// Valuing Heritage:
Indigenous Stakeholders and the National Park Service in the
American Southwest //

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Abstract:

Native Americans have had a long and contentious history with the National Park Service (NPS). In recent years attempts have been made to restructure this relationship. Indigenous groups, once displaced not only from their land, but also simultaneously from access to their heritage and sacred spaces, are being involved in the management of NPS sites as ‘stakeholders.’ As stakeholders, the NPS has recognized that a tribe has a vested interest in the site, and has a claim to participate in the heritage process associated with that site. This process is mediated through a federally mandated consultation process, as well as unofficial, less formal, communications. By looking at this trend towards “value-based management,” this thesis contributes to a growing awareness of a paradigm shift in historic preservation practice in the United States.

By conducting onsite research and engaging in conversations with NPS staff at three case study sites—Bandelier National Monument, Aztec Ruins National Monument, and Canyon de Chelly National Monument—this thesis examines to what extent a value-based management approach is being utilized, and how recognition and elaboration of such a framework might improve management at each site. It is determined that while consultation occurs to some degree at each site, the extent to which indigenous stakeholder’s values are prioritized in management decisions are limited. This is due to a variety of factors including, an imbalance of stakeholder authority, the ‘institutional character’ of the NPS, the absence of a strong Federal mandate for consultation, as well as, lacking indigenous access to the heritage management process itself. While the values of the NPS and indigenous populations of the southwest may at times seem irreconcilable, a true value-based management approach is encouraged for use by the NPS in order to better protect the values of all stakeholders at heritage sites.
Introduction

It is axiomatic that historic preservation reflects, in some manner, its society in the choices of what gets preserved, how it is preserved and interpreted, and who makes the decisions. In light of this rule, one should expect that the social changes of the last couple generations would move the field toward new paradigms in preservation. Indeed, some fairly dramatic changes have taken hold in the practice of preservation in the last generation or so. Preservationists deal with more kinds of heritage today, representing a wider variety of narratives and historical moments and a wider range of places and objects and scales.”


Native Americans have had a long and contentious history with the National Park Service (NPS) and with the fields of archaeology and heritage management more broadly. This history is one marked by conflict, characterized by disputes over land and struggles over basic rights. In the twenty-first century, attempts are being made to restructure this relationship. Indigenous groups, once displaced not only from their land, but also simultaneously from access to their heritage and sacred spaces, are being involved in the management of NPS sites as ‘stakeholders.’ As stakeholders, the NPS has recognized that a tribe has a vested interest in the site, and has a claim to participate in the heritage process associated with that site. This process is mediated through a federally mandated consultation process, as well as unofficial, less formal, communications. By looking at this shift towards “value-based management,” we may begin to understand how these politics of heritage have and continue to play out.
Value-based management is a formalized preservation strategy for holistically approaching the past and contemporary values of a site.\(^1\) In this sense “values” does not refer to ethics, but is rather used to convey “any particular thing or place has a number of different values in the sense of characteristics.”\(^2\) As preservation scholar Randall Mason argues, the preservation professionals understanding of “place” is derived from determining a site’s significance, and to “fully understand the values at play…professionals must solicit the views of congeries of stakeholders, both official and unofficial, experts, and laypeople.”\(^3\) While never implicitly spelled out, value-based management, or something that resembles it, is an approach utilized by the NPS.

In order to examine how value-based management has been embraced by the NPS, a series of case studies was chosen for their diverse managerial approaches to consultation and the integration of indigenous stakeholders. These include Bandelier National Monument, Aztec Ruins National Monument, and Canyon de Chelly National Monument.

To begin, this study must be grounded in a series of contextual and conceptual frameworks, which speak to the development of heritage and archaeological practice, and the evolution of the relationship between these institutionalized forms and Native American populations. The following section (II) will include a series of case studies to illustrate Native American relationships with NPS sites, and how consultation has occurred (or not). In order to do this each case study is analyzed in the context of its history, as a place of indigenous

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2 Ibid.
3 Ibid, 1.
significance, of archaeological interest, and of course, as a NPS site. The stakeholders at each site are identified, and the values associated with each are expanded upon in order to frame how consultation processes do, or do not promote a system of value-based management. Key values such as social, scientific, historic, spiritual and aesthetic are identified in accordance with the cultural significance component of the Burra Charter. In January of 2012, the author visited each case study site to assess the current consultation status, through research and conversations with NPS staff. These findings are presented and critiqued in the following pages.

The last section synthesizes these findings, and suggests practical and innovative methods for promoting value-based management at NPS sites.
Section One: Historical and Conceptual Frameworks

Defining Value-Based Management: Yesterday and Today

Value-based heritage management was formalized in Australia with the Burra Charter (1979), "a site specific approach which calls for the examination of the values ascribed to a place by all its stakeholders, and a precise articulation of what constitutes a site’s significance." This model is adaptable to other parts of the world because the planning process requires the integration of local site-specific values. The growth of value-based management exists within the context of other developments in historic preservation discourse that in recent years have opened up a broader more inclusive mode of heritage preservation for indigenous groups and intangible heritage. These include: Native American Graves Protection and Repatriation Act (NAGPRA) (1990), Nara Document on Authenticity (1994), UNESCO Declaration of the Rights of Indigenous People's (2007), and the ICOMOS Ename Charter for Interpretation (2008).

In order to appreciate the extent to which value-based management stands apart, and/or is a derivative of other earlier forms of heritage practice, and to speak more broadly to the evolution of different modes of heritage practice over time, we must examine earlier models of protection, particularly through international charters. Still utilized by heritage professionals, whether through direct reference or pedagogical transference, the weight of these early documents in directing practice needs to be acknowledged.

The Athens Conference of 1931, which was organized by the International Museums Office, is an early example of an international code for preservation. The resulting Athens Charter put great importance on the physical reinstatement of original fragments wherever

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4 Marta De la Torre and Getty Conservation Institute., Heritage values in site management : four case studies  (Los Angeles: Getty Conservation Institute, 2005), Case Study: Chaco Culture National Historic Park: A Case Study, 2.
possible, as well as, the use of new recognizable replacement materials. Therefore, restoration had to respect successive interventions, for fear of falsifying history. and was hence, sought to proscribe the "integrative restorations" of Viollet le Duc and his contemporaries.\(^5\)

Later, this work was expanded upon with the Venice Charter (1964), at the Second International Congress of Architects and Technicians, which was adopted by the International Council on Monuments and Sites (ICOMOS), founded in 1956.\(^6\) ICOMOS is "a global non-governmental organization associated with UNESCO. Its mission is to promote the conservation, protection, use and enhancement of monuments, building complexes and sites."\(^7\) The Venice Charter builds off of the Athens Charter, in that it is heavily drawn from a European vantage point, and focused primarily on the idea of the "monument".\(^8\) In addition, the Venice Charter also emphasized the importance of setting to a heritage site, the precise documentation that must accompany any intervention, the social aims inherent in maintenance of heritage, and the significance of all periods in the buildings physical character.\(^9\) Eventually, a dominant heritage discourse emerged, informed by the principles of ICOMOS and the World Heritage Convention, which aimed to provide cooperation, in action and dialogue, across nations, in order to protect heritage, with values deemed "universal."

Due to the broad, international scope of these ideas and standards, it is not surprising that local application of these standards began to emerge as an inappropriate fit for some local needs and proprieties. For example, in Australia, little use was found for the "monumentality" of the

Venice Charter, as Europeans had only settled in the region two centuries past, while Aboriginal archaeology dated back 40,000 years. By the 1970’s, threats to heritage, due to a lack of legal protections and general awareness, called for a new ordering of what constituted Australian heritage.

**Dissecting the Burra Charter**

Utilizing the Venice Charter as a jumping off point, the *Australia ICOMOS charter for the conservation of places of cultural significance*, also known as the Burra Charter, was drafted after a meeting in the mining town of Burra Burra in Australia in 1979. The committee expanded upon the Venice Charter in several ways, including, the creation of common conservation terminology, emphasizing the need for significance to be fully understood before policy decisions are made, the elimination of technical jargon, and the establishment of a multi-disciplinary approach to preservation. The committee also sought to place emphasis of "cultural heritage," a concept not before discussed in previous charters.

While the Burra Charter can be viewed in some ways as an extension of the Venice Charter, the key difference lies in the Burra Charter's embrace of "cultural significance," of all sites, not only the traditionally defined "Western" monument. Cultural significance is defined in the Burra Charter, as "aesthetic, historic, scientific, or social value for the past, present, or future generations." This emphasis on value is crucial to a new understanding of heritage, brought on by the Burra Charter, which focuses on the inherently changing importance placed on sites, and the recognition of the many interest groups with a stake in a heritage site. Therefore, the concept

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11 Ibid.
12 Ibid., 85-86.
14 Ibid.
of a static monument becomes mute, and instead cultural significance, emerges as a fluid, all-inclusive, attribute of heritage work. The concept of “cultural heritage,” a term utilized in Australia to refer to any historically produced site, privileges the history of all groups, including minorities, or those previously excluded from the predominant heritage discourse.

Another aspect of the Burra Charter, which adds to its strength, is the adaptation of a clear methodology for approaching the management of a heritage site. Instead of a rigid set of universal standards, each site is embraced for its individual values, and therefore a unique methodology arises. Inherent to this methodology is the development of a preservation plan for a heritage site. This step-by-step process is centered on several goals, which include, comprehending the history, physicality and context of a place, including its cultural significance;\textsuperscript{15} the creation of specific preservation practices, which will conserve the determined cultural significance; and to outline steps to carry out these policies.

The Burra Charter allows for heritage values of sites, which might be overlooked by more traditional historic preservation practice, to be recognized as worthy of preservation, through its focus on community valuing as a lens of determining significance. It does this by redefining what exactly significance is, and essentially allowing it to mean different things for different groups of people. The Charter explicitly indicates that it may be utilized in the management of any and all types of places with cultural significance; this is inclusive of “natural, indigenous, and historic places with cultural values.”\textsuperscript{16} While all of the case study sites explored in this work have been recognized by the federal government as incredibly significant, the Burra Charter makes it possible to incorporate indigenous values into site management. While the

\textsuperscript{15} This stage may involve determining the values represented by a site’s many potential stakeholders. In essence the Burra Charter may be able to remove some of the hierarchical structure of preservation practices, emphasizing the importance of stakeholder perspective in creating a preservation plan.

\textsuperscript{16} Marquis-Kyle and Walker, \textit{The Illustrated Burra Charter: Making Good Decisions about the Care of Important Places}, 10.
federal government’s values may predominate a site, in theory the application of the Burra Charter’s *Code on the Ethics of Coexistence*, requires “sensitivity to the values of all associated cultural groups.” This extends beyond mere recognition of alternative site values but encourages methods of co-responsibility for a site, and suggests in some instances that instead of seeking “resolution,” a “co-existence of differing perceptions of cultural significance” is preferable.\(^\text{17}\)

Specifically, the Code also states that, “in the case of indigenous peoples, and other peoples, the right to identify significant places may extend to the right to their full custodianship.”\(^\text{18}\)

While only applicable in Australia, the ethos of the Burra Charter has been transported overseas in the form of value-based management, a terminology cultivated by the Getty Conservation Institute, in their exploration of this paradigm shift in preservation practice.\(^\text{19}\)

Value-based management is a system, which places great importance on the identification and consultation of a site’s many *stakeholders*: individuals with an interest in the site that can contribute information about contemporary social values and contexts. Traditionally, stakeholders have been professionals in various disciplines, providing an expert opinion that guides management. In sites of regional and national importance, authorities almost always define principal values at the time of designation. For the purpose of this thesis, we consider the growing involvement of indigenous stakeholders, in the interpretation and management of their ancestral and continuing heritage. We also consider how stakeholder perspective and input might change the perception of value in a heritage resource, and the subsequent effects on these resources.

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\(^{19}\) De la Torre and Getty Conservation Institute, *Heritage values in site management: four case studies*. 
The NPS and Indigenous Populations in the US

Led by archaeologists and concerned advocates, by the late nineteenth century, a movement had begun to protect and preserve the cultural remains of Native American peoples in the growing United States. This work would eventually culminate in the creation of the Antiquities Act of 1906, which would “establish the foundation of cultural and natural resource protection in the United States.” A first step towards officially protecting archaeological resources with governmental backing, this document set out to prevent unauthorized excavations on federal land, recognized looting as a crime, and created the concept of the National Monument. Most significantly, the Antiquities Act positioned the government as the steward of the cultural heritage of the nation.

The emergence of a consciousness of governmental stewardship of national heritage sprang from an inherently political attempt to create an American identity, following the American Civil War and increasing western expansion. These ideas appear to be more of an impetus for the creation of the Antiquities Act, than an intense archaeological interest and the actual protection of indigenous heritage. There is however a documented awareness of the vandalism of Pueblo sites in the southwest by pothunters.

The Antiquities Act requires that all excavations on public lands, whether on “antiquities” or archaeological sites, be conducted with a permit from the United States Secretary of the Interior. Once the National Parks Service (NPS) was created in 1916, the Antiquities Act was

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20 The Antiquities Act is PL 59-209.
22 Ibid.
administrated through the NPS system—an organization in charge of the country’s natural and cultural resources. Anthropologist and historian Chip Colwell-Chanthaphonh points to this movement, as a method to gain control of the cultural remains of a native people the “government was seeking to eliminate.”25 It is with this knowledge of incorporation of Native American heritage into the NPS purview, a seizing of land and cultural capitol, with which we should frame any discussion of archaeological resources under NPS jurisdiction.

