862, by order of the President, the largest mass execution in the history of the United States took place with 4,000 white settlers attending to watch the event and cheered when the hanging was done.<sup>29</sup> The youngest person unjustly executed was No. 21, son of Wakan mani, who was “half-witted” and only 14 yrs. old.

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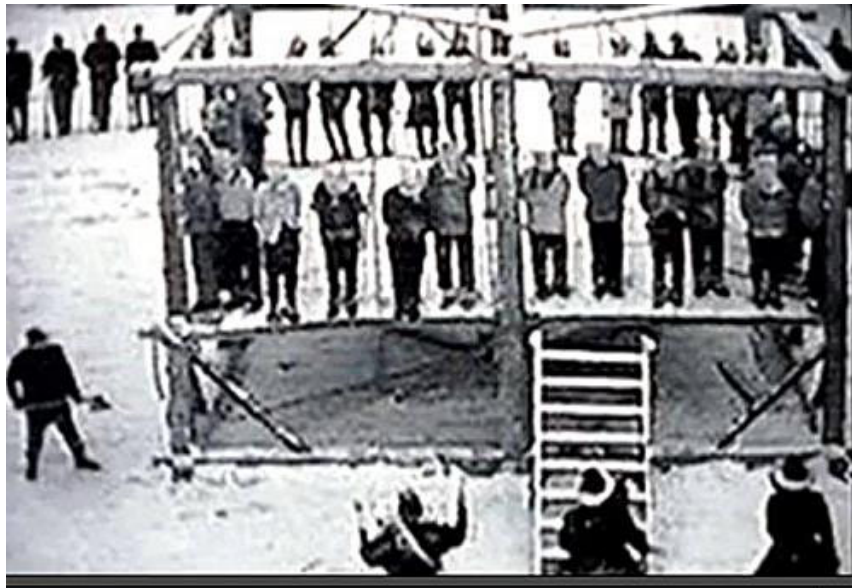
<sup>26</sup> Hilarie M. Sheets, *Dakota People Are Debating Whether to Burn ‘Scaffold’ Fragments*, N.Y. TIMES (June 5, 2017), <https://www.nytimes.com/2017/06/05/arts/design/dakota-people-are-debating-whether-to-burn-scaffold-fragments.html>.

<sup>27</sup> Devon Van Houten Maldonado, *Sam Durant Speaks About the Aftermath of His Controversial Minneapolis Sculpture*, HYPERALLERGIC (July 14, 2017), <https://hyperallergic.com/390552/sam-durant-speaks-about-the-aftermath-of-his-controversial-minneapolis-sculpture/>.

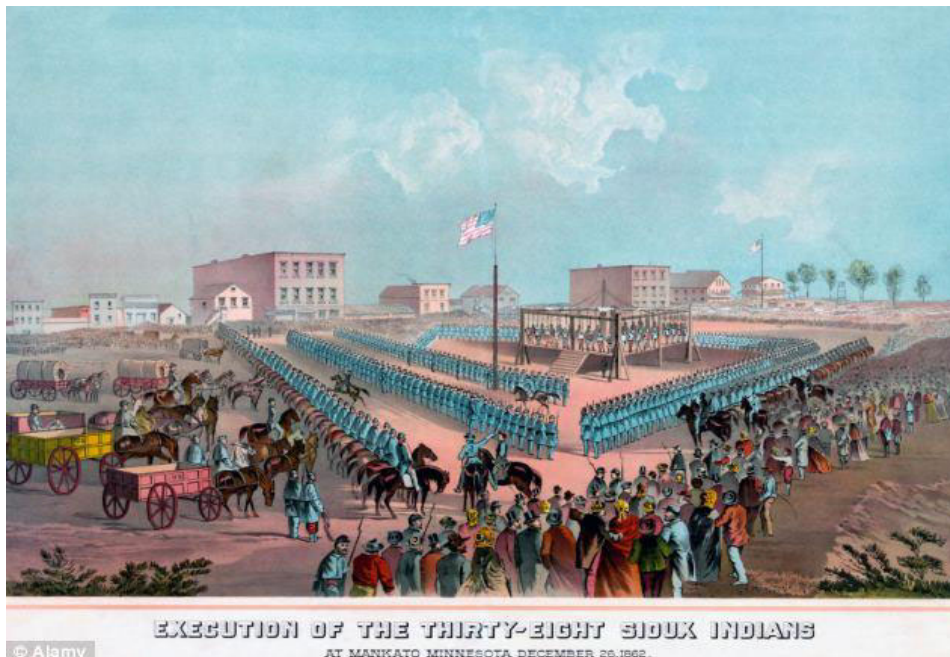
<sup>28</sup> Mark Charles, *The Hanging of the Dakota 38 and the Troubling Legacy of President Lincoln*, NATIVE NEWS ONLINE.NET (December 26, 2017), <https://nativenewsonline.net/opinion/hanging-dakota-38-troubling-legacy-president-lincoln/>.

