

# Restorative Spaces

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On a visit to The Museum at Warm Springs several years ago, we were intrigued by the way exhibits had the potential to engage visitors in a dialogue. While the exhibits informed and generated dialogue across several issues, it was in reference to addressing harms<sup>1</sup> caused during colonization, and the ongoing legacy of those harms, that most caught our attention. The same opportunity—realized or missed—for a dialogue regarding harms had also struck us on visits to Srebrenica, the Killing Fields in Cambodia, military museums, and other locations. In these spaces, exhibits, artefacts, and other installations were frequently presented in a narrative context: they sought to tell a story from a historical perspective (often written by the ‘victors’, so the cliché goes). In some of these spaces, however, more was occurring. It was evident that in some spaces, a dialogue that sought to engage stakeholders was taking place. This dialogue, we felt, had the potential to be restorative, in much the same way that an encounter between stakeholders in a restorative practice could be. We then began to conceptualize a restorative space: a space that encourages engagement and empowerment in addressing the past and present harms, as well as the future implications, of conflict. In this sense we have looked primarily at instances of colonial/post-colonial conflict, inter-ethnic conflict, and political conflict, but the principles could be extended to incorporate other forms of conflict and crimes.

While elements of a restorative space may have been expressed in work discussing memorialization and related topics, no one has previously established a theory of restorative spaces.<sup>2</sup> This article proposes both an explanatory and normative theory of restorative spaces. We argue that restorative spaces can be significant tools in healing following widespread conflict. As an explanatory theory, restorative spaces shows how elements of restorative justice can be present in spaces addressing past harms, while in its normative guise the theory explains how museums, memorials, and other installations may adopt principles from restorative justice, and inform current and future practice, in an effort to advance healing when memorializing and educating through such spaces. We argue that any space seeking to discuss or address past conflict should be restorative, and that restorative spaces should be adopted explicitly

in efforts where we seek to address the legacy of past abuses and conflicts—to provide yet another mechanism to encourage healing and reconciliation.

### **Contact Spaces and Museums as Sites of (de-)Colonization**

As O'Neill has observed, "museums' unique role is to create, articulate and distribute knowledge based on physical objects which for a wide variety of reasons have been deemed significant enough to be worth preserving in perpetuity."<sup>3</sup> Preserving and curating objects from the past has a role not only in maintaining physical objects from the past also but in creating a sense of national identity and social solidarity.<sup>4</sup> History museums in the United States are viewed favorably as a source of historical facts and have earned a high degree of public trust.<sup>5</sup> Museums are significant sites of identity and value making because "they articulate identity, power, and tradition."<sup>6</sup> Yet, the process of determining which objects to be worthy of preservation can reflect and perpetuate broader socio-political power dynamics. Museums tend to celebrate mainstream society and create tidy narratives of unchecked progress, which means "there is a difficulty in accommodating a plurality of histories."<sup>7</sup>

Historically, museums have exhibited dead things: animals, burial rituals, even dead people.<sup>8</sup> Further, anthropologists at the turn of the 20<sup>th</sup> century considered museums as sites of preservation for the traces of vanishing cultures.<sup>9</sup> During the 1904 World's Fair, organizers built villages to demonstrate authentic, Indian life insisting: "that Natives wear traditional clothing regardless of weather, build old-style homes" while banning manufactured goods and adopted European style clothing.<sup>10</sup> This perhaps more extreme example underscores both the impulse of mainstream society to 'stop' Native culture at a point deemed by outsiders as most 'authentic' and the lack of Native voice in the process of representation. For many tribes in the United States this has contributed to a notion that either their culture or their people are, effectively, dead. Given the way Native culture was presented, museums have been critiqued as an extension of the colonizing effort—designed to categorize and objectify subjects<sup>11</sup>—rather than elevate the experiences of those being colonized as equals. This has been changing. How materials are selected, curated, and how Indigenous stakeholders are engaged in these processes has created a more collaborative and less exploitive museum space.<sup>12</sup> Rather than collecting materials

to display or for individuals to research, museums are increasingly viewed as educational spaces, “a sight of different educational engagements.”<sup>13</sup>