The “ancient ruins” of the American Southwest attracted much national interest at the turn of the twentieth century, and this land was set aside for public benefit, while indigenous communities were moved to reservations. Today there are some forty-five federally recognized tribes with reservations is the Southwest.26 For this reason the area is a very fertile place for a study focused on value-based management. The proximity of indigenous stakeholders to the three case study sites facilitates opportunity for consultation and cooperation.

**Historic Preservation and Native Americans**

In the past twenty years indigenous tribes have begun to expand their participation in national historic preservation programs. This has been aided by amendments to the NHPA (1992), and the Native American Graves Protection and Repatriation Act (1990), both have expanded tribal agency into new arenas of heritage management.

This involvement calls for a restructuring of roles within current mechanisms of preservation and conservation. On some level this restructuring has already begun to occur as heritage professionals challenge their values and assumptions about the past in various contexts.

As we will see in the following case studies, this restructuring has occurred through various avenues, including the NPS’s tribal consultation process.

**Mechanisms of Interaction and Consultation within the NPS**

In a scenario where dealings with heritage resources on tribal lands must adhere to the National Historic Preservation Act, federal agencies are tasked with the role of assessing, identifying and evaluating historic properties, and consultation with the State Historic Preservation Officer (SHPO). Therefore federal agencies have the sole responsibility to interfere on tribal lands when there is any threat to heritage resources. In 1992, the NHPA was amended to include that tribes be consulted when federal actions would affect heritage resources with tribal affiliations. After 1992, modifications to the NHPA, facilitated the creation of Tribal Historic Preservation Officers, in response to tribal opinion that the SHPO and federal involvement were not necessary. Therefore many tribes have replaced the SHPO, in matters of federal regulation, with a Tribal Historic Preservation Officer (THPO).

Consultation with Indian tribes and others in the course of a Section 106 process is required by Sections 101(d)(6)(B) and 110(a)(2)(E) of the National Historic Preservation Act. It is defined in Section 106 as, "the process of seeking and discussing, and considering the views of other participants, and, where feasible, seeking agreement with them." Therefore with the Section 106 process, consultation should take the form of a back and forth conversation, involving interested stakeholders. Preservationist Thomas King suggests the most effective type of consultation is one of "principled negotiation," where there is a deliberate attempt at

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27 Section 106 (38 CFR. 800.16 (f)
flexibility, and mutual gain. This type of consultation is not typical. King describes the typical Section 106 process of consultation in several steps including, identification, evaluation, and determining effects and adverse effects.

This traditional approach may actually thwart consultation due to its lengthy, bureaucratic nature, as well as the disclosure of tribal information that should, and must be, kept confidential. In essence the identification of sacred spaces might be against tribal beliefs, so even the early identification stage of the Section 106 process can be alienating. In many cases the tribal representatives and agency end up talking past one another, mainly because Section 106 requires, "a step-by-step approach that precludes addressing the tribe's interests up front." The initial issue is actually in the perception of the place itself, while the agency sees a historic property, most tribes would see instead the overall cultural and religious values that are represented by that place. Here we see that the “Western” approach, which centers on the physicality of place as the backbone of preservation, can impede successful consultation with indigenous populations, due to an attempt to delineate boundaries, locations and other physical attributes. An attempt at making an evaluation of historic properties through Section 106 a scientific process, therefore from the onset complicates attempts at consultation. It is important to realize that despite guidelines, consultation means different things to different people. For some it may be a cooperative and through discourse, for others it may be just a box to tick off.

Since reservation lands are held in trust by the United States government, actions on these lands are subject to federal historic preservation laws. The laws that pertain to tribal resources on both federal and tribally owned land are as follows:

29 Thomas F. King, Thinking about cultural resource management : essays from the edge (Walnut Creek, CA: AltaMira Press, 2002), 135.
30 Ibid., 138.
31 Ibid.
• The National Historic Preservation Act of 1966 mandates a Section 106 process, which requires federal agencies to review any federally funded project for their effect on cultural properties. This applies to Native American populations and requires their participation when an undertaking or project affects Indian lands or properties of historic value to Indian tribes on public lands.

• The Native American Graves Protection and Repatriation Act (NAGPRA) is a heavily contested topic in the heritage management profession. Some archaeologists believe that NAGPRA tampers with the collection of data on human remains and cultural items. While, others support NAGPRA, as a way for tribes to engage in the heritage process, and acts as a "partial redress of grievances, as a token of respect to ancestors, as a way of putting sacred objects back where they belong."  

NAGPRA was created to deal with the absence of proper documentation and respect for the ancestral and cultural remains of Native American populations, which had characterized archaeological and heritage management practices throughout history. Testimony to Congress in the 1980s by tribal representatives spoke to these great injustices, and ultimately sparked the enactment of NAGPRA. NAGPRA is ultimately grounded in property law, and focuses on the fact that cultural remains are the property of lineal descendants of indigenous groups. Federal agencies are mandated to return such remains to the groups that are determined to be their rightful owners. This idea of ownership, a result of its grounding in property law, does not necessarily correspond to tribal beliefs of

32 Ibid., 103.
ownership. As King suggests, tribes may participate in repatriation as a means to an end, as opposed to an actual desire for ownership of cultural remains. 33 This "means to an end," refers to the fact that once a cultural object is acquired back by a tribe, it is usually returned to the soil where it can continue its journey back to the spirit world. Hence, a different understanding of patrimony is essential to the motives of many, but not all, tribal repatriations. This understanding clarifies that we are not talking about ownership, but rather "respect," for a broadly defined descendant community. This "descendant community" was defined by the Advisory Council to guide consultation in Section 106 review, as "any group, community, or organization that may be related culturally or by descent to the deceased persons represented by cultural remains." 34 These differing views of ownership, a distinction not realized in the NAGPRA process, are reflected in the general differences between western heritage beliefs and indigenous views.

- The National Environmental Policy Act of 1969 requires that the government consider the environmental and cultural consequences of any actions taken.
- The American Religious Freedom Act of 1978 only “requires public officials to ‘consider’ Indian interests and not necessarily to act in accordance with them.” 35 This law does not have any legal teeth, and there is no penalty for disregarding consultation.
- The Archaeological Resources Protection Act of 1979 protects federally held indigenous property, and essentially reinforces the Antiquities Act of 1906,

33 Ibid., 104.
34 ACHP, 1988b.
35 Sharon Kay Milholland, "Native voices and native values in sacred landscapes management: Bridging the indigenous values gap on public lands through co-management policy" (2008), 166.
protecting archaeological sites with criminal enforcement provisions. The statute also specifically requires that tribal consultation take place if government action may potentially harm a site significant to a tribe.

- The idea behind of ARFA was reiterated in the Sacred Sites Executive Order 13007 (1996). The Federal Government is required to “accommodate access to, and ceremonial use of, Indian sacred sites by Indian religious practitioners and to avoid adversely affecting the physical integrity of such sites.”\(^{36}\) The order also directs agencies “administering federal lands to accommodate access to, and ceremonial use of, Indian religious sites to the ‘extent practicable’ as determined by the discretion of a land manager.”\(^{37}\) Consequently, “Indigenous religious values are overwhelmed by a diverse set of interests among multiple stakeholders.”\(^{38}\)

- In 2003 the Native American Sacred Lands Act was proposed, mainly to protect tribal sacred lands under threat by the energy development plans of the Bush administration. The bill also allowed federal land managers to enter into collaborative agreements with tribes, in the management of sacred spaces.\(^{39}\) In addition this act included validating oral histories as evidence to support the designation of sacred sites. The bill died in congress, but can still serve as a template for future legislation.

- Recently, the NPS has initiated a policy to mediate the first amendment issues,

\(^{36}\) Ibid., 56.
\(^{37}\) Ibid.
\(^{38}\) Ibid.
which have arisen regarding religious use of public land. The NPS in some cases has requested that the public voluntarily modify their recreational usage of public park space out of respect for the traditional values of Native American tribes. In her dissertation work on preservation and consultation on Navajo land, Sharon Milholland suggests that this is not an adequate way to implement the federal government’s legal duty to protect tribal resources.\(^{40}\)

All of the legislative mandates for consultation leave NPS staff with a directive, but not necessarily a guide to successful consultation. While the possibility for tribal voices to be heard in the preservation process has increased over the years, there is no effective way for this to be regulated and no standard to be upheld that would encourage successful collaboration.

**Archaeology vs. Cultural Resource Management**

At the chosen case study sites, there is a predominantly archaeological focus. Some of the oldest built remains in North America are in the Southwest, and this explains the early thrust of the Antiquities Act to protect these resources as cultural patrimony. Hence, the primary people involved with historic preservation and conservation at these sites are archaeologists—and because of this it is the archaeologist who deals most with indigenous consultation.\(^{41}\) With archaeology setting the tone for the preservation of these sacred sites, what predominates is a traditional, static framework focused on these sites as significant only for their past.

Archaeology is often considered a scientific mode of knowledge, one often in conflict with the religious, and civil rights of Native Americans.\(^{42}\) Archaeologists have the power of

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\(^{40}\) Milholland, “Native voices and native values in sacred landscapes management: Bridging the indigenous values gap on public lands through co-management policy,” 50.

\(^{41}\) Author’s conversations with park staff at Bandelier, Aztec Ruins, and Canyon de Chelly. January, 2012.

influence over how the public perceives the past, through interpretations, discussion and presentation. The authority of the archaeologist is often prioritized over other types of knowledge, for instance, the “untrained populations,” composed of local and descendent communities. In this case the role of decision-making process at sites, has often shifted in favor of those with “proper” credentials.

How might this archaeological focus be mitigated, in order to be more open to an indigenous stakeholder perspective? Instead of an archaeological focus, a cultural resource management (CRM) approach to indigenous sites might be more effective. Thomas King states that cultural resource management is not an issue of ethnography, as this "body of method" places importance on collecting data for the purpose of conducting research on human culture, whereas cultural resource management is to define the people/place relationship as an issue of human values. He criticizes the use of the term “ethnography” by NPS professionals, and suggests that viewing living communities in this light is counterproductive, and focuses the heritage profession on the collection of scientific knowledge, rather than community value expression.

King also suggests that there is great power in the terminology we purport to use at these sites, especially the terms "ancestral site" vs. an "archaeological site." In the former, our perception is that there must be a living community attached to the site, once with ancestral ties of some kind, while the latter implies a place, which can be excavated and extracted from, both physically and as knowledge base, where outsiders may learn about a community of the past. When considering value-based management, using an archaeological framework for inquiry is

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43 Ibid.
44 King, Thinking about cultural resource management : essays from the edge: 17.
45 Ibid.
therefore difficult, if the outcome is to reflect the living cultural values of a place—ethnographic research value must come after the importance of the place to the living stakeholders.

**Defining Heritage**

Most of the case studies in this work are indigenous heritage because they contain sacred significance to one or more tribe. That which is defined as sacred, differs from one native tribe to another, varying based on geographical area, and tribe, but also within an individual tribe. Common among many tribes is the belief that a sacred space can be both physical and metaphysical in nature. A place can be deemed significant based on natural features, on human activity and actions, or from “higher powers revealing themselves to humans.”

A place can also be deemed sacred, or significant by being mentioned in a story, without physical description. Indigenous sacred lands can be,

“…Large, complex, multi-jurisdictional resources defined by the natural or cultural (built) environment. Sacred lands are also socially constructed resources imbued with value and meaning that often conflict with Western values for land and property. Native spiritual values and practices relative to sacred lands represent a philosophical paradigm, which is very different than a paradigm of Judeo-Christian tradition or Western common law… We have a problem of two separate paradigms and one dominant culture.”

In the case studies that follow I hope to explore the ideological conflicts presented, and how a value-based management approach might mitigate between them, facilitating an improved and democratic heritage process.

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Section Two: Case Studies

1. Bandelier National Monument
2. Aztec Ruins National Monument
3. Canyon de Chelly National Monument
1: Bandelier National Monument-

The Pajarito areas are sacred because that’s where migration originated; those are very important places as sources of understanding and inspiration. So that’s one of the vital connections that we have that’s not really captured in any way by archaeologists, in any shape or form. The tradition is gone then. And we don’t want to break that tradition. We don’t want to expose ourselves to the outside.⁴⁹

- Julian Martinez, lifelong resident and member of the Cochiti Pueblo

Bandelier is located in the Pajarito Plateau in between the Jemez Mountains and Rio Grande, and is a nine hundred foot layer of solidified volcanic ash. The plateau ranges from 5,500 to 8,000 feet in elevation and contains deep canyons cutting into the mesas. The “sheer tuff cliffs” of the canyon contain the fragments of “cliff-face” apartments, which were carved from the soft rock by ancestral Puebloan peoples.⁵⁰ These cavates are no longer in their complete form, existing only in part, only fragments hint at the original four story structures with exterior stone rooms that once existed. What remains of these exterior rooms, are stone foundations extending out on the cliffs, and plastered cliff faces. In the early part of the twentieth century anthropologist Kenneth Chapman, along with a Tewa Indian crew from the nearby San Ildefonso Pueblo, reconstructed Talus House, to give visitors a sense of what these structures once looked like.

Additional features of the park include, the large pueblo village, known as Tyuonyi, which is a central feature of the park on the main trail loop. Four to five foot tall walls remain extant of this once sprawling, circular pueblo. Nearby also on the main trail loop is the Big Kiva.