<sup>29</sup> Vincent Schilling, *The Traumatic True History and Name List of the Dakota 38*, INDIAN COUNTRY TODAY (December 27, 2017), [https://newsmaven.io/indiancountrytoday/archive/the-traumatic-true-history-and-name-list-of-the-dakota-38-3awsx1BAdU2v\\_KWM81RomQ/](https://newsmaven.io/indiancountrytoday/archive/the-traumatic-true-history-and-name-list-of-the-dakota-38-3awsx1BAdU2v_KWM81RomQ/).

The following photo was taken at Mankato as the 38 Dakota men were executed.<sup>30</sup>

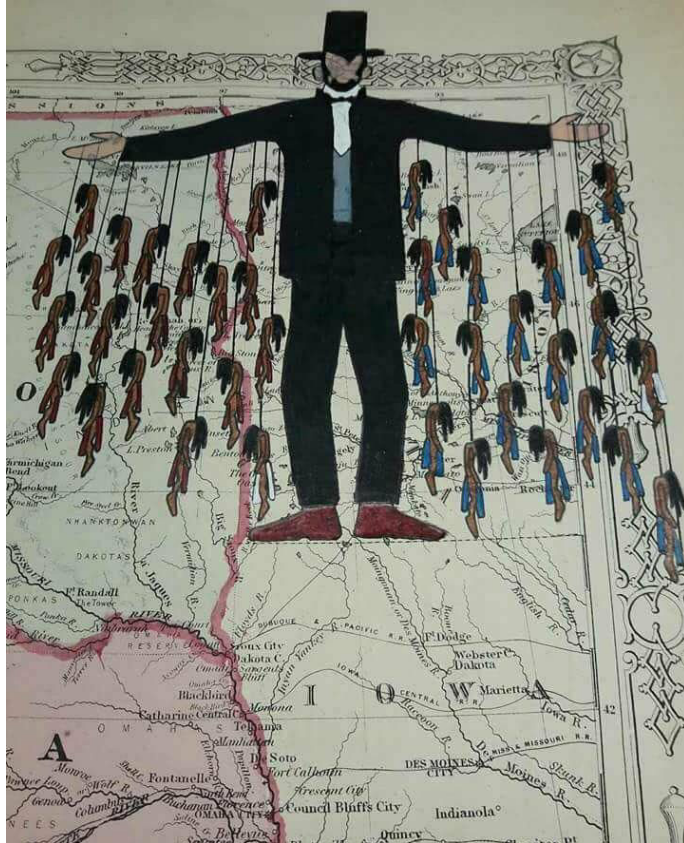


The photo (below)<sup>31</sup> is based off a lithograph of the hanging which appeared in the February 17, 1863 issue of the Mankato Weekly Record. Copies were later sold for 15 cents each. Ironically, President Lincoln issued the Emancipation Proclamation and freed the slaves in the South the following month.



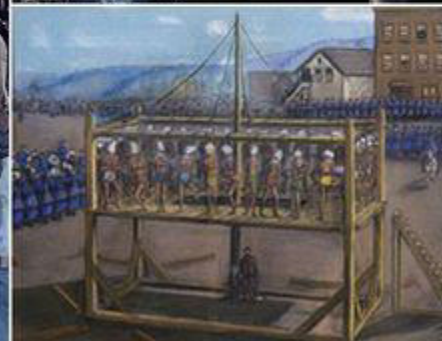
<sup>30</sup> *Dakota 38 – Healing from the Largest Mass Execution in US History* NETNEWSLEDGER (December 26, 2017), <http://www.netnewsledger.com/2017/12/26/dakota-38-healing-largest-mass-execution-us-history/>.

<sup>31</sup> *Id.* Schilling. Also see *1862 U.S. – Dakota War in Minnesota*, FAMILY AND FRIENDS OF DAKOTA UPRISING VICTIMS, <http://www.dakotavictims1862.com/aftermath--punishment.html>.



The picture (left) is Ledger Art commemorating the Dakota 38 massacre which was created by Travis Blackbird, a member of the Omaha tribe and produced on Northern Plains 1864 map.<sup>32</sup>

The Dakota hold an annual Ride and Run Memorial Event every year to honor their ancestors that were murdered on December 26, 1862. The photos below were taken during the Dakota 38 Memorial 'Ride & Run' 2012.<sup>33</sup> Photo Credit: Jackson Forderer for MPR



<sup>32</sup> Ledger art by Omaha Tribal Member Travis Blackbird.

<sup>33</sup> Emma Reynolds, 'Warriors, the healing has started': Native Americans ride for 16 days to remember 38 Dakota men killed in largest execution in US history, DAILYMAIL.COM (Updated on January 2, 2013, 3:22 AM EDT), <https://www.dailymail.co.uk/news/article-2253657/Native-Americans-ride-16-days-remember-38-Dakota-men-killed-largest-execution-US-history.html>.

