To the victims of the Sand Creek Massacre and to all those dedicated to the understanding and preservation of their memory.
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# TABLE OF CONTENTS

<table>
<thead>
<tr>
<th>Section</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>ACKNOWLEDGMENTS</td>
<td>4</td>
</tr>
<tr>
<td>LIST OF TABLES</td>
<td>6</td>
</tr>
<tr>
<td>ABSTRACT</td>
<td>7</td>
</tr>
<tr>
<td>CHAPTER</td>
<td></td>
</tr>
<tr>
<td>1  INTRODUCTION</td>
<td>9</td>
</tr>
<tr>
<td>2  LITERATURE REVIEW</td>
<td>17</td>
</tr>
<tr>
<td>3  METHODOLOGY</td>
<td>26</td>
</tr>
<tr>
<td>4  THE SAND CREEK MASSACRE LEGISLATION</td>
<td>33</td>
</tr>
<tr>
<td>5  PROCESS OF DESIGNATION, INTERPRETATION AND CONSULTATION</td>
<td>42</td>
</tr>
<tr>
<td>6  CONCLUSION</td>
<td>59</td>
</tr>
<tr>
<td>LIST OF REFERENCES</td>
<td>65</td>
</tr>
<tr>
<td>BIOGRAPHICAL SKETCH</td>
<td>68</td>
</tr>
<tr>
<td>Table</td>
<td>Page</td>
</tr>
<tr>
<td>-------</td>
<td>------</td>
</tr>
<tr>
<td>3-1</td>
<td>Open codes</td>
</tr>
<tr>
<td>3-2</td>
<td>Selective codes</td>
</tr>
</tbody>
</table>
Abstract of Thesis Presented to the Graduate School of the University of Florida in Partial Fulfillment of the Requirements for the Degree of Master of Historic Preservation

THE SAND CREEK MASSACRE NATIONAL HISTORIC SITE: A GROUNDED THEORY CASE STUDY

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Major: Historic Preservation

In recent years, the National Park Service has administered direct Native American participation in the management, interpretation, and policy development at National Park Service units that are located on tribal lands or otherwise relate to Indian interests. At these units, the affected tribes have become partners in aspects of park management, including in-depth consultation and employment. This increased participation is due in part to congressional authorization. In recent years, the legislation has required consultation with federally-recognized Indian tribes and encouraged the tribes to undertake park management responsibilities. These mandates are the first of their kind and may help to promote a better understanding and interpretation of Native American sites. The law merits analysis. It is important to know to what extent the law increases tribal participation.

The challenge of understanding the tribal involvement of the designation process of the Sand Creek Massacre National Historic Site is limited due to a lack of published research that analyzes the law as it applies to the consultation process. It has been suggested that the National Park Service has demonstrated flexibility in administering interpretive methods and site location methodology at the Sand Creek Massacre site.
but there is a need for an in-depth analysis of the site process as it applies to the administration by the National Park Service. A study of this kind would supplement academic research of federal Indian policy, and National Park Service administration of Native American sites.
CHAPTER 1
INTRODUCTION

The Sand Creek Massacre occurred on November 29, 1864. Approximately 500 Cheyenne and Arapaho Indians were camped along the Big Sandy Creek, commonly referred to as the Sand Creek (Greene and Scott 2004). At dawn, Colonel John M. Chivington led the Third Colorado Volunteer Regiment, composed of over 700 men, in an attack that has been referred to as one of “the most brutal events in western history” (Whitacre 2004, xvii). The Indians were attacked with small arms and howitzer artillery and were pursued as they fled in all directions from the camp. Some Indians were able to dig defensive pits along the banks of the creek but were unable to protect themselves against the howitzers (Greene and Scott 2004). Approximately 150 Cheyenne and Arapaho were slaughtered, many of whom were children, women and elderly.

During and after the initial attack, the volunteer regiment, known as the Bloodless Third because they were near the end of their 100 day subscription and had yet to kill a single Indian, committed atrocities that are difficult to comprehend as the actions of supposedly civilized men. The men of the third regiment raped, mutilated and systematically sought out and killed the Indians who were hiding or attempting to flee the area.

The brutality of the armed militia was a key factor in the subsequent condemnation of the event by the military and congressional commissions. By contrast, in the politically charged atmosphere of the Colorado Territory, when the Third Regiment returned to Denver, the public responded favorably to Chivington’s distorted version of the event. In his official report to his commander Major S.R. Curtis, Chivington boasted of killing between 500 and 600 hostile Indians (Svaldi 1989).
According to historian David Svaldi (1989), The Rocky Mountain News declared the event a “Great battle with Indians” (p. 183) and the third regiment were deemed “Colorado heroes” (p. 184). Scalps and other body parts of the Indians were displayed publicly and soldiers proudly recounted their part in the event (Greene and Scott 2004). Major Anthony, the commanding officer at Fort Lyon, issued a statement that served a dual purpose. He expressed his approval of the attack as acceptable Indian policy while at the same time revealing his awareness that the particular bands of Indians who were camped at Sand Creek were peaceful:

The massacre was a terrible one and such a one as each of the hostile tribes on the plains richly deserve. I think one such visitation to each hostile tribe would forever put an end to Indian war on the plains, and I regret exceedingly that this punishment could not have fallen upon some other band (Svaldi 1984, 299).

After analyzing media coverage in Colorado and military correspondence regarding the massacre, Svaldi (1984) stated, “For one and all the policy of extermination had become a legitimate means of solving the Indian problem” (p. 299).

However, the notion that this type of event was an acceptable solution to the Indian problem was repudiated by subsequent federal actions. The true story of what happened at Sand Creek soon became the focus of two Congressional investigations and one military commission. The first congressional use of the term massacre was in 1865, the Report of the Joint Committee on the Conduct of the War, Massacre of the Cheyenne Indians. The committee found that Chivington “deliberately planned and executed a foul and dastardly massacre which would have disgraced the veriest savage among those who were the victims of his cruelty” (Scott and Greene 2004, 63). After reading the reports, the Chairman of this committee, Senator James R. Doolittle, stated that it “made one’s blood chill and freeze with horror” (Greene and Scott 2004, 21).
As a result of the federal commission findings, Article six of the 1865 Treaty with the Cheyenne and Arapaho stated:

The United States being desirous to express its condemnation of, and, as far as may be, repudiate the gross and wanton out-rages perpetrated against certain bands of Cheyenne and Arapaho Indians (Greene and Scott 2004, 21).

The treaty provided land and a promise of peace for the victims of the event.

According to Greene and Scott (2004), most Americans were "shocked and sickened" by the reports from Sand Creek (p. 21). According to testimony and letters describing their position and actions, Captain Silas S. Soule and Lieutenant Joseph A. Cramer, although present, did not participate in the massacre event. Their own letters about Sand Creek were never made part of the official report but were re-discovered in 2000. According to Halaas and Roberts (2001) the letters are believed to have been instrumental in bringing about the congressional and military investigations. The letters revealed that several additional officers and soldiers in their command did not participate as well (Halaas and Roberts 2001). In his letter dated December 14, 1864, Soule related the events of the massacre in detail to Major Wynkoop, and expressed his opinion that Major Anthony would lose his position once the incident was reported to the authorities in Washington (Halaas and Roberts 2001). When Cramer wrote to Major Wynkoop on December 19, 1864, he called the event “the great Indian Massacre” (Halaas and Roberts 2001, 6).

Tragically, Soule did not live to see his prediction come true. Soule was killed in Denver on April 23rd, before the conclusion of the investigation. According to Schultz (1990), some people believed Chivington or members of the Third Regiment had assassinated Soule in retaliation for his testimony against Chivington. While the truth of
the murder was never revealed, Schultz states that most of the public “were sobered to
the point of reconsidering their judgment about the fighting parson [Chivington]” (p. 171). After the military commission hearings, Chivington moved from Colorado to Nebraska. A Methodist minister before his military service, he had been temporarily suspended from the ministry. He did not rejoin the church after the Sand Creek Massacre. Governor Evans was dismissed from office (Greene and Scott 2004). The volunteers of the Third Regiment were never punished for their actions at Sand Creek.

The Indians who had been at Sand Creek split into bands and moved in different directions. In 1868, Chief Black Kettle and his band were victims of the battle at Washita, which is now a National Historic Site. The remaining Cheyenne and Arapaho bands which were made up of Southern and Northern divisions, moved to reservations. In 1869, the Southern Cheyenne and Southern Arapaho were assigned by
administrative order to their present reservation in Oklahoma. The Northern Cheyenne were assigned to a reservation in Montana and the Northern Arapaho went to the Wind River Reservation in Wyoming, which they now share with the Shoshone tribe.

The impact of the Sand Creek Massacre was substantial. According to the National Park Service (NPS) Special Resource Study (SRS) (2000), the Sand Creek Massacre:

influenced the course of Cheyenne-Arapaho history, wrought profound ramifications on U.S. military-Indian relations throughout the balance of the nineteenth century after 1864, and affected the subsequent formulation and implementation of United States Indian policy (p. 44).

In spite of its national significance, the land where the massacre occurred was eventually allotted and sold to private land owners. In 1950, a local historical group placed a stone marker labeled Sand Creek Battle Ground on the bluff overlooking the
south bend of the creek bed. However, the location of the massacre event was not confirmed by any official authority and there was no official designation of the site. According to Christine Whitacre, the NPS site location project team captain, “The lack of consensus regarding the massacre location hindered efforts to list the site on the National Register of Historic Places and to respond to repeated requests by Cheyennes and Arapahos to establish a memorial at the site” (Whitacre 2004, xvii).

According to David Halaas, former state representative to the site location project team and current consultant for the southern tribes, the southern tribes had been visiting the area prior to NPS involvement, and located the site where they experienced a spiritual connection to their ancestors. According to Whitacre (2004), for the Indians “those voices were the only proof needed to confirm that this area was, indeed, the site of the massacre” (p. xvii).

However, the governmental process for national historic site establishment requires more tangible, scientific archeological evidence (Whitacre 2004, xvi). As a result, despite the tribes’ assurance of where the sacred ground was located, in order to designate the site as a National Park unit authorized through Congress, a Site Location Study project team was assembled authorized by Public Law 105-243, The Sand Creek Massacre National Historic Site Study Act of 1998 (The Study Act).

