

POWERPOINT: “Stewardship and Heritage”

Lecture Notes/Transcript

SLIDE 3

Prior to going to SLIDE 4, facilitate students’ discussion about the similarities and differences between “stewardship” and “ownership.”

SLIDE 4

This slide offers the definition of “stewardship” and “ownership”. Ask the students to explain the conceptual difference between the two terms.

SLIDE 5

This slide presents an overview on how the federal government has established the method for protecting heritage on public and tribal lands in the United States. The methods used are presented in a hierarchical manner in terms of over-reaching effects.

SLIDE 6

Slide 6 provides some of the more important laws that are used to protect heritage resources. There are many more, but the important point is that these laws apply to every federal agency and all United States’ citizens (to some extent).

SLIDE 7

Slide 7 shows some of the Regulations involved in heritage protection. Regulations are the ways that federal agencies implement Congressional intent. “CFR” stands for “Code of Federal Regulations”, and, in this slide, “36 CFR” regulates “Parks, Forests, and Public Property;” “40 CFR” regulates “Protection of the Environment;” and “43 CFR” regulates “Public Lands: Interior.” Draw attention to the fact that NAGPRA regulations are within the Department of the Interior’s “Public Lands” subject area.

SLIDE 8

A third manner whereby the federal government manages and protects heritage resources is at the Executive Branch level. “Executive Orders (EOs)” are issued by the President to offer guidance on specific topics. The EOs presented here are some of the majors ones that relate to interactions between federal agencies and Tribes. There are many others.

SLIDE 9

This slide offers a brief explanation of the responsibility the federal government has to Indian Tribes that is outside of its responsibility to its other citizen – the “trust relationship” established under federal law and regulations. It is the responsibility of the federal government to support and encourage tribal self-government and economic prosperity, and protect tribes and their interests. The government has an obligation to ensure tribal resources are managed in a manner that promotes Indian interests. A fiduciary relationship exists between the federal government and Indian Tribe that requires the highest degree of responsibility, requires utmost loyalty to the Tribe, and requires the federal government and its agencies to advocate for Tribes, act in good faith toward Tribes and seek to make tribal resources productive and profitable.

Federal agencies generally try to act out this “trust responsibility’ in their actions, but some do not recognize their responsibility might supersede agency regulations

SLIDE 10

This slide is merely a summary of the more important points concerning federal and tribal relationships.

SLIDE 11

This is a generalized comparison between tribal concepts of stewardship and Western scientific concepts regarding “knowledge.” Draw attention to the idea of “compartmentalized” knowledge – the idea that some things should be held by some people or groups and not others. In the past, the Catholic Church had such knowledge, which is why services were conducted in Latin as a way of keeping “sacred knowledge” from everyone.

SLIDE 12

This slide offers some points that can be used to increase discussion. The questions can be used either for in-class discussion or, alternately, can be assigned as essays for homework.

The following is an example of the third question: The Choctaw Tribe of Oklahoma was removed to Oklahoma in the 1830s, and was given a reservation there by the federal government. The reservation was formed on lands that were the aboriginal homelands of the Caddo Tribe and the Wichita Tribe. Currently the Choctaw has a Tribal Historic Preservation Officer that oversees federal project impacts on lands held in trust by the Choctaw, even though the heritage resources of the Caddo Tribe and/or the Wichita Tribe might be impacted by federal projects. Does the Choctaw Tribe have an ownership or stewardship responsibility over those resources? In the federal sense, it has ownership; in the Tribal sense, it has stewardship responsibilities.