The media firestorm and public protests that followed the opening of the Gallows resulted in the sculpture being gated off until the Walker Art Center figured out what to do with the piece. Members of the community began hanging signs off the gates, continued to protest and hold vigils, and a makeshift memorial was created.<sup>34</sup> The Walker Art Center and Sam Durant immediately issued a public apology and began consultation with the Dakota in mediation proceedings. Ultimately, Durant took responsibility for his ignorance and agreed with tribal representatives that the piece should be removed. He went a step further and signed all intellectual property rights over to the tribe with a promise that he would never make that piece again. The Dakota held a blessing and public ceremony before bringing in a Native American construction company to dismantle the piece. They have since buried it in an undisclosed location and said that they hope this event has “planted a seed of healing and change” as long as the Walker Art Center nurtures it.<sup>35</sup> In response to the Durant controversy, Tom Eccles (noted arts curator and executive director of the Center for Curatorial Studies at Bard College) responded, “If I were Native American or African-American, I think I’d be pretty fed up with the way my community has been portrayed too. It’s a good thing we’re being made to feel uncomfortable. So we should be.”<sup>36</sup> Durant himself stated his ignorance caused this problem and he never would have used the gallows had he contacted representatives from the Dakota community in advance.<sup>37</sup> The Walker Art Center admitted their own culpability due to a failure to contact the tribe about the piece and began reassessing their protocols for public art selections.

The shame and embarrassment felt by The Walker Art Center and Durant has actually led to many positive lessons and results. The highlight was when Durant and The Walker Art Center acknowledged their social responsibility and duty to members of the tribe and local community.<sup>38</sup> This controversy stirred professional and public discourse on the moral duties of artists and museums, and accurate representations of Native Peoples’ perspectives and histories.<sup>39</sup> In an interview, the curator for the Walker Art Center, Olga Viso spoke about reconsidering the decisions they make around what’s put in public space and that processes and protocols would be reexamined.<sup>40</sup> Consequently, Ms. Viso announced the Walker Art Center’s commitment to work with Native American artists in the future. Following the controversy, the Walker Art Center formed the Indigenous Public Art Selection Committee.<sup>41</sup>

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<sup>34</sup> Aaron Coker, *Everything You Need to Know about the Gallows Being Removed from the Sculpture Garden*, TWIN CITIES GEEK (May 30, 2017), <http://twincitiesgeek.com/2017/05/everything-you-need-to-know-about-the-gallows-being-removed-from-the-sculpture-garden/>.

<sup>35</sup> Sheila Dickinson, *‘A Seed of Healing and Change’: Native Americans Respond to Sam Durant’s ‘Scaffold’*, ARTNEWS (June 5, 2017, 4:00 PM), <http://www.artnews.com/2017/06/05/a-seed-of-healing-and-change-native-americans-respond-to-sam-durants-scaffold/>.

<sup>36</sup> Sheets, *supra* note 26 at 2.

<sup>37</sup> *Id.* at 3.

<sup>38</sup> *Id.* at 4.

<sup>39</sup> Carolina A. Miranda, *Artist Sam Durant was pressured into taking down his ‘Scaffold.’ Why doesn’t he feel censored?*, ELECTRONIC LOS ANGELES TIMES, June 17, 2017, <https://www.latimes.com/entertainment/arts/la-et-cam-sam-durant-scaffold-interview-20170617-htmllstory.html>.

<sup>40</sup> Sheets, *supra* note 26, at 4.

<sup>41</sup> Alex Greenberger, *Following Sam Durant Controversy, Walker Art Center Forms Indigenous Public Art Selection Committee*, ELECTRONIC ARTNEWS, June 19, 2018, <http://www.artnews.com/2018/07/19/following-sam-durant-controversy-walker-art-center-forms-indigenous-public-art-selection-committee/>.

If Durant had contacted the tribe in the first place, this never would have happened. If the Walker Art Center had proper protocols in place to assess public art selections, this never would have happened. If the Walker Art Center had tribal consultant, this would have been less likely to happen. Finally, if the Walker Art Center had a rapport with the Dakota people they would have known about the tribe's history and not bought the piece in the first place. The takeaway from this controversy is the importance of education and tribal consultation.

### **PART III: Museum Reformation and Tribal Collaboration**

Public institutions should collaborate with local tribes so that the public can learn about the people living near and within their own communities. Tribal collaboration should also extend to exhibits that are representing heritage, light or dark, of any Native American Tribe. Accurate representation is important because Native American Tribes are sovereign nations that deserve to be respected and recognized as such. Museums should consider reforming outdated exhibits to comport with the knowledge and histories we now today. Colonial narratives need to be revised so that museums truly reflect the diverse voices they are exhibiting.

#### **A. Dual Representations**

Museums have a huge impact on the way societies learn about history. Children are highly impressionable and primarily learn from observation of their environments. They have yet to develop higher thinking or rhetorical analysis capabilities. In addition, even most adults don't have the academic training to conduct rhetorical analysis about the presentation of history public institutions display. Moreover, international tourists have no historical context to address inconsistencies in museum presentations. Therefore, museums have a responsibility to produce accurate representations of our country's history and diverse populations.