The Study Act instructed the Secretary of the Interior, in consultation with the tribes, to determine the location, extent, feasibility and suitability of the massacre site for inclusion in the National Park system. The Study Act, as cited in Volume II of the SRS, required the Secretary of the Interior to submit a SRS to:

(1)identify the location and extent of the massacre area and the suitability and feasibility of designating the site as a unit of the National Park System;
and (2) include cost estimates for any necessary acquisition, development, operation and maintenance, and identification of alternative for the management, administration and protection of the area (NPS 2000, 4).

In order to complete the SRS, a project team was assembled and a Memorandum of Understanding was drawn to define the goals and procedures.

In order to determine the location and extent of the massacre area the NPS developed a Site Location Study that included the collection of tribal oral histories, examination of all known historical resources, geomorphologic assessment and an archeological investigation. In 1999 an Oral History Project was undertaken by the tribes and the NPS as a “major component of the effort to locate the site” (Roberts 1999, 43). The Oral History Project was defined in the Memorandum of Understanding and in Cooperative Agreements between the NPS, State of Colorado, the Northern Arapaho tribe, the Northern Cheyenne tribe and the Southern Arapaho tribe. The Southern Cheyenne tribe worked directly with the NPS ethnographers to collect oral histories (Roberts 1999).

According to the NPS (2000), the project team was not able to reach a consensus regarding the location of “core features” within the established boundary of the site (p. 5). Although project team historians Greene and Scott (2004) included in their report a map that marked troop and Indian movements, this map was not submitted as part of the SRS. The SRS does include language that acknowledges the lack of consensus about location of core features and the intent to resolve the issue during the development of the General Management Plan (GMP) or interpretive plan for the site. The map submitted to Congress with the SRS report includes 12,500 acres which generally follow the path of the Sand Creek but does not attempt to mark the possible locations of the camp, sandpits or other “core features”.
In 2000, Public Law 106-465, The Sand Creek Massacre National Historic Site Establishment Act of 2000 (the Establishment Act) was passed to authorize land acquisition and allocation of funding. The Dawson Ranch was identified as the number one priority, which included the bluff that overlooks the location of the camp identified by southern tribes and also included the 1950 battle marker. The Dawson land was purchased by a third party and title was transferred to the southern tribes. Both the tribes and the NPS wanted to transfer the land into a trust relationship between the tribes and the federal government in order to fulfill the Establishment Act by acquiring sufficient land for the purpose of designation. In 2005, Public Law 109-45, The Sand Creek Massacre National Historic Site Trust Act of 2005 (the Trust Act) gave congressional approval to take land into trust.

On June 1, 2007 the site opened to public. Park staff are currently operating off an interim management plan. Cooperative Agreements are annually drafted to define the relationship and processes for consulting partners. Presently, there is ongoing consultation to draft a GMP which will include themes for on-site and off-site interpretation.

The Denver-based NPS Division of Planning has been tasked with developing the GMP and has been working in consultation with NPS administrators and the tribes to complete the plan. The first Management Alternatives newsletter was printed in the Fall of 2007. A second Management Alternatives newsletter was printed in January, 2011 and is currently available for public comment at the NPS website.

The 2011 Management Alternatives newsletter identified five management zones: Resource Preservation, Contemplative, Learning, Development and Sensitive
Resource. According to the newsletter, “Management zones describe the potential visitor experience, desired resource conditions, and appropriate activities and facilities that could be part of the future of Sand Creek Massacre National Historic Site (NPS 2011, 5). Each of these zones are pursued to a different degree in five action alternatives.

There are some common elements in all of the action alternatives, including: the location of a visitor center in the nearest town of Eads, Colorado (the current location of the administrative offices), the restoration of the landscape to the 1864 time period (if alterations would not destroy sensitive resources), and a number of infrastructural improvements such as trails, roads and facilities. Once the period of public comment is concluded later this year, park staff will again meet with consulting partners and determine the best action alternative. This alternative will be further developed and submitted to Congress for approval as the GMP.

In addition to developing a GMP, every unit of the National Park System is required to develop a plan for interpretation and education. The plan is determined by park resources, themes and the unit’s mission. An interpretive and educational plan determines the methods by which park staff will provide opportunities for the visitor to enjoy the site and learn about the themes. Normally this type of plan would have been developed in conjunction with the GMP but because of local factors, the staff at the Sand Creek Massacre site have decided to wait until the GMP is drafted before drafting an interpretive plan.
CHAPTER 2
LITERATURE REVIEW

My work focuses on the creation of the Sand Creek Massacre National Historic Site. In order to understand the issues revolving around the site administration by the NPS there were three main areas of research: federal Indian policy, NPS policy, and the massacre event itself.

The status of current federal Indian policy, dating from 1968, is the result of the recognition that assimilation and termination policies during the earlier period of 1953-1968 were unwise and unsuccessful. The policy of the federal government during that earlier period was to “terminate” the relationship of the tribes as independent governments, subjecting the tribes to state laws. It emphasized assimilation of tribes, de-emphasized tribal self-governance and independent tribal governmental agencies (Canby 2009). For example, Public Law 280 was passed in 1953, and allowed state governments, without tribal consent, to exercise state criminal and civil jurisdiction over the tribes. For many tribes, Public Law 280 effectively ended the practice of federal assistance to federally recognized tribes under the Indian Reorganization Act of 1934.

The policy of the federal government shifted in 1968 when Congress passed the Indian Civil Rights Act, which implicitly recognized and supported the ongoing viability of tribal governments while applying to tribal government activities. Indian law expert Judge Canby (2009) states, “Congressional action to require constitutional procedures by tribal governments seemed to contemplate the continued existence of those governments, rather than their withering away” (p.31).

In 1970, President Nixon issued an Executive Order on Indian affairs that has set the tone for subsequent administrations. According to Canby (2009), “[President Nixon]
urged a program of legislation to permit the tribes to manage their affairs with a maximum degree of autonomy” (p.31). Presidents Ronald Reagan, William Clinton and George W. Bush each made statements affirming the autonomy of tribes and the federal intent to strengthen and stabilize tribal governments. The Obama administration has actively addressed the issue of self-determination for tribal governments and the consultation process, mandating expansion and refinement of previous policies.

Concurrent with presidential actions, a series of congressional acts were passed in recent years to define policy regarding the ability of tribal governments to govern their own federal programs; including the preservation and management of tribal cultural resources by federal agencies. These landmark laws include: The Indian Financing Act of 1974, the Self Determination and Education Assistance Act, the Native American Housing Assistance and Self-Determination Act, the Indian Land Consolidation Act, the American Indian Trust Fund Management Reform Act, the Native American Graves Protection and Repatriation Act, and amendments to the National Historic Preservation Act authorizing Tribal Historic Preservation Offices to assume the same authority as their state counterparts..

On the ground in Indian Country executive and congressional support of tribal self-determination is accomplished through consultation on a government-to-government basis between federal agencies and tribal government. Consultation is an ambiguous term used widely in law to describe a discussion or an exchange of ideas regarding an issue. The phrase “in consultation with” is significant because it implies a deliberate partnership between parties on an issue. Tribal consultation is different than general
consultation between a federal agency and the public because of the special
government-to-government relationship between the United States and Indian tribes.

In 1994, President Clinton published in the Federal Register a memorandum that
defined the federal government-to-government relationship with the tribes. In 2002,
President George W. Bush made a statement affirming the government-to-government
relationship (Canby 2009). President Obama has taken measures to elaborate on and
improve the government-to-government relationship.

The government-to-government relationship addressed by this series of U.S.
Presidents has been theoretically questioned because of the inherent imbalance of
power between the federal government and Indian tribes. According to contemporary
historian Vine Deloria (1984):

> the current government-to-government relationship is confusing to tribes. The phrase government-to-government suggests equal bargaining power, but the fact is that Indians tribes are dependent on the federal government…the idea of two governments meeting in some kind of contemporary contractual arrangement on anything approaching an equal bargaining position itself seems ludicrous (p. 7).

The definition and application of the consultation relationship is critical to Sand Creek
because the consultation process for that site has been identified as more extensive
than traditional consultation between the NPS and other tribal partners. The question
that remains is whether the intent of the legislation was to extend the consultation
process or whether that expansion was the result of interpretation administered by NPS
staff?

One goal of my work is to examine the way consultation has been used at the
Sand Creek Massacre site and how it has been defined and understood by the
consulting parties, in the context of the Sand Creek legislation. Another goal of this work
is to determine the context and reasons why the legislation was passed in 1998, 134 years after the event; and to determine whether the legislation was the result of general trends in federal Indian policy or more the result of the interest and involvement of specific members of Congress. Another goal of this study is to determine whether tribal and federal governments are defining consultation in the same manner.

I believe that the Sand Creek Massacre legislation in 1998 was one of a series of congressional acts in the 1990s that were sponsored by key members of Congress who set forth a policy of increased tribal consultation and designation of sites important to American Indians. I believe consultation is not viewed the in the same way by tribal and federal governments and that there are intrinsic cultural differences which make the consultation process, especially the decision-making power, confusing to tribal governments. These statements will be addressed in this study.

There are a number of scholarly publications available concerning the events leading up to the massacre, the Sand Creek massacre itself, and its aftermath. The event is regarded as an unjust attack against peaceful bands of Cheyenne and Arapaho Indians (Hoig 1961; Roberts 1984; Schultz 1990; Sivaldi 1989; Greene and Scott 2004). The Cheyenne and Arapaho bands, who were the victims of the massacre, had been living in the vicinity of Fort Lyon by the authority of the 1861 Treaty of Fort Wise. The peace chiefs had pledged peace at a meeting held at Camp Weld near Denver in September of 1864 (Hoig 1961; Roberts 1984; Schultz 1990; Sivaldi 1989; Greene and Scott 2004). Through the treaty and meetings, the tribes believed they were under the protection of the United States because they were acting in accordance with the treaty. The commanding officer at Fort Lyon had specifically directed the bands of Indians to
camp at Sand Creek, and he had given permission for the male hunters to leave the camp in search of buffalo (Greene and Scott 2004).

