Sacred Sites : An Overview

A REPORT FOR THE GAIA FOUNDATION 2007

by
Anthony Thorley and Celia M Gunn

The Gaia Foundation

The Gaia Foundation (Gaia) provides a platform to innovative people and issues, and is committed to strengthening cultural and biological diversity, justice and resilience. We work with outstanding individuals and partner organisations in Africa, South America, Asia and Europe, and our efforts have been recognised by the Schumacher Award, One World Media and the Right Livelihood Fund.

Our work on the protection of sacred sites began in the Colombian rainforest in the 1980s, working with local partner Fundacion Gaia Amazonas and accompanying Amazon indigenous peoples to secure their right to govern and protect their traditional lands. An innovative approach evolved, reviving cultural identity and ecological practices and restoring the vital role of elders and traditional knowledge-holders. Since then, information sharing and learning exchanges organised by The Gaia Foundation have sparked similar activities in Ethiopia, Ghana, Kenya and South Africa, under the umbrella of the African Biodiversity Network, and also with partners in Europe.

This report was commissioned by The Gaia Foundation to provide an overview and summary of documented materials and advances on the protection of sacred sites. We hope it will contribute directly to ongoing discussions and actions amongst those with whom we work, from indigenous and traditional peoples through to civil society groups, media, policy-makers and funders.

This full report of 2007 was refined and developed into an abridged version which was published in 2008 and is available from The Gaia Foundation.

For further information please visit www.gaiafoundation.org

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This report was commissioned by The Gaia Foundation. The views presented here are those of the authors and do not necessarily represent those of The Gaia Foundation and its international partners.

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SUMMARY AND KEY AREAS FOR ACTION

SACRED SITES: AN OVERVIEW

A REPORT FOR THE GAIA FOUNDATION

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PART I

SACRED SITES IN CONTEXT

Defining Sacred Beliefs and Beliefs in Sacredness

- The concept of sacred and the sacred site is examined in both western and indigenous traditions.
- Whilst many sacred sites are based on natural features and can be termed 'sacred natural sites', this report adopts the broader term: sacred site. Sacred sites can be natural, man-influenced or entirely man-made and occur in all cultures throughout history.

The Western Academic Perspective

- Academic views of the sacred landscape are examined and key issues are discussed. The separation of culture and nature in western thinking is contrasted with the indigenous worldview, where man is inseparable from nature and all its active agents. The rise of academic interest in an essentially interconnected world leading to ideas of animism and universal agency is discussed. This seems to herald a coming paradigm shift which challenges current western distinctions between subject and object, mind and body, and culture and nature. These new perceptions may assist western understanding of the role and function of sacred sites.

The Experience of the Sacred

- The tangible and almost palpable special quality when experiencing sacred places is described in a series of accounts spanning hundreds of years and across cultures. Wonder and awe are universal terms used to express its essential mystery.

The Rise and Apparent Demise of the Ley Line

- The rise and apparent demise of the influential concept and phenomenon of the ley line is charted, particularly over the last thirty years. The controversial intangible qualities of ley line energies have been rejected by more rational earth mysteries researchers, and for many, the ley line concept is an illusion of imagination and enthusiasm. Most academics would agree with this. However for other researchers, such as dowsers, alignments (often between sacred sites) carry some form of identifiable energy field even if it is difficult to objectify.

The New Age Movement: an Important Voice for Sacred Sites

- The New Age Movement, in all its disparate forms, tends to embrace the idea of sacred sites as being centres of spiritual and energetic dialogue between man and the landscape. This view of an animistic world, which so matches that of indigenous peoples, may be an important growth point in western culture and thinking.

Sacred Sites and Consciousness Studies

- Sacred sites are alleged to affect human consciousness, and our consciousness appears to affect the quality of the energy of a sacred site. Research in consciousness over the last twenty years, including important work from Princeton University Global Conscious Project, is used to support this observation. The possibility of communication of information-specific consciousness between man and sacred sites and vice versa is discussed, providing important insights about their role and function.

The Place of Pilgrimage

- Pilgrimage, as a universal relationship to sacred sites, is examined as a way in which the dialogue between man and landscape is enriched. Pilgrimage would seem to be a fundamental process which vitalises sacred sites and provides a profound opportunity for individuals to experience personal and spiritual growth.

Sacred Sites: Towards a Deeper Meaning

- The deeper meaning and significance of sacred sites is examined against a background of increasing world awareness and zeitgeist. Patrick Curry's idea of Ecocentric Spirituality is introduced, and Martin Gray's analysis of a rising socio-cultural phenomenon: eco-spiritual consciousness. As each of us wakens to a fuller knowledge of the universality of life, we in turn further empower the global field of consciousness.

Some Classifications of Sacred Sites

- A range of classifications of sacred sites from western researchers and indigenous peoples is examined showing the wide application of the concept of sacred site in terms of both place and social and spiritual function.

Towards a Working Definition of Sacred Site

- The authors of this report propose an operational definition of sacred site which it is hoped might assist networking and international dialogue.