Museums need to focus on reevaluating narratives and exhibits on Native American heritage. They should also focus on balancing preservation with their responsibilities toward education, scholarship, and research. Museums should contemplate exhibiting dark heritage of Native American history alongside current happy-go-lucky representations. Public institutions should evaluate exhibits for authenticity, accuracy, and balance; and the impact those displays will have on unlearned, impressionable, and inquisitive visitors. Dark history needs to be displayed to teach Americans that this is part of their history too. One of the biggest issues with museums specifically is that Native People are too often shown in exhibits as a part of antiquity stuck in the past. Objects are shown in jewelry store display cases with little context or information about the items and how they were used by Native American Tribes in the past or currently. Furthermore, there are rarely pictures of contemporary Native Americans as living people with surviving cultures included in these exhibits. Also, these anthropological representations often lack soul or gravitas in their presentations. Curators should focus on creating living museums that bring Native American Tribes to life, instead of jewelry store type exhibits that are commonly experienced today. The Holocaust Museum in Washington D.C. is an exceptional example of presenting history in a live context. When you walk into the museum and

throughout the exhibits, every space has a sense of gravitas and soul, unlike any other museum I have ever visited.<sup>42</sup>

## 1. Competing Views

One thing museums can do to balance colonial narratives is to place competing imagery next to outdated exhibits. Anthropological research has come a long way yet many historical representations of Native Americans in museums seem to be cemented in the past. I propose museums evaluate their exhibits. If they find one that is outdated, they should cut it in half and place a competing counter-view from a Native American perspective alongside it. They should leave up the old information placard or label on the outdated side. On the counter-view side, they should place information stating “what we know now” and telling the story about the exhibit through a tribal interpretation. (This means collaborating with whichever Native American Tribe is being represented first!) Then, they can let the visitor decide what information and conclusions they choose to take away from the experience. At the very least, this may cause the visitor to experience cultural dissonance and begin challenging their own beliefs about the narratives they’ve been taught throughout their lives. Furthermore, museums should consider placing a placard with “where are they now” to show Native American Tribes as surviving and contemporary people.

## 2. Overlays & Amendments

Another option would be to place an overlay with counter-information on outdated exhibits to correct historical representations. Or museums can leave the exhibit in place with



material corrections bolded and highlighted as seen in the picture below. The New York Times published an article titled, *What’s Wrong with this Diorama? You Can Read All About It* on March 20, 2019. The picture on the left shows a diorama at the American Museum of Natural History that was amended in a way that allows museumgoers to

<sup>42</sup> United States Holocaust Memorial Museum, *About the Museum: A ‘living’ memorial to the Holocaust*, USHMM (last visited Dec. 18, 2018), <https://www.ushmm.org/information/about-the-museum>.



see the historical inaccuracies it perpetuates.<sup>43</sup>

The narrative seen above was created in 1939 and filled with stereotypes, inaccuracies, and clichés of Native American representation. Museum officials said they were aware of the implications of cultural hierarchy (v. cultural exchange) that the diorama depicts and decided to finally address it. Bradley Pecore, a visual historian of Menominee and Stockbridge Munsee descent said, “These stereotypes are problematic, and they’re still very powerful. They shape the American public’s understanding of Indigenous people.” So, a year ago, the museum asked Pecore to help solve the problem. The museum was unsure if the exhibit should be removed entirely or altered.

The museum decided to take a transparent approach and acknowledge that it was problematic. The museum went a step further and also placed a new panel on the wall near the diorama that addresses the question, “Where are the Lenape now?”. This heritage reconstruction has not only corrected inaccurate and unbalanced colonial narratives but has also made visitors see the Lenape people in history and modernity. The public demanded this change after three years of protests by members of the #DecolonizeThisPlace Movement<sup>44</sup> which urged public institutions to acknowledge the struggles of Indigenous people and change demeaning displays. One visitor, Alana Steinberg said her experience was enhanced and that, “It’s interesting to see how cultural knowledge has changed over time.” The takeaway for museums is to consider who tells the stories in these public institutions and the impact it has on shaping visitors’ views and understanding of American history.

## **B. Present-Centered Dissonant Heritage Model**

Public institutions and curators should consider starting with something like Deepak Chhabra’s *Present-Centered Dissonant Heritage Model* when re-evaluating the presentation of cultural heritage.<sup>45</sup> Chhabra’s model focuses on promoting ethical heritage tourism and sustaining positive host-guest contacts.<sup>46</sup> For one, public institutions should avoid societal or intentional amnesia and highlight pluralism, diversity, and multiculturalism from minority perspectives and experiences.<sup>47</sup> Dissonance phenomenon results from tangible elements of past heritage and inheritance combined with psychological perspectives of implicit biases or favoritism.<sup>48</sup> Chhabra’s proposed framework integrates various perspectives in a mixed method approach nested in critical discourse inquiry.<sup>49</sup> The model can be tested by drawing participants from different ethnic groups and the mainstream population. Perspectives, combined with data using the model, can lead to socially inclusive content and public involvement in five key

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<sup>43</sup> Ana Fota, *What’s Wrong With This Diorama? You Can Read All About It*, NEW YORK TIMES (March 20, 2019), <https://www.nytimes.com/2019/03/20/arts/design/natural-history-museum-diorama.html>.