In addition to the treaty article which contained protection language and the specific protective actions of the local Army commanding officer, there was a legal doctrine of protection for the Indian tribes that recognized the tribes as dependent domestic nations. That protective doctrine had been established by the landmark decisions of the U. S. Supreme Court known as the Marshall Trilogy. Chief Justice John Marshall reasoned that the Constitution empowered the federal government to control commerce with the Indian tribes and granted the President the power to make treaties. In 1831, Justice Marshall determined that the relationship of Indians to the federal government “resembles that of a ward to his guardian” (Canby 2009, 17).

During the treaty period, 1850-1871, the federal policy was to grant land reservations to tribes, in which the tribes would retain self-governance and protection. Figuratively, as domestic dependent nations all tribes whether they were subjugated or not, were entitled to the protection of the United States.

Therefore, Indians at Sand Creek were both figuratively and literally under the protection of the United States. As part of a symposium at the Washita Battlefield National Historic Site in 1998, panelist Paul Hutton made a statement regarding the definition of the Sand Creek Massacre:

At Sand Creek, Cheyenne people had been promised protection and were under the American flag. They were then attacked wholly by surprise and through deceit, and when they simply fled the site, they were hunted down and murdered; that was a massacre (Hutton 1998, p. 8).

Although the nature of the event has been widely described in accordance with this view, there is a contingent of people who believe the event was a battle and the
interpretation of the site should include the broader spectrum of Indian hostilities towards white settlers during the period. Public comments in Volume II of the 2000 NPS SRS included the desire to see the site interpreted in this way. However, many historians have evaluated the events leading up to the massacre and it is widely understood that Chivington and Governor Evans were aware that the Indians who were told to camp at Sand Creek were among those bands who had pledged peace at Camp Weld, were following the order of Governor Evans proclamation and were not responsible for attacks against white settlers (Schultz 1990; Roberts 1984; Hoig 1961). Duane Schultz (1990) described Chivington and Evans as men whose actions were driven by their political aspirations and who felt pressure to achieve a victory against the hostile Indians in order to gain public favor. 

The determination of whether the event was a battle or massacre is important to this study because it has implications regarding the interpretation at the site. The NPS is committed to representing history in a complete and factual way so that visitors will have an educational experience and be provided with tools to develop their own perspective of an event. When an event is perceived by the majority and established in historical fact as a massacre, as at Sand Creek, the question becomes, should perspectives based on racism or unsupported accusations be included as elements in the interpretation of the site? This question and others regarding the official name and type of unit are based on the definition of the event and are applicable to other NPS units. One goal of this work is to examine other sites that have similar interpretive issues and evaluate the way in which disagreement has been mediated.
I believe there is value in the discussion of multiple perspectives. But is there a point when the acceptance of multiple viewpoints undermines the successful interpretation of a site? My work will examine the importance of a name and its application to the interpretive process of a site.

The NPS was created in 1916 as an agency within the Department of the Interior to oversee the administration of the national park system and to develop policy directly derived from legislation in order to administer the sites. The NPS interprets and applies the mandates of the legislative acts with the aid of its Directive System, which is a three-tiered system composed of management policies, Director’s Orders, field manuals and other guides.

There are several NPS sites that are on tribal lands or otherwise directly involve tribal interests. The extent of tribal participation in aspects of park management and interpretation is determined by the designating legislation and legal definitions that are agreed upon by the NPS and consulting tribal governments. These Cooperative Agreements and Memorandums of Understanding define the relationship, outline the goals and determine the process in which the goals will be met.

The NPS Management Policies handbook defines consultation as “a discussion, conference, or forum in which advice or information is sought or given, or information or ideas are exchanged” (2006, 162). The NPS has general policies to guide consultation practice but the requirements of federal laws are not always the same depending on the consulting party.

The NPS does not have the same policy with consultation with tribal governments as it does with other federal agencies or the public because of the government-to-
government relationship that exists between the federal government and tribes, even though the definition of consultation remains the same. The NPS Management Policies handbook includes sections regarding the relationship with tribes and consultation procedures. These sections have been crafted with adherence to federal Indian laws, Presidential Orders and other applicable governmental sources.

Included in the SRS for Sand Creek is a section regarding the challenges to the consultation process due to conflicting views of what the consultation relationship meant for decision-making regarding the site location (NPS 2000). There was a fundamental problem because the archeology and traditional tribal methods were in conflict concerning specific locations of site features. The non-concurrence was mediated by submitting a study area map that did not include disputed features.

This issue is important to my work because the NPS traditionally uses site maps to aid in the interpretation of their administered park units. If there is no map at the Sand Creek site, than its interpretation will be unique among NPS units.

One way to develop a map of the site would be to use the traditional tribal methods of location, based on spiritual connection to determine the location of the features. This would be a rejection of archeology as the basis for site location in favor of alternative cultural methods. According to Douglas Scott (1998), the NPS has become more familiar with using oral histories for the interpretation of sites but it is still a fairly new NPS practice. Using oral histories and spirit-based methods for site location is becoming more common for the interpretation of sites but it is traditionally used to supplement the scientific evidence, rather than stand on its own as acceptable method.
The Sand Creek Oral History Project was undertaken with the express purpose of site location but that was not the only element of site location included in the project. I believe the NPS could rely on traditional, and cultural methods of site location to interpret the site in an unprecedented manner and the Sand Creek Massacre site would be a prototype for the acceptance of spirit-based site location methodology.
CHAPTER 3
METHODOLOGY

Overall approach and rationale. The research for this study began as a qualitative case study of the process in which a site became initiated into the National Park System involving interpretation, consultation, management, and land acquisition themes. Two sites were considered for a comparative purpose, however, the literature review revealed that the Sand Creek Massacre National Historic Site underwent a unique process of designation due to mandates within its federal designating legislation requiring tribal consultation. The site was one of the first of its kind in which tribal consultants and their involvement with the development of management policies were given equal seating at the decision-making table with the NPS project team, armed with NPS policy. At the time of this study, there was not a comparable site, so a single case study was chosen. The research design for the study was amended to include only the Sand Creek site and its unique phenomena.

Evolution of research questions. My interest in the Sand Creek Massacre site began with its inclusion on a list drawn of negative sites; I defined as, sites in which the key themes of interpretation and historical events are related to loss of life, degradation of the built or natural environment or similar themes. It was necessary to narrow the list in order to complete this study so I chose to focus on a comparison of the Little Bighorn National Historic Landmark and the Sand Creek Massacre National Historic Site. At the time I began my study the Sand Creek Massacre site had been undergoing research, formulation of management policies and the development of an interpretation plan for 13 years. The NPS had been officially involved with the site since 1998; the time of its congressionally-mandated Study Act. Initially, I intended to focus on the development of
interpretation and management of two sites with negative themes. Early in the research process, the role legislation has played in the development of the site became a prominent theme. In my research proposal for my thesis, I proposed the following questions: To what extent does the defining legislation guide the development of interpretation on site? Do all contributing parties feel as though they are equal partners in the development of interpretation and management plans? Is the legislation mandate of ‘tribal consultation’ defined and implemented in the same way by all parties?

As originally designed, a comparative analysis of the two sites would have resulted in a description of the process of designation, interpretation and management of NPS units. Ideally, the two site approach would have produced two case studies in which the sites may been found to have both shared commonalities and unique differences. However, early on in the research process it became apparent that the Sand Creek Massacre site was too different from the Little Bighorn Battlefield National Monument in size, literature and designation process. A comparative case study would have failed to examine the uniqueness of the process undergoing at the Sand Creek Massacre site so it became necessary to limit the study to the intricacies and phenomena of the site. As a result, the question became how to best study the unique site and identify its phenomena without being limited by the original research questions.

In order to study the site as a qualitative case study, a grounded theory approach was formulated. Grounded theory would allow the facts and phenomena of the site to emerges as codes and the codes would develop into themes of research. Instead of beginning with a research question and then gathering data that would support my hypothesis, I began by gathering data. An effort was commenced to gather all published
research pertaining to the Sand Creek Massacre site to a point of saturation. The data was organized into relative themes, or codes, in which similarities were identified, resulting in selected themes that have been addressed in the final form of this case study.

**Limitations to the study.** My methodology included interviews with tribal representatives, Colorado representatives and NPS project team members. I was limited in travel time during my one week interview period. Every individual I contacted was able and willing to be interviewed. It was made clear to me during these interviews that particular individuals involved with the Sand Creek Massacre site were openly presenting another side of the story so to give me more perspective. The individuals I interviewed were selected based on their active role in the process of designation and/or their ongoing involvement with the development of the interpretation and the GMP. Due to the distance between the reservations and the site, I was unable to interview tribal members from all of the involved tribes. I compensated for this by avoiding blanket statements regarding tribal perspectives and feelings and instead made note as to whose opinion I was expressing.

**Grounded theory methodology.** The approach I used in conducting my research was an application of grounded theory tenets. The benefit of grounded theory research is that I was able to approach my phenomenon without preconceived ideas of what data I should collect and how said data would support my hypothesis. In order to develop my theoretical approach, I researched qualitative research methods and determined that grounded theory would best apply to my subject because I was
attempting to identify the elements of the designation process that have not been extensively published previously so that the result would be to generate new theory.

In order to develop a defensible, grounded theory approach, I modeled my methodology after Strauss and Corbin (1990) who identify the procedural steps to developing grounded theory; choose a research problem, formulate a research question, and collect, interpret and analyze data. I chose this research problem in part due to the suggestion of my thesis committee and also because of my personal interest and respect for Native Americans. I became interested in whether the language of the legislation that required tribal consultation resulted in increased participation of the tribal representatives in site management, designation and interpretation, and, if so, to what extent.

My research question evolved into why the legislation required consultation and in what sense did the legislation actually guide the practices of those implementing the designation of the site. Furthermore, given that the NPS administers many Native American sites, why did this particular legislative language distinctly indicate consultation at the Sand Creek Massacre site? I began researching treaties, congressional hearings and military records in order to gain a sense of the history of the relationship between the tribes and the United States government. It was necessary to speak with individuals who were involved and are still involved with the site management in order to gain a sense of the relationship between tribal and government representatives pertaining to the ongoing development of site interpretation and management.
Data collection included travelling to Colorado and Wyoming in order to conduct open-ended interviews with tribal representatives, NPS staff and state officials. The Site Location Study and SRS were valuable resources for the background of events pertaining to the 1998 Study Act. Tribal representatives from the Northern Arapaho tribe provided me with extensive research materials as well as unstructured personal interviews.