Today, museums are part of a larger process of decolonization due to their own history of denying Native voices in decisions about representation as well as the accumulation of sacred artifacts.<sup>14</sup> Strides have been made to create Native American exhibitions in mainstream museums where curatorship is shared,<sup>15</sup> though these processes are, at times, still not as collaborative as initially hoped.<sup>16</sup> Ownership of museum spaces has expanded to include people that were previously treated as objects or subjects of inquiry, rather than equals. The Navajo and the Cherokee nations were the first to establish tribal museums in 1961 and 1963, respectively.<sup>17</sup> Since then, tribal museums have been experiencing tremendous growth. In 1993 there were 130 tribal museums, and by 2006 this had grown to 236.<sup>18</sup> Tribal museums have become significant sites to exert tribal sovereignty,<sup>19</sup> speak into a historical dialogue that frequently silenced them, and celebrate the survival of tribes in the United States: “one of the greatest untold stories, and the specifics of this difficult and shameful history need to be told.”<sup>20</sup>

Tribal museums provide a space for interaction between tribes and mainstream society. A survey of tribal museum mission statements found the primary focus was to serve the local tribal group by providing a record of their cultural heritage.<sup>21</sup> The second most common goal was to provide an education to non-tribal members.<sup>22</sup> In this second goal, tribal museums are “contact zones”. Pratt<sup>23</sup> and Clifford<sup>24</sup> both explore the notion of contact zones. These are spaces where people from diverse places and histories meet, interact with, and establish some sort of relationship. Within these interactions, there are aspects of conflict and inequality. Recognizing this asymmetry is significant: “contact zones are place of struggle and negotiation. As people interact with history from an alternative perspective these museum spaces provide the possibility of collaborative ‘restorative or collaborative zones.’”<sup>25</sup> As Kasper and Handsman observe “[i]n essence, those zones are public spaces in which diverse living cultures, communities, and ideologies meet and clash through encounters with representations and realities that challenge and undercut wrong-headed assumptions of post-contact Native history.”<sup>26</sup> There is potential for these contact zones to create “spaces for collaboration, discussion, and conflict resolution.”<sup>27</sup> The notion of contact zone provides a strong starting point in analyzing the role

of tribal museums in relation to larger questions of historical representation, mainstream-tribal collaboration, and moving beyond post-colonial dynamics. However, we argue that it has the potential to be further developed by analyzing more explicitly the way these spaces can contribute to a restorative process, and how they can achieve goals such as those identified by Clifford, Pratt, Boast.

### **What is a Restorative Space?**

In determining whether a space can be restorative, it is necessary to establish criteria by which to evaluate that space. Roche has previously observed that it is important to carefully evaluate what is labelled as restorative justice to determine if in fact the thing being described is truly restorative.<sup>28</sup> According to Roche, just as lesser quality counterfeit goods harm the brand they seek to imitate, lesser quality practices that claim to be restorative (but are not) harm the brand of restorative justice.<sup>29</sup> In the same vein, we suggest that careful consideration must be given to whether a space fulfills its restorative potential. Only by identifying the necessary characteristics of a restorative space can we evaluate whether the space is, or is not, restorative and then reflect on how successfully it meets its restorative potential. Our contention is that the same principles that guide our evaluation of whether a justice activity is restorative can (with some modification) guide an evaluation of whether a space is restorative.

There is much debate in the field of restorative justice about a precise definition of the term.<sup>30</sup> Marshall's definition—"a process whereby all the parties with a stake in a particular offence come together to resolve collectively how to deal with the aftermath of the offence and its implications for the future"<sup>31</sup>—is frequently cited.<sup>32</sup> Indeed, this is a good starting point. With respect to a museum, we might argue that a space can have restorative potential as it brings together various parties with a stake in the issue: at a museum that addresses, at least in part, the impact of colonialism on an indigenous community that space can bring together descendants of colonized and colonizers, all of whom should seek to address the legacy of colonialism. Here we might change Marshall's language, however, from "particular offence" to harm. Harm is more appropriate in our context, as for example, the continuing harms suffered by indigenous peoples as a result of colonialism are something that all should have a stake in — both to acknowledge and address — but are not all legally defined

as crimes. Spaces may also encourage or facilitate a consideration from visitors about how we, as a society, might deal with the aftermath of a policy (such as colonialism) that causes harm and what this may mean for the future.

