



Thomas F. King. *Our Unprotected Heritage: Whitewashing the Destruction of our Cultural and Natural Treasures.* Walnut Creek: Left Coast Press, 2009. 200 pp. \$79.00 (cloth), ISBN 978-1-59874-380-7; \$24.95 (paper), ISBN 978-1-59874-381-4.



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Impermeability, Inadequacy, and Bureaucracy: The Problems with Historic, Cultural, and Environmental Resource Protection in the United States

In *Our Unprotected Heritage*, Thomas P. King sets out to explain the problems inherent in the current system of American heritage laws, most notably the National Environmental Protection Act (NEPA) and National Historic Preservation Act (NHPA). According to King, these laws were supposed to protect natural and cultural heritage in the environment—the places and things we citizens cherish—from thoughtless desecration, but they have been co-opted and subjugated to the point of virtual ineffectiveness by bureaucratic procedures and business interests (p. 13). As an archaeologist, avid author, and long-time advocate for natural, cultural, and historic preservation, King is well versed in the subject, for he learned how to navigate these laws at the ground level as a consultant in several related cases. His commentary expresses a lifetime of frustration with heritage protection in the United States, but often lacks a balanced treatment of the subjects and their participants. This book is not intended to contribute new insights to the field of cultural resource management and environment protection.

Rather, King envisions it as more of an educational tool to identify the flaws of the federal government's existing process and offer suggestions for how to improve the entire system.

King begins with an explanation of some of the laws, regulations, agencies, and terms that he uses throughout the book. He creates a simple distinction among laws: "bright green" environmental laws like the Clean Air Act, Clean Water Act, and CERCLA or Superfund, all possess "rigid standards and external enforcement systems." By contrast, "light green" environmental laws are far less stringent and generally do not carry penalties for violations (pp. 11-12). King views the NEPA and NHPA as examples of "light green" laws, which are far more subjective and open to interpretation at the discretion of the project reviewer or supervising agency. As such, they are often manipulated, poorly applied, or ignored altogether. In addition, a number of external factors affect the force and style with which they are carried out, including presidential administrations, political climates, corporate in-

fluence, and economic imperatives.

King lists the main problems with the heritage lawsâ administration in the first chapter and elaborates upon specific defects in the following six. He argues that environmental impacts assessments (EIA) and cultural resource management (CRM) studies have become little more than a formality in the process of project review and approval, instead of a balanced analysis of potential problems and solutions. Project proponents hire consultants to complete these studies and these consultants are obliged to work in the best interest of their clients to ensure project approval. As a result, EIA and CRM studies are often one-sided and riddled with specialized language and complex requirements. Ordinary citizens are alienated from the process because of its intricacies. Last, the statutes encourage the supervising agencies and project proponents to âconsiderâ the negative impacts, but these do not have to be adopted or implemented. Therefore, the âheritage lawsâ have strong objectives in theory, but they are largely ineffectual in practice.

For example, the reliance on both narrow or broad definitions of words and phrases, like âhistoric propertyâ or âadverse effects,â reduces the legislationâs noble goals down to details and semantics. Project analysts consider the impact on individual historic or archaeological sites, but not the broader effects of projects and âoverall patterns of incremental, accumulating changeâ on entire cultural landscapes (pp. 39-41). These piecemeal protection plans have led to fragmentation of significant cultural resources and the âjuggernaut of developmentâ to become âimmune to thoughtful guidanceâ (p. 86). King says that these actions are not malicious, but he suggests ignorance and resistance to change may play a role in them (p. 69).

King charts many cases, notably the proposed railroad construction in Abâ³ Pass, New Mexico, the pollution of the Topock Maze in California, the Land Between the Lakes area in the Tennessee Valley, and the Skokomish Tribeâs impounded land. His experience as a consultant in these cases is important to the narrative, yet it can confuse it, too, for the author has strong feelings that color his objectivity (pp. 63, 95-96, 122). King makes very strong claims about the negligence of federal agencies, like the Environmental Protection Agency, the Army Corps of Engineers, and the Bureau of Land Management, but some of these are distracting and not supported by evidence. His sources and examples vaguely allude to Kingâs main points, but do not lay bare the facts. Although some of these instances may be accurate, they

are more likely to confuse readers seeking an objective understanding of the issues.