These features constitute the main tourist attraction of Bandelier, however there also exists a detached portion, known as the Tsankawi Section, located about 11 miles from the main entrance to the monument. This site contains an unexcavated village, cave dwellings, and many petroglyphs.

**Indigenous/Archaeological History**

The Jemez Mountains have been occupied by humans since the end of the ice age, roughly eleven thousand years ago. Puebloan farmers settled the Pajarito Plateau in the late 1100s and 1200s after migrating from Chaco Canyon, Mesa Verde, and the San Juan River Valley to the North. These migrations increased in the late 1200s and community and village life slowly became more organized. During the first settlement period, known as the Coalition period (1150-1325) Pueblo populations built many small, and short-lived settlements. After years of increased migration larger villages began to become constructed. Where new religious beliefs emerged and social life became more complex; this is classified as the Classic Period (1325-1550/1600).

The first Puebloan settlers at the Pajarito Plateau built adobe pueblos and small masonry dwellings, which are characterized by archaeologists as “hamlets.” These were composed of tiny pueblos, of about six to twelve rooms. These settlements were constructed of volcanic blocks, set in adobe mortar. Sometimes these hamlets also included circular underground

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53 Ibid.
54 According to the results of the Bandelier Archaeological Survey, as reported in ibid.
structures known as kivas, utilized for religious ceremonies. Archaeologists presume that the timber and earthen roofs of kivas projected slightly above ground level. Before 1250, kivas were relatively small, and the presence of smaller scale pueblos, with few rooms, and a workspace rather than a formal plaza, suggests that these were smaller communities.\textsuperscript{56} The interior spaces of the pueblos had adobe floors with hearths and built in storage bins.

After increased migrations, consolidated communities developed as a result of competitions for land and resources.\textsuperscript{57} By about 1220 the number of Puebloans was increasing dramatically possibly due to migration from Mesa Verde and the Rio Grande Valley to the north. Two kivas excavated at Bandelier, dating from about 1200 are influenced by these regions respectively.\textsuperscript{58} Between 1235 and 1250 the population hit a peak and at this time Puebloan settlers began to occupy a much larger region of current day Bandelier than before, settling in larger multi-pueblo communities on mesa tops.\textsuperscript{59}

After 1250 until about 1290, there was a mass relocation out of the Bandelier region due to extremely dry weather to places outside the current monument with higher elevations and permanent water sources. Once these environmental conditions improved, Puebloans moved back into Bandelier at an unprecedented rate after 1290. Pueblos began to become more and more permanent as people stayed longer in one place, and builders made distinctive changes to architectural practices.\textsuperscript{60} These changes included the construction of pueblo plazas—with at least three wings of rooms that were wider and contained second stories. Another change, which occurred at this time was the use of shaped rocks in pueblo building which allowed for more

\textsuperscript{56} Van Zandt, “Creating the Pueblo landscape of Bandelier, stone by stone,” 44.
\textsuperscript{57} Powers., The peopling of Bandelier : new insights from the archaeology of the Pajarito Plateau, 6.
\textsuperscript{58} Van Zandt, “Creating the Pueblo landscape of Bandelier, stone by stone,” 46.
\textsuperscript{59} Ibid, 47.
\textsuperscript{60} Ibid, 47.
stable foundations and second stories. Also, after 1290 formal plazas began to appear. These spaces served an everyday purpose as well as a ceremonial one, serving as a ritual space for the community—where observers would line the edges of the plaza, or observe from adjacent rooftops, much as occurs at modern pueblos today.\(^6^1\)

The number of Pueblo occupying the Pajarito Pueblo began to diminish around 1325. However those who remained resided in large pueblos, or “community houses.”\(^6^2\) These pueblos enclosed one or more plazas, had multiple rows of rooms, and were from two to four stories tall. Tyuonyi Pueblo in Bandelier is a good example of this. The largest pueblos in Bandelier, Tsankawi, Tyuonti and Yapashi, had at least 300 hundred rooms and multiple kivas. Studies have shown that these Puebloan villages had three levels of ritual architecture: small kivas for use by clans, a larger kiva for the representatives from many kiva groups, and plazas for ceremonial rituals.\(^6^3\)

The importance of these ritual spaces is reflected in the rise of the katsina religion, a belief system that arrived in the Rio Grande religion around the late 1200s to the early 1300s.\(^6^4\) This religion is still practiced by the pueblo people today, and includes rituals, which occur inside kivas but also in public plazas.\(^6^5\)

By the 1450s the Pajarito area had declined due to a prolonged cycle of dry weather. Many people left for the nearby canyons with permanent water sources. The exception lies in Frijoles Canyon where the population peeked between 1450 and 1500 with about eight hundred

\(^6^1\) Van Zandt, “Creating the Pueblo landscape of Bandelier, stone by stone,” 48.
\(^6^2\) Ibid, 51.
\(^6^3\) Ibid, 52.
\(^6^4\) Ibid, 52.
\(^6^5\) Ibid, 52.
people. The communities that occupied this area including the Tyuonyi Pueblo were responsible for constructing the Big Kiva, and cavate pueblos along the north canyon wall. More than a thousand cavate rooms are contained in Frijoles Canyon, and many more exist throughout the Pajarito Plateau. The Tewa word for these dwellings is *t’ova tewha*, which translates to “old crumbling village against the wall.”

The cavates are hollowed out sheltering spaces, excavated out of rock, and many of their interiors in Frijoles Canyon still contain storage cupboards, and petroglyphs, which “hint at formal ceremonial use.” The “cavate” rooms of these apartments contained hearths, wall plaster, weaving loom anchors, storage niches and painted murals. While their current condition exists in partial and complete chambers these cavates originally could be up to four stories tall, with built out exterior rooms made of stone masonry. Edgar Lee Hewett, the first archaeologist to do excavations in the canyon, originally excavated many of these structures.

Recent archaeological research on Bandelier and the surrounding area, include an eight year long Pajarito Archaeological Research Project, where sites across Pajarito were surveyed and some were excavated; the Bandelier Archaeological Society, which was the result of a dearth of comprehensive research on sites in the Monument; and the Timothy A Kohler’s Bandelier Archaeological Excavation Project, which surveyed and excavated six sites, spanning 400 years of ancestral Puebloan life.

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68 Ibid.
NPS History

Bandelier National Monument was founded in 1916, due to “conflicting pressures” at work in the region, due to interest by archaeologists, homesteaders, stockmen and the Santa Fe business community. Prior to this the idea of the monument met solid opposition, despite the perceived threat to the ruins in the region. Edgar L. Hewett was the main catalyst for the first efforts to make a park in the Bandelier area. He had began to survey the Pajarito Plateau in the 1890s and believed that the ruins in this area were particularly vulnerable.

The creation of Bandelier was not without conflict over Native American land claims and rights. William B. Douglas was responsible for surveying the region for the Department of the Interior, and decided to include the portion of the Pajarito Plateau that lies outside of the Jemez Forest, which contains Puye Cliffs on the Santa Clara Reservation. Hewett disagreed with having a monument at Puye, believing it would abridge the rights of the Santa Clara Indians. The attempts to preserve the Frijoles Canyon area and Puye, eventually fragmented into separate efforts, and Hewett’s plan for a park at the Pajarito Plateau was supported by a variety of interest groups, including the people of the Santa Clara Pueblo.

By 1916, after a series of failed proposals to create a National Monument on the Pajarito Plateau, Bandelier National Monument was founded, named for the then recently deceased

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70 Ibid.

71 GLO Commissioner Fred Dennett to Secretary of the Smithsonian W.D. Walcott, October 19, 1910, Proposed National Park file 0-32, Cliff Cities, RG 79, NA.

72 Chapter One, The Open Plateau, Rothman, Bandelier National Monument: an administrative history.

anthropologist who had explored the region in the 1880s. The enabling legislation, signed on
February 16, 1916, referred to the importance of,

certain prehistoric aboriginal ruins situated upon public lands of the United States, within
the Santa Fe National Forest, in the State of New Mexico, are of unusual ethnologic,
scientific, and educational interest. And it appears that the public interests would be
promoted by reserving these relics of a vanished people, with as much land as may be
necessary for the proper protection thereof, as a National Monument.74

The National Forest Service initially monitored Bandelier National Monument, until it
was turned over to the National Parks Service in 1932. At this early stage park management
emphasized maintaining the site as a wilderness—remnants of barbed wire found in the
backcountry attest to attempts to keep out herders.75 Over time conservation efforts to stabilize
and maintain the archaeological and cultural resources, reflected general management policy.

Stakeholders and assessment of values present

The official affiliated tribes of Bandelier National Monument include six Pueblo tribes:
San Ildefonso, Santa Clara, Cochiti, Zuni, Santo Domingo and San Felipe. While associated with
the park to varying degrees, all tribes claim some portion, or all of the landscape, as cultural
patrimony and are henceforth considered in NPS consultation.

After the 1500s there was little human occupation of the Pajarito Plateau for roughly
three hundred years. The landscape was still utilized for hunting and gathering for the Keres and
Tewa people, and these groups maintained strong spiritual and ceremonial importance.76 The
landscape still holds this importance today for indigenous stakeholders. During his work for the

74 “Bandelier National Monument, BY THE PRESIDENT OF THE UNITED STATES OF AMERICA, A
Bandelier Archaeological Survey, Robert Powers, and archaeologist for the National Park Service in Santa Fe, interviewed two members of the San Ildefonso and Cochiti Pueblos. Their responses to general questions about the importance of the Bandelier site to their communities and own personal histories reflect a perspective on indigenous values.

Joseph Suina, a lifelong resident of the Cochiti Pueblo, tribal council member and former governor, self identifies as a participant in the “traditions and the kiva way,” and his “family has been at the pueblo since the beginning.” His views on preservation of the built fabric of Bandelier reflect values quite different from the NPS’s. Suina states:

As for the ancestral Cochiti sites our view is that you don’t preserve them. We don’t do what they do at Bandelier, where they pave and restore and all of that, for the tourist’s sake. Our belief is that they’re supposed to go back down to the ground—eventually of course, the earth takes them back…but at the same time, those places are now occupied by a higher form of life, if you will, the spirits of our ancestors…their knowledge still exists, and their wisdom. Many traditionalists from home go up there to ask for that wisdom; tribal leaders might go to ask for help, enlightenment on how to lead and be strong…so those places for us are sacred living places. We still continue to visit and bring them offerings.

Therefore Bandelier exists as a site of great historical and spiritual value for the Cochiti Pueblo.

Similar perceptions and beliefs regarding the site where Bandelier now stands were also expressed by Julian Martinez, a native San Ildefonso Pueblo. Martinez recalls growing up with knowledge of the importance of the Pueblo traditions, and their link to the landscape of Bandelier:

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78 Ibid.
In the Pueblo the first thing you learn when you’re growing up is to take part, to be there, to help out, to share. And, I think, now that I am older and know a little bit about the prehistory and history as well as our own personal traditions, our Pueblo traditions. I can see how the roots of a lot of our ceremonies and dances and our way of life are directly from there. That’s what we are still trying to carry on, the best we can. I think I can say that the past in those places is present in our lives today, in spirit, in resources, in the landmarks, in relationships and so forth. So we are all still connected today, in our real life, so they’re not in the past only.79

In response to this comment, Joseph Suina, replied:

It is definitely the same for us at San Ildefonso, we have the same belief…the sites that are up there on the Pajarito Plateau, we have the same feelings that whatever is there and should not be molested in any way…It’s a strong belief that Native Americans from here have, and I’m pretty sure it’s the same in different areas—all the tribes, anyway all the pueblos, have the same belief.80

These beliefs, while not reflective of all affiliated Pueblos, reflect a deep-seated spiritual and ancestral tie to the land, and a desire for it to be untouched, raising a direct conflict with the management policies of the NPS.

For the purpose of this study, the only other interest group examined will be the National Park Service, who in fact represents another very significant stakeholder group, the American public. Each year around three hundred thousand visitors visit Bandelier’s 32,827 acres.81 As declared in the Park’s enabling legislation, Bandelier is federally mandated to protect and preserve the cultural resources of the monument for the “public interest.”82 Since its founding in 1916, the park has attempted to do just that, preserving and maintaining sites with the intent to keep them in a condition in which they can be appreciated for generations to come. In

promotional material offered to the public onsite, the park’s mission is clearly laid out—citing early park history as justification for continued future protection:

In the Early days, influential individuals like Dr. Hewlett realized the need to preserve and protect the historical and scientific value of archaeological areas such as Bandelier National Monument. In 1979 the Archaeological Protection Act recognized sites and other antiquities as an “irreplaceable part of the Nation’s Heritage. Today it is the mission of the National Park Service to preserve and protect areas of historic, scientific, and scenic value so that such areas may be enjoyed by all people, for all time. This goal can be fulfilled only through the support and cooperation of everyone.83

Management Plan Analysis

I was not able to gain access to complete management plans for Bandelier National Monument. Through other documentation and discussions with NPS employees, it became clear that during the late 1990s Bandelier adapted a comprehensive preservation approach that included increased efforts at consultation.84 This continued into the early 2000s, however conversations with NPS employees have gleaned that changes in recent management have shifted the focus from a value-based management approach, as devastating forest fires have swept the park.85 The primary focus has shifted towards protection of natural resources in light of this threat. According to park staff consultation does still occur on a regular basis, and the site has a very amicable relationship with its affiliated tribes.86

Consultation Analysis

Under a Renewed Management Plan, in 1997, Bandelier invited the University of Pennsylvania to assist with problems involving trails and site preservation at Tsankawi Mesa.