Yet Marshall's definition is a limited one, and does not capture the breadth of practices that are considered restorative. For example, Marshall's definition preferences only those practices that include an encounter between victim and offender. Johnstone has shown that we might have a restorative practice where there are only victims and community representatives.<sup>33</sup> So instead of assessing a given space against a contested definition, we should look beyond definitions to the ideas that underpin restorative justice. These are the underpinning philosophies and values of restorative justice, and while definitions vary, these philosophies and values are consistent in discussions of restorative justice.

Johnstone and Van Ness note that to be considered a restorative practice, some of the following elements are usually evident: a "relatively informal" process that brings together victims, offenders and others affected by the crime to discuss what occurred, the resulting harm, and how the harm may be addressed.<sup>34</sup> It is crucial those most affected will be empowered in the process; there is an effort to promote responses where responsibility is acknowledged and that those responsible make efforts to amend for the harm. The process and its outcomes will reflect desirable principles of human interactions such as respect, inclusivity, and non-coercion; the harm done to victims, the victims' needs and ways in which those needs can be addressed are emphasized; and strengthening or repairing relationships will be a focus. At least some of those elements identified by Johnstone and Van Ness should be evident in a restorative practice, and we argue they must also be evident in a space that could be considered restorative. We can envision, for instance, how a memorial to past harms, such as the Tulsa Massacre, should bring stakeholders together to discuss the harm, in a respectful and inclusive manner. At a minimum, it should encourage reflection by those visiting on how to make amends for the past harms and contemporary impacts of the massacre, while offering opportunities to repair relationships between communities. This might sound like a lot to expect from any space, but in practice the combination of these elements is feasible, as we will demonstrated later. It is also worth emphasizing now that the failure to have a restorative influence on all visitors does not condemn the whole process—restorative justice is not universally successful in resolving

criminal cases (just as any other measure, such as prosecution, is not universally successful).

Two important aspects of those elements identified by Johnstone and Van Ness are engagement and empowerment. In restorative justice, empowerment is about redressing the lack of stakeholders' control and the over accumulation of control among elites.<sup>35</sup> This is because for both victims and other stakeholders "Involvement in their own cases ... can be an important way to return a sense of empowerment."<sup>36</sup> Empowerment, then, is about returning control to stakeholders, while raising awareness among stakeholders about their own roles, capabilities and responsibilities.<sup>37</sup> This means supporting the decision-making power of stakeholders, providing opportunities to exercise that power and encouraging the confidence to do so.<sup>38</sup> In a restorative space, this empowerment can be realized by the opportunity for victim communities, such as a first nations community, to take ownership of the narrative presented in exhibits and other museum spaces. Importantly, this contrasts with the all too common experience of indigenous peoples and museums, where cultures have frequently been presented without sensitivity to the people who live those cultures and without their input. Such exhibits have also often glossed over the harms caused through processes such as colonialism. The spaces we are interested in will, instead, confront those crimes and harms. From a restorative perspective, then, it is necessary that stakeholders and particularly victims have ownership of spaces for them to have restorative potential. That is, they should have the power to shape the space to reflect their experience of harm and survival, hopefully in such a way as to communicate this to other participants in this restorative space. This reflects the need to divest process control to stakeholders for justice to be restorative.<sup>39</sup> Providing this ownership, then, requires engaging stakeholders because process control "cannot take place when the expression of emotions or the contribution of solutions is not permitted."<sup>40</sup> Engagement and empowerment are closely intertwined as "participation that engages stakeholders cannot take place without their empowerment in the process, and empowerment cannot be achieved unless stakeholders are engaged through their participation."<sup>41</sup> To this end we can say that a further requirement for restorative space is that stakeholders, but particularly victims (understood broadly to include descendants, survivors, and members of that victim community) are empowered and engaged in the process of creating the space, reflecting the

divesting of control in the restorative practice to those most directly affected by harms.

Further, in providing criteria for assessing the restorative potential of space we should examine the values that underscore restorative practices. Van Ness and Strong suggest there are four values underpinning a restorative practice: inclusion; encounter; amends; and reintegration.<sup>42</sup> Within the context of a restorative space, these would require that parties affected by the harms presented in the space have a role in shaping and engaging it, that they also have an opportunity in that space to encounter the different parties in a safe environment, that the space encourage those responsible to acknowledge responsibility and seek to make amends, and that those attending the space find the possibility of reintegration among their communities. While direct perpetrators of harms may be dead, this does not preclude a restorative space from prioritizing amends among a broader community. Acknowledgement, for example, of past harms and abuses and the contemporary legacy of those harms can take place in a restorative space with attendees representing a broad cross-section of society. This can be achieved, ideally, by visitors increasing their awareness and accepting their role in current social dynamics (particularly as beneficiaries of policies such as colonialism which dispossessed first nations peoples of their land), as well as by the existence of such a space itself, which serves as a physical acknowledgment of those harms.