Beginning with my research in Colorado and Wyoming, I began utilizing coding as a method of data analysis. As I collected data, I assigned codes or concepts to the material (Table 2-1). I then linked these codes to research materials and developed a series of memorandums. As the memorandums developed, I identified recurring concepts and themes that emerged and I used selective coding to find similarities among the data and then chose core categories from where the codes overlapped (Table 2-2). This process is referred to as selective coding by Strauss and Corbin (1990), “the process of selecting the core category, systematically relating it to other categories, validating those relationships, and filling in categories that need further refinement and development” (p. 116). Once my core categories emerged, I returned to my research and attempted to fill out and further develop the categories or themes that I address in the body of my thesis.

**Justification for grounded theory methodology.** I chose to utilize grounded theory because of the method of data collection and analysis. After the initial stages of open-coding, selective coding and the formulation of memorandums, I returned to my research data and made connections to the themes I had identified. The final product is more than a descriptive history of the process of designation at the Sand Creek
Massacre site. The finished study is an in-depth analysis of the perception of the designation, interpretation, consultation, event, name, geographical relationship and management of a national park unit.

Table 3-1. Open codes

<table>
<thead>
<tr>
<th>Number</th>
<th>Code</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Limited public access to the site</td>
</tr>
<tr>
<td>2</td>
<td>Positive outlook on future of site</td>
</tr>
<tr>
<td>3</td>
<td>National Park Service staff opinion on pace of designation process</td>
</tr>
<tr>
<td>4</td>
<td>Tribal opinion of pace of designation process</td>
</tr>
<tr>
<td>5</td>
<td>Interpretive signage at site was factual</td>
</tr>
<tr>
<td>6</td>
<td>Cemetery on site did not have markers</td>
</tr>
<tr>
<td>7</td>
<td>Cemetery was lined up on cardinal axis</td>
</tr>
<tr>
<td>8</td>
<td>Staff perception of visitor experience</td>
</tr>
<tr>
<td>9</td>
<td>Researcher’s first description of site</td>
</tr>
<tr>
<td>10</td>
<td>Researcher’s description of site after interviews</td>
</tr>
<tr>
<td>11</td>
<td>Tribes have more access to site</td>
</tr>
<tr>
<td>12</td>
<td>Tribes didn’t completely agree on where site was- dependent on tribe</td>
</tr>
<tr>
<td>13</td>
<td>Requirement for tribal approval on official planning documents</td>
</tr>
<tr>
<td>14</td>
<td>Experience of staff who have worked at negative sites</td>
</tr>
<tr>
<td>15</td>
<td>Experience of staff who have worked at tribal sites</td>
</tr>
<tr>
<td>16</td>
<td>Education of tribal representatives</td>
</tr>
<tr>
<td>17</td>
<td>Selection process of tribal representatives in internal tribal affair</td>
</tr>
<tr>
<td>18</td>
<td>Number of times that researcher was told “Sand Creek is important”</td>
</tr>
<tr>
<td>19</td>
<td>NPS staff view that the legislation is very explicit</td>
</tr>
<tr>
<td>20</td>
<td>Self identification of role staff plays in interpretation</td>
</tr>
<tr>
<td>21</td>
<td>Planning process for interpretation plan is dependent on tribal approval</td>
</tr>
<tr>
<td>22</td>
<td>Difficulty in getting everyone’s approval (public, tribal)</td>
</tr>
<tr>
<td>23</td>
<td>Distance of site from nearest town</td>
</tr>
<tr>
<td>24</td>
<td>Distance of site from town named Chivington</td>
</tr>
<tr>
<td>25</td>
<td>Number of times researcher was told the site was unique</td>
</tr>
<tr>
<td>26</td>
<td>Researcher’s experience at the Wind River Reservation</td>
</tr>
<tr>
<td>27</td>
<td>Indians have been visiting the site since before it was designated</td>
</tr>
<tr>
<td>28</td>
<td>Consultation is determined by planned management actions</td>
</tr>
<tr>
<td>29</td>
<td>Tribal definition of consultation</td>
</tr>
<tr>
<td>30</td>
<td>Tribal opinion on how the site is managed</td>
</tr>
<tr>
<td>31</td>
<td>Viewshed of site is immense</td>
</tr>
<tr>
<td>32</td>
<td>Emotion has played a role in site designation</td>
</tr>
<tr>
<td>33</td>
<td>Site is isolated from reservations</td>
</tr>
<tr>
<td>34</td>
<td>Contingent of people who call Sand Creek a “battle”</td>
</tr>
</tbody>
</table>
Table 3-1 continued

<table>
<thead>
<tr>
<th>Number</th>
<th>Code</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>35</td>
<td></td>
<td>Visitation is pre-mediated</td>
</tr>
<tr>
<td>36</td>
<td></td>
<td>Site boundary is owned by many individuals</td>
</tr>
<tr>
<td>37</td>
<td></td>
<td>Protection for site is limited</td>
</tr>
<tr>
<td>38</td>
<td></td>
<td>No tribe on site</td>
</tr>
<tr>
<td>39</td>
<td></td>
<td>Legislation includes approval from consulting partners</td>
</tr>
<tr>
<td>40</td>
<td></td>
<td>How site is referred to in the media historically</td>
</tr>
<tr>
<td>41</td>
<td></td>
<td>How site is referred to in the media currently</td>
</tr>
<tr>
<td>42</td>
<td></td>
<td>Story told by interpreter on site</td>
</tr>
<tr>
<td>43</td>
<td></td>
<td>Testimonials and letters used for military commissions and reports</td>
</tr>
<tr>
<td>44</td>
<td></td>
<td>Historical relationship of tribes and U.S. government</td>
</tr>
<tr>
<td>45</td>
<td></td>
<td>Periods of federal Indian policy</td>
</tr>
<tr>
<td>46</td>
<td></td>
<td>Inherent protection for tribes under federal policy</td>
</tr>
<tr>
<td>47</td>
<td></td>
<td>National Park Service designation process</td>
</tr>
<tr>
<td>48</td>
<td></td>
<td>Relationship of park staff to tribes to state representatives</td>
</tr>
<tr>
<td>49</td>
<td></td>
<td>Presidential memorandums that address tribal consultation</td>
</tr>
<tr>
<td>50</td>
<td></td>
<td>National Park Service designation without a site map</td>
</tr>
<tr>
<td>51</td>
<td></td>
<td>Interpretive plans that rely on themes for telling the story</td>
</tr>
</tbody>
</table>

Table 3-2. Selective codes

<table>
<thead>
<tr>
<th>Code</th>
<th>Selective Corresponding Codes</th>
</tr>
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<tbody>
<tr>
<td>Event</td>
<td>5, 25, 34, 40, 41, 42, 43, 44, 45, 46,</td>
</tr>
<tr>
<td>Name</td>
<td>47, 19, 25, 40, 41, 43, 47</td>
</tr>
<tr>
<td>Designation</td>
<td>3, 4, 12, 13, 19, 27, 32, 25</td>
</tr>
<tr>
<td>Consultation</td>
<td>11, 12, 13, 21, 25, 28, 29, 39, 49, 50</td>
</tr>
<tr>
<td>Interpretation</td>
<td>5, 11, 12, 21, 25, 34, 51</td>
</tr>
</tbody>
</table>
CHAPTER 4
THE SAND CREEK MASSACRE LEGISLATION

During the 1990s, there were a number of Indian sites that were designated, re-defined or re-interpreted pursuant to federal legislation. These congressional laws were based on the application of federal Indian policy requiring government-to-government relationship and consultation with Indian tribes when tribal cultural properties were concerned. In 1991, Public Law 102-201 was passed to change the name of the Custer Battlefield National Monument to the Little Bighorn Battlefield National Monument, and allocated funds for an Indian memorial to be built on site. In 1996, 125 years after the event, the Washita Battlefield National Historic Site was designated and in 1998, the Sand Creek Massacre Study Act was passed.

The efforts to enact these and other new laws were successful due to the leadership of Senator Daniel Inouye, Senator Ben Nighthorse Campbell and others. Senator Inouye became Hawaii’s first U.S. Representative in 1959 when it received statehood and since that time has served continuously in first the House of Representatives and then as a Senator. Inouye was the first Japanese-American in Congress. Senator Ben Nighthorse Campbell became the third American Indian to serve in the House of Representatives in 1987 and also the third American Indian to serve as a Senator in 1992. Campbell also serves as one of forty-four Chiefs on the Council of Chiefs of the Northern Cheyenne tribe.

These Senators and others sponsored acts that were among a series of landmark laws that are demonstrative of a movement in Congress to increase the self-governance of federal programs by tribal governments. These landmark laws included the 1996 Native American Graves Protection and Repatriation Act, that was intended to
address unjust historical actions by the federal government towards tribes; and the 1992 National Museum of the American Indian Act which authorized the establishment of a Smithsonian Museum of Native Americans, addressing the relative lack of formal recognition of Native American culture in the United States. In 1992, amendments to the National Historic Preservation Act included the authorization of Tribal Historic Preservation Officers to oversee the administration of tribal cultural properties.

One reason for the success in passing these congressional acts was through the efforts of the Committee on Indian Affairs, re-established in 1977 and in 1984 made a permanent Senate committee (a legislative reorganization act had abolished the Committee on Indian Affairs in 1946). The Committee has jurisdiction to study and propose legislation pursuant to the issues unique to American Indian, Native Hawaiian, and Alaska Native peoples. During the 100th and 101st Congress (1987-1991), the Indian Affairs Committee held more hearings and reported more legislation to the full Senate than any other committee of the Senate. Senator Inouye, Senator Campbell, and Arizona Senator John McCain alternated as Chairmen for the committee from 1987 to 2005.