83 “Bandelier National Monument: Main Loop Trail Guide,” Western National Parks Association. (Date unknown, picked up at Bandelier January 2012.)
84 Conversations took place during a site visit in January 2012.
85 Ibid.
86 Correspondence with author, January of 2012.
This invitation evolved into “a context-based problem addressing Tsankawi, and more recently Frijoles Canyon, as a cultural landscape.” According to Frank Matero, a traditional cultural landscape is a place where “Native American Pueblo communities, and their ancestral sites, together with the land…[are] physically and ideologically inseparable.” At Bandelier, previous approaches to management neglected the inherent connection indigenous communities hold towards past and present, and the sense of identity to be derived from these sites. Matero points to decreasing traditional knowledge, a lack of economic resources, tourist based development, and the “infiltration of inappropriate government programs from the outside,” as pressures on the historic resources of Bandelier.

U. Penn’s approach to these issues manifested itself in a “dynamic” program of heritage preservation, in which affiliated Pueblo Communities, could “explore, reinforce, interpret and share their historical and traditional past and present among themselves and with outsiders. The aim was therefore to make conservation of the physical environment itself a “methodological approach” to maintaining a connection between affiliated communities and cultural resources. In U. Penn’s early efforts, the Pueblos of Cochiti and San Ildefonso, both worked with the NPS, to create conservation approaches which were better suited for Puebloan sites, than “Western” methods.

This project was implemented in several ways. At the forefront was an emphasis on education—the academic curriculum was stretched to fit the prerogatives of the program, as was the desire to create Native American career opportunities in cultural resource management. U.

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88 Ibid.
90 Ibid.
Penn and native students worked side by side. Matero believes that such a project “addresses the very issues of cultural diversity by bringing different partners together through their notions of tradition and the commonality and specificity of heritage.”

This project also relied on an interdisciplinary nature—with architects, conservators, anthropologists, planners, and museum professionals working together. However, the culturally affiliated community was still seen as an entity outside this “professional” community, in that they were “directly involved during phases of research, analysis, and implementation,” but not a part of the managerial “professional” community. To remedy this issue, a field training program was implemented which provided opportunities for Native American interns to work with Park’s professionals, bridging the gap between affiliated community and professional management.

In 1998, a workshop entitled “Beyond Compliance: Heritage Preservation for Native American Ancestral Sites,” was held at Bandelier in order to assess the “the objectives, programs, and systems related to the native ancestral site preservation and management through active tribal participation during project planning and implementation.” This workshop focused on the Tsankawi site, in response to increased site degradation and inappropriate visitor activities. The indigenous community was represented by members of the San Ildefonso Pueblo, a Pueblo with deep connections to the site. The questions presented include: “What does Tsankawi mean to you?” “What are the issues”, and “What changes, if any should be made?” Responses ranged in severity of how National Park Service should be involved in the site, and implement its management program. Some of these responses included,

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92 Ibid.
93 Ibid.
94 I have yet to discover if this program is still in operation, and what the long-term implications have been. Further research is required.
“Tsankawi is still our home.”

“Tsankawi should be left as is.”

“Visitation should be controlled; trails should be established to restrict access.”

“Remove the word “Anasazi” – a Navajo word that implies a people who are unknown and gone.”

“Return Tsankawi back to the San Ildefonso Pueblo.”

“The current policy of discovery allows visitors to roam the site and disrespect special places at Tsankawi that have sacred meaning to Tewa people.”

“The word ruin on the sign allows people to think of the place as abandoned and not cared for.”

“Identify Tsankawi with a sign stating, “Our towns are full of people you can’t see. This is our ancestral home where our people lived and are buried. Treat carefully.”

Such workshops, along with the existing consultation process, have been identified by Matero to greatly strengthen the collaborative efforts with affiliated communities. While his report on the process doesn’t give specific examples, through conversations with current Bandelier archaeologist Rory Gautier, continued consultation, and a dialog which emphasizes concerns, such as those brought to light in the above discussed 1998 workshop, still have a profound impact on the way the site is managed. Gautier explained that certain very scared sites at Bandelier have been left off of tourist maps, and explanatory signage is used to denote places that should be regarded with quiet and respect.

Very recent conservation work at Bandelier reflects continued efforts at consultation and value-based management. In 2000 the Frijoles Canyon Cavate Pueblo Conservation Project was

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96 All quotes are taken from ibid.
97 This includes limiting access to certain scared sites, by intentionally leaving them off of the tourist maps available at Bandelier, and other examples.
98 Conversations with staff at Bandelier, January 2012.
initiated in order to document the cavate pueblos of Frijoles Canyon at Bandelier. The stated aim for the project is to “develop appropriate methods to identify, document, conserve, and maintain the cavates as both constructed and natural heritage, and create a culturally adaptive management strategy that addresses Pueblo tradition and belief, as well as physical preservation of select cavates in a constantly changing landscape.” The working document was created to provide a decision-making framework for further projects at Bandelier, informed and defined by the affiliated Pueblos, and other stakeholders. This plan recommends that a formal conservation plan for the cavates should include an assessment of cultural significance made with the six affiliated Pueblos of Bandelier, and from local communities, visitors, researchers, as well as “stakeholder input and concurrence about the general treatment approach and methodology.”

The study began by surveying all the cavates and organizing them on a scale of significance. High priority cavates had a paramount archaeological significance according to the scientific values of the NPS, and represents only 8% of the total cavates. In evaluating this significance, each cavate was evaluated according the cavates physical state, and contextual significance.

Overall, a high significance relates to the percentage of original building materials left in situ, the contextual prominence of the cavate, and research potential of the site. All of these issues factored into the rationale for intervention and non-intervention for each cavate. The rationale for treating the cavates in Frijoles Canyon involves minimal intervention and selective

100 Ibid, 2.
treatment, so as to “ensured the protection of cultural materials for the long term, recognizes the difficulty in preserving a site that is part of a natural landscape and respects the views of the modern Pueblo people.”¹⁰² The Project recognizes the inherent dichotomy that is extant in the federal mandate of the NPS to protect these resources for the general public and the Pueblo belief that ancestral sites should be allowed to deteriorate naturally. In order to attempt to satisfy the values of both stakeholders, an approach of limited intervention has been proposed. This ultimately results in conservation efforts to be focused on approximately 10 percent of the cavates, while the remaining majority of the cavates age naturally according to Pueblo beliefs.¹⁰³ Since the predominant intent of the NPS in this effort was to conserve as many heritage resources as it could, monetary restrictions are most likely the main reason many cavates have been left to deteriorate, not necessarily a prioritizing of indigenous values.

Bandelier National Monument represents a unique example of a NPS park where, to some degree, value-based management has been intentionally and extensively integrated into conservation projects and general management initiatives. Through research into recent management and conservation policies, as well as conversations with NPS employees, this appears to be the result of decisions made at the park-level to work with outside organizations, such as U. Penn on collaborative and experimental endeavors. Additionally, it seems to be the result of early integration of local Pueblo stakeholders on a consultation and employment basis, outside of the context of mandated NAGPRA consultation. This suggests that in order for consultation to go beyond NAGPRA, and general management plans, an integration of outside perspectives is essential, as well as extra effort to prompt community involvement. However, this case study also illuminates that perhaps the most common scenario where indigenous values are

¹⁰² Ibid, 29.
¹⁰³ Ibid, 29.
prioritized, is once where NPS does not have the resources to implement full-scale conservation. However, this case study is also a valuable example of the inherent conflict between the values of the NPS and of some indigenous populations, pertaining to heritage, and certain ways to compromise to mediate between different value sets imposed on one place.
2: Aztec Ruins National Monument

Located in the Animas Valley, just seventy-five miles east of the Four Corners, Aztec Ruins lies on the edge of a medium-sized suburban town. The core complex of Aztec Ruins is 317.8 acres and today consists of three multi-storied public buildings (great houses) that are surrounded by numerous smaller structures. These satellite structures include ceremonial spaces called kivas, which are tri-walled, as well as, stone masonry pueblos that are multi-roomed. These structures, as well as outlying structures in the community, are connecting by “roads” which are key features of the landscape, and link the Aztec Ruins site to points outside the area, for instance Chaco Canyon. The main site at Aztec, is the West Ruin, which is a multi-storied structure around a courtyard. West Ruins is the only portion of the complex open to the public. This Courtyard contains several kivas, included the reconstructed great kiva. The West Ruin is mainly constructed of sandstone blocks set in earthen mortar, with wooden timbers supporting roofs.

Archaeological/NPS History

In the late eleventh and early twelfth centuries the pueblos at Aztec in the Middle San Juan region were densely populated centers of political power during the end of Chaco Canyon’s ascent. The formation of the Aztec Ruins site has been attributed to various theories. Some archaeologists credit the development of this center to a migration of residents of Chaco

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104 While Aztec Ruins has the most affiliated tribes of the three cases studies, viewpoints of Indigenous stakeholders were difficult to track down. As a result the study is biased in that it presents more of an archaeological/parks history, and lacks indigenous perspectives. Further inquiry and research is needed to understand the values present at this site.


106 Paul F. Reed, Chaco’s Northern Prodigies: Salmon, Aztec, and the Ascendancy of the Middle San Juan Region After AD 1100 (University of Utah Press, 2008), 3.
Canyon\textsuperscript{107}, while others believe that the “Chacoan System” was the result of emulation of Chaco characteristics by residents of nearby areas.\textsuperscript{108} Reed suggests that all of these processes were operating in the San Juan region, as Aztec Ruins “exhibit(s) architecture, ceramics, and other material culture that support direct Chacoan migration,” while other sites reflect emulation of local Chaco culture, but not clear Chacoan hallmarks.\textsuperscript{109}

Archaeology has a long history the San Juan region. The earliest documentation of a visit to Aztec is from the 1859 Corps of Topographical Engineers, where geologist John Newbury studied the ruins, which became known as Aztec Ruins.\textsuperscript{110} It was Newbury who first attributed the site to the ancestral Pueblo, the ancestors of the modern day Pueblo tribes. Another early theory attributed these ruins to the Aztecs of Central Mexico, which resulted in the inaccurate naming of Aztec Ruins in the nineteenth century.

Lt. Rogers Birnie was a member of the 1974 Wheeler Survey, which provided an early detailed documentation of Aztec, describing both the east and west ruins. Birnie believed that the site was of “considerable antiquity:”

The most extensive ruins were on the right bank of the Las Animas River, about twelve miles above its junction with the San Juan… on visiting the ruins we found what had once been, apparently, quite a town, with two main buildings and numerous small ones about them. One of the main buildings… the plan was rectangular with a small court on the south side…\textsuperscript{111}

\textsuperscript{107} Irwin-Williams and Shelly, 1980, as referenced in Reed, 2008 and Earl H. Morris, “The Excavation of a Ruin near Aztec, San Juan County, new Mexico,” \textit{American Anthropologist} 17, no. 4 (1915).
\textsuperscript{109} Reed, \textit{Chaco’s Northern Prodigies: Salmon, Aztec, and the Ascendancy of the Middle San Juan Region After AD 1100}.
\textsuperscript{110} Ibid., 7.
\textsuperscript{111} Birnie, 1875, as quoted in ibid, 10. Ibid., 10.
Later in the late 1870s-early 80s, Lewis Henry Morgan documented the site, identifying five stories along Aztec’s back wall, as well as noting that the site was being utilized as a stone quarry by the local residents, indicating that the site has been depleted through building stone collection and vandalism by the late 1800s.  

In 1916 the site was heavily excavated by Earl Morris and his crews, for the American Museum of Natural History. Until this time the ruins were somewhat “protected” by the property owner Mr. Koontz, who was “wisely appreciative of the importance of systematic study of these relics of the elder folk.” When Morris arrived and uncovered the vegetation from the portion of the site, which would become known as the West Ruin, the plan appeared as a very large multi-roomed rectangular building surrounding and open courtyard. In a 1919 report Morris states that Aztec Ruins was similar to Pueblo Bonito and other Chaco Canyon forms architecturally, finding similarities in the “sheer rise of the open back walls, and the open courts or plazas in front, which held great kivas.”

The removal of artifacts and therefore the displacement of earth and architecture was the primary motive of the Museum of Natural History in its excavation of the site. The excavation of the West Ruins exposed previously protected rooms, which had original roofing elements, vigras or large primary ceiling beams, as well as latillas and earthen plasters, intact. By 1917, the collection of artifacts had been so fruitful and the potential from further research so great that the

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112 Reed, *Chaco’s Northern Prodigies: Salmon, Aztec, and the Ascendancy of the Middle San Juan Region after AD 1100*, 11.
113 Ibid, 14.
115 Reed, *Chaco’s Northern Prodigies: Salmon, Aztec, and the Ascendancy of the Middle San Juan Region After AD 1100*: 14.
116 Rivera et al., "Partial reburial of West Ruin at Aztec Ruins National Monument," 286.
museum gave serious consideration to the permanent conservation of the site.\footnote{Robert H. Lister et al., *Aztec Ruins National Monument: administrative history of an archeological preserve*, Southwest Cultural Resources Center professional papers (Santa Fe, N.M.: Division of History, Southwest Cultural Resources Center, Southwest Region, National Park Service, Dept. of the Interior, 1990), Chapter 5.}

By 1923 the Museum and the National Park Service were jointly managing the site, and transitioning towards full administration by the NPS. At that time, “in the view of the National Park Service, the purpose of creating the monument was nothing more than giving the protection of federal laws to the area.”\footnote{Ibid, quoting Cammerer to Henry D. Abrams, February 9, 1923; Morris to Cammerer, February 9, 1923 (Document file, Aztec Ruins National Monument Headquarters, Aztec, New Mexico).} In the Park’s enabling legislation Aztec is referred to as

a ruin of great antiquity and historical interest,” which should be set aside for the establishment of a national monument with a view to the preservation of said ruin for the enlightenment and culture of the Nation.\footnote{Aztec Ruins National Monument, BY THE PRESIDENT OF THE UNITED STATES OF AMERICA, A PROCLAMATION, [No. 1650óJan. 24, 1923ó42 Stat. 2295].}

**Stakeholders and assessment of values present**

Aztec Ruins National Monument is the site of a 12\textsuperscript{th} to 13\textsuperscript{th} century Ancestral Puebloan village located in northern New Mexico, in the Four Corners region. The site is both a NPS National Monument, as well as a World Heritage Site, and is significant to a variety of stakeholders. For several tribes of the American Southwest the site itself is considered a sacred ancestral site.

