

Tribal Cultural Resource Protection in California - Theory & Practice LAW X 490.05 - 360481

Module 3- Week 3 Questions:

1. After viewing “In the Light of Reverence” summarize an example of one of the sites profiled. Why is the site significant? What legal/political/community/spiritual strategies were employed to protect it?
2. Mitigation is defined as “the action of reducing the severity, seriousness, or painfulness of something.” This is usually found in environmental law. In the Light of Reverence provides examples of the arguments that occur when different groups feel they have rights to use the same place. Often, the law deals with this by creating “consultation” and “mitigation” measures. Secularizing the Sacrosanct also provides examples of consultation and mitigation process put in place in Australia, New Zealand, and California. Give one example and detail why it works or fails to be an effective way to protect a sacred site.
3. Generally, how are native and non-native “religions” different? Why does this create issues for tribes in the protection of land and practice of their faith?
4. What are the two provisions of the Constitution that address religion? Have they been helpful in protecting tribes?
5. Based on the reading so far, draft a definition of “sacred.” Conversely, if you think that word is inappropriate in addressing tribal cultural practices and resource protection, create a new word or definition.