

A special message for Community Presentations:



Thank you for your interest in our *Communities in Conflict* program. To make the best use of the video, we suggest that you read the following **Producer's Notes** to understand our motivations for producing the video and why it is of special value.

The next resource document is a **Community Discussion Guide** which is a two page handout to serve as an introduction to the video and a guide to its discussion after viewing.

PRODUCER NOTES FOR THE FILM "LEGEND LAKE: A TALKING CIRCLE"

By Mark Anthony Rolo

The film "Legend Lake: A Talking Circle" has emerged as the kind of film I had hoped to create for some time. Producing a documentary film is always, it seems, a toss of the dice. You cannot script a documentary film. You cannot tell people who are characters in a documentary what to say. As a filmmaker in this form you are at the mercy of human reality.

When the seeds for this project were planted a number of months ago our goal was to explore the relationship between "place" and people. In particular, how do land, water and other natural resources affect communities? And depending upon these relationship dynamics we wanted to know how communities affect the land they share.

At the Menominee Indian reservation in North-Central Wisconsin community conflict is perpetuated with each generation. Clashes in culture, class and race build up over time like layers of molten rock. The behaviors of discrimination get passed on, but never the reasons why. History is rarely examined in depth.

Historically, the core conflict between Native Americans and whites on this continent has been rooted in the land. Opposing worldviews about "ownership" of land seem as irreconcilable as spirituality, cultural values and notions of community. Ironically, as assimilation continues to make deep impact on tribal communities – fueled by tribes needing to buy into corporate structures of survival over sustenance – different interests in the use of land and its natural resources have created more tension between Indians and whites.

The struggle over the Menominee tribal land and water serves as a great reminder and symbol of the ongoing, deeply-seeded struggle between Indians and whites. The nuances and layers of this truly great historical conflict clearly posed a huge challenge for us in wanting to tell this story about the Menominee and the mostly white owners of private lots on Legend Lake. The majority of Indian and non-Indian audiences know little about Indian history, Indian law and federal Indian policy. Our goal was to bring people on both sides of this struggle together to have a meaningful, respectful dialogue that might lead to some sphere of potential reconciliation. And in order to achieve this goal we knew we had to tell the story about the struggle from a human perspective. Talking heads, charts, graphs and numbers could never catch the real drama – never create strong, impacting resonance with viewers.

I believe we achieved in this film something that I have not seen in my years of covering Indian country as a print and broadcast journalist. To bring together community stakeholders on both sides of the racial and political border was in itself a success, in my view. But we did more than that. We were able, through human story and human emotion, to give a sense of "life" and importance to issues such as tribal termination, tribal restoration, county governance and individual rights and responsibilities regarding financial duty and stewardship of local natural resources.

Legend Lake: A Talking Circle can be a guiding light for other, diverse communities facing conflict-resolution issues concerning land. My hope is that this film will engage communities beyond the Menominee and Legend Lake property owners. The film has the potential to appeal to even the most fringe viewer, those not directly affected by land rights issues. And this could be an even greater success of the film – finding new and larger audiences that do in fact, matter when it comes to bridging divided communities through meaningful discourse.

October, 2010

A Guide for Community Discussion of the Documentary Video: “Legend Lake: A Talking Circle”

1. Purpose of “Legend Lake: A Talking Circle”

Terra Institute’s purpose in producing the video “Legend Lake: A Talking Circle” is to present different perspectives on land rights around Legend Lake in a respectful manner, in order to stimulate discourse on how to minimize tensions between Indians and Whites over land tenure. A web site (http://www.terrainstitute.org/legend_lake.html) helps orient people to the contents of the video and provides additional reference materials for further study if desired.

2. Background

The Menominee people originated in what is today the State of Wisconsin. As the new European settlers moved across the continent in the 1700s and 1800s, the U.S. Federal Government entered into several treaties with the Menominee, ceding land from the Menominee Nation to the settlers.

Following the treaty of 1854 between the US Federal Government and the Menominee Nation, Menominee tribal groups settled on what is today the 276,000 acre Menominee Reservation, northwest of the city of Green Bay, Wisconsin. The Reservation is mostly forested and contains many streams and lakes. This land area is a small percentage of lands, rivers and forests once used by the Menominee people before the coming of the European settlers

This reduction of land available to the Menominee meant that the Menominee lost their access to many traditional wild rice, hunting and forest product gathering areas.. Dams interrupted fish migrations. European settlement restricted the migration of Menominee families to winter and summer lands. These dramatic changes in Menominee land access over a few decades and the resulting severe poverty threatened the very survival of the Menominee people.

The Menominee have responded to such challenges to their survival by defending their tribal rights to the 276,000 acre Reservation and by focusing on the sustainable management of Reservation lands, waters and forests. Since the 1980s the Menominee have added businesses such as the Casino to their options for improving situations of approximately 8,700 tribal members.

--Trust Land

Until the 1960s, the Federal Government held Menominee Tribal Reservation land in trust. The State of Wisconsin could not tax Menominee land.

--Termination

In 1961 the federally recognized Menominee Nation was terminated. All Menominee Reservation land was taken out of trust status. Non-Menominees purchased approximately 1,750 lots around the newly created Legend Lake and additional lots around other lakes located within the original boundaries of the Reservation. These owners

(as well as some Menominee families who also purchased lots within the Reservation) became obligated to pay property taxes to the newly created Menominee County.

--Restoration in 1973

The Menominees' status as an Indian Nation was restored in 1973. All land within the former Reservation boundaries was returned to trust status, except those lots which had been sold. These lots remained as private property, subject to property taxes.

--Tribal Land Purchases after Restoration

After restoration, the Menominee purchased some of those privately owned lots to recover land previously held in reservation status, intending to convert them into trust lands, not subject to taxation.

--Tax Implications

As formerly privately owned land becomes tax exempt, the tax rate for the remaining privately owned land will tend to increase in order to meet the revenue requirements of Menominee County. In other words, the more TRIBAL land taken off the tax rolls, the more tax COUNTY taxpayers must pay.

--Restrictive Covenant

In June, 2009, the Legend Lake Property Owners Association agreed to prohibit all private owners on LL from selling lots to the Tribe which could put such lots into trust status, and could increase the property tax obligations of the remaining private owners. This agreement was called a "restrictive covenant".

--Land Tenure Dispute

There is a potential dispute between the Menominee Nation and private land owners on Legend Lake over Tribal acquisition of privately owned land and its conversion to trust status.

3. Some Discussion Questions

- Why is the Reservation land important to the Menominee?
- What were some effects of the Termination of the Menominee Tribe?
- Why did many Menominee have to leave the Reservation after Termination?
- What types of people bought land in Legend Lake area and why?
- Why do some Menominee want the Nation to buy back land that was sold to private owners after termination?
- Why did the Legend Lake Property Owners Association decide to prohibit the sale of privately owned lots to the Menominee Nation through a Restrictive Covenant?
- Why are some Menominee angry about the Restrictive Covenant?
- What are some examples of Non-Menominee and Menominee cooperation?
- What are some positive and negative effects of weekend tourism in Legend Lake?
- What makes the perspective of Leon (in the film) different from Legend Lake property owners concerning payment of property taxes?
- Evaluate possible solutions to the shortfall of County property tax revenues due to moving land into Trust status.