The legislation that was passed during the 1990s is representative of the desire of these Senators, and others who were committed to increasing tribal involvement in the development of tribal sites and sensitivity towards the Indian perspective of tribal sites. The names, definitions and elements of the various acts are examples of this increased awareness of tribal sensitivity and increased participation by tribal governments in the development of NPS units.
Names for NPS units are determined by their designating legislation. The Sand Creek Massacre National Historic Site is the only NPS unit with the word 'massacre' in its name. Congress uses names to identify what type of park unit a site will be; there are over twenty different types of units including: National Historic Site, National Park, National Monument, National Memorial, and National Battlefield. A historic event, natural feature or cultural affiliation is often used to determine the first portion of the name for a place; for instance the Grand Canyon, Yellowstone, or George Washington. The second portion of the name is often the descriptive title for what type of park unit it is; for instance, National Park, Historic Site or Birthplace. The names are derived directly from their designating documents. National Monuments are authorized by the President under the Antiquities Act of 1906; and National Historic Sites are authorized by Congress under the National Historic Sites Act of 1935.

The names of some NPS units have been changed for a variety of reasons ranging from change of boundaries to legislative mandate including jurisdictional impetus. For instance if a state owned site is designated a National Park, the designating legislation refers to the site by the name assigned in the congressional act.

Places are generally named for their affiliation with a person, event, natural feature or symbolic significance. For instance, Wyoming’s Independence Rock is a natural feature, but its name is derived from the association with the travelers on the Emigrant Trail who would attempt to reach the rock by July 4th in order to beat the snow.

Battle sites are generally named for the geographical location where they occurred, with exceptions. During the Civil War, battle sites were identified differently by
the confederate and federal forces. Over fifteen Civil War battle sites have dual names. The Union army tended to name battles for the natural feature where the event occurred: Antietam (creek), Bull Run (creek), Chickahominy (river); whereas Confederate forces generally chose site names based on the built environment: Sharpsburg (village), Manassas (railroad junction), and Cold Harbor (tavern). The official designation names of these sites are reflective of the perspective of the particular legislators who named them.

Dual names are also prevalent with sites that have cultural significance to Indian tribes and can be controversial. For example, Devils Tower was designated the first National Monument by President Theodore Roosevelt in 1906. The Lakota tribe calls it Mato Tipila, translated as Bear’s Lodge and it is considered a sacred site by several Indian tribes. The current official name is credited to a misinterpretation by an interpreter referring to the site as “Bad God’s Tower” (NPS 2000, 72). In 2005, legislation was proposed to change the name, however legislation in opposition was proposed by Wyoming Representative Barbara Cubin. The power of a name goes beyond that of what it is called but also affects the way a site is interpreted. If a comprehensive interpretive plan was developed at Devil’s Tower, the access to the site might be limited due to the sacred nature of the tribal site.

In 1991, Senator Campbell championed Public Law 102-201, The Little Bighorn Battlefield National Monument Act, which authorized a change in name from the Custer Battlefield National Monument and allocated funds for an Indian memorial on site. Since 1886, the Custer Battlefield National Monument had been designated and interpreted as a memorial to General Custer and the 231 men of the 7th Cavalry who lost their lives.
during the Battle of the Little Bighorn. The change in name also included a change in
the interpretive themes at the site to include the Native American perspective.

In addition to the name, the definition of the event is derived from the law. The
definition is important because the NPS utilizes the Congressional description in its
written materials concerning the site. The Sand Creek Massacre Study Act, as cited in
the NPS Special Resource Study, contains several ambiguous statements:

on November 29, 1864, Colonel John M. Chivington led a group of 700
armed soldiers to a peaceful Cheyenne village of more than 100 lodges on
the Big Sandy, also known as Sand Creek, located within the Territory of
Colorado, and in a running fight that ranged several miles upstream along
the Big Sandy, slaughtered several hundred Indians in Chief Black Kettle’s
Village, the majority of whom were women and children; (NPS 2000, 6).

The “soldiers” were not actually United States Army personnel but a group of volunteer
militia who were assembled with the purpose of subduing the hostile Indians in
Colorado. The “running fight” suggests a battle situation that was in fact the Indians
trying to escape and in some places desperately defend themselves from the militia.
The “village” was in fact a temporary campsite, selected shortly before the massacre by
the local commanding officer of the U.S. Army.

By comparison, designating legislation for the Washita Battlefield National
Historic Sites states:

Lt. Colonel George A. Custer, leading the 7th United States Cavalry,
attacked the sleeping Cheyenne village of peace chief Black Kettle.
Custer’s attack resulted in more than 150 Indian casualties, many of them
women and children (NPS 2000, 8).

The language in the Washita legislation also implies that Custer attacked a village when
in fact it was a temporary camp.

The legislative language used to define these events is also important because it
sets the tone for the interpretation of the site. At Sand Creek, Chivington “slaughtered”
Indians while at Washita Custer’s “attack” resulted in “Indian casualties”. The intention of the draftees of these laws may not have been to be controversial but the reception of the legislation by the public has proven so.

There have been ongoing debates as to whether the events at Washita and Sand Creek were battles or massacres. The language in the Sand Creek Massacre Study Act is more explicit than Washita, however the debate continues. On November 12, 1998, a symposium at the Washita Battlefield National Historic Site included a panel discussion which revolved around several issues that arose from the attempt at definition. Using a definition that included words like vicious, cruel, and helpless was a matter of personal perspective. For instance, the soldiers at Washita who were under General Custer’s command believed they were at war and they had a mission to find hostile Indians. As a result, the conflict that ensued was a battle from their perspective.

Today we know the Indians they killed at Washita were in actuality Indians under the leadership of Chief Black Kettle, who had on several occasions pledged peace. The legislation for the Washita site does acknowledge the peaceful nature of Black Kettle’s band; however it does not call the event a slaughter as does the Sand Creek Massacre legislation.

Both events are recognized for the killing of women and children that suggests the draftees of the legislation did not consider the killing of civilians as necessarily constituting a massacre. Washita panelist Paul Hutton agreed with this statement, asserting that the Washita event could not be defined a massacre solely because innocent women and children were killed, "Be it right or wrong, we make war on civilians..."
first. We kill women and children first. That is the way military policy is fought out today” (1998, 17).

Social historians have suggested that the semantic usage of the word massacre or the word battle can be connected to the racial bias on the part of the United States military and Indian tribes. Educator, Harold Sorkness (1995) discusses textbook bias in his courses and finds that battles usually refer to actions by whites, and massacres refer to actions by Native Americans.

Throughout history, semantic usage of words has had symbolic meaning. David Svaldi (1989) analyzed the potential for rhetoric to influence and be demonstrative of the public perception of an event. For instance, during the 1860s in Colorado, actions by Indians against whites were often termed “depredations”, “massacres”, “murders”, and “outrages”. Indians “slaughtered”, “murdered”, “butchered” and “massacred”. In opposition, whites retaliated with “fights” and “battles” in which they “trapped”, “pursued”, “punished” or “chastised” the Indians (p. 172).

There is value in recognizing this phenomena. Either the individuals and media who utilized this rhetoric were aware of the symbolic implication or it is demonstrative of the racism of the individuals of the time. The textbooks and the 1860 rhetoric are important in that they are representative of the perspective of their authors.

At Washita, a multi-cultural panel discussed the event from many perspectives. Experts in the field of historic preservation, Native speakers and the general public were invited to share in the experience of the discussion. The value of the symposium was the process of discussing an event that 130 years earlier was perceived by some as a battle and some as a massacre.
These questions, derived from the definition debate, frame a modern discourse that serves as the model for interpretation at controversial sites like the Washita Battlefield National Historic Site or the Sand Creek Massacre National Historic Site. Interpreters for the NPS call these the interpretive themes or stories. To an interpreter, there is value in the discussion of whether an event was a battle or a massacre in the sense that it opens avenues of interpretation. Washita panelist Edward Linenthal responded to the battle versus massacre definition discussion at the Washita symposium, “It seems to me that it is the NPS’s job not to answer that question at all, but to realize that different American communities will respond in different ways” (1998, 2).

The interpretation of the perspectives of people from the present day can become as important as the views of the actual participants in the historical events. This reflects an evolutionary process in the preservation and interpretation of historic sites that has been embraced by the NPS. Looking at a historical event from multiple perspectives allows the NPS to represent the public, but not necessarily equally, as evident in the NPS Management Policies publication (2006), “Acknowledging multiple points of view does not require interpretive and educational programs to provide equal time or disregard the weight of scientific or historical evidence” (p. 94).

The process of interpretation at a site begins with the legislative name and definition; the resulting interpretation is based on the consultation process and public input that identifies multiple perspectives and stories that are then weighted in the interpretive plan. The laws do not include a detailed interpretive plan but require the NPS to create and administer one.
At Sand Creek, Washita and the Little Bighorn, the process of formulating these plans may include comments that are submitted by racist or biased people, but the NPS is not required to give them any continuing voice. The value of collecting wide-ranging views lies in the use of an open process, where ideas can freely emerge regarding perspective, symbolic meaning and historic usage of words that can become part of the social context of the site.
CHAPTER 5
PROCESS OF DESIGNATION, INTERPRETATION AND CONSULTATION

Although the Sand Creek Massacre was recognized with a federal treaty only one year after the event, the first legislation concerning site designation was not passed until 1998, 134 years later. Similarly, the Washita Battlefield National Historic Site was also undesignated for over 125 years. At both sites, the land had been in private ownership and was acquired in order to designate as a NPS unit.

Efforts to locate the site had been pursued in the 1990s but were inconclusive. The Study Act authorized the Secretary of the Interior to locate the site of the massacre and complete a SRS to determine the suitability and feasibility of the site for a National Park unit. Suitability of an area is defined by the NPS (2006):

An area is considered suitable for addition to the national park system if it represents a natural or cultural resource type that is not already adequately represented in the national park system, or is not comparably represented and protected for public enjoyment by other federal agencies; tribal, state, or local governments; or the private sector (p. 9)

Suitability is determined by the NPS by comparison with other sites, “…for differences or similarities in the character, quality, quantity, or combination of resources, and opportunities for public enjoyment” (p. 46). The NPS SRS (2000) found that the Sand Creek site represents a cultural theme that was “not already adequately represented in the National Park System, or is not comparably represented and protected for public enjoyment by another land-managing entity” (p. 46). The SRS identified the theme and subtheme for which the Sand Creek site applied, “Theme X- Westward Expansion of the British Colonies and the United States, 1763-1898; Subtheme C-Military-Aboriginal American Contact and Conflict” (NPS 2000, 47). The Southern Plains. Four military forts and the Washita Battlefield National Historic Site fall under these themes currently. The
study also indicates the relationship of Sand Creek to other massacre sites from the same period; including Bear River National Historic Landmark, Marias River and Wounded Knee National Historic Landmark.

