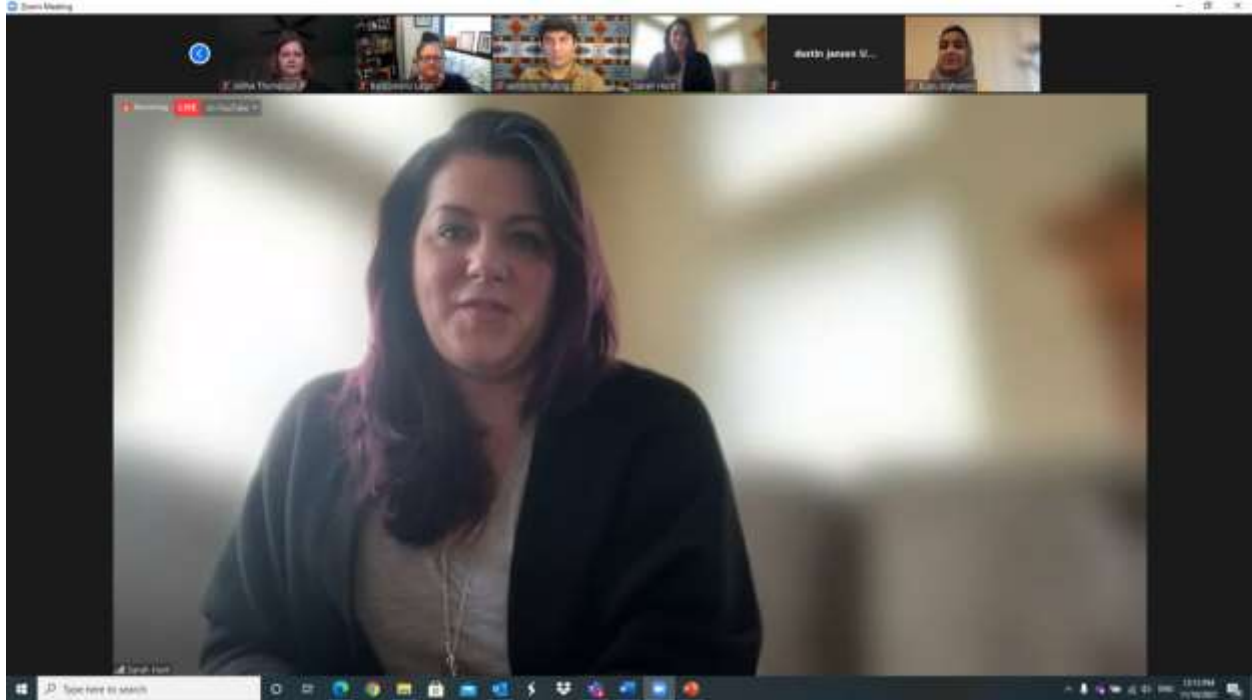


Bears Ears National Monument

On the 10th of November 2021 the Utah International Mountain Forum (UIMF), a coalition of student clubs at Utah Valley University hosted a virtual roundtable event discussing the issue of the Bears Ears National Monument which recently has had its boundaries restored by President Joseph Biden. Amongst the students hosting the event and interested members of the community, there were two main panelists.



Sarah E. Hunt, the CEO and President of the Joseph Rainey Center for Public Policy speaks during the event

The first speaker was the CEO and President of the Joseph Rainey Center for Public Policy, Sarah E. Hunt. Hunt started off by defining and clarifying the differences between a national park and a national monument. The size is one factor of determining which is classified as which but one of the main legal issues involves who maintains the area and who receives the royalties generated, the state of Utah or the Federal Government. This leads to the issue of the costs to the state being more than desired for a responsibility imposed on them by the Federal Government.

Hunt continues by offering a compromise to the area citing the benefits of clean energy through nuclear power. Bears Ears contains a good source of uranium that could be used to create carbon free energy. Hunt acknowledges the need to balance the human need of preserving the area and the need for the nation to find avenues to switch to clean energy.

Hunt finishes by addressing the lack of clarity concerning the actual power given to the President of the United States through the Antiquities Act. To what extent can a President create a national monument? Does the President have power to remove a national monument or is that reserved to Congress? Should the Federal Government control the lands or the State and how

will all this affect the future of our parks and monuments? Hunt believes that most favor the expansion of the monument but the issue has begun to become too political.



Dustin Jansen, assistant professor of American Indian Studies at the Utah Valley University speaks during the event

Our second speaker was the current assistant professor of American Indian Studies at the Utah Valley University, a tribal court judge for the Confederated Tribes of the Goshute, and the Director of the Utah Division of Indian Affairs, Dustin Jansen. Jansen had originally prepared a slideshow presentation in order to showcase and summarize the history and current state of the Bears Ears National Monument. The land has sacred significance to the Native Americans of the area. There are practical uses that the land offers to local peoples, such as having needed medicinal herbs, as well as containing a rich source of heritage, culture, and archeological knowledge. Yet a less understood importance often gets looked over. Jansen explains that Native American religion is land-based religion. Certain practices, ceremonies, and rites are based on a geographical location or simply cannot be done elsewhere. Land ownership is alien and not always the best viewpoint of usage. The land cannot be best utilized except through respect and responsible stewardship. Boundaries are still a foreign concept to most non-Westphalian cultures in the world. Should the job of responsibility fall to the President or to the local people?

Jansen briefly reviews the role of the Government and Congress' power to create national parks as well as the power granted by the Antiquities Act. He quotes the first female president of the Cherokee Nation who stated that "public perception creates public policy". Looking at how laws affect certain peoples can show the public perception of those people. In our Nation's history Native lands were limited to the point that needed resources became unobtainable or compromised. Lands were taken and then sold. Up until recent times have Natives been pressured or forced to assimilate and many have been sent to boarding school to be reeducated. From savages to minorities these policies in our history show the perception habits of the

Government and we the people, even if unintended. This perception has unfortunately limited the ability for the current nation to understand concepts such as the lens of land-based religion. As pertaining to the national monuments in question, the American Nation has established itself as a rights society rather than a responsibility society.

Once both speakers had shared what they prepared the roundtable was opened up to questions. The first question involved asking who the correct person is to make a decision involving Bears Ears. Jansen addressed this question by reaffirming that the Federal Government has the authority to decide what happens according to the Constitution and adding that the issue involves the fact that most sacred sites for Natives are actually off of Native Reservations and on Federal lands.

Hunt answers the next question asking if there are other trust-like relationships in the country similar to the relationship of the Federal Government to Native American Tribes. Relationships vary from State to State and county to county. She adds that much can be learned and trust rebuilt by recognizing what our values in our Constitution say as well as understanding what the values of other cultures “that we should learn to appreciate” say.

Jansen answers a question asked about the preservation of the Bears Ears Monument concerning looting, overgrazing, and other abuses. He then mentions one more factor concerning the relationship of the Federal Government and the Native Tribes, clarifying that the relationship is not based on race but rather because of their status as a sovereign political entity.



Contributors and participants of the event

A last question about the role of the 10th Amendment to the constitution is then addressed by Hunt. There is clear authority granted to the President to create protected lands but the power to reduce or resend the national monument designation is less clear yet is still left to the Federal Government by the Constitution.

The hope of the Utah International Mountain Forum for this roundtable is to raise awareness of the issues pertaining to the Bears Ears National Monument and encourage active study and participation in happenings of our own backyards in order to fulfill our responsibilities as citizens of this great country, this beautiful world, and as members of the human family.

Anthony Campbell, UVU student