While so far our focus has been on the victim perspective, we should also consider the perspectives of other visitors to restorative spaces. We want to eschew, in this context, the label of offender. While this might make sense when drawing comparisons to restorative justice, to speak of visitors as offenders may conflate, exaggerate, or misrepresent the background of those experiencing a restorative space. We do not intend to engage in debates about whether descendants of colonists or slave owners, for example, are members of an offender community – other works can devote more time and do a more successful job of navigating this issue. We do recognize, though, that some visitors to restorative space are descended from colonists, slave owners, war criminals, and others and their ancestors may match our typical understanding of an offender. As direct responsibility may be generations and decades, even centuries in the past, it may be better to understand those, and others, as beneficiaries of the oppression that the restorative space is addressing. In other locations, this

could be complicated by the closer temporal proximity of conflict—such as in Cambodia and the former Yugoslavia—where the establishment of a restorative space occurs when direct victims and offenders are still living. Most visitors in such circumstances may be geographically distanced from the original conflict (though in a globalized world we can see, for instance, how Americans visiting Tuol Sleng in Cambodia may acknowledge a degree of responsibility for the crimes of the Khmer Rouge as partly the result of Cold War conflicts and US foreign diplomacy). In any event, we should understand that visitors to a restorative space may fulfill a role similar to that of an offender, and that principles relevant to offenders in restorative justice may be relevant to some visitors to restorative spaces.

When considering roles and responsibilities of stakeholders in restorative justice, we often contrast the role of offenders in the criminal justice system. With stakes relatively high, offenders in the criminal justice system are encouraged to deny and minimize responsibility, as well as deny and minimize harms caused to victims. In current culture wars, such as those addressing reparations for past colonial practices or chattel slavery, a similar denial and/or minimization of responsibility is often expressed. Restorative justice “encourages offenders to understand the impact of their behaviour – the harms they have done – and urges them to take steps to put things right as much as possible.”<sup>43</sup> We can extend this to restorative spaces and visitors, to suggest that a restorative space asks of its visitors “what was the past impact and the continuing legacy of these harms, and how can we contribute to correcting this?”

The characteristics of a restorative space have emerged, and we can see that a restorative space is one that is shaped by stakeholders to the conflict, but most directly by those whom we might categorize as the “victims” of past and enduring harms, that provides a space where members of diverse communities can encounter the experiences of each other, and that encourages acknowledgment of past and continuing harms, in an effort to identify possibilities for redress and reconciliation.

### **The Museum at Warm Springs as a Restorative Space**

The need for restoration between Indians and the non-Indian community(ies) in Oregon and the United States more broadly cannot be denied. American Indians have suffered and continue to face disadvantage because of colonialism.

For example, Oregon's Indian population faces poorer health outcomes when compared to Oregon's White population. This includes some of the highest rates of obesity and the highest rates of early death for any race in Oregon.<sup>44</sup> Tribal members in the Pacific Northwest also have higher mortality rates than the general population.<sup>45</sup> Up to one in four Indians live in poverty in Oregon.<sup>46</sup> Across the United States, Indians experience poverty at higher rates than any other group.<sup>47</sup> Indians in Oregon are also imprisoned at rates nearly three times greater than for whites per 100,000 of the population and at rates three times greater than their percentage of the population.<sup>48</sup> These trends reflect the disadvantage experienced by American Indians more broadly. American Indians are victims of violent crimes at rates more than twice the national average and,<sup>49</sup> whereas other races are most likely to be violently victimized by members of their own race, American Indians are far more likely to be victimized by members of other races (60% by whites and 10% by blacks).<sup>50</sup>