   Feasibility is determined by the National Park System by evaluating the potential of a new unit as “an area’s natural systems and/or historic settings are of sufficient size and appropriate configuration to ensure long-term protection of the resources and to accommodate public use” (NPS 2000, 48). The feasibility determination is a systematic evaluation of the proposed site which includes a cost assessment of administration, factors of land acquisition, and management alternatives.

   The Study Act required the Secretary of the Interior to consult with the State of Colorado and the Tribes. As a federal agency, the NPS is required to meet certain legal responsibilities because of the tribal involvement with the site as mandated by Executive Order No. 13084 (Consultation and Coordination with Indian Tribal Governments) in which federal agencies are required to work with Indian tribes on a government-to-government basis. The NPS distinguishes between tribal and non-tribal consultation relationships and has guidelines for the consultation process required by law. The NPS Management Policies document complies with the Presidential Memorandum of April 29, 1994 and Executive Order 13175 (Consultation and Coordination with Indian Tribal Governments). A government-to-government relationship is defined by the NPS as:

      officials will work directly with appropriate tribal government officials whenever plans or activities may directly or indirectly affect tribal interests, practices, and/or traditional use areas such as sacred sites (2006, 162).

   The NPS has written agency-wide policies which mirror the federal mandates in order to comply with and define this relationship. As stated in the SRS (2000) “The NPS views
consultation as a gathering of information that will influence policy and decision-making” (p.16).

In order to define the project goals, processes and monetary allotments, the NPS and tribes drafted a Memorandum of Understanding in 1999. The Memorandum of Understanding identifies two phases. Phase I identified the location and extent of the site and prepared a report on the location, national significance and integrity of the site. Phase II resulted in the final draft of the SRS and Environmental Assessment.

The Memorandum of Understanding addresses the government-to-government relationship for consultation between the NPS and federally recognized Indian tribes as outlined in federal mandates. In addition, the Memorandum of Understanding identifies its role in filling the NPS policy of developing acceptable protocols in order to carry out government-to-government relationships (NPS 1999).

One protocol identified in the Memorandum of Understanding (1999) stated:

The NPS will make every effort to treat and protect the Massacre Site in accordance with Cheyenne and Arapaho values and applicable law. To achieve this, the NPS will interpret applicable federal laws, regulation and policies as flexibly as possible. (NPS 2000, 14)

The impetus for the inclusion of this protocol has remained unclear throughout this research study. However, it was suggested that the consultation process at both the Washita and Little Bighorn sites were too structured and inflexible. This protocol may be representative of the intent by the NPS to interpret their consultation policies in a more culturally sensitive manner and less like a federal agency following inflexible policy.

The Site Location Study project team consisted of two representatives from the State of Colorado and two representatives from each of the tribal parties. Additional members of the NPS were allocated to the project team. In addition, researchers and
experts in the field of battle site location were added to the team. The State of Colorado identified two representatives from the Colorado Historical Society who participated in archeological endeavors, consultation meetings and archival research efforts. These two individuals represented the State of Colorado’s interest in the project. The Memorandum of Understanding required the submittal of written work products to all consulting parties, including the State of Colorado, before final drafts were published.

The Memorandum of Understanding outlines Principles and Protocols to carry out the site location project. The language in this section refers to the Cheyenne and Arapaho interest identified by Congress and written into the legislation with the requirement of consultation. This translated in practice into a sharing of all information and effort by the NPS to be as accommodating as possible in the locations of project meetings and allocating money to pay for travel expenses for the tribal representatives.

The memorandum also outlines the procedures for information gathering: Archival and Other Historical Research, Indian Oral Histories, Local Resident Interviews, Traditional Tribal Methods, and Archeological Research. The process of information gathering would conclude with a confirmation of the massacre site. The Memorandum of Understanding (1999) makes an allowance in case of disagreement of site location for the Tribes to append a statement explaining and supporting its non-concurrence.

Emphasis was placed on giving traditional tribal methods and oral histories to equal weight with the archeological evidence. The importance of the oral histories is indicated by Congressional testimony during the passage of the Study Act and by a letter from Colorado Representative Bob Schaffer to NPS Director Bob Stanton.
expressing the necessity that tribal oral histories be a primary line of evidence in site location (Roberts 2000). Former Superintendant of the Sand Creek Massacre National Historic Site and current Superintendant of the High Plains Group (which includes the Sand Creek Massacre National Historic Site), Alexa Roberts, became involved in the project as an NPS ethnographer. In her article (2000) Roberts stated the importance given to oral histories:

In response to Congress´ direction, as well as to NPS policies, previous Sand Creek Massacre research efforts, and consultations with the Cheyenne and Arapaho tribes, the NPS worked with the tribes to collect oral histories as a major component of the effort to locate the site (p. 43)

Cooperative Agreements were drawn between the NPS and Tribes in order to provide funding for the collection and documentation of the tribal oral histories by the tribes independently of the NPS. The Northern Cheyenne, Northern Arapaho and Southern Arapaho accepted these agreements. The Southern Cheyenne did not accept the Agreement and instead opted to work in partnership with the NPS to collect oral histories. The agreements were made with the legislative authority of the General Authorities: Public Law 104-208 (General Appropriation Bill). The three agreements have minor differences but the main features include financial assistance in the gathering and recording of the oral histories and required the submittal of a report on the site location findings of the oral histories.

The need for a Site Location Study is not unique to the Sand Creek Massacre site. The site for the Washita Battlefield National Historic Site could not be archeologically confirmed prior to its designation in 1996. The Washita site then went through a process of site location that included archeology and historical analysis. However, according to Robert Blackburn (1998), the designation of the site occurred
before the parties involved at Washita had completed the archeology, “Some people in
the NPS had been very nervous when we did not have good data to know what the
boundaries should be”(p. 10). Regardless, the site boundary was established based on
available archeological evidence.

In regards to the confirmation of the Sand Creek Massacre site, the Memorandum
of Understanding drafted by the NPS (1999) stated:

Best efforts will be made by NPS to obtain the concurrence and signature of
each Tribal Government on the location of the Massacre Site. Any non-
concurring Tribal Government will have the right to append a statement
explaining and supporting its non-concurrence (p. 3).

Difficulties arose because consultation was not defined by the NPS and certain
tribes in the same way. According to the NPS:

Some tribal governments view consultation as a seat at the decision-
making table. The NPS views consultation as gathering of information that
will influence policy and decision-making (2000, 16).

According to the SRS (2000):

Throughout the project, the tribes, particularly the Cheyenne, also have
expressed dissatisfaction with the consultation process. They believe that
the NPS does not property consult, that tribal protocols and expectations for
consultation have not been met, and that the NPS does not listen to the
tribes. There also are tribal feelings that the oral histories are not being
given the same weight as the scientific studies (NPS 2000, 14).

An attempt was made to resolve these issues by scheduling more consultation
meetings and by incorporating tribal comments into the final report.

Interpretation has been addressed in both the SRS and Management Alternatives
newsletters. According to the NPS (2006) Management Policies publication, the
interpretation process of the NPS “will present factual and balanced presentations of the
many American cultures, heritages, and histories” (p. 162). However, the interpretation
section regarding Indian tribes elaborates on the nature of interpretation by assigning value to differing elements. The NPS (2000) the SRS identified four primary stories:

Significance of the Sand Creek Massacre event and site; Remembrance of the victims of the Sand Creek Massacre; Present-day living culture of the tribes associated with the Sand Creek Massacre; Historical and cultural context of the Sand Creek Massacre (p. 77).

According to the NPS (2000), the tribes identified several messages or stories as priorities for them. First, there was a request for the interpretation of the stories of massacre victims and a memorial that would serve to honor their memories. Second, the tribes requested a physical monument on site. Third, the tribes expressed their desire to respect the sacred nature of the site.

Non-tribal comments from the SRS included the desire that the full context of the event should be told at the site, including Indian attacks on Euro-American settlers leading up to the massacre. This perspective appears to reflect the inaccurate perception that the tribes at Sand Creek were considered hostile, as reported in the local media prior to and after the massacre events. It has been suggested that this interpretative theme is undesirable to the tribes and should not be included in the interpretation of the site.

The interim management plan was drafted from the SRS but interpretation of the site is strikingly minimal. According to the 2011 Draft GMP newsletter, an interpretation plan identifying the interpretive themes will be developed after the GMP is approved by Congress (NPS 2011). The result of the Sand Creek Massacre Site Location Study was a 12,500 acre study area. It encompassed the areas identified by archeological evidence as well as traditional tribal methods, including oral histories. The Site Location Study and SRS were completed in 2000 and submitted to Congress.
President Clinton signed Public Law 106-465, The Sand Creek Massacre National Historic Site Establishment Act of 2000 (Establishment Act) on November 7, 2000. The Establishment Act authorized the Secretary of the Interior to establish the NPS unit. The legislation stipulated that the establishment could occur when the NPS acquired a “sufficient quantity of resources to provide for the preservation, memorialization, commemoration and interpretation of the Sand Creek Massacre” (NPS 2000, 172).

The Designating Act required the NPS to consult and solicit advice and recommendations from the tribes and the State in the development of the management plan and educational programming. This language laid the framework for subsequent Memorandums of Understanding and Cooperative Agreements. The language used in this Designating Act does not require the NPS to gain approval for the development of the management and interpretation plans but only to “solicit advice and recommendations” (NPS 2000, 173). The research for this work suggests that in actual practice, this legislation has been interpreted to require approval from the tribes that extends beyond that of mere advice or recommendations. In addition, the Trust Act, Memorandums of Understanding and Cooperative Agreements that came after the Designating Act appear to reflect a heightened consulting relationship in this sense as well.