<sup>44</sup> <http://decolonizethisplace.org/>

<sup>45</sup> Deepak Chhabra, *A Present-Centered Dissonant Heritage Management Model*, 39 ANNALS OF TOURISM RESEARCH 1701 (2012).

<sup>46</sup> *Id.* at 1704-05.

<sup>47</sup> *Id.* at 1702.

<sup>48</sup> *Id.* at 1702.

<sup>49</sup> *Id.* at 1703.

heritage institutions and can be examined using the representative theory framework.<sup>50</sup>

The cultural discourse analysis approach has proven to be a valuable mechanism in determining truth and authenticity, and the results and inferences from the model will lead to alternative accounts and perspectives that lie beyond political allegiances.<sup>51</sup> This will cater to the need of the contemporary traveling public seeking ethical consumption of heritage experiences based on intragenerational equity.<sup>52</sup>

Public institutions need to use a model like this to help assess the perspectives of the local community before they decide to construct heritage exhibits. This involvement will help the community understand the reasons want to put up contentious heritage construction and exhibits. It would also be especially helpful if they could also host a closed focus group with the specific minority population they plan on representing to get their feedback on whether the heritage construction is relevant and appropriate. That way public institutions can avoid the backlash the Walker Art Center experienced.

### C. Tribal-Museum Collaboration

Another recommendation for public institutions is to collaborate with tribes and create partnerships. This would allow balanced and ethical presentations of their people and history. I advocate for Tribal-Museum partnerships, and the creation of tribally-owned museums, because federal policies currently do not protect tribes<sup>53</sup> nor encourage them to share their knowledge or culture.<sup>54</sup>

First, public institutions should ask policymakers to create a waiver option, or exception, written into the Native American Graves Protection and Repatriation Act<sup>55</sup> (NAGPRA) to help cut through the red tape and make repatriation more efficient. Museums could then repatriate tribal belongings (and people's bones) quicker. Native American Tribes would then have the agency to decide how to display items in culturally appropriate ways at the right times and construct authentic narratives to educate the public. This repatriation and show of goodwill may entice tribes to create partnerships with museums and loan items to them; as well as provide stories and histories surrounding them. Tribe's would also have the power to control when loaned items are shown and ensure the sacredness of those objects are honored through contractual loan agreements. Anthropologists and curators would benefit by having new

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<sup>50</sup> *Id.* at 1704

<sup>51</sup> *Id.* at 1704.

<sup>52</sup> *Id.* at 1704.

<sup>53</sup> NAGPRA is difficult to enforce because the meaning of what is 'Native American' is now hard to define due to the US Supreme Court's decision in *Bonnichsen v. US*. It is also vastly underfunded and rarely enforced because the knowledge requirement is hard to meet for federal prosecutors. The Indian Arts & Crafts Act was implemented in 1990 and amended in 2010 and has only found five people guilty of violating the Act. Two cases were dismissed and the remaining three were sentenced to probation or up to 13 months of jail time. Intellectual property laws fail tribes because they only cover individual creators v. entire tribes. Furthermore, the laws have an originality requirement that doesn't cover creations that have been handed down through generations.

<sup>54</sup> Christine Haight Farley, *Protecting Folklore of Indigenous Peoples: Is Intellectual Property the Answer?*, 30 CONN. L. REV. 1 (1997).

<sup>55</sup> NATIVE AMERICAN GRAVES PROT. AND REPATRIATION, 25 U.S.C. §§ 3001-3013 (2019).

opportunities to access unknown histories of objects they currently only hypothesize about and scientifically test. Visitors appreciate and enjoy museums because objects come with vibrant stories, backgrounds, and histories; not because they hold a bunch of random art and artifacts.

Collaborative relationships between Native American Tribes and museums would help move current NAGPRA issues along. The museum at the University of Montana is the perfect example of what happens when there is no cultural bridge between tribes and museums. The result is stagnating efforts to repatriate because no culturally relevant person is available to work face-to-face with Tribes.<sup>56</sup> Visitors receive an authenticity in education from tribally owned, operated, and curated museums that are often unlike anything they currently see in non-native operated museums because they are removed far from source and context. Tribes will also benefit psychologically, sociologically, and economically from repatriation and tribal museums because they can create their own holistic narratives, have renewed access to sacred objects for ceremonies, and receive tourism income from visitors.