In multiple trips to Oregon, we visited the Museum at Warm Springs. Following our visits, we discussed the issue of justice for the continuing harms inflicted on the Confederated Tribes of Warm Springs and what remedies might be available. We were interested in the role that spaces such as the Museum at Warm Springs might play in seeking justice and whether the museum could be a place where restorative justice was practiced. The Museum at Warm Springs is located on the Warm Springs Indian Reservation approximately two and a half hours south-east of Portland, Oregon. Approximately 3300 members of the Confederated Tribes of Warm Springs (Warm Springs, Wasco, and Paiute tribes) reside on the reservation.<sup>51</sup> The need to build a museum was first recognized in 1955 during a regalia marking 100 years since the establishment of the reservation at Warm Springs.<sup>52</sup> During the celebration, outside visitors began offering thousands of dollars to purchase ceremonial items and tribal leaders realized their cultural artifacts were at risk of being lost (themuseum-at-warmsprings.com). Facing the loss of their language, traditional practices, and cultural artifacts, the Tribal Council began allocating funds to purchase and preserve material aspects of their way of life.<sup>53</sup> In 1971, the tribes began planning to build a museum that would be designed in consultation with elders from each of the three Tribes. In the early 1990s, a lack of Native American architects led the Tribes to select an outside architectural firm. Similarly, most contractors were not tribal members though several subcontracts were. Howev-

er, it was stipulated in the contract and design stage that Native American skills would be utilized whenever possible.<sup>54</sup> The process of designing and building the museum was collaborative on multiple levels: between the three confederated tribes and between tribal and non-tribal stakeholders. There was a sense of pride and empowerment once the museum opened its doors in 1993.<sup>55</sup> The Museum at Warm Springs meets several of the criteria for a restorative space. In its design and creation, it empowered stakeholders and facilitated engagement across tribal and non-tribal groups.

While the museum holds one of the largest tribally owned collection of artifacts, one of the stated goals of the museum is not simply be a repository of things but to contribute to a historical record.<sup>56</sup> “We wanted the museum to tell the story of our people,” explains Delbert Frank, Sr., President of the museum’s Board of Directors in 1993 and an influential member of the Tribal Council.<sup>57</sup> “We wanted it to tell the truth. To educate both the public and our own children. To tell them who we are.”<sup>58</sup> Reflecting this goal, exhibits detail the history of the Wasco, Tenino and Paiute tribes that form the Confederated Tribes of Warm Springs. Various exhibits display pre-contact life, the impact of colonialism and the destruction wrought by programs such as residential schools for Indian children. Various treaties, and the failure of the United States to uphold treaty obligations, are also presented.

The Museum at Warm Springs offers a narrative from the perspective of survivors of colonization: members of the three confederated tribes. This narrative provides the basis by which we understand the past and present of members of the Confederated Tribes at Warm Springs and elucidates the harms they endured and continue to endure. For example, conflict between those described as “Euroamericans” in the exhibits with the Tribes are presented, emphasizing that conflict was underpinned by euro-centric and racist views of Native Americans and their culture. As one passage on an informative board in the exhibits explains:

Official U.S. attitudes toward Indians were based on deep-rooted cultural differences. Issues surrounding land ownership were especially troublesome, because Indians did not believe that land could be bought and sold. And although Indians had lived wisely and well on the land for thousands of years, most Euroamericans had only contempt for their hunter-gatherer lifestyle.<sup>59</sup>

Exhibits emphasize the loss of over ten million acres, ceded to the U.S. government in the asymmetrical Treaty of 1855 between the Tribes and the U.S. government. Several informative boards explain that, while under federal jurisdiction during the early years of reservation life, tribal members were frequently exploited and defrauded. As visitors pass through this space, they are confronted with images, maps, and personal narratives that evoke the harms suffered by the Confederated Tribes of Warm Springs. Of note are the portions of the museum devoted to the Indian residential schools, where policies that deliberately sought to destroy Indian social, cultural, and family life are presented.