President Bush signed Public Law 109-45, The Sand Creek Massacre National Historic Site Trust Act of 2005 (Trust Act) on August 2, 2005. The Trust Act enabled the Department of the Interior to secure the Dawson Ranch land to be held in trust for the benefit of the Tribes and therefore fulfilled the requirements of “sufficient quantity of resources” of the Establishment Act. The Trust Act identified improvements and facilities
on site that would also be taken into Trust and the Secretary of the Interior was required to solicit advice and obtain agreement from the Tribes before removal or construction of new facilities. It is significant that the language distinguishes between consulting, soliciting advice and obtaining an agreement from the tribes. This process seems to better represent the actuality of consultation in all areas at the site currently since the NPS does in practice obtain the approval of the tribes. For example, the 2011 Management Alternatives newsletter was developed with advice and recommendations from the tribe and was also approved by all four tribes before going to print.

The site was made official on April 28, 2007. At the time of its dedication, 920 acres had been acquired from willing sellers and the 1,465 acre Dawson Ranch had been secured in trust. A third party purchased and donated the land to the southern tribes and they in turn transferred the land to the federal government to be held in trust. In 2006, a Memorandum of Understanding was developed in order to identify the method of trust land establishment and describe the establishment process.

The Establishment Act included a map outlining approximately 12,500 acres which encompassed all areas defined by the Site Location Study that were included in massacre events. The process of acquiring the land was complicated due to the number of unwilling private land owners and limitations due to general NPS policy requiring the purchase of land from willing sellers at fair market value according to the NPS Management Policies handbook:

Funding for land acquisition within the national park system is derived primarily from the Land and Water Conservation Fund. LWCF monies are restricted to uses associated with the acquisition of land and/or interests in land within the authorized boundaries of NPS units (NPS 2006, 37).
An integral portion of the land identified in the SRS, the Dawson Ranch, was privately owned by an individual whose selling price was higher than the fair market value and therefore could not be purchased with Land and Water Conservation Fund monies. The land was instead purchased by a third party who transferred title to the land to the Southern Cheyenne and Arapaho Tribes of Oklahoma. The tribes desired the land to be held in trust by the Department of the Interior. However, there was a need for a third legislative act in order to authorize the transfer of the tribally-owned land into a trust relationship with the Department of the Interior.

Trust land has been used extensively by the United States government. The type of trust land employed by the Secretary of the Interior originates with The General Allotment Act of 1887, also known as the Dawes Act which along with the federal allotment practices best defines the language used in Indian trust-land law descriptions. The Dawes Act allocated individual parcels of land to members of federally-recognized tribes. In addition to the allotment to individuals, the United States also held titles to land for the benefit of tribe.

The Dawes Act had negative consequences for the ownership of tribal land by the tribes. The United States actively sought agreements with tribes for the sale of surplus tribal lands; land that was not being held by the tribal entity. Between 1887 and 1934, approximately 90,000 acres of tribal land was lost to the tribes through the sale of surplus lands and mismanagement of allotments by federal agents (Canby 2009, 72). In 1934, the Indian Reorganization Act was passed to address the shortcomings and problems associated with the Dawes Act. Currently, the NPS administers many acres of federal trust land within the NPS system.
In order to interpret the Trust Act and define the trust relationship between the NPS and the tribes, a Memorandum of Understanding was drafted and signed in 2006. The memorandum had a dual purpose; to identify the process in which the United States could legally take the property into trust for the tribes and to establish the continuing role the NPS would serve in the establishment and management of the land. The 2006 Memorandum of Understanding identified key provisions of the Establishment Act and specified, according to applicable federal laws or policies, how the NPS would work with the Tribes for the management of the site. One provision of the Memorandum of Understanding (2006) stated:

The NPS must provide reasonable access to descendants and other members of the Four Tribes, without fee, to federally acquired land within the site for the purpose of carrying out a traditional, cultural, or historical observance (NPS 2006, 3).

This has been accomplished with regularity at the site today. Tribal representatives or descendant’s groups contact the Superintendent directly and request access to the site. Due to effective consultation early in the process of designation, most of the site is already largely inaccessible to the general public. This is justified by another provision in the NPS Memorandum of Understanding (2006) that stated:

The NPS must restrict general public access to portions of the site to protect the privacy of tribal members engaging in a traditional, cultural, or historical observance” with certain considerations as to the extent of the closure (p. 8).

The Tribes have exercised their right to access specific areas as needed to carry out their traditional, cultural, or historical observance. On certain days in the year, the tribes, independent of one another, utilize this provision to secure the entire site for privacy during such tribal activities.
The Establishment Act of 2000 directed the Secretary of the Interior to set aside a portion of the Sand Creek site for the purpose of repatriation under the 1996 Native American Graves Protection and Repatriation Act. The land set aside for this purpose is along the top of the bluff, which includes the only public access to the Sand Creek site. According to Sand Creek Massacre National Historic Site Chief of Interpretation, Nancy Stimson (2010), the cemetery is unmarked on request of the Tribes.

The Trust Act also provides for the development of the GMP. The NPS is required to include consultation with regards to the interpretive or education elements of tribal sites. Similarly, in 1996, the Washita Battlefield National Historic Site was designated by Congress including provisions for consultation of Indian tribes. Designating legislation for the Washita site required the consultation of tribes in regards to the development of educational programs, which resulted in the inclusion of oral histories (Craighead 1998). The application of this federal mandate is also apparent at the Little Bighorn site where, the interpretation plan was re-designed to include tribal perspectives which affected the visitor experience at the site. According to Edward Linenthal (1998), “It changed because of the inclusion of Native Americans, not as part of the story but as able to tell their own stories at the American public site” (p. 11).

Interpretation is a key theme of the Sand Creek Massacre GMP. A consensus has not been reached between tribal and NPS parties on how to interpret the site. An Interpretive Themes Workshop has been planned in which all parties will attempt to agree on working themes. The parties have already agreed that there will be no interpretive center on site but plans for a visitor and research center have been reached for a historic building in Eads, the current location of the administrative offices.
One of the main challenges at the Sand Creek Massacre National Historic Site has been the development of interpretive themes. Tribal involvement in the development of an interpretation plan has been extensive. The pressure to develop themes has been challenged due to differing ideas about what the visitor should experience. According to several individuals interviewed for this study, NPS staff have been accused of favoring the tribal viewpoints and giving less weight to the story about the white settlers and Indian attacks in the area. It was suggested to me during my interviews that some tribal representatives do not want a story told at the site that includes the personal justification or excuses for the event as told by Chivington, Evans or other people in Colorado who continue to believe the event was a battle.

As previously discussed, the NPS is not required to give equal weight to every story or perspective but can acknowledge them, or not, as is deemed appropriate. The interpretation and education plan will determine what themes will be addressed and to what extent. There are still unreconcilable and strongly conflicting ideas of what actually happened on the day of the massacre and where specific events occurred. Without an agreement on where events happened, interpretation of the site has reached an impasse.

Several attempts have been made to identify interpretive themes and develop the story that will be told on site. However, those attempts have been impeded by persistent assertions from revisionists about the actual nature and context of the historical events and frequent accusations of NPS staff favoring the tribal viewpoint. As an interpreter for the NPS for over 23 years, Nancy Stimson has been involved in developing interpretation plans for sites where Indian and non-Indians have different perspectives.
on what is sacred and how those sites should be interpreted. Regarding the situation at Sand Creek Stimson (2010) wrote:

Today the sacred site known as the Sand Creek Massacre National Historic Site is threatened by Euro-Americans who question history by creating uncertainty over the exact location and others suggesting that the event never happened (p. 16).

Stimson’s goal to create an interpretive plan for the site is currently stalled due to an unsuccessful attempt to hold a Mapping Workshop in which all parties as well as outside historians would sit at the table together and agree on what events happened and where. For some like Stimson, the exact location is not the most essential piece of the overall story; however the NPS has historically relied on a method of interpretation of sites that requires scientific (i.e. archeological) methods of site location.

Today, the Superintendent of the Sand Creek Massacre site, Alden Miller, leads the park staff by operating off the interim management plan; which is derived from establishing legislation and the park mission. In addition, Park Service staff has direction from three levels of guidance documents in the NPS Directives System; the NPS Management Policies is the highest level.

The interim management plan includes the Memorandum of Understanding and Cooperative Agreements between the NPS and the tribes. The GMP that is currently being drafted includes issues of interpretation, consultation triggers, target organizational chart and long term planning for the park. The GMP is being drafted by the Denver Service Center Planning Design and Construction department; which oversees 50% of NPS planning programs.

Individual Cooperative Agreements between the tribes and the NPS guide the current consultation. The specific terms of the working relationship are detailed in
annual Cooperative Agreements. Consultation at the site is conducted between the Superintendent, Alden Miller, his staff and the tribal representatives. Miller approximated that he spent 30-40% of his working time on a weekly basis doing consultation. Consultation ranges from formal meetings, to informal phone calls. In an interview in 2010, Miller identified planned management actions that trigger consultation that include but are not limited to: issues stemming from legislation, educational programs, culturally sensitive issues, access to site, and ethnographic issues. For instance, the park is closed to the public several days a year by request of the tribes in order for the tribes to conduct religious or cultural ceremonies.

The current process of consultation seems to reflect the Trust Act language more than the Designating Act language. For each consultation trigger, Miller and his staff contact the tribes, solicit advice from them, propose a plan of action and receive approval before implementation. According to Miller, there is a long-standing relationship and mutual respect that aids this process.

According to the NPS Special Resource Study (2006), the NPS and the tribes consulted on a government-to-government basis on every decision related to the establishment of the Sand Creek Massacre National Historic Site as a unit of the National Park System. The research for this study suggests that the Sand Creek Massacre site is the only NPS unit where consultation policies are both technically and in-practice dependent on the approval of consulting partners.

On several occasions, it was suggested that without the mutual respect and friendship amongst tribal representatives, state representatives and NPS staff, the project would not have succeeded. The consultation meetings were often stressful, the
topics were culturally sensitive and cultural differences in the way the meetings were structured were prevalent.