PART II

PROTECTING SACRED SITES

Is there a Rationale for Protection?

- Starting from the premise that there is no absolute right to the protection and conservation of sacred sites, the various bases for creating a rationale for protection are systematically examined against ideas of cultural heritage, cultural diversity and survival, and biodiversity. Through insights, including Curry's Ecocentric Spirituality, it is argued that protection of sacred sites needs to recognise the centrality of the spiritual and its part in sustaining the absolute interconnectedness of the Earth and all its life. Hence a spiritual dialogue becomes the fundamental rationale for attempting to protect all sacred sites and this endeavour is central to supporting the natural (man-included) processes of Earth's potential survival.

Protecting Sites of Cultural Heritage

- The development of the principles and processes of conserving and protecting cultural heritage is surveyed over the last thirty years, with special regard for the role of UNESCO's World Heritage Convention. Its adoption of the concept of Cultural Landscape and the related Associative Cultural Landscape has helped to recognise the conservation potential of sacred landscapes identified only through belief and non-tangible values.

Sacred Natural Sites and Biodiversity: the International Response

- The relationship between sacred natural sites, cultural survival and biodiversity as a major link for overall environmental conservation strategies is surveyed, particularly through the work of the IUCN (World Conservation Union). The work of the IUCN/WCPA Task Force on Cultural and Spiritual Values has drawn up important draft guidelines on the conservation and management of sacred natural sites, annexed in this report. The development through the Convention for Biological Diversity (CBD) of the important Akwe:kon Voluntary Guidelines on biological and cultural impact assessment is noted along with other key international policy and advisory documents.

The Rise of the Indigenous Voice

- The rise of the international voice of indigenous peoples is surveyed against the background of sacred site protection. Examples of historical and contemporary problems of indigenous groups' ability to protect traditional lands and sacred sites are presented and discussed. The important passage of the new UN Declaration on the Rights of Indigenous Peoples from 1994 to its ratification in 2007 by the UN General Assembly is charted and its references to the protection of sacred sites are critically explored. It is argued that indigenous and traditional peoples working at the grassroots remain the key players in advancing sacred site protection.

Some Key Representative International Agencies and NGOs

- A sense of the wide variety of agencies and organisations at the international level involved directly with sacred sites protection is reflected in a brief survey of representative agencies providing differing but complementary functions. We note in particular the work of The Delos Initiative, The Global Heritage Fund, the Rigoberta Menchu Tum Foundation, the International Indian Treaty Council, Sacred Sites International, the Sacred Land Film Project and Yachay Wasi. Many others at international, national and local levels are listed in our Provisional Directory of Organisations Concerned with the Protection of Sacred Sites.

Sacred Sites Protection: Judicial and Political Issues

- In this section we concentrate on legal and political issues applying to sacred sites protection involving indigenous peoples in a majority culture setting, noting that the legal system and its own culture of settling disputes is often less than adequate in taking into account indigenous peoples' concepts. We analyse in particular: differing views of time and the law, the special relationship with the land, and differing views of the concept of sacred.

Key Issues with Legal and Political Import

- The following issues, highlighted in the IUCN/WPCA guidelines on sacred natural sites, are presented as all are relevant in legal and political disputes: Multiple Stakeholders; Visitor Pressure and Access; Culturally Sensitive Activities; Development Pressure; Environmental Pressure; Buffering; Ownership; Political Access; Economic Considerations; Seasonal Differences; Conflicting Jurisdictions and Integrated Approaches to Management; Different Ways of Knowing; Historically Sacred Sites no longer associated with Traditional Custodians.

Sacred Sites in Court: a Series of Lessons to Learn

- A series of landmark cases are described and discussed from Australia, New Zealand, Canada and the USA to illustrate nation-specific and more general issues which apply when using legislation and political processes to protect sacred sites. The strengths and shortcomings of these cases in all four countries raise issues about longstanding historical and cultural differences between majority cultures and embedded indigenous peoples.

Total Heritage Protection or Informed Voluntarism?

- Following Michael J Brown's ideas, we discuss the tensions between Total Heritage Protection, which creates a clamour for rights and protective legislation for indigenous cultural property issues, and Informed Voluntarism, which recognises a pluralist society and seeks to resolve sacred site disputes through informed and mutually respectful negotiation of all interested parties. We argue that neither approach can work in the total absence of the other but that good Informed Voluntarism may be essential for the long term management of sacred sites.

