

# **LEGAL PERSPECTIVES ON CULTURAL RESOURCES**

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EDITED BY  
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# Legal Perspectives On Cultural Resources Heritage Resource Management Series

**National Trust for Historic  
Preservation**



## **Legal Perspectives On Cultural Resources Heritage Resource Management Series:**

*Legal Perspectives on Cultural Resources* Jennifer R. Richman, Marion Forsyth, 2004 Today's archaeologists and law practitioners must have an increased awareness of legal issues pertaining to historic preservation and cultural resource management CRM Archaeological sites and finds are non renewable resources inciting numerous legal debates based upon claims of legitimacy and ownership In this edited volume of original articles law professionals and legal scholars offer their perspectives on current debates for the heritage community giving multiple viewpoints and injecting historical depth to contemporary legal controversies The contributions focus on three key issues Enforcement and Preservation International Issues and Repatriation in which insights are given on topics such as underwater cultural heritage global trade and export illegal trafficking of antiquities domestic law enforcement and indigenous people's legal rights Famous cases such as the Elgin Marbles and the Kennewick Man as well as laws such as NAGPRA and McClain doctrine are discussed at length This book will be an indispensable resource to CRM practitioners cultural property attorneys archaeologists community heritage groups tribes museums and galleries or anyone interested in the preservation of American and global cultural heritage

*Cultural Resource Laws and Practice* Thomas F. King, 2004 Renowned cultural resource management consultant Thomas F. King demystifies this web of regulations surrounding this field providing frank practical advice on how to ensure regulatory compliance in dealing with archaeological sites historic buildings urban districts sacred sites and objects shipwrecks and archives In this new edition King reports on changes in cultural resource laws regulations and executive orders in the past five years and adds material on Section 106 review NEPA and the Preserve America executive order

**Cultural Resource Laws and Practice** Thomas F. King, 2008-06-13 Thomas King brings this important work up to date taking a new look at cultural resource laws historic preservation archaeological fieldwork the environment tribal government and agency management

**Presenting Archaeology in Court** Marion Forsyth, Sherry Hutt, David Tarler, 2006 The passage of the Archaeological Resources Protection Act ARPA in 1979 was a watershed moment in the movement to protect cultural objects against looting This brief volume provides practical help to those who wish to use the provisions of ARPA\_ archaeologists government land managers preservation groups and attorneys\_ to maximize its protective net The distinguished group of authors all veterans of ARPA enforcement efforts first provides a comprehensive history of passage of the law and highlights some key cases that shaped its impact Other chapters offer concrete instructions on establishing archaeological valuation and assessing damage to cultural sites A final section provides a menu of legal strategies now available for use to strengthen and extend the provisions of the law For cultural resource professionals working under ARPA's provisions this book will be an invaluable guide for daily practice

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Donald L. Hardesty, Barbara J. Little, 2009-03-16 Assessing Site Significance is an invaluable resource for archaeologists and others who need guidance in determining whether sites are eligible for listing in the National Register of Historic Places NRHP Because the register's eligibility criteria were largely developed for standing sites it is difficult to know in any particular case whether a site known primarily through archaeological work has sufficient historical significance to be listed Hardesty and Little address these challenges describing how to file for NRHP eligibility and how to determine the historical significance of archaeological properties This second edition brings everything up to date and includes new material on 17th and 18th century sites traditional cultural properties shipwrecks Japanese internment camps and military properties New Perspectives in Cultural Resource Management Francis P. McManamon, 2017-09-14 New Perspectives in Cultural Resource Management describes the historic developments current challenges and future opportunities presented by contemporary Cultural Resource Management CRM CRM is a substantial aspect of archaeology history historical architecture historical preservation and public policy in the US and other countries Chapter authors are innovators and leaders in the development and contemporary practice of CRM Collectively they have conducted thousands of investigations and managed programs at local state tribal and national levels The chapters provide perspectives on the methods policies and procedures of historical and contemporary CRM Recommendations are provided on current practices likely to be effective in the coming decades

The National Historic Preservation Act Kimball M. Banks, Ann M. Scott, 2016-04-20 Assessing fifty years of the National Historic Preservation Act NHPA passed in 1966 this volume examines the impact of this key piece of legislation on heritage practices in the United States The editors and contributing authors summarize how we approached compliance in the past how we approach it now and how we may approach it in the future This volume presents how federal state tribal entities and contractors in different regions address compliance issues examines half a century of changes in the level of inventory evaluation and mitigation practices and determinations of eligibility describes how the federal and state agencies have changed their approach over half a century the Act is examined from the Federal SHPO THPO Advisory Council and regional perspectives Using case studies authored by well known heritage professionals based in universities private practice tribes and government this volume provides a critical and constructive examination of the NHPA and its future prospects Archaeology students and scholars as well heritage professionals should find this book of interest **Heritage Planning**

Harold Kalman, Marcus R. Létourneau, 2020-11-29 This new and substantially revised edition of *Heritage Planning Principles and Process* offers an extensive overview of the burgeoning fields of heritage planning and conservation Positioning professional practice within its broader applied and theoretical contexts the authors provide a firm foundation for understanding the principles history evolution debates and tools that inform heritage planning while also demonstrating how to effectively enact these processes Few published works focus on the practice of heritage planning The first edition of this book was developed to fill this gap and this second edition builds upon it The book has been expanded in scope to incorporate new research and approaches as well as a wide range of international case studies New themes reflect the emerging recognition that sustainability climate resilience human rights social justice and reconciliation are fundamental to the future of planning *Heritage Planning* is indispensable reading not only for professionals who transform the built environment but for anyone who wants to understand the ideas and practices of heritage planning and conservation For the benefit of student readers twelve chapters designed to accommodate the academic semester are augmented with concise summaries key terms and definitions questions and learning objectives      *Tribal Cultural Resource Management* Darby C. Stapp, Michael S.