As many as 25 southwestern tribes have an affiliations with the site, including all the Pueblo tribes of New Mexico, the Hopi Tribe, the Navajo Nation, the Ute Mountain Ute Tribe, and the Southern Ute Tribe. Specific tribes trace their roots back to the site, and it is also
mentioned in certain tribal migration stories. Tribes in the Southwest have a diverse array of origin stories; there can also be many different origin stories within one tribe.

The site has great importance for archaeologists and historians as an example of a planned design, and residential and public grouping of structures. As a NPS site, the American public are by default stakeholders, as Aztec Ruins is being protected for their benefit.

Aztec Ruins is part of the Chaco Culture National Historic Park World Heritage listing, which was designated in 1987. Inclusion in this listing increased the visibility of Aztec Ruins tremendously and imposed additional values onto the site, including those of international tourism, and an “outstanding universal value.” The WHS Statement of Significance is included below, as it further emphasized the values of the NPS and archaeological community:

The Chaco Culture National Historical Park, the associated sites at Aztec Ruins National Monument and five Chaco Culture Archeological Protection Sites are outstanding elements of a vast pre-Columbian cultural complex that dominated much of the south-western United States in the mid-9th to early 13th centuries. Chaco Canyon, a major center of ancestral Pueblo culture between 850 and 1250, was a focus for ceremonies, trade and political activity. Chaco is remarkable for its monumental public and ceremonial buildings and its distinctive multi-storey “great houses” which demonstrate a sophisticated understanding of astronomical phenomena. They are linked by an elaborate system of carefully engineered and constructed roads. The achievements of the Chaco Anasazi people are exceptional, given the harsh environmental conditions and resource limitations of the region….Criterion (iii) The Chaco Canyon sites graphically illustrate the architectural and engineering achievements of the Chaco Anasazi people, who overcame the harshness of the environment of the south-western United States to found a culture that dominated the area for more than four centuries.”

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120 T.F Nichols, “Reburying History, Backfilling at Aztec Ruins National Monument and the Power of Consultation.” CRM 9 (2000) 47-48. (These specifics need to be clarified!)  
121 Colwell-Chanthaphonh, Living histories : Native Americans and Southwestern archaeology: 30.  
Through consultation processes at Aztec Ruins it has been determined that the site is a sacred ancestral location, where ancestors are believed to be buried, and as a result are still inhabiting the site. As previously mentioned the site also factors in several tribal migration and origin stories. Additionally, the site is also cited in particular ceremonial practices, as a place of origin and continued practice. All discussion of the preservation of the site, should be framed with the knowledge of the Puebloan belief that all things, including buildings, emerge from the earth and return to it—which is in itself a life cycle.

**Management Plan Analysis**

The 1989 management plan for Aztec Ruins emphasizes major issues, which include severe water deterioration which is occurring on excavated ruins, incompatible uses which were occurring alongside the monument boundary, nearby sites that were unexcavated but could potentially contain valuable resources, current street access to the site, and outdated interpretive programs. While the plan does indicate that indigenous groups advice should be sought in planning stages, tribes are merely listed with other federal and local agencies, and community members, and do not have their own consultation process. The 1989 management plan’s statement of significance is also indicative of a general neglect of the sites importance to Native Americans, stating that the main significance of the site, lies in the “great physical remains, the stories of past cultures…and its role in the larger pre-historic context.

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125 Nichols, “Reburying History, Backfilling at Aztec Ruins National Monument and the Power of Consultation,” 47-48. (I was unable to acquire precise information from tribal resources, and ethnographic reports as to the specific nature of these claims, further research is required.)


127 Ibid., 2.
In contrast the recently completed 2008 Management plan makes a deliberate attempt to include the importance of consultation and integration of Native American populations into certain decision-making processes. The plan actually articulates the values recognized by the NPS:

The values of Aztec Ruins National Monument considered during the planning process include: the opportunity to experience and make connections with an ancestral Pueblo community; the many American Indians who have strong connections to the area; archeological resources, which can contribute knowledge to the past, present, and future; and the opportunity to understand the continuum from ancient Pueblo communities, to the monument’s historic landscape and use, to current management by the National Park Service. Through collaboration, there is potential to share American Indian oral histories and traditions at Aztec Ruins.  

**General Consultation Statement:**

In a 2000 report on consultation, current Chief Interpretation Officer of Aztec Ruins, Theresa F. Nichols, commented that consultation was, overall, a relatively new phenomenon at NPS sites. Chaco Culture National Historical Park, which is associated with Aztec Ruins, culturally, temporally and geographically, as well as being a part of the same World Heritage Site listing, is one of the earliest NPS sites to begin consulting Southwestern tribes in 1990. Nichols describes these early attempts at consultation as occurring during regular twice-yearly meetings, some of which Aztec Ruins staff attended, and “frequently considered input that tribal representatives directed toward Chaco staff in similar actions planned at Aztec Ruins.”

Nichols further explains that by 1997, the two parks were utilizing the same American Indian consultation committee due to similarities in management concerns, as well as tribal

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130 Ibid.
stakeholder interest. Those invited to these meetings included all affiliated 25 Southwestern tribes, which included all the Pueblo tribes of New Mexico, the Hopi Tribe, the Navajo Nation, the Ute Mountain Tribe, and the Southern Ute tribe.\textsuperscript{131}

Early consultation focused on issues of backfilling of the West Ruin, which is the main attraction at Aztec Ruins, and the most publicly accessible. When initially excavated by Archaeologist Earl Morris, the originally protective quantities of dirt, collapsed roofs, and debris, were removed, exposing the stone masonry and mortar to the damaging effects of the weather. This exposure to precipitation, freeze thaw cycles, and differential fill levels, lead to continuing cycles of deterioration, stabilization and repair by maintenance crews.\textsuperscript{132}

During one of the first consultations cycles, plans to backfill these sites in order to stabilize the ruins, prevent further deterioration and protect visitors from potentially harmful falling masonry, were drawn and circulated to tribal stakeholders in 1998. The plan that was circulated described the rationale for backfilling, along with target areas, and their treatment. The tribes were able to respond to this plan at a meeting in spring of 1998. One of the perspectives voiced by various tribal representatives was that the site be left as it was, with no preservation plan, so that it might “continue its cycle of deterioration and return to the earth.”\textsuperscript{133} This sentiment is rooted in the Puebloan belief, shared by other tribes, that the built environment has its own lifecycle. Hence, preservation attempts by the NPS which freeze artifacts and sites “in time” is not a common desire amongst tribes. Because of this sentiment the 1998 plan to backfill certain portions of the West Ruin, instead of a program of continued repair, resonated more closely with Pueblo ideals that structures should return to the earth, and was expressed by some as “not in

\textsuperscript{131} Ibid.
\textsuperscript{132} Ibid.
\textsuperscript{133} Ibid, 48.
conflict with their beliefs.” While the backfill project was not done specifically to appease tribes, it was more of a happy coincidence between that the NPS’s preservation needs, and indigenous stakeholder’s values.

Aztec Ruins was in the process of repatriating 125 remains, and 175 associated funerary objects to pueblos of the Zuni, Acoma, and Zia, when the above-discussed consultation was taking place. The consultation process required by NAGPRA, resulted in reburial of remains at the park site, attended by tribal leaders from several tribes. It seems likely that the NAGPRA consultation process had an impact on the level on consultation happening at the park, for issues other than reclamation and reburial.

Through recent discussions with NPS staff at Aztec, Nichols’ claim regarding consultation in 2000, that “Mistakes are made, disagreements arise, misunderstandings sometimes occur, and the process can consume more time than expected. But when the individuals continue to participate in an atmosphere of mutual respect, actions can be achieved that have far reaching implications for the tribes and for the park,” seemed to still be relevant. Overall consultation seems to occur within a formal, federally mandated capacity, for instance the Section 106 process, or NAGPRA issues, however for certain management decisions—most generally the creation of the GMP, specific tribal consultations do not occur.

Management plans are generated out of scoping sessions, which allow local community members, and stakeholders the chance to give input on the process. Most of this, at Aztec, is done through the Planning, Environment & Public Comment (PEPC) site, which “fosters

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135 Ibid, 48.
136 Ibid.
conservation-based decision through consultation, cooperation, and communication.”\textsuperscript{137} The site contains documents regarding current NPS projects for review, and a forum for any of the public to comment on this process. This site is not used during the tribal consultation process, as it is often viewed as an indirect channel, and would be misconstrued as giving tribal representatives “the run around.”\textsuperscript{138}

Instead, consultation happens through face-to-face meetings, and correspondence. An extensive mailing list is composed of several primary contacts for each of the 27 or so associated tribes. Roughly 65 letters go out each time the park decides that a “significant undertaking” is occurring and mandates consultation. The definition for a “significant undertaking” is determined on a case-by-case basis by the parks staff. According to Aztec staff, tribes have requested to be consulted whenever the ground is disturbed, since remains or artifacts could be found, however this is not NPS policy, since in this case, anytime some basic maintenance is performed that would require consultation.\textsuperscript{139}

Organized meetings with all tribal representatives are hosted periodically.\textsuperscript{140} These are opportunities for the park to communicate about current projects and issues and give tours of the site to tribal representatives. However, in general most tribes are 3-4 hours away, so attendance is low and the usually between 15-20 people show up.\textsuperscript{141} Notwithstanding poor attendance, the park to tribal consultation relationship is taken quite seriously at Aztec, and has created positive outcomes. However, indigenous interests so not supersede preservation of the site, despite their

\textsuperscript{137} NPS “Planning, Environment & Public Comment site: \url{http://parkplanning.nps.gov/}.
\textsuperscript{138} Conversation with NPS employees at Aztec Ruins, January, 2012.
\textsuperscript{139} Ibid.
\textsuperscript{140} Ibid.
\textsuperscript{141} Conversation with NPS employees at Aztec Ruins, January, 2012.
input. Acknowledging their presence as stakeholders through the consultation process does not automatically make their input influential or necessarily meaningful to park management.
3: Canyon de Chelly National Monument

*Canyon de Chelly is a place where there is safety and there is also food and shelter. Navajo tradition says that it is like our mother; they call it our mother because it has all of the qualities of a mother—a place where you seek comfort, shelter and protection. And so the Navajos have used that ever since they came into the Southwest.*\(^{142}\)

-Harry Walters, instructor and former Director of the Hathathli Museum at Dine College.

*Like everything else, Canyon de Chelly is one of those areas that is also important not only to the history of the Navajo people, but it has a history to various things; there’s some ceremonial history that extends from there. There is some clan origins. There’s some clans from Navajo today that come from there. It’s also a place where... it plays a big part in the Navajo Long Walk and the U.S. campaign against the Navajo in the mid-1800’s, around the 1860’s and so forth.*\(^{143}\)

-Robert Begay, Navajo Nation Archeology Department Director

Canyon de Chelly National Monument lays just outside Chinle, Arizona, dusty, sprawling town with convenient stores, fast food restaurants and run down public housing. The monument itself is entirely situated on tribal trust land, within the boundary of the Navajo Reservation, and currently houses a living Navajo community of about 80 families. The expansive site is 83,000 acres and contains 4000 archaeological sites, overlaid by a “living culture.”\(^{144}\) The monument is not a single canyon, but four separate: Canyon del Muerto, Canyon de Chelly, Bat Canyon and Monument Canyon. The bottoms of these canyons stretch on for thirty miles, in which scattered Dine homesteads raise livestock, peaches, corn, beans and squash. The ancestral pueblo pits, kivas, rock art and cliff houses, at Junction Ruin, Antelope House, White House, Mummy Cave and Climbing House all attract visitors seeking to glimpse the remains of a civilization that flourished one thousand years before the Navajo.

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\(^{144}\) Conversation on site with Archaeologist Keith Lyons, January, 2012.
Indigenous history

Navajo origin stories tell how the Holy People lived in the First World where man and woman were formed, along with insects. In the Second (or Blue) world they were joined by birds and animals. Suffering drove all creatures into the third or Yellow world where Coyote caused a great flood, from which they fled to the Forth, and current world.  

