CONTROVERSY WAS FEATURED in almost all press coverage of the 18 new national monuments. Some people spoke out strongly in support while others were adamantly opposed. In these final four pages, my goal is to place the Antiquities Act and national monuments in a larger context. To do this I went to a variety of experts, and I did a bit of research as well.

The first individual to comment is Bruce Babbitt, who, as Secretary of the Interior, was at the forefront of putting the national monument proclamations in front of President Clinton.

Second, Don Fowler, a former president of the Society for American Archaeology and an individual who has carried out substantial research into the history of archaeology, describes the “birth” of the Antiquities Act – amidst controversy. Third, I have excerpted information about the Antiquities Act from an excellent article by a lawyer named John Leshy. An early controversy over the Act went all the way to the Supreme Court, with interesting results.

Fourth, Center personnel spend a good deal of time in the field along the San Pedro River east of Tucson. Talking with ranchers and other residents made it clear that many of these rural residents were displeased with the establishment of the new monuments. Numerous community members identified Lamar Smith, who holds a doctorate in range management, as the individual who could best express their concerns over this issue. Fortunately, Lamar was willing to oblige our request.

Finally, Bill Lippe, a former president of the Society for American Archaeology, offers a thoughtful and balanced perspective on the importance of the new national monuments. Back in 1974, Bill wrote a seminal article titled, “A Conservation Model for American Archaeology.” He pointed out that the archaeological record is a nonrenewable resource, and he called for its very careful consumption.

Hopefully this medley of opinions and information can broaden your understanding of the issues on a topic that so often stirs controversy.

Protecting Archaeology in its Natural Setting

Bruce Babbitt, former Secretary of the Interior

THE NEED TO PRESERVE the archaeology within the seven new Southwestern national monuments was made clear during planning sessions I undertook with the BLM and residents of southwestern states. For example, when I visited the Hovenweep National Monument in southwest Colorado, I saw dramatic ruins of large pueblos located on small, dispersed parcels. The people who once called these sites home also had daily experiences in an extensive open landscape of rolling hills and dramatic canyons. Establishment of the Canyons of the Ancients National Monument will help ensure that something closer to that original landscape will be preserved as population increases and land use changes in this area in the coming years.

In every one of these new national monuments there is a striking and unique natural environment that was an ancient homeland. The national monuments serve to preserve that environment for both the past and the future. It seems especially fitting that the Antiquities Act – a law approaching a century on the books – is the mechanism that made this happen. Threats to the antiquities of the Southwest brought that act into existence back in 1906 (see article on page 17).

While the BLM has the lead role in managing these new national monuments, their scale and the remoteness of many of them means that all visitors must assume a stewardship role. It is fitting that we all bear a responsibility for ensuring that this legacy remains intact to share with future generations.
Edgar Lee Hewett and the 1906 Antiquities Act

Don D. Fowler, University of Nevada, Reno

The 1906 Antiquities Act was the culmination of efforts throughout the nineteenth century to protect and conserve American antiquities. Rampant looting, especially in the Southwest, finally stimulated a coordinated effort in 1899 to pass legislation protecting sites on public lands. Various scholarly organizations were involved. Bills were drafted. Throughout this process, eastern universities and the Smithsonian Institution jockeyed for control of archaeological resources on western public lands. Bills were introduced in 1904 and again in 1905; all had fatal flaws in the eyes of one or another group wishing to control, or deny access to the public lands sites.

In the spring of 1903, Edgar Lee Hewett of New Mexico and Iowa Congressman John F. Lacey, chairman of the House Committee on Public Lands, spent two weeks on a horseback trip looking at various Southwestern ruins and discussing problems of vandalism and site protection. Lacey's interest was quickened.

In 1905, Hewett became secretary and spokesperson for the American Anthropological Association's Committee on Antiquities. At a scientific meeting in December 1905, he presented a draft bill that, he said, would resolve conflicts in earlier bills and be politically feasible in Congress. For Hewett, "politically feasible" meant a bill that would not give control of western archaeology to eastern archaeologists. The draft was unanimously endorsed.

In January 1906, Congressman Lacey introduced Hewett's draft bill. Hewett and his flamboyant and rambunctious ally from California, Charles F. Lummis, managed to block amendments that would have given control of western archaeology to eastern universities or to the Smithsonian. Their roughshod tactics offended many eastern sensibilities, but they got their bill through Congress. When President Theodore Roosevelt signed the "Lacey Bill"—the 1906 Antiquities Act—he signed Hewett's words into law.