Tribal collaborations are rife with benefit with few adverse effects that can foster remarkable relationships. Native American Tribes will be more inclined to share and feel safer doing so if they feel their cultural knowledge and items are respected and protected.



The photo (top left) shows pictures of contemporary Paiutes culling fish from their hatchery (background) & a Woman's Traditional dress and food-related implements the Paiute Tribe still uses today for gathering and grinding pinenuts (foreground). The

<sup>56</sup> Dr. Auge, the collections curator for the University of Montana, came in and spoke to our Art & Cultural Property Class about the NAGPRA issues the museum was struggling with. Local tribes in Montana visit the campus every year as part of a summit and all they want to discuss is NAGPRA issues. Tribal representatives have difficulty moving forward and discussing future goals because they are still dealing with feelings of trauma and loss connected to the missing people and objects the University has in storage.

picture (top right) shows Paiute Elders watching a video in the Paiute Museum. In the bottom photo, Paiute Elder Ralph Burns talks about his efforts to revitalize the Paiute language on the Pyramid Lake Reservation and in the community.<sup>57</sup>

#### **D. Sam Noble Museum Model**

The Sam Noble Museum proved Tribe-Museum collaborations could be especially fruitful when they worked together on the *Painting a New Battle Tipi* exhibition. It is one of the best-case illustrations I have found promoting collaboration with Tribes by coming up with new research methods and organizational practices. This case study doesn't deal with dark heritage specifically, but it can and should be used when collaborating with Native American Tribes in depicting any type of light or dark heritage related to their unique histories.

The Ethnology Department of the Sam Noble Museum of Natural History, University of Oklahoma, (Museum) decided to celebrate indigenous heritage by working with the Kiowa Black Leggings Warrior Society (Society) during the Summer and Fall of 2008 to document the painting of the new Battle Tipi in conjunction with the 50<sup>th</sup> Anniversary Ceremonial that celebrated the Society's revival.<sup>58</sup> The primary objective of the exhibition was to present contemporary efforts the Kiowa undertake to document and perpetuate aspects of their culture and history.<sup>59</sup>

The Museum managed to do this project by first securing two reciprocal grants for the *One Hundred Summers: A Kiowa Calendar Record* exhibition in 2005.<sup>60</sup> The objective of the exhibition was to present contemporary efforts the Kiowa undertake to document and perpetuate aspects of their culture and history. In May 2008, the Museum worked with the community to identify current heritage projects they were working on. They began working with descendants of Kiowa Chief Tohausen to create an edited DVD of interviews with tribal elders from his lineage about his prominent role and status among the tribe. The elders participated in hopes that this would reaffirm the solidarity of the extended family and provide younger generations with a detailed historical record and genealogical information about their ancestor.<sup>61</sup>

During this time, the Museum learned that Society wanted to paint a new Battle Tipi in for their 50<sup>th</sup> Anniversary Ceremonial. The Museum approached the Society to see if they were interested in collaborating. After the Society affirmed their interest, there were detailed discussions about who would own the rights to the field footage and video recordings.<sup>62</sup> Officers of the Society wanted to protect their intellectual property rights to the tipi, designs, songs, and ceremony so that they could maintain control over the use and dissemination of the recordings.

The catalyst for these efforts was largely due to the Tribe's lamentable loss over the

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<sup>57</sup> Pyramid Lake Paiute Tribe Museum and Visitor Center, *Pyramid Lake Museum*, PYRAMID LAKE PAIUTE TRIBE, <https://pyramidlake.us/museum> (last visited March 20, 2019).

<sup>58</sup> Michael Paul Jordan & Daniel C. Swan, *Painting a New Battle Tipi: Public Art, Intellectual Property, and Heritage Construction in a Contemporary Native American Community*, 56 PLAINS ANTHROPOLOGIST 195 (2011).

<sup>59</sup> *Id.* at 208.

<sup>60</sup> *Id.* at 207-208.

<sup>61</sup> *Id.* at 208.

<sup>62</sup> *Id.* at 209.

control and dissemination of the performance and songs of their sacred Gourd Dance; which resulted in non-Indian hobbyist groups culturally appropriating and establishing hobbyist Gourd Dance organizations.<sup>63</sup> The Society wanted to protect the symbolic power and value of their warrior tipi which serves as a war memorial, historical record, and vehicle for transmitting cultural values to the tribe. For the Kiowa, the Battle Tipi is as important as the Liberty Bell or American Flag is to larger society.<sup>64</sup>

After clear discussions regarding who would own the rights to the recordings, the Museum granted the Society copyrights to all the field footage, which is currently archived at the Museum. The Museum and Society hold joint rights to the edited video program, *Painting a New Battle Tipi* and a one-time permission was granted to use the video program for the Silver Horn Exhibition with any future uses to be renegotiated on a case-by-case basis.<sup>65</sup>