This current world is the Navajo’s homeland, or the Diné Bikeyah, composed of four sacred mountains, which are centers of union for the spiritual and natural world. These mountains stretch from, Blanca Peak or Sisnajini, in Colorado, Mount Taylor or Tsodzil, in New Mexico, the San Francisco Peaks or Dook'oosliid in Arizona and Hesperus Peak or Dibe Nistaa in Colorado. Canyon de Chelly rests in-between this sacred space. It is this land which, is an area made for the Navajo people, Diné. The land gave all the people who lived here a sense of belonging and a sense of identity. It is said that the Holy Ones placed the Navajos here between the Four Sacred Mountains to be protected, blessed and heard. Hence, the wide and deep canyons of Tseyi or Canyon de Chally are sacred sites to those ancestors who have come and gone, and to the Navajo are memorials to times of warfare and refuge. The abandoned “Anasazi” ruins such as White House, and the burial alcoves, like Mummy Cove, are powerful and scared to the Diné. One of the tall spires of the canyons stands as a monument to the Spider Woman, who with her supernatural powers taught the early Navajo the ability to weave.

147 Gladys Amanda Reichard, Spider woman; a story of Navajo weavers and chanters (New York;: The Macmillan company, 1934).
The canyon has been a home to the Navajo people since the 1700s and has continuously been a place of residence and sacred significance. Former Navajo ranger Margarita Dawson, explains that many of the ruins are still intact because Navajo tradition has taught them to stay away from the “places of the ancient ones…and to leave their arrowheads, and pottery and buildings alone.”

**Archaeological/ NPS history**

Archaeologists theorize that the Navajo people’s ancestors migrated across the Bering Straight thousands of years ago, eventually ending up in the San Juan Rover Basin between AD 1300 and 1600. These stories have been linked to Navajo explanations that the land-bridge theory is also the Navajo migration through the reeds to the Forth world. These people eventually met the Puebloan peoples in the Southwest, which by the sixteenth century lead them to begin farming. By 1730, after years of unrest at the hands of the Spanish colonial forces, and skirmishes with neighboring tribes, the Navajo crossed the Chuska Mountains and settled in Canyon de Chelly. Their beliefs and way of life, was augmented by their interactions with the Pueblo, Spanish and Mexicans.

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150 Ibid.
151 Ibid.
As early as 1923, Hunter Clarkson of the Fred Harvey Co., petitioned to the National Park Service to make the canyon a monument. The site had already attracted the attention of American archaeologists; Frederick Vreeland described the wonder, with which he was attracted to the canyon,

the dramatic scenery different from anything else on the continent. The ancient dwellings, perched like swallows’ nests on the cliffs, the kindly and gentle spirited Navajo living on the canyon floor as they have done for generations …to allow this to be spoiled by the exploitation that has marred our National Parks would be a crime against civilization.

Archaeologist Earl Morris believed the site to be incredibly important opportunity for educating the public in a unique way:

There is nowhere else an opportunity of so thoroughly exemplifying conditions early culturally and of displaying in a restricted locality a very long cycle in the gradual ascent of a primitive people toward civilization. These canons have been a nucleus not only of the old Pueblo domain, but more recently of the Navajo.

Morris further stated that since, “this area is under the guardianship of the Government, rangers must be provided for its protection and for the purpose of conducting visitors to and through archaeological features thereof, and to tell the story connected there with.” He recommended that it would be “advisable for the Government to have some qualified person there constantly seven days a week to work with such scientific agencies as might cooperate with the Government in developing the educational program contemplated, in order that he might be in a position to pass on to the public the full fruits of the campaign.”

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153 National Archives: Record Group 75, E-7: Navajo: Vreeland to A Cammerer, June 23, 1924.
155 Ibid.
156 Ibid.
Initial reaction from the NPS was not encouraging, as the 1868 Fort Sumner Treaty clearly set the canyon aside as Navajo land. Any status change in the land rights would require 75 percent of Navajo males to agree, however the BIA conducted an inquiry. Commission Herbert Hagerman led this inquiry, and reported that the majority of tribe leader did not support a change in jurisdiction. At this point the NPS listened to the reports that soil erosion was threatening cultural resources and the ancient puebloan ruins were quickly deteriorating and in 1925 approached the Navajo Council in regard to providing protection for these site. It was Hagerman who brought the request to a tribal council meeting at Fort Wingate, and consequentially secured unanimous approval.

Despite initial resistance, the tribal council agreed to the monument as long as land status would remain the same, and the government would not infringe in anyway with tribal rights. Negotiations followed in the next few years and certain provisions, including that local Indians provide horses to tourists, instead of a ranger, and that the Navajo retain the title, grazing rights, and all predetermined treaty rights.

In 1931 Canyon de Chelly was declared a national monument, and the enabling legislation clarified that,

nothing herein shall be construed as in any way impairing the right, title, and interest of the Navajo Tribe of Indians which they now have and hold to all lands and minerals, including oil and gas, and the surface use of such lands for agricultural, grazing, and other purposed, except as hereinafter defined.
The legislation specific to the park states that it is only responsible for the cultural resources and tourism, so to “preserve its prehistoric ruins and features of scientific or historic interest.” It also stipulates that the NPS has the right to construct roads, trails and other structures for the “administration and protection of the monument.”

In the years that followed a complex and at times frustrating relationship ensued between the local Navajo and the NPS. By 1934, the tribal council was ready to rescind its action, in anger about NPS fences and stock controls. In these early years the BIA sided with the Navajo regarding demands for the return of the canyon, and Washington officials called for a repel of the 1931 legislation. In response, however, the NPS claimed that a loss of authority, would lead to “pauperization” of the Navajo, commercialization by traders, and of course, destruction of the ruins.

Early on the NPS lacked awareness that it was a guest on a reservation. Typical NPS regulations were enforced, such as a ban on collecting firewood, having firearms, curing fish, hunting and washing clothes. Early archaeological work, which disturbed remains, water rights, and access to utilities, also provided serious tension.

An early example of conflict included the NPS’s inability to keep tourists off of Spider Rock, an incredibly sacred aspect of the landscape. Art White recall’s that Superintendent Paul Berger (1958-1962) seemed totally unaware and unconcerned about Indigenous rights, White

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161 Ibid.
163 Keller and Turek, American Indians & national parks: 207.
165 Ibid, 207.
166 Brugge and Wilson, Administrative history, Canyon de Chelly National Monument, Arizona.
remembers, “a little Navajo cemetery, and Berger started going there with a bulldozer one time…I’m sure he knew it was there, but he just didn’t give a damn.”

Such conflicts brought about management solutions unique to the park, and superintendents were forced to think creatively about NPS to indigenous relations. Officials, such as, Meredith Gulliet, John Cook, and Art White, began to hire local Navajo to work at the site, developed a relationship with Window Rock (the head of the Navajo Nation), and learnt the Navajo language. The three recognized a deep distrust in Washington, prevalent among the Navajo, especially in regards to the government attempting to weaken their hold on a treaty area. Gulliet, Cook and White, believed that frequent turnover of NPS staff was a large issue, and appointed Tom Dodge as the first NPS liaison to the tribe, as well as the employment of young Navajos, and an education program in native culture for all superintendents. Such concerns also lead to the development of the Navajo Lands Group (1968-82), in order to foster communications between the tribe and NPS units.

By the 1980’s understanding between the NPS and the Navajo had improved, somewhat, as Navajo workers moved from maintenance jobs to administrative appointments. By 1991, sixty-five out of seventy park employees were Native American. This ratio is slightly lower today, however a Navajo presence at the park is felt in the NPS staff, and administration.

Today, the Navajo Nation is responsible for managing the water, forest and mineral resources, as well as grazing allotments. Legal enforcement, interpretation and facilities

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168 Ibid, 207.
169 Ibid.
170 Brugge and Wilson, Administrative history, Canyon de Chelly National Monument, Arizona.
172 Ibid.
management is the shared responsibility of the Navajo Nation, along with the NPS and BIA. The NPS’s main responsibility is the management of cultural resources, however this line is often blurred when other issues affect the park’s guests.\textsuperscript{173}

**Stakeholders and assessment of values present**

As discussed earlier in this section, Canyon de Chelly is significant to a variety of stakeholders. The Navajo nation, ancestors of the puebloan peoples who inhabited the area between AD 1300 and 1600, the National Park Service, and of course the hundreds of thousands of annual visitors.\textsuperscript{174}

The significance of the site for the Navajo people is evident in the history of the area, which is deeply linked to their identity. For the Navajo sacred sites may be locales mentioned in oral histories, sites where supernatural occurrences have transpired, places where healing plants and water might be collected, or actual spaces of spiritual communication through prayer.\textsuperscript{175} Physical land forms are counted among such sites, as are built puebloan sites, such as masonry pueblos, rocks images, and burial areas.\textsuperscript{176} Often Navajo sacred sites are those connected to stories, and customs of the tribe.

The symbiotic relationship of all things is important to the Navajo, where the natural world is a “co-creator” of community and of culture. Therefore the vitality of Navajo culture “is

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\textsuperscript{173} Conversation with park archaeologist, January, 2012.  
\textsuperscript{174} In 2011 the total number of visitors to the site was 828,145, and a total of 27,496,237 people have visited the park since 1931. Source: U.S. Department of Interior, National Park Service, National Park Service Public Use Statistics Office. NPS Stats, Annual Park Visitation Report for Canyon de Chelly National Monument . Accessed May, 2012.  
\textsuperscript{175} Dennis Emanuel, Baboquivari Defense Project, Alianza Indigena Sin Fronteras (Public Forum on Local Indigenous Environmental and Sacred Sites Issues, University of Arizona, Tuscon, November 17, 2007.)  
\textsuperscript{176} Ibid.
\end{flushright}
dependent on individuals living in community with the natural world.”\textsuperscript{177} Natural landmarks are a source of Native identity; in the sense of place and kinships they propagate.\textsuperscript{178}

Navajo preservation perspectives generally involve a policy of limited contact and intervention. For instance, Navajo tradition informs that the sites petroglyphs date from a time when the “Holy Ones walked among the Earth People…. when they left they put images onto the rock and into stone.”\textsuperscript{179} From the point on it was considered inappropriate for people to make markings, and pictures permanently in the rock.\textsuperscript{180} It is this attitude which permeates their views of preservation, when representatives of thirteen chapters of the Navajo Nation were questioned about their concerns for their cultural resources,

The citizens of 13 chapters of the Navajo Nation have already been formally queried about their concerns regarding the protection of their cultural resources in general, and sacred lands in particular, in a study conducted between 1987 and 1988 by the Navajo Nation Historic Preservation Department (HPD).\textsuperscript{181} Sacred lands and places associated with traditional history, along with historic buildings and archaeological sites, were identified as critically important resources in need of protection and preservation. “In a nutshell, most of the people whose ideas are expressed in these studies don’t want “historic preservation” efforts to preserve mementos of “traditional” Navajo culture. They want those efforts to help keep the Navajo way of life itself alive. And the Navajo way can’t survive unless its practitioners have some control over the whole landscape that they need to live.”\textsuperscript{182}

Additionally it should be noted that the Navajo Nation has a large, and sophisticated organization for managing the cultural resources of the nation, both on and off the reservation.\textsuperscript{183}

The Navajo Historic Preservation Department (HPD) was established in 1986, and is tasked both

\textsuperscript{177} Milholland, “Native voices and native values in sacred landscapes management: Bridging the indigenous values gap on public lands through co-management policy,” 44.

\textsuperscript{178} Klara B. Kelley and Harris Francis, *Navajo sacred places* (Bloomington: Indiana University Press, 1994), 97-98.

\textsuperscript{179} Simonelli and Winters, *Crossing between worlds: the Navajos of Canyon de Chelly*: 13.

\textsuperscript{180} Ibid.

\textsuperscript{181} Milholland, “Native voices and native values in sacred landscapes management: Bridging the indigenous values gap on public lands through co-management policy,” 15. And Kelley and Francis, *Navajo sacred places*.

\textsuperscript{182} Ibid.

\textsuperscript{183} The Navajo’s deep connection to place and governmental strength/bureaucratic power allowed for the creation of their own parks system- the first Native American tribe to do so. Monument Valley was the first to be created in 1958, and was followed by seven more parks in the next decade.
managing sites and consulting on issues pertaining to cultural resources management of significant and sacred lands.

The NPS/public, the other predominant stakeholder, inscribes great value in the cultural resources on site, as ancestral puebloan remains artfully crafted against sweeping cliffs. The site’s cultural resources reflect continuing occupation, reused again and again by successive populations, which makes this archaeology unique. The expansive site is popular for touring by motor or horseback, and the trail hiking with a Navajo guide.

**Management plan analysis**

Despite numerous attempts to create a co-management plan, to this date Canyon de Chelly operates with no official plan, and still sites the 1931 enabling legislation as its primary management guide.

**General consultation statement**

Based on the administrative history of the site, it is evident that Canyon de Chelly presents a unique setting for consultation. It would seem that the specific nature of the arrangement at Canyon de Chelly, where the Navajo own and occupy the land, while the NPS are tasked with protecting pieces of it from use and deterioration, necessitates constant communication, and would mandate effective systems of mutual consultation. As one will glean from the following, this is not the case. In fact, consultation appears to only happen sporadically and not through any channels previously discussed at other parks. It is perhaps because specific roles have been laid out for the Navajo and NPS in the enabling legislation that collaboration happens infrequently.

