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Meredith, America

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# A Chapter Closed?

*America Meredith*

Texas-born, English-American sculptor and writer Jimmie Durham has falsely claimed a Cherokee and American Indian identity for more than 40 years now. Hopefully, after a multigenerational, multitribal effort spanning almost that long, art historians and curators will cease trying to force him upon the Native art world and cease positioning him as our representative in academic literature.

Anne Ellegood, senior curator of the Hammer Museum, part of the University of California, Los Angeles, has wanted to curate a major exhibition of Durham's work for over a decade, and her dream was realized with the January 29th launch of *Jimmie Durham: At the Center of the World*, a retrospective opening at the Hammer traveling on to the Walker Art Center, the Whitney Museum of American Art, and Remai Modern. Native people have tried to tell Ellegood for years that Durham is not Native American; however, she would not listen. The catalogue will stand as a 320-page testament to this refusal to listen, to conduct adequate research, or to engage with the Cherokee tribes.

Durham's art-world apologists have suggested that Native people said he wasn't Cherokee based on his artwork or his appearance. Cherokee people know he's not Cherokee because he doesn't belong to any of the three Cherokee tribes. We also know that he is not an unenrolled Cherokee descendant, as many assumed, because he has no Cherokee ancestors. Ellegood wrote, "Of Cherokee heritage, Durham's family migrated from the southeastern United States to west of the Mississippi River shortly before the forced march known as the Trail of Tears ...,"<sup>1</sup> which would suggest that Durham descends from the Old Settlers, Cherokees who migrated west between 1817

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AMERICA MEREDITH (Cherokee Nation) is the publishing editor of *First American Art Magazine* and is an author, visual artist, and independent curator whose curatorial practice spans two decades. She earned her MFA degree from San Francisco Art Institute and has taught Native art history at the Institute of American Indian Arts, Santa Fe Community College, and the Cherokee Humanities course. Meredith was the 2018 Sequoyah Fellow at Northeastern State University in Tahlequah, Oklahoma, and served on the board of the Wheelwright Museum and the Cherokee Arts and Humanities Council. "A Chapter Closed?" was first published in *First American Art Magazine*, no. 19 (Fall 2017): 88–89.

and 1935. However, his direct ancestors did not arrive in Arkansas until well after the Trail of Tears in 1838 and 1839, when most of the Cherokee people were forcibly removed to Indian Territory.

Durham has alternatively claimed to have been born in Nevada County, Arkansas, or Washington, Hempstead County, Arkansas, in 1940. No one by the surname Durham was born in either place around 1940, so something wasn't right. Looking at his birthday on July 10, 1940, researcher Kathy Griffin White (Cherokee Nation) discovered that he was Jimmie Bob Durham born in Harris County, Texas, to Jerry Loren Durham and Ethel Pauline Simmons Durham, who were born in southern Arkansas. From there his family tree is easy to trace, as many Cherokee and non-Cherokee researchers have now done. The overwhelming majority of his ancestors come from England, a few from Scotland, and some from France via Quebec.

Since there were very few published resources questioning Durham's claims, I posted Nancy Mithlo's 1993 letter to *Art in America* online; then ten of us composed an open letter to *Indian Country Today Media Network*. Some non-Native Durham supporters seized upon the notion that his family didn't "register" with the government, but Suzan Shown Harjo (Southern Cheyenne/Muscogee) responded to this view back in 1993:

He and his promoters have said that "registering" with an Indian nation plays into the U.S.'s colonization plan and that a lot of real Indians are not "registered" because their ancestors resisted the Dawes Act land rolls. This is inaccurate. Those who resisted the Dawes Act allotments made their opposition known by publicly denouncing the legalized theft of Indian lands. Federal Indian agents enrolled them anyway, and the most prominent resisters, Chitto Harjo, for example, were among the first so listed.<sup>2</sup>

Redbird Smith (Cherokee) and other leaders who protested the Dawes Commission weren't protesting rolls or censuses; they were protesting the US government breaking collective tribal lands into individual allotments, and Smith, like Chitto Harjo (Muscogee Creek), is listed on the Dawes Rolls. These leaders lived with and fought for the rights of their respective tribes.