Burney, Robert Whitlam, 2002-10-23 The entrance of Native Americans into the world of cultural resource management is forcing a change in the traditional paradigms that have guided archaeologists anthropologists and other CRM professionals This book examines these developments from tribal perspectives and articulates native views on the identification of cultural resources how they should be handled and by whom and what their meaning is in contemporary life Sponsored by the Heritage Resources Management Program University of Nevada Reno      *Ring of Fire, Resource Management Plan* , 2005

**Theory and Perspective** Chun Chen, 2025-05-05 This book draws attention to the importance of theoretical problems in archaeological research in China At present Chinese archaeology has adopted the traditional culture historical paradigm with research themes has mainly focused on chronology and cultural relationships The lack of training at theoretical thinking and scientific methods such as positivist methods and logical reasoning it has become difficult to reconstruct the processes of human behavior and social change with rigorous steps of looking at people behind the artifacts As a response to this situation this book discusses various problems that bother Chinese archaeologists in terms of the advances of archaeological theories and methods This book emphasizes the importance for theoretical guidance and problem awareness in archaeological research while illustrates this scientific philosophy with diversified case studies The purpose of this volume is trying to summarize the history and practice of Chinese archaeology in the global context It will greatly broaden the perspective of researchers all over the world with an insight into this particular practice and can also serve as a comprehensive reference work in the field of Chinese archaeology      **Heritage Resources Law** National Trust for Historic Preservation, 1999-01-20 A comprehensive reference for the growing field of environmental law this important legal primer defines and interprets the statutes and federal policies that protect archeological resources in land and water environments      *First Nations Cultural*

*Heritage and Law* Catherine Bell, Val Napoleon, 2009-01-01 First Nations Cultural Heritage and Law explores First Nations perspectives on cultural heritage and issues of reform within and beyond Western law Written in collaboration with First Nation partners it contains seven case studies featuring indigenous concepts legal orders and encounters with legislation and negotiations a national review essay three chapters reflecting on major themes and a self reflective critique on the challenges of collaborative and intercultural research Although the volume draws on specific First Nation experiences it covers a wide range of topics of concern to Inuit Metis and other indigenous peoples      **Archaeological Heritage Management** Henry Cleere, 2020-11-25 This book results from discussions at the 1982 World Archaeological Congress on Public Archaeology and Cultural Resource Management It brings to everyone's notice the common need of a coherent well planned response to the potentially destructive threats of development and tourism to archaeology      **CRM Bulletin** United States. National Park Service. Cultural Resources Management Division, 1994      *Archaeological Heritage Management in the Modern World* Henry Cleere, 2012-11-12 Representing the latest thinking in this fast moving and often emotive field this book offers a remarkably comprehensive international coverage of the public aspects of archaeology The process of survey and inventory rescue and archaeology conservation and protection have until now been studied largely on the basis of individual countries and their administrative and legislative structures Now by virtue of its broad geographical coverage this volume provides many rights and guidelines not hitherto brought into focus the history and philosophy of archaeological heritage management case studies regional national and specialised and the training and qualification of archaeologists for heritage management This book is essential reading for all students researchers and practitioners concerned with archaeological heritage management public administration and the legal community whose work involves archaeological issues      A Companion to Cultural Resource Management Thomas F. King, 2011-03-29 A Companion to Cultural Resource Management is an essential guide to those wishing to gain a deeper understanding of CRM and heritage management Expert contributors share their knowledge and illustrate CRM's practice and scope as well as the core issues and realities in preserving cultural heritages worldwide Edited by one of the world's leading experts in the field of cultural resource management with contributions by a wide range of experts including archaeologists architectural historians museum curators historians and representatives of affected groups Offers a broad view of cultural resource management that includes archaeological sites cultural landscapes historic structures shipwrecks scientific and technological sites and objects as well as intangible resources such as language religion and cultural values Highlights the realities that face CRM practitioners on the ground

Practical Heritage Management Scott F. Anfinson, 2018-09-13 Scott Anfinson's Practical Heritage Management provides a comprehensive overview of American cultural resource management CRM and historic preservation It is a textbook designed for all levels of students in archaeology history and architecture departments The format follows the logical progression of a semester course with each of the 14 chapters designed as the primary reading for each week in a semester

The book provides a detailed overview of the structure historic background important laws and important governmental and professional players in the various American heritage management systems federal state local private Features include End of chapter review questions and suggested readings Glossary List of acronyms A comprehensive chronology of American heritage management

**Area Studies (Regional Sustainable Development Review) Brazil** Luis Enrique Sanchez, 2009-12-30 Area Studies Brazil Regional Sustainable Development Review is a component of Encyclopedia of Area Studies Regional Sustainable Development Review in the global Encyclopedia of Life Support Systems EOLSS which is an integrated compendium of twenty one Encyclopedias This volume reviews initiatives and activities towards sustainable development in Brazil such as Perspectives on Sustainable Development in Brazil Demographic Dynamics and Sustainability in Brazil The Impacts of Industrial Development in Brazil Archeological Heritage and Cultural Resources in Brazil Women s Perspectives On Sustainable Development In Brazil Education Public Awareness and Training Processes for Sustainability in Brazil from history to perspectives Implementation of the Convention on Biological Diversity in Brazil Integrating the Environment and Development in the Decision Making Process Territorial Settlement Regional Development and Environmental Problems in the Brazilian Midwest Fragile Ecosystem The Brazilian Pantanal Wetland Although these presentations are with specific referenceto Brazil they provide potentially useful lessons for other regions as well This volume is aimed at the following five major target audiences University and College students Educators Professional practitioners Research personnel and Policy analysts managers and decision makers and NGOs

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