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184 Conversation with archaeologist Keith Lyons, January 2012.
During my visit, from the onset, NPA staff made it clear to me that the NPS was there as a guest of the Navajo people. Afterwards, I learned that much of the outlying Navajo population does not see this as the case. When interviewed for a dissertation, several years ago, residents in the Chinle area, voiced the opinion that the NPS was exceeding their congressionally delegated rights, and interring with the affairs of the Navajo Nation. A frequently cited example of this was that all subsistence, and farming activities within the canyon grounds should be under the exclusive authority of the Navajo Nation. The NPS system of permits on monument grounds, is therefore a reason for much conflict:

The NPS has limited authority in Canyon de Chelly and the Navajo Nation owns the land in Canyon de Chelly. Therefore, the Navajo Nation has more say so, and final say so regarding what happens in Canyon de Chelly. The NPS is there only with the consent of the Navajo Nation. They (the NPS) have a privilege and not a right to be there. The Navajo Nation has the final authority in what happens.

Another serious problem voiced by the local population, was that the 80 or so Navajo families occupying the canyon rim, are underserviced and their day-to-day needs not being met. For instance in 2007 the Natural Resources Committee was restricting certain types of construction, specifically housing and infrastructure within the rim in order to protect natural resources. As one may imagine this was incredibly difficult for canyon residents who had invested in agricultural development at these sites.

There is also a general concern among the Navajo that their population is not benefiting from the NPS presence any longer. Not only are the Navajo not directly benefiting from the tourism revenue the site generates, they also believe that visitors have been adversely affecting

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185 Milholland, "Native voices and native values in sacred landscapes management: Bridging the indigenous values gap on public lands through co-management policy," 166.
186 Ibid, 166, Interview with, Navajo respondent 5, September 27, 2007.
Despite how impoverished many canyon and surrounding area residents are, the park does not produce any revenue from entrance fees. In addition Interior budget restrictions have limited the amount of maintenance work done to the monument, for instance continued improvement of roads, restrooms, camping and vendor facilities. The sense from Navajo residents is that in order to be a living community, there must be an emphasis on economic development at the park. This stands in direct opposition to the NPS’s mission to protect the site’s cultural resources from commercial threat.

While no official joint management plan exists for Canyon de Chelly, over the years there have been many attempts to engage one, with the hope that some of the above issues could be addressed. Generally, the Navajo have been disappointed with the lack of consultation and communication on the plan.\(^\text{191}\) According to Milholland’s fieldwork, the Chinle Chapter was not invited to nominate community representatives to the land management planning interdisciplinary team (ID Team). The joint planning effort did not involve local Navajo community members or specialists from the Navajo Nation to the satisfaction of the local community or the Natural Resources Committee.\(^\text{192}\)

In 2006, the Natural Resources Committee of the Navajo rejected a draft General Management Plan and Environmental Impact Statement (EIS) based on the grounds that the US government was infringing on the rights of the Navajo people and government.\(^\text{193}\) In addition to feeling un-included in the planning process, the NRC also expressed dissatisfaction with how the NPS has interpreted their management authority at the park. As mentioned previously, accusations were made that the NPS has extended their influence beyond the management of

\(^{190}\) Milholland, "Native voices and native values in sacred landscapes management: Bridging the indigenous values gap on public lands through co-management policy," 152.

\(^{191}\) Ibid, 169.

\(^{192}\) Ibid, 169.

\(^{193}\) Ibid, 151.
cultural resources and tourism, to regulating grazing, agriculture and economic development.\textsuperscript{194} This occurs through a permit system, which many believe is not in line with the language of the Treaty if 1868 or the park’s enabling legislation. \textsuperscript{195}

Generally, local residents feel ambivalence from the federal government, which only fuels feelings of distrust in NPS involvement at Canyon de Chelly. Even when consulted Navajo have claimed that they feel their input is ignored.\textsuperscript{196} Numerous attempts have been made to take the canyon back from NPS, and restore total Navajo control. This past July, the Navajo Tribal Council passed a resolution asking for the return of all National Park Service lands within the reservation.

The preamble to the resolution stated some justifications for Navajo ownership that were ahead of their time and that probably had little real influence in 1934, but they are worth quoting here because of their relevancy today:

\begin{itemize}
  \item Whereas, there are within the Navajo jurisdiction many areas of tremendous scenic beauty and great historical and archaeological interest, which thousands of people from all over the United States are eager to visit, and
  \item Whereas, some of these visitors will be inconsiderate enough to desecrate and even ruin the scenic and scientific value of these areas unless they are protected, and
  \item Whereas, the Navajos have a greater love for their country than any other people can possibly have, and wish to guard against any changes that may make any part of their country less beautiful, and
  \item Whereas, the Navajos know more about their country and always will have greater interest in its welfare than any other people or organization, and
  \item Whereas, the management of our own scientific and scenic areas would give us an additional source of income necessary to maintain our ever-increasing population.\textsuperscript{197}
\end{itemize}

There are considerable differences of opinion of whether the Navajo Nation could handle the responsibility of Canyon de Chelly. While some Navajo community members advocate for the return of the park to the tribe, some do not see any impediments, fiscally, or capacity wise, to

\textsuperscript{194} Ibid, 152, Interview with Navajo respondent 3 and Navajo respondent 1, October 5, 2006 and Navajo respondent 1, October 12, 2006.
\textsuperscript{195} Milholland, "Native voices and native values in sacred landscapes management: Bridging the indigenous values gap on public lands through co-management policy," 152.
\textsuperscript{196} Ibid, 169.
\textsuperscript{197} Navajo Tribal Council, Title 19, Chapt. 1, Section 1, p. 235.
this happening.\textsuperscript{198} Others such as a representative of the Navajo Parks and Recreation believe that the resources are not there:

The Division of Natural Resources already has the capability to take over management without problem. The only problem is lack of money. I’ve always said we have the authority we just aren’t exercising it.\textsuperscript{199}

The NPD representative’s statement is telling, and somewhat in line with Navajo Historic Preservation Department’s perspective on the Navajo’s ability to take care of the park, which actually sites a value-based management approach as key to improving the situation at the park:

The Navajo Nation does not have the capacity (institutions or funding) to do this (take over management of Canyon de Chelly National Monument). Also, a central, uniform system of values for the management of sacred lands is also not in place. Deciding core values is key to any management planning or co-management governance structure and philosophy.\textsuperscript{200}

That there are clear differences in opinion amongst Navajo stakeholders with different levels of interaction at the park, speaks somewhat to the institutional hierarchy of preservation management. Those with more control over park management feel that it is not so easy to change the guard, while local citizens feel disenfranchised and at a loss. The HPD’s opinion is most clearly aligned with several NPS representatives who see the governments presence there as an essential aid in protecting the sites cultural resources, one which should not be forfeited.\textsuperscript{201}

What is also at play is a contrast and clash of preservation value systems, and how disagreements on how best the sacred land at the canyon can be cared for. The Navajo Nation wishes for the cultural resources to be protected, while at the same time maintain a living

\textsuperscript{198} Milholland, "Native voices and native values in sacred landscapes management: Bridging the indigenous values gap on public lands through co-management policy." Interview with Navajo respondent 3, September 27, 2007.
\textsuperscript{199} Milholland, "Native Voices and Native Values in Sacred Landscapes Management: Bridging the Indigenous Values Gap on Public Lands through Co-Management Policy," Interview with Navajo respondent 5, September 27, 2007.
\textsuperscript{200} Ibid, interview with Navajo respondent 1 and Navajo respondent 2, August 24, 2007.
\textsuperscript{201} Author’s correspondence with NPS staff at Canyon de Chelly, January, 2012.
connection to the land. While some NPS and Navajo views run in tandem, the NPS would not allow excessive development to happen.\textsuperscript{202} This seems to be at the heart of the issue.

The Navajo who oppose the way the NPS conserves and cares for the cultural resources, wish to see these resources in Navajo hands. The belief is that scared lands should be managed according to \textit{hozho}, “the guiding Navajo philosophy of harmony between all things.”\textsuperscript{203} In this scenario,

A balance of traditional philosophy and contemporary Navajo law would form the basis of sacred lands management policy and co-management. A uniform, consistent application of that philosophy and policy with all stakeholders is important.\textsuperscript{204}

The key term here is co-management, at the present time the sense is that while the Navajo own the land, they are not operating on a level playing field with the NPS. Even though the park is on Navajo land, the Navajo nation is not involved directly in planning and decision making on a programmatic level.\textsuperscript{205} From my experience it seems that the most influential position available to a member of the Navajo tribe, is to work on site for the NPS. It is the Navajo employees who have the most direct contact with the treatment of sacred sites by the NPS, for instance former ranger Margarita Dawson, would preform the appropriate prayers while botanists cut plants for collection.\textsuperscript{206}

At a higher level, Navajo are able to influence interpretation and archaeological decisions. Deputy Superintendent Wilson Hunter, a Navajo, who grew up in and around the monument, has worked there for the NPS since 1985. Beginning as a ranger, he has also served

\textsuperscript{202} Author’s conversation with Archaeologist Keith Lyons at Canyon De Chelly, January, 2012.
\textsuperscript{203} Raymond D. Austin, ”Navajo Courts and Navajo Common Law: A Tradition of Tribal Self-Governance,” (University of Minnesota Press, 2009), 81.
\textsuperscript{204} Milholland, ”Native voices and native values in sacred landscapes management: Bridging the indigenous values gap on public lands through co-management policy.” Interview with Navajo respondent 1 and Navajo respondent 2, August 24, 2007.
\textsuperscript{205} Ibid, 166.
\textsuperscript{206} Simonelli and Winters, \textit{Crossing between worlds : the Navajos of Canyon de Chelly}: 11.
as Head of Interpretation, and is now in one of the top authority roles at the park. Hunter sees the canyon as his home, and feels his role is to interpret the Navajo’s ways and explanations for things, to the NPS, as a type of mediator. He explained that much of the time the NPS’s policy of intervention, whether it be in the natural or built world, conflicts with the Navajo’s belief of *hozho*. For instance, in the winter of last year there was severe rock erosion off certain cliffs, which threatened cultural resources. The NPS’ response was to try and isolate the technical, physical reasoning for this shift, while the Navajo looked to a bigger scale, asking, what had we done wrong to warrant this, what was off balance? While not necessary in his job description, it is Hunter’s job, in part, to negotiate this gap in values.\(^{207}\)

Hunter also explained some of the Park’s current dynamics from the perspective of both an NPS employee and a Navajo. He explained how Navajo Parks and Recreation were being given more authority. Already in charge of touring they have obtained more of a management role over the recent years. Hunter supports this; “This makes sense since we are on their land.”\(^{208}\) Like other NPS opinion he believes that resources are an issue in this transition. The NPS began the process with the NPD, they were very enthusiastic, and immediately hired people and made plans, however things have really fallen by the wayside because of resources, and the NPS has “picked up the slack.” Hunter also explains that tribal governments work differently, and he has tried to explain that to his fellow colleagues.\(^{209}\)

Hunter also spoke of the importance of having a conscientious and aware administrative team on staff at the NPS, alluding to the fact that the tone of consultation is set by the park superintendent. He believes that the park is at an opportune time, where all the people in power

\(^{207}\) Author’s communication with Deputy Superintendent Wilson Hunter, January 2012.  
\(^{208}\) Ibid.  
\(^{209}\) Ibid.
are willing to work together to make the park work for everyone, it just needs to happen. There is always a threat that a change of guard, in leadership, could change everything, as there is no set consultation/management plan to follow. I spoke with the current superintendent Tom Clark, and he echoed this sentiment, stating that in his few years there, his main goal has been to increase communication and give as much authority to the Navajo Nation as possible.\textsuperscript{210}

While an administration that is conscious of the need for indigenous consultation is paramount, at Canyon de Chelly, there are needs to be a reconsideration of the roles each stakeholder plays in park management. The NPS might consider relinquishing its stronghold on cultural resources, and welcoming indigenous preservation values more openly in the management process. The “caregiver” role the NPS occupies, is clearly resented by the local Navajo, who feel they should be trusted with their own heritage, and land.

\textsuperscript{210} Author’s communication with Superintendent Tom Clark, January 2012.
Section Three: Assessments and Recommendations

Often, cultural resource considerations have been limited to a discussion of the effects of a proposed project on material, or archaeological, remains and their intrinsic scientific values. The direct, indirect and cumulative effects of losing a landscape or its resources on Native Peoples and their cultural practices, including ceremonies, stories, songs, dance, language, technology or art forms linking land and cultural identity, are not always described and measured with the same level of rigor as applied to the artifacts of culture. Without proper understanding of, and respect for, the profound effects of landscape loss to traditional cultures and ways of life, federal management practices remain agents of adverse change in Indigenous cultures. 

Bandelier National Monument, Aztec Ruins National Monument, and Canyon de Chelly National Monument each present variations on Native American consultation practice within the National Park Service. Most apparent in this diversity is the lack of a coherent, system wide approach to integrating Native American values into preservation site management. Each site has adapted to its own unique situation, with varying effects on the degree to which indigenous peoples may be involved in the management planning of their own sacred sites. While the history of oppression against indigenous peoples in the United States is a national one, the issue can be predominantly reduced to a localized level of park-to-park management. Each park operates according to its own enabling legislation, and interprets the vague federal mandates for consultation in their own way. The specificities of each site, including financial resources, local community, stakeholder access and infrastructure, condition of cultural resources, and individual management styles, effect the way indigenous peoples are able to interact with the cultural resources at each park.

Throughout this study several key issues, both ideological and practical, have arisen

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which greatly affect the success of a value-based management approach at each park. These include, a contrasting preservation ethos, what Milholland refers to as the Indigenous Values Gap\textsuperscript{212} and an imbalance of authority among stakeholders; the “institutional character”\textsuperscript{213} of the National Park Service; the absence of a strong, federally mandated regulation and guidelines for consultation; and lastly, indigenous access to the actual consultation process.