After several online articles about problems with Durham's identity claims, the Hammer Museum issued this statement on June 28: "While questions about Durham's identity have arisen periodically since the early 1990s with the passing of the Indian Arts and Crafts Act, curators, art historians, and artists in the contemporary art field who have worked with the artist, including those from the Native Arts field, have accepted Jimmie's understanding of his ancestry as Cherokee."<sup>3</sup>

We don't have questions, we have statements. It turns out "the Cherokee Nation made direct contact with The Hammer Museum regarding the labeling of Durham as a Cherokee to promote the show. Complaints reached the highest levels of the museum's administration and board but achieved only one result, being blown off and patronized," as David Cornsilk (Cherokee Nation/United Keetoowah Band) observed.<sup>4</sup> This non-Native curator and institution rebuked the largest American Indian tribe in the United States on the subject of that very tribe's identity.

Art critic Aruna D'Souza aptly and eloquently describes her response, and that of the larger art world, as moving through the five stages of grief: denial, anger, bargaining, depression, and acceptance. About her anger, she writes,

How can the Cherokee police their membership in such a draconian way? Doesn't it simply replicate the strategies of the U.S. government to control and at times eliminate American Indians? But what a strange and troubling slippage, to accuse an embattled minority, subject to genocidal attempts by a settler colonial power, of reproducing those power relations by simply trying to contend with the fact that hundreds of thousands of Americans have mythologized their heritage to include Cherokee ancestry. In fact, the Cherokee have one of the most open conceptions of tribal affiliation of all the U.S. tribes.<sup>5</sup>

Individuals unfamiliar with Native identity have suggested the US federal government decides who can and cannot identify as Native American, but as Suzan Shown Harjo explained about the Indian Arts and Crafts Act back in 1993, "the Act states explicitly that Indians are whoever the tribes define as their people. This definition leaves no role for the federal government in tribal governments' authority. Nor does the Act censor or punish content by any stretch of its language or legislative intent."<sup>6</sup>

The Walker Art Center has proven much more willing to engage and work with the Native art community than the Hammer has. With *Center of the World* following hard on the heels of Sam Durant's ill-conceived public sculpture, *Scaffold*, the Walker bore the brunt of ire for the misrepresentation of Durham's identity and the stage provided for a non-Native person to speak on behalf of Native peoples.

Of course, Durham has a strong place in the contemporary art world. I've never suggested that he doesn't deserve a retrospective or a place in art history, nor has anyone suggested that his work be censored. It will be fascinating to see how the Whitney Museum incorporates his story into their programming around his retrospective.

The tragic-comic irony of the mainstream art world's refusal to listen to Native communities' statements about Durham is that it admires his work about genocide, racism, and colonialism. A last gasp from his most ardent disciples is to suggest that his playing Cherokee was an elaborate art performance. Only he was a faux Cherokee before he became a full-time artist.

Really, the elaborate performance would be by curators and art scholars who refused to listen to the Cherokee community and refused to research Cherokee history, language, and culture. While we might like to optimistically or naively pretend it isn't true, they have let the Native community know that colonialism is still very much alive today.

## NOTES

1. Anne Ellegood, "Jimmie Durham: Post-American," in *Jimmie Durham: At the Center of the World*, ed. Anne Ellegood (Munich: Prestel, 2017): 25.
2. Suzan Shown Harjo, "Tribal and Cultural Identity: The Case of the Indian Arts & Crafts Art," *Artpaper* 13, no. 2 (October 1993): 1, print.
3. Brian Boucher, "Cherokee Artists and Curators Denounce Artist Jimmie Durham as a Fraud, Saying He 'Is Not a Cherokee,'" *ArtNet* (June 27, 2017), web.
4. David Cornsilk in a comment to Aruna D'Souza, "Mourning Jimmie Durham," *Momus* (July 20, 2017), web.
5. Aruna D'Souza, "Mourning Jimmie Durham," *Momus* (July 20, 2017), web.
6. Harjo, "Tribal and Cultural Identity," 11.