President Theodore Roosevelt signed the Antiquities Act into law on June 8, 1906. On September 24, Roosevelt created Devil's Tower National Monument in Wyoming, and by the end of his term he had established a total of 17 national monuments. Many of Roosevelt's national monuments are in the Southwest: Chaco Canyon (1907), El Morro (1906), Gila Cliff-Dwellings (1907), Grand Canyon (1908), Montezuma Castle (1906), Petrified Forest (1906), Tonto (1907), and Tumacacori (1908).

One of the strongest challenges to the Antiquities Act was a lawsuit by Ralph Cameron, who sought to overturn Theodore Roosevelt's 1908 creation of Grand Canyon National Monument. Cameron held fraudulent mining claims on the south rim of the canyon and on Bright Angel Trail which he used to control public access to the canyon and to enrich himself through an access fee. On April 19, 1920, a unanimous decision by the Supreme Court upheld both the Antiquities Act and Grand Canyon National Monument. Now a national park, the Grand Canyon is the most-visited natural and cultural park in the nation. Clearly, the way to judge national monuments is on their merit, not on the level of controversy they generate.

The Antiquities Act in Court

William H. Doelle, Center for Desert Archaeology

The Antiquities Act was forged amidst controversy, and controversy very often follows its application to establish a national monument. Like President Clinton, many other presidents used the authority of the act to establish monuments relatively late in their terms of office. For example, one of President Theodore Roosevelt's proclamations was in the last few hours of his presidency. However, legal scholar John Leshy maintains, "no matter how controversial the initial proclamation—Congress has usually come to embrace these areas as its own within a relatively few years."

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THE 2000 CENSUS showed that Nevada, Arizona, Colorado, and Utah ranked first through fourth, respectively, among the 50 states in percentage of population increase since 1990; New Mexico was twelfth. In the twenty-first century, the Southwest's public lands will increasingly be asked to meet multiple demands. This includes outdoor recreation for these growing populations, as well as traditional uses such as grazing, mining, logging, and hunting. In addition, Native Americans will increasingly seek to influence management decisions on public lands they consider ancestral. In this context of growing, and often conflicting demands, the designation of certain public lands as national monuments is highly significant. What are the implications for the future of Southwestern archaeology?

In the new monuments, large numbers of archaeological sites remain relatively intact in environments with considerable ecological integrity. These qualities are likely to become increasingly rare as urbanization and development fragment the Southwestern landscape. There is, however, exceptional potential for the public to benefit, including new information about the past from archaeological research, opportunities for the public to learn about archaeology, and preservation of sites that are culturally important to Native Americans. These benefits ultimately provide the justification for protecting and managing archaeological sites. Land managers have the daunting task of balancing site protection with delivering these benefits now and into the distant future.

Recreational use will certainly increase in the new monuments, and with it, the threat that sites may be vandalized or "loved to death." Channeling visitors to a few exceptional sites that have been "hardened" in the national park mode seems impractical and inappropriate for most, if not all, the new monuments. Instead, land managers will need to educate visitors about "site etiquette," as well as an area's cultural history. If a critical mass of concerned and informed visitors can be created, the knowledgeable ones will help educate those naive about backcountry site etiquette and will constrain or report the few malicious ones bent on causing damage. Volunteer site stewards and a program of training and licensing backcountry trip providers can also help multiply the efforts of agency personnel. The Bureau of Land Management (BLM) has shown national leadership in archaeological education and public outreach, and thus, is well positioned to carry out such strategies.

What should be the role of research in these new "archaeological preserves" full of irreplaceable archaeological sites? Should excavation be postponed to some indefinite future when archaeological methods will permit ever greater amounts of information to be obtained from ever smaller holes in the ground? While once I might have supported such policies, I have learned over the years that things are not this simple. Archaeological research does more than satisfy the curiosity of a few archaeologists—it provides a flow of information that maintains public interest in archaeology. Research moratoriums eventually create informational "black holes" and undermine a major justification for protecting sites in the first place. Furthermore, over the past 30 years, archaeologists have developed sophisticated field techniques and sampling designs that allow them to acquire a great deal of evidence from excavating only a tiny percentage of a site. Of course, research projects in the monuments must be well-justified and carefully designed, but the public educational and scientific goals expressed in the Antiquities Act require research to continue.

In implementing management plans that respond to multiple values and interests, the BLM has extraordinary opportunities and challenges. All of us who care about the archaeological component of the new monuments need to let the agency know our concerns. We must also work to ensure that those charged with managing the archaeological resources have the financial, administrative, and moral support required to get the job done properly.