After the intellectual property rights were decided the painting of the Battle Tipi began. The tipi was painted in a gymnasium space provided by the Anadarko Christian Center. It became a major community event with visitors regularly stopping in to view the process and discuss the significance of the events being depicted, while the Museum conducted film sessions.<sup>66</sup> As the artists were finishing the painting and the 50<sup>th</sup> Anniversary Ceremonial was soon to begin, the Society asked the Museum to produce an authorized documentary of the Ceremonial. This request was due to the trust relationship that developed between the two organizations over time. Another major motivation for video documentation was the Society's wish to protect their intellectual property rights from unauthorized dissemination or potential commercialization.<sup>67</sup> The 50<sup>th</sup> Anniversary Ceremonial was held (and documented) on October 11-12, 2008. The Museum stated they embraced the spirit and form of collaborative ethnography advocated by Lassiter<sup>68</sup> and the Kiowa community. Their approach emphasized a continuous line of dialogue and shared decision-making authority at every step of the project, particularly in the framing of the final product. The Museum noted a critical factor in the project was the ability to incorporate funding from reciprocal service projects within research and exhibit budgets. The Museum's hope is this will inform museum anthropologists in continued efforts to explore the intersection of applied and visual arts and contribute to the emergence of new research methods and organizational practices.<sup>69</sup>

This is the model all public institutions should adopt when dealing with Native American heritage representations. This is the perfect example of how to foster positive relationships from first contact all the way through to the completion of a project. This type of collaboration builds

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<sup>63</sup> *Id.* at 209.

For information on non-Indian Hobbyist Groups see CBCDOCSPOV, *Teepees, Powwows and 'Indianer' Camps: Germany's Long Fascination with Indigenous Culture*, (July 8, 2018). <https://www.cbc.ca/cbcdocspov/features/teepees-powwows-and-indianer-camps-germanys-long-and-some-say-weird-fascina>.

<sup>64</sup> *Id.* at 209-10.

<sup>65</sup> *Id.* at 209.

<sup>66</sup> *Id.* at 204

<sup>67</sup> *Id.* at 209.

<sup>68</sup> Luke Eric Lassiter, *The Chicago Guide to Collaborative Ethnography* 16-17 (2005).

<sup>69</sup> Jordan & Swan, *supra* note 58 at 210.

rapport and trust with tribal members that can result in fruitful educational exchanges.

### E. State-Tribal Collaboration: Letchworth State Park Example

Dark heritage revision and dual representations should extend beyond museums to all public institutions. This case study doesn't deal with dark heritage specifically. Instead, it is provided to show the benefits the public can experience by including and collaborating with Native American Tribes in colonial narrative revisions. Public officials in New York have realized the benefits of a tribal-state collaboration by inviting local tribal members to participate in events held at Letchworth State Park. This inclusiveness has helped balance historical representations by allowing tribal members to present a different perspective on U.S. History. The benefits of fostering collaborative relationships with local tribes was evident in September 2017 when Letchworth State Park hosted the Native American and Pioneer Days.<sup>70</sup> The event showcased contemporary Native American dancers performing traditional dances and teaching about their cultural significance. It also featured athletics and craft demonstrations relating to both Native American and pioneer life. Not all remembrances of our Nation's heritage need to be dark or dissonant but they do need to be balanced and accurate. The success of the event proved dual perspectives can be shown simultaneously and be well-received by the general public.

A year later, on October 22, 2018, Letchworth State Park invited an Iroquois Storyteller to present a counter-culture perspective on Thanksgiving titled, *Re-thinking Thanksgiving: A Native American Perspective on an American Holiday*. Perry Ground was brought in to discuss



the actual events of 1621 and expose an uncommon history of the misunderstood holiday. The goal was to teach accurate and culturally appropriate information about the English settlers at Plymouth and Wampanoag, and about the Native people who inhabited the area.<sup>71</sup>

The photo shows storyteller Perry Ground of the Onondaga Nation of the Haudenosaunee (Iroquois) Confederacy.

Everyone in attendance at the event benefited by gaining a richer understanding of American history, culture, knowledge, and experience through these two culture sharing initiatives. Public institutions should collaborate

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<sup>70</sup> *Letchworth festival will celebrate Native American and Pioneer Heritage*, LIVINGSTON COUNTY NEWS, (September 15, 2017), <http://www.thelcn.com/lcn05/letchworth-festival-will-celebrate-native-american-and-pioneer-heritage-20170915>.

<sup>71</sup> *Re-Thinking Thanksgiving*, LIFE IN THE FINGER LAKES MAGAZINE, (Oct. 22, 2018), <https://www.lifeinthefingerlakes.com/re-thinking-thanksgiving/>.

with Native American Tribes to address dark or light heritage surrounding American history. The American public needs to know both sides of their history and public institutions have an obligation to correct the inaccuracies that have been perpetuated for generations.