Restorative justice seeks to encourage acknowledgment of responsibility and harms. A restorative space must do the same. We observe that visitors to such spaces are encouraged to acknowledge harms, hopefully concluding for themselves it is indisputable that the government took Indian children from their families and placed them in unsafe and abusive situations following removal. At the same time, however, it is also easy to deny responsibility, either by arguing that past authorities had laudable motivations even if the practice was wrong, or that it occurred in the past and has little bearing regarding contemporary responsibility. In this vein, the visitor may acknowledge harms but resist responsibility by creating a caveat: it is indisputable that the government took Indian children from their families and placed them in unsafe and abusive situations following removal *but* the authorities were concerned about their welfare and acted with the best of intentions and anyway it happened so long ago nobody alive today is responsible. Such techniques of denial and neutralization miss the reality on several levels: it denies the responsibility that stems from benefiting from practices that broke up communities and the confiscation of land and resources and their transfer to others; and it fails to recognize that we all have responsibility to address those harms in a just society. That some visitors, when confronted with these realities, may still deny harms, complicity, benefit, and other consequences does not negate the value in detailing and communicating this history, or that many visitors to a restorative space will acknowledge these realities. It is clear from these exhibits that harms were committed through colonization by the breaking up of families and tribal communities, and that those actions have caused continuing harm to the Tribes. As a restorative space, the Museum at Warm Springs in this instance encourages

acknowledgment by visitors not only of these part harms, but also that contemporary challenges faced by the Tribes that result, at least in part, from the destruction of bonds through Indian School policies.

We understand this as a restorative encounter. Here, stakeholders must engage in acknowledging the harms, roles, and responsibilities that they, their ancestors, the wider community have in the harms inflicted upon members of the Confederated Tribes of Warm Springs. Acknowledgment of these harms is achieved on multiple levels. The site itself is an authoritative acknowledgment of those harms (as well as the continued life and vibrant culture of the Tribes). Visitors from non-Indian backgrounds at the museum could only avoid acknowledgment of these facts with the most wilful hostility to the exhibits, presented as they are with both personal and historical evidence within the museum. We believe that the space engages visitors to feel empathy and to understand the modern consequences of colonial policies, even if not every guest will come to a full recognition of these. This recognition and appreciation is a fundamental dimension to restoration of right relationships between stakeholders, and indeed reconciliation, but of course can not be the only dimension. An engaged visitor may then ponder how these harms can be addressed and what might be done to restore communities. Indeed, this is addressed within the exhibits, too, but not completely. The exhibits discuss efforts to restore sovereignty and tribal rights, including fishing and other rights, to members. The Museum at Warm Springs, however, could go further as a restorative space to more directly encourage visitors to consider how we might address past harms and restore those harmed to positions of health and security they may enjoy, but for the deliberate efforts of colonial policies that sought to destroy Indian life and culture. This final aspect of a restorative space may often be the most difficult to achieve directly, especially as we suspect that some guests may find suggestions for restoration “too confronting” or “demanding”. As conversations on issues such as reparations become more widely accepted, however, we feel that such spaces should feel empowered to address restoration directly (as some of course do).

## Conclusion

As we have shown, museums (but also other sites of memorialization and commemoration) can satisfy elements of a restorative practice, particularly as they seek to provide an encounter between victims, offenders and community(ies) in an effort to better understand the harms that have been inflicted through processes such as colonialism. In the context of addressing past harms, it is evident that restorative spaces can form an important component of addressing the harms caused by colonialism, war and dictatorships and that the concept of restorative space is applicable to a number of different scenarios where inter-community conflict has occurred.

While this article has primarily focused on justice for harms caused through the process of colonization the concept of restorative space is applicable to other cases of widespread harms. Restorative space should be adopted as an additional thread to the restorative justice movement, and principles of restorative justice should inform how we craft spaces that seek to examine, explain, memorialize, and record conflict.

## NOTES

- 1 We use the term 'harm' throughout this article, as opposed to 'crime'. Many of the harms we envisage are legally defined as crimes, but some are not. Limiting our concept of what restorative justice can address to 'crime' restricts the actions, omissions, events, and incidents that have caused harms between groups, and unduly limits what should be considered as potential for restoration and healing.
- 2 'Restoration' has previously been used in referenced to museums in discussion of generating a sense of peace and calm. This previous use is not connected to restoration and restorative as it refers to the repair of relationship and addressing past harms, as in restorative justice. For the prior use of the term restoration, see: Stephen Kaplan, Lisa Bardwell and Deborah Slakter, "The Museum as a Restorative Environment," *Environment and Behavior* 25, no. 6, (1993): 725-742; Stephen Kaplan, Lisa Bardwell and Deborah Slakter, "The Restorative Experience as a Museum Benefit," *Journal of Museum Education* 18, no. 3 (1993): 15-18.
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