

In the Eyes of the Beholder: Understanding and Resolving Incompatible Ideologies and Languages in US Environmental and Cultural Laws in Relationship to Navajo Sacred Lands
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Sacred lands are essential to the nationhoods of Native peoples and their survival. In the US, a complex environmental and cultural legislative and regulatory framework governs the indigenous sacred places that are in federal stewardship. Unfortunately, this legal architecture, intended to protect sacred lands, ultimately conflicts with traditional indigenous values relative to land and religious practice, privileges the values of the dominant society, erodes tribal identity and sovereignty, and leaves sacred lands vulnerable to desecration or destruction. I identified specific examples of incompatible concepts and languages in US federal environmental and cultural laws affecting the management of indigenous sacred lands, and explained these examples by describing the management of a selection of Navajo (Diné) sacred places and elsewhere. This critical approach revealed that sacred lands management is another arena of tribal rights and environmental justice in which the postcolonial theory and critical race theory concepts of *incommensurability* and *interest convergence* are operative.

Effective strategies for sacred lands protection and access are those that scrutinize existing law and management practice for incompatible and hegemonic ideologies and languages. Resolving the problem of incompatible ideologies and languages in sacred lands protection law and practice may include integrating traditional indigenous worldviews directly into federal and tribal law. For the Navajo Nation, a uniform sacred lands management policy could be based on a combination of the Navajo philosophy of *hozho*, natural law, tribal law, and federal environmental and cultural resources protection law. More importantly, resolution depends on cultivating a willingness among legislators, public land managers, project proponents, and stakeholders to commit to the practice of fulfilling sacred lands' protection needs according to traditional indigenous philosophies prior to drafting new legislation or implementing negotiations or environmental evaluations mandated in existing US law.

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