## **PART IV: Benefits, Options & Resources**

### **A. Benefits**

There are many benefits enjoyed by the public by bringing dark history to light and waiting for the controversial storm to pass. It has allowed places like the Holocaust Museum to become the premier repository for Holocaust knowledge, research, and healing of soul wounds or transgenerational traumas.<sup>72</sup> Victims can tell their stories, and the past is honored and discussed - instead of hidden.<sup>73</sup> The benefits of these lessons are expansive. Dark heritage constructions can create respect and empathy for “others” which was evident in the results of the Sand Creek Massacre Historical Site Dedication. Commonly held beliefs can be challenged and changed by engaging discourse with the local community which was exactly what happened with the Columbus Statue removal. The Sam Durant Controversy showed how dark heritage constructions can create cultural awareness and competency while simultaneously empowering marginalized communities and victims. It also provided an opportunity for the Walker Art Center to create a tribal-community bridge between the museum, public, and Dakota people. Lastly, dark heritage can also be used to revise colonial narratives as evidenced by the U.S. Army’s use of the Sand Creek Massacre site as a teaching tool for soldiers before deployments.

### **B. Options & Resources**

Some options and resources for public institutions begin with the examples presented in this paper that have already proven effective. First, they can start by contacting tribes to begin an inquiry into their historical views and cultural knowledge. The best resource for public institutions is to contact tribes directly. There is a Tribal Directory located on the National Congress of American Indians website.<sup>74</sup> Public institutions should offer to collaborate and create partnerships with the goal of building cultural bridges. By doing this, they can avoid the limitations of anthropological (book) research that artist Sam Durant faced when he built the “Scaffold” sculpture. There is a richness in our history that cannot be taught on paper, only in person.

Public institutions should also consult one of the best (free) teaching tools currently available on Native American Tribes called *Native Knowledge 360\** which is produced by the National Museum of the American Indian (NMAI).<sup>75</sup> This product is made by NMAI in collaboration with Tribes. It has culturally accurate digital online lessons, instructional materials for schoolchildren, and professional development opportunities and workshops. The program is aimed at teachers and school-aged children, but it can be used by public institutions to help revise exhibits because public institutions and curators are also teachers. The software available

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<sup>72</sup>United States Holocaust Memorial Museum, *supra* note 42.

<sup>73</sup> Maria Yellow Horse Brave Heart & Lemyra M. DeBruyn, *The American Indian Holocaust: Healing Historical Unresolved Grief*, 8 AMERICAN INDIAN AND ALASKA NATIVE MENTAL HEALTH RESEARCH 60 (1998).

<sup>74</sup> National Congress of American Indians, *Home > Tribal Directory*, NCAI (last visited Dec. 18, 2018), [www.ncai.org/tribal-directory](http://www.ncai.org/tribal-directory).

<sup>75</sup> Smithsonian National Museum of the American Indian, *Native Knowledge 360°*, NATIVE KNOWLEDGE 360° (last visited Dec. 18, 2018), <https://americanindian.si.edu/nk360/about.cshtml>.

on the website can help people with limited exposure on the subject or tribe, begin their research with accurate information and representations endorsed by Tribes. NMAI's goal is to, "provide model instructional materials and professional development for students and teachers, it also serves as a stimulus to the national conversation on education for and about American Indians."<sup>76</sup> This would be invaluable in helping people in charge of heritage construction and sites learn how to accurately represent and teach the American public and international tourists about (Native) American history.

Museums should also consider repatriating items and requesting a temporary loan through (tribal) museum-museum loan programs, as well as inviting tribal members to speak about these items or provide tours. Museums need to consider revising exhibits to represent Native Americans in history and contemporary by creating living museums. Lastly, museums should focus on using dual representations to counter outdated colonial narratives based on Native American historical knowledge and current information.

## **PART V: Conclusions and Lessons**

The lessons this paper hopes to impart is that curators of public institutions need to begin addressing their own cultural dissonance and implicit biases. Then they should use something like the Present-Centered Dissonant Heritage Model to assess local populations wants, needs, and expectations in public institution representations. Subsequently, public institutions should decide whether they need to revise or altogether remove the current exhibit or site. The city of Los Angeles decided to do both in the Columbus Day holiday revision and statue removal, which resulted in creating a closer-knit community with a better representation of their diverse populations. After that, public institutions need to educate themselves by reaching out to local tribes and offering to collaborate with them before creating any type of Native American heritage installations. That way they can avoid making the same mistakes the Walker Art Center did in the Durant Controversy. Furthermore, collaboration can result in positive contacts and advances in ethnographic or anthropological research as seen in the Kiowa example. Finally, public institutions need to remember their primary purpose is to educate the public. The public has a certain expectation of these institutions which was summarized best by Joyce Mayo when she visited the Sand Creek Massacre Site, "Something happened here that nobody should have ever did. Which makes me wonder what else happened in our history that we weren't told about."

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<sup>76</sup> MW18: Museums and the Web, *GLAMi Nomination: Native Knowledge 360° Digital Lessons*, MW (last visited Dec. 18, 2018), <https://mw18.mwconf.org/glami/native-knowledge-360-digital-lessons/>.