Kingâs final analysis of the problems and his suggestions for solutions seem obvious, but they are difficult to achieve. Building upon Lynton K. Caldwellâs seven âalternatives to strengthen NEPA,â King explains that the language of the statutes requires clarification and the supervising agencies must have legitimate authority for enforcement (pp. 143-144). He also believes citizen attitudes have to change in order to influence government officials and initiate a reprioritization of heritage protection. Changing cultural values is the solution, but it is unrealistic. Most importantly, though, King calls for more public participation, which he views as âfundamental to efficient, effective decision-making (p. 111), but stresses that the conversation should be engaged rather than a generic public comment (p. 27).

Many scholars of public policy point to public participation as the Holy Grail of community-based decision-making. Public participation is an excellent example of community involvement and democracy at work, but it does not always yield the most beneficial environmental outcome. King and others seem to believe that local residents will always work to protect their cultural heritage and environment. This assumption, however, disregards the fact that many citizens are apt to support policies that seriously damage the environment and threaten environmental protection initiatives in return for promises of âjobsâ and âeconomic development.â Local politicians are also willing to sacrifice environmental quality in order to secure their areaâs business and economic growth. One need only examine the Adirondack Park in northern New York State, to notice a stable and well-developed system of public participation in which local citizens frequently support reductions in environmental protection because of a host of other complex social and cultural issues.[1] King emphasizes the âscorn for environmental protection and federal regulationâ during recent Republican administrations, yet he overlooks the prevalence of anti-environmental attitudes among Americans from all political convictions (p. 21). Thus, while local residents should be actively engaged in the process, the government is ultimately responsible for upholding historic, cultural, and environmental integrity in their final decisions, even if the public desires otherwise.

With Left Coast Press as his publisher, King undoubtedly retained a great deal of freedom to voice his opinions and assertions. King is openly critical of the current guidelines for heritage protection, and at times, his tone

becomes exceedingly sarcastic, to the point of comedy. In the first few pages, he asserts that the United States is âspending lots of money on mere public relations efforts, slathering the lipstick of environmental responsibility on the pigs of ill-considered developmentâ (p. 7). While readers may uncritically accept claims of corporate corruption and bureaucratic ineffectiveness, many of Kingâs stories seem overly exaggerated and anecdotal and limit the argumentâs credibility. The discussion would benefit from a more balanced treatment of the topic. By forcing the issue through overtly biased statements, King may fail to reach readers who are new to the topic. Instead, King has chosen to preach to the choir.

Kingâs dedication to environmental, historic, and cultural preservation is earnest and sincere. In essence, he wants to make Americans aware of the rampant destruction of the nationâs natural and cultural environment at the hands of inadequate protection systems. The reader cannot help but get frustrated by the narrow-mindedness and minutiae of the current system, but King leaves us with little hope for success, short of a revolutionary transformation of cultural values and ideals. His comments about standardizing the process, clarifying regula-

tions and definitions, and creating more agency oversight seem like nothing more than expansions of an already ineffective bureaucracy. And while heritage protection deserves a much higher place on the national agenda, these goals are not viable in the current economic climate. Maintaining the status quo is the easiest and least risky option; for fear that opening up the laws for review will, in fact, weaken them, or change them for the worse (pp. 142-143). Instead of âgenerating fogâ to obscure environmental impacts and deny culturally significant landscapes, agencies should use that energy to analyze projects clearly and honestly (p. 83-84). At present, however, it seems that all roads lead to project approval and government agencies will continue to facilitate development, rather than advocating for real historic, cultural, and environmental protection.

Note

[1]. For more information on local politics in the Adirondack Park, see Barbara McMartin, *Perspectives on the Adirondacks: The Thirty-Year Struggle of People Protecting Their Treasure* (Syracuse: Syracuse University Press, 2002).

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