Consultation meeting participants, at times, became very emotional. At one consultation, the tribal representatives requested the removal of two facilitators. Often, the tribal representatives would call for intermissions so that they could communicate among themselves. During these private discussions, tribal members would invite certain state and park service representatives to join them. In a sense, there were sometimes two levels of consultation meetings going on as at these meetings as the tribal representatives identified those who they believed were more sensitive to their needs and cultural ideas in the consultation process.

The tribes at Sand Creek have been involved with the development of interpretive themes since the beginning. The tribes have been consulted regarding every interpretive decision the NPS has considered. This has resulted in difficulties since the tribes and the NPS have at times demonstrated different priorities. The NPS is tasked with developing the site for the benefit of all Americans and with input from all Americans. The tribes do not have the same requirement and therefore for them the tribal perspective and wishes for the site are a priority. According to this research, the Sand Creek site interpretive process has included more tribal involvement than any other NPS site.

According to Nancy Stimson, interpretation is not focused on the lack of a site map at this time. There have been efforts to hold a Mapping Workshop but difficulties have arisen due to the lack of access to certain acreage included in the map from the Site
Location Study. If the site is interpreted without a map, it would be unique among NPS units, especially those of a military nature.

Currently, the site is largely inaccessible to the general public due to agreements reached at consultation meetings. During these meetings, the tribal representatives stated, “the area is both a massacre site where the victims remain unburied and a place sacred to the tribes; and the feeling that the site should remain largely undeveloped” (NPS 1999, 42). The percentage of accessible acreage to the total amount of land within the NPS boundary is small. Currently, visitors are restricted by fencing and written notices to the bluff overlooking the southern edge of the boundary area. The 2011 NPS Management Alternatives newsletter describes three of the four identified action alternatives which include the development of trails beyond the bluff area (p. 6-9).

The research for this study, including the personal observation of the researcher suggests the Sand Creek Massacre site is the only site that has a policy and a practice of routinely providing one-on-one interaction of NPS interpreters with all visitors. When a visitor arrives at the Sand Creek Massacre site today, they are actually greeted at their car by a NPS interpreter. The interpreter accompanies the visitors to the bluff overlooking the site and gives the visitor their story of the site. It has been suggested that this type of personal interaction with a site interpreter is more like a sharing of oral history and less like a conventional historical account of an event and greatly contributes to the quality of experience at the site.
CHAPTER 6
CONCLUSION

The research for this work has identified some aspects in which the Sand Creek Massacre site is unique. These include the site event, name, and tribal involvement in site location, management and interpretation. The research has also suggested similarities and precedence in other NPS units that have contributed to aspects of the site designation and management. The Washita Battlefield National Historic Site and the Little Bighorn Battle National Monument are both examples of multi-cultural interpretation and designation. The value of identifying the Sand Creek site as the only NPS unit called a massacre is the significance of a name and the history of naming sites based on the location of where the event took place. Names can be controversial and are important to the stakeholders as well as possibly influencing visitor preconception of their site experience.

The Sand Creek Massacre legislation has been recognized as very explicit in its directions to include extensive consultation. The law may be a prototype for future laws that put more of the administrative power in the hands of the tribal stakeholders. Although the administrators of the Sand Creek Massacre site strive to gain approval from the tribes for their actions and decisions, the law does not explicitly require it. In contrast, the Badlands National Park is currently undergoing the process of rewriting the GMP regarding the southern unit of the park, which is entirely reservation land. If approved by Congress, the NPS will turn over management to the tribe, who will follow general park service policy in order to maintain access to the site to the general public. The tribes at Sand Creek do not live at the site, making this arrangement impossible,
however the idea that tribal governments control tribal sites may be indicative of a movement in the designation and management of NPS sites.

During the interviews conducted for this study it was expressed to me that the designation process and concurrent management of the site has not been accomplished in a hurried fashion. NPS staff expressed the opinion that having waited this long for designation, there is no need to rush now and thereby undermine the goals of the site due to a lack of careful planning and close consultation.

There are several events in recent history that have resulted in the designation of a memorial very soon after the event occurs. Some sites have been added to over time; for instance, an Indian Memorial, “Peace Through Unity” was added to the Little Bighorn site in 2001. The Sand Creek Massacre site had been undesignated for over 130 years since its event. The tribes have maintained a spiritual connection to the land, evident in their oral histories and spiritual connections that were made part of the official designation process determined by the law. The site was an opportunity to involve these tribal traditions in an unprecedented way.

Despite disagreements during the Site Location Study, the current interpretation and lack of a site map with “core features” does represent a unique NPS practice. Due to the methods employed during the designation process, the Sand Creek Massacre site could be a model for future tribal sites under the administration of the NPS.

However, the extensive consultation and inclusion of traditional tribal methods has resulted in the omission of typical site interpretative elements. The NPS will be challenged to interpret the landscape in an educational manner without a site map. This omission will not be detrimental to the educational understanding of the event.
landscape if the goal is to present the tribally-ordained site features. However, traditionally, the NPS uses archeology and historical documentation to draw a map in order to interpret historical landscapes.

Instead of reaching an impasse, NPS staff and tribal representatives have developed a method of designation that does not revolve around specific site event locations. The physical result of this has been the development of management zones, these zones identify areas of the site that have differing levels of cultural and spiritual significance to the tribes and are accessible to the public based on this determination.

The draft Management Alternatives newsletter (2011) utilizes a geographic information systems map to determine the boundaries of the management zones. The map does not indicate the location of the massacre events. Each of the five alternative action plans include guided ranger tours. The extent of these tours will be determined by the extent of the trail system. The management zones allow for differing levels of ranger-visitor interaction. For instance, the Contemplative Zone will be designed to allow for “personal reflection and quiet contemplation” and the Development Zone is where the “greatest likelihood of encountering NPS staff” will be (2011, 5).

The process of site location has become an important theme of designating the site. The site location project is now an example of multi-cultural partnership and mutual acknowledgment of the authenticity of different site location methods.

A study of the Sand Creek Massacre site designation results in a discussion of NPS policies, legislative actions by states, laws which define the language used to describe the site, a broader range of federal Indian policies, examples of multi-cultural partnerships, and the role the site designation has played in increasing social
awareness of Cheyenne and Arapaho culture. The practical results of this discussion have moved beyond that of a site designation.

The letters of soldiers Soule and Cramer were submitted to the Congressional report and helped to pass the 2000 Establishment Act which had been stalled in Congress (Halaas and Roberts 2001). According to the NPS action alternatives newsletter (2011), the letters will be displayed on panels at the site. In addition, in 2010, the Colorado Historical Society, along with its partner the Sand Creek Massacre Spiritual Healing Run Committee, installed a marker to interpret the life of Captain Soule in Denver.

Initially, the local recognition of the event was termed a battle. However, in modern times the event has been officially identified as a massacre and steps have been taken to ensure this designation.

In 1999, the Mayor of Denver Colorado proclaimed November 25-29 ‘Sand Creek Spiritual Run and Remembrance Days’ in honor of the 135th anniversary of the massacre and publicly declared the event a massacre. The Sand Creek Massacre Spiritual Healing Run/Walk is held annually and begins at the massacre site and ends at the state capitol in Denver.

In 2002, the Colorado Senate Joint Resolution 99-017 authorized a plaque to be added below the 1909 Civil War Monument on the west lawn of the state capitol complex. The Civil War Monument referred to the Sand Creek Massacre as a battle, which the state of Colorado, according to the legislation, found to be a mischaracterization of events. The addition of the plaque explains the Sand Creek Massacre and the context in which the original plaque was designated.
There is a plan to remove the boulder at the massacre site in the interim management plan. Options considered by the NPS staff include the removal of the boulder or the addition of a placard similar to the one at the state capital, explaining the perspective of those who placed the boulder in the 1950s.

On August 16, 2006, the Sand Creek Massacre Trail was established through members of the Tribal Relations Committee of the Wyoming State Legislature. The honorary trail is marked by road signs from the Wind River Reservation, the current home of the Northern Arapaho, to the Colorado-Wyoming border. The Wyoming Department of Transportation has funded the signs along the route as well as informational markers at rest areas. According to tribal representatives, the Colorado Department of Transportation is currently working to continue the honorary trail to the Sand Creek Massacre site. This trail is also the path of an annual Healing Run by the northern Arapaho tribe to the site.

The United Methodist Church, as part of its Act of Repentance to Indigenous Persons, is donating $50,000 for the development of the Sand Creek Massacre Learning Center in Eads, Colorado, the site of the NPS visitor and research center. According to an article by Carol Berry (2011), the NPS will provide matching funds for this donation.

Certain aspects of the Sand Creek Massacre National Historic Site have inspired positive development outside of the site, as evident in legislation by the states, development of educational programs, the donation by the Methodist church, and other recent and ongoing initiatives. This proven ability of a NPS site to affect the local and national community is of great value and therefore an examination of the practices of all
those involved of the Sand Creek Massacre site is justified. The impact of the Sand Creek site may be evaluated as a model in the future if other sites look to the practices employed at Sand Creek for the development of their own programs.

The Sand Creek Massacre National Historic Site process of designation and dedication has initiated a chain of designations and recognition of the Sand Creek Massacre event that goes beyond the typical role of a NPS unit. The result of these initiatives has been a resurgence of Arapaho and Cheyenne culture. Due to the publicity of the Sand Creek Massacre National Historic Site designation, much attention has been brought to the issues that are still revolving today, including the repatriation elements of the 1868 treaty that have not been fulfilled. The examination of defining legislation has brought clarity to the process of designation, however the future of the site is still in process and the resulting management and interpretation of the site will possibly direct NPS initiatives in the future.
LIST OF REFERENCES


BIOGRAPHICAL SKETCH

Rachel Thibeault was born in Bangor, Maine where she spent the first five years of her life before moving with her family to northern Minnesota. She attended Bemidji High School and graduated in 2003. She attended St. Michaels College in Winooski, Vermont where she received a Bachelor of Arts in visual arts with a minor in religious studies in 2007. After graduation, Rachel moved to downeast Maine and served as an AmeriCorps VISTA Volunteer at a non-profit providing aid to migrant farm workers. After her year of service, Rachel moved to Gainesville, Florida to attend the University of Florida in pursuit of a master’s degree in historic preservation. She graduated in 2011 and hopes to work for a government agency.