\textbf{‘Indigenous Values Gap’ and imbalance of stakeholder authority:}

Indigenous sacred landscapes are currently under the threat of disturbance and destruction at the hand of “commercial enterprises, public recreation, and political indifference.”\textsuperscript{214} According to Milholland this loss of landscapes, integral to maintaining indigenous ceremony and culture, along with tribal inability to access these holy lands is known as the “indigenous values gap.”\textsuperscript{215} This gap makes consultation difficult, since sacred lands managed by the NPS are regulated, with a “structure that has created, privileged and legitimized Western European-American values of land management.”\textsuperscript{216} Land management stands at the crux of confrontation between “Western” property values, and Native American values. With a nod to colonial and critical race theory, she illustrates how institutions in the United States maintain authority while failing Native governments. In addition Alan Downer, THPO for the Navajo Nation in Arizona, warns that one of the most common, but basic mistakes made during consultation, is that the NPS assumes things about traditional peoples, and their responses.\textsuperscript{217}

While indigenous views on preservation and sacred site management often differ from that of the

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\textsuperscript{212} Ibid. \\
\textsuperscript{213} Author’s communication with Dr. Alan Downer, Tribal Historic Preservation Officer for Navajo Nation, March, 2012. \\
\textsuperscript{215} Milholland, “Native voices and native values in sacred landscapes management: Bridging the indigenous values gap on public lands through co-management policy,” 26. \\
\textsuperscript{216} Ibid, 27. \\
\textsuperscript{217} Author’s communication with Dr. Alan Downer, April, 2012.
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NPS, there are also often many more opportunities for common ground than are assumed.

Therefore, one of the most basic issues that arises during consultation is the absence of a common understanding, lexicon, or appreciation of the landscape, and along with that a methodology for managing and preserving it. It is at such an intersection of values that a value-based management approach is meant to facilitate a program of integrating differing perspectives into a management plan. At all the three parks there is some attempt at this through consultation, however the result varies from park to park. However, consistently across all case studies, the indigenous perspective on cultural resources is not prioritized, or even given equal weight in conservation and management decisions. This lack of authority might only be mitigated by NPS abandonment, which seems highly unlikely.

Since the late 1990s Bandelier National Monument, has worked towards a context-based management plan for cultural landscapes, since to indigenous stakeholders, the landscape and community are physically and ideologically inseparable. This consciousness on the part of the NPS has resulted in an agreement between the values of the local Pueblo stakeholders, and those of the NPS. In this case consultation has been used to isolate all disparate values of the park, to then integrate them all into a meaningful management scheme.

At Aztec Ruins National Monument, consultation works a bit differently, although, they are mandated by federal law in the same way Bandelier is. The “indigenous value gap”, is more extensive here, and as discovered in communications with Park staff, while consultation is taken seriously as a process, the outcome often leans towards an NPS dominated preservation ethos. Compromise occurs, when it is beneficial to the Park in some way, for instance the back-filling example, previously discussed in this work.
Canyon de Chelly National Monument is altogether a different story, where the ‘clash’ of values, can perhaps be seen most explicitly due to the physical juxtaposition of canyon residents, and NPS presence. The local indigenous population, while physically more connected with the site, than other case study, is actually more removed from the management process. The Navajo, have less say in dealing with their scared sites, as the NPS’s sole purpose is to conserve and protect the site’s cultural resources, as ‘guest’ specialists, while the Navajo are excluded from this process to some extent. The exception lies in the Navajo employed by the NPS, who are crucial to conveying indigenous perspectives on preservation. In many ways, the park operates with seemingly little to no rules, (and no management plan), where primary concerns among the local population are economic sustainability.

To be clear different values are not a problem in this scenario, however this issue is the way in which values are embraced and considered in the conservation and management planning. The hierarchical structure of traditional preservation practice, as acted out by the NPS, in some ways prohibits effective value based management approaches. Because the Federal government ultimately controls the NPS, it is linked to larger efforts to assert national patrimony, and as a result, the NPS’s preservation agenda dominates. We may refer again to LauraJane Smith’s concept of an “authorized heritage discourse,”(AHD)\(^\text{218}\) a scenario where, simply put, those in power, control what is said and done with heritage. While what happens at each individual park daily is out of the immediate control of the federal government, the narrative portrayed by the parks, attempts to tell something about American values, with less of an emphasis on Indigenous perspectives. Therefore, at NPS sites, those making the decisions ultimately are government employees, following the Park’s enabling legislation, and doing what they see as their duty.

\(^{218}\) Laurajane Smith, *Uses of heritage* (New York: Routledge, 2006).
In order to work towards closing the Indigenous Values Gap, systems of collaborative research and management must be encouraged. This extends past the idea of mere “consultation,” which has formal connotations of a process of exchange from government to government, towards a forum where the stakeholders, specifically community members, possess more equal footing. This process not only acknowledges the stakeholder, but embraces them as equally significant players in heritage management. There is growing scholarship in “community archaeology,” which while not explored in this work, similar methodologies of “community historic preservation,” might be explored. This would have to include a conscious management ethos with facilitating avenues of co-management that prioritize the cultural values of places, over those of a dominant society.

Institutional character of the NPS:

The NPS must be recognized on some level as a giant bureaucratic machine. While every park site is different, in scope, size, wealth of resources, stakeholder population, and local resources, each is managed according to a common structure and ethos. As with other bureaucracies, there is only so much room for experimentation and straying from official policy. Those employed by the NPS are informed of their mission at their site, and most that I spoke with took this mission very seriously, and interpreted it quite literally as stated in park legislation. This institutional mentality is reflected in the way the NPS regards its stakeholders, not as active participants, but mere observers. The ingrained “manifest destiny” and “white-hat mentality” is apparent in the way many parks treat indigenous groups during consultation, but

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220 Ibid.
also in the way the general public is regarded.\textsuperscript{221}

In this “fortress” mentality, there is naturally not much room for non-park perspectives. The NPS is the keeper, or protector of valuable national resources, and this mission and values, which accompany it, run deep. On a localized park level, the Superintendent is tasked with carrying out this mission, and regulating the park management so as to subscribe to this mission. The research from this study makes it evident that this role in incredibly powerful, and how consultation occurs at a site is driven by how the Superintendent and administration wish.

For instance, at Bandelier the administration in recent years championed programs of collaboration with universities, along with scholarly investigation. These efforts led to a nuanced view of the consultation process, and independent projects in line with a value-based approach. This education focus, eventually extended to the native population, opening up career opportunities, to ensure future success. In the past year or so, management at the park has shifted, and the extent of such collaborative and education based programming has waned. As fire fires threaten the park, the focus has fallen more on natural conservation, and while many of the older nuanced policies are still influencing preservation work at Bandelier, the future is uncertain.

Often, consultation is left up to the archaeologist’s discretion, based on the presumption that all Native American heritage has an archaeological, non-programmatic and static element. The head archaeologist organizes consultation at Aztec Ruins, and while the interpretation department consults with indigenous stakeholders, it is not until recently that this has been the case.\textsuperscript{222} The sentiment that, ‘we consult but ultimately do what we think is best for this park,’

\textsuperscript{221} Author’s communication with Dr. Alan Downer, April, 2012.
\textsuperscript{222} Authors communications with park staff at Aztec Ruins, January, 2012.
pervades most decisions, giving ultimate power to the higher ups in the park’s staff.

At Canyon de Chelly, it was incredibly evident through my communications with NPS staff, that if anything was going to happen to help stakeholder relations, it would have to start with the NPS administration. The history of the Park is a testament to the fact that, the Superintendent rules the show, so to speak. This amount of power, despite being a federally run agency, makes it evident how little the amount of resources are actually allocated to each park. One can imagine on a certain level, that the park superintendent is merely trying to hold things together, and serve the public. A good deal of resentment may evolve out of this level of power, especially at Canyon de Chelly, where the Navajo desire a much more level playing field.  

**Lack of a strong Federal regulation:**

The power that a park superintendent may hold and the affect on consultation is evidence of a larger issue, which, is that no strong, binding federal mandate exists for how consultation should occur. Several pieces of federal and state environmental, cultural, and religious freedom legislation mandate consultation and cooperation with Native Americans, and the Federal Government “is also charged with a legal trust duty to tribal governments to exercise the highest standards of good faith and integrity to protect Indian lands, resources and cultural heritage.” However, despite this legal framework, countless testaments from indigenous stakeholders of various NPS sites express concern that consultation and collaboration is still ineffective, inadequate and inconsistent. According to Milholland’s research, she observed that many indigenous people who were interviewed “believe that land management prescriptions and

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223 Authors communication with Dr. Alan Downer, April, 2012.
224 Milholland, "Native voices and native values in sacred landscapes management: Bridging the indigenous values gap on public lands through co-management policy," 14.
practices are unilaterally determined, are geographically limited in scope, and are not culturally compatible.”

The disparate ways in which consultation and collaboration occurs at the three different case studies in this thesis, are evidence of the level of inconsistency, and in some cases the ineffectiveness of current efforts.

**Difficulty of indigenous access:**

Lastly, but of equal importance, is indigenous inability to access not only the physical sites they hold scared, but also the consultation table itself. In many cases the limited financial and infrastructural resources available to indigenous governments, prevent consultation and collaboration from happening on an equal playing field. While the NPS may reach out to tribes seeking consultation, if there is no interface on the other end, the effectiveness of process if greatly compromised. This is more of an issue at Bandelier and Aztec Ruins, as the Navajo Nation has its own HPD, and THPO, and there the problem is less infrastructural, and more a lack of consultation itself.

Here it is important to acknowledge that the NPS is also faced with restrictions and limitations on what it can feasibly achieve. As a bureaucratic institution with limited funding, we cannot ignore that the consultation process is also greatly effected in varying degrees by budget cuts and day-to-day on the ground management problems. Park service employees are people, doing the best they can sometimes under difficult circumstances. It is my hope that this work might begin a dialog that inspires creative solutions to consultation issues and foster possibilities for value-based co-management.

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226 Milholland, "Native voices and native values in sacred landscapes management: Bridging the indigenous values gap on public lands through co-management policy," 14.
Recommendations for best practices (and further research to get us there)

In the face of these many challenges, one could become exhausted by the seemingly impossible situation facing both indigenous communities and the NPS in managing sites of Native American sacred significance. However, in the past twenty years great strides have and are continuing to be made. The consultation process, while slow to come about and to evolve, is indeed being improved upon in various parks. Despite the difficulties, the above case studies have illustrated several successful methodologies, which can guide further improvements to consultation, co-management and a value-based management inspired approach at NPS sites. There is however a lot room for improvement, in fact, this study suggests that consultation may not be the right medium for integrating stakeholders, and a more direct co-management program could be necessary.

A co-management situation would provide tribal governments with a “legal cause of action in the event of failure of any party to protect the physical integrity of the landscape, the right of tribal members to access a site for traditional cultural or religious purposes, or the confidentiality of sensitive cultural information."\textsuperscript{227} The lack of a binding overarching federal consultation mandate makes these goals quite difficult to achieve presently. It should the role of the Federal Government to initiate and maintaining some obligation to treaty rights, and promises to protect sacred land, while also serving the American public who are now also stakeholders. As discussed earlier in this work, there are many pieces of legislation, which begin to do this, however a more assertive and comprehensive bill is needed.

\textsuperscript{227}Ibid.
Values-based management can also be cultivated on the local park level, as we have seen throughout the three case studies. Training programs and advanced education for the indigenous population in heritage management should be encouraged, as at Bandelier. This study has shown that tribes have the most influence when they have representatives actually working on the ground, and involved in the day today management of the heritage process. At Canyon de Chelly this is also evident. Employees at the canyon, sympathized with both the NPS and local Navajo population, acting as mediators in the heritage process.

Collaborations with schools and universities, such as the University of Pennsylvania project at Bandelier have offered opportunities to research the values at the site, and should be encouraged through NPS sites. When park resources might be lacking, collaborations of this nature, provide alternative avenues for improving management policy, and challenging traditional conventions of heritage management.

The process of consultation must be taken seriously at the local level. Tribes must not be an afterthought, or clumsy step in a Section 106 process. Consultation must be appropriately timed, and carefully conducted. Many tribes have voiced that they feel as if they have been brought in at the last minute, almost as token, rather than a partner. In addition, many native governments do not operate in the same bureaucratic manner as the NPS, and consultation must happen early and often, in order to facilitate a more successful outcome. It should occur prior to any decision-making; consultation should be about joint research and planning, emphasizing a collaborative approach.

These are only some of a multitude of possible suggestions. More research, including archival consultation documents that were not accessible for this project, and additional
interviews with indigenous stakeholders and NPS professionals, would shed even more light on the consultation process at these parks. While the values of indigenous populations and the NPS may appear irreconcilable, this should not deter efforts to integrate stakeholder perspectives into management. One cannot rule out the possibility that local stakeholder values may be both cultural and material, and it is clear that the NPS is hesitant to holistically embrace them, however value based management might mitigate a more accessible and democratic heritage process. It is my hope that this has provided as a springboard for further inquiry into the use of a value-based management approach by the NPS. It is, I believe, a paradigm shift in historic preservation discourse that is opening up the heritage process to previously neglected communities, whose values can only add to the dynamics of shared heritage.
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