PART III

PROTECTING SACRED SITES: THE WAY FORWARD

A Basic Thematic Conclusion

- Taking into account the challenges of our Terms of Reference and the preceding review, a basic thematic conclusion is proposed: that it is necessary to acknowledge that there is a generic basis for all types of sacred sites in all cultures, past and present. The common factor is a fundamental association with spiritual belief and observance.
- The ecocentric view of a sensuous pluralist Earth is to acknowledge its wonder, enchantment and essential sacredness. The landscape nourishes us and provides the basis for our spiritual needs through its numinous wonder. But also, through our awareness of the sacredness and focus at sacred sites through our spiritual practices, we are able to nourish and support the totality of the sensuous landscape. This is the basis of Ecocentric Spirituality, a view congruent with the traditions and beliefs of most indigenous peoples.
- This view of the wonder of sensuous Earth means that attempting to protect and conserve *all* sacred sites, not only because of cultural heritage, biodiversity or cultural diversity and survival, but simply in their own right as spiritual foci, is compelling if not mandatory. To pursue this action is to better address wider conservation issues fundamental to our participation in the natural processes of Earth's survival.

Identifying Good Practice and the Main Players in the Field

- The problems of identifying through a website survey limited by time and the lack of more detailed enquiry and dialogue, clear examples of good practice and the main players in the field are discussed. A few apparent examples of good practice are discussed and material reflecting some of these is presented in the Annexes. Similarly, a number of agencies and organisations are described and identified for further networking initiatives.

The Challenge of Effective Networking

- Effective future networking with agencies and individuals raises fundamental questions. What are we setting up a network to agree to, and what are we expecting the network to achieve? Should the network be primarily linked to indigenous peoples and sacred natural sites, or should it have a wider remit unifying all concerns about protecting all forms of sacred site? Or might there be two streams of networking, with careful coordination and links being maintained? These ideas need to be informed by more work and the direct input of Gaia Foundation policy.

An Overview of Key Issues and Strategies

- ‘We are the land and the land is us’ as a concept of fundamental man/land unity is presented in contrast to corporate commodification interests which separate nature and culture.
- Strengthening human rights of indigenous and traditional peoples, especially in countries where the settler nation is the dominant culture, is a key issue.
- Emerging new legislation in settler nation countries still barely assists indigenous and traditional groups with protecting their sacred sites.
- Political intervention is potentially a helpful process for site protection but commonly supports commercial and corporate interests.
- Effective negotiation works best when all parties can speak from a position of strength and mutual respect. There is a need for informal negotiation outside the legal process and a framework of legislation which makes such negotiation possible.
- There may be an important potential role for a specialist ombudsperson appointed at national or international level to mediate between parties in disputes over sacred sites.
- The concept of an Earth Community, a community of equal subjects including man, suggests equable legal representation and the concept of Earth Jurisprudence and wild law. These concepts have great potential when applied to the protection of sacred sites.
- Sacred sites for some cultures are seen as key places providing the law of origins: all the basic regulatory issues and cultural wisdom which enables the people of the culture to govern their lives according to the ecosystem from which they have emerged. This natural law or more accurately cultural lore has been completely lost in industrialised societies, to their profound disadvantage in terms of effective sustainable environmental management.
- Earth Community, wild law and sacred sites constitute a trio of related principles which acknowledge both profound ecological and practical interdependence when set against the overarching idea of a sacred cosmos or worldview.
- There is a renaissance of interest and concern for sacred sites in all industrialised cultures, which potentially provides a changing mindset which will be necessary to begin to respond more holistically to the profound challenges in environmental management which lie ahead.
- It may be that, in focussing on the principle of amicable liaison, there will be a growing committed international partnership which will lead to a critical mass of likeminded people and agencies that become part of a major shift of consciousness which profoundly affects the future of sacred sites world-wide.

Concluding Themes and Action Points

- This report has found whilst that sacred lands and sites of indigenous and traditional cultures in both industrialised and 'developing' countries are under threat, a noteworthy change in attitude is gradually beginning to emerge which provides for a more hopeful long-term outlook.
- There is an emerging awareness, increasingly articulated in academic and policy documents, that all sacred sites, in all settings, natural and man-made, act as foci of spiritual belief and expression, something which even in the more secular world is increasingly recognised as part of the basic human condition.
- The example of indigenous peoples apparently living more harmoniously in their sacred lands, and through their spiritual observances and practice maintaining rich biodiversity and cultural coherence, is being increasingly recognised in mainstream industrialised culture as a balance, which through insistent global plundering has virtually been lost.
- There is a need for industrialised culture to rediscover a form of collective spirituality, recognising how culturally isolated its beliefs, which so determinedly separate nature from culture, are from virtually all other indigenous and traditional cultures of the world, in not viewing the Earth and all its manifest life as essentially sacred or enchanted and profoundly interconnected so as to be expressed in ecological balance.
- Taking this view of essential interconnectedness and ecological interdependence places the sacred site as a central issue for recognition and protection, so that it becomes acknowledged as a portal into that wider view of an enchanted or sacred Earth seen as a totality which both sustains man with its wonder and revealed wisdom and knowledge, as man also sustains the land as sacred with collective spiritual dialogue, ceremony and observance.
- At this time of global crisis, a view which recognises the importance of protecting sacred sites and the sacredness of the land has good claim to be central to any sensitive and effective future environmental policy. Translating this from an attractive theoretical insight into a more practical and engaged expression of action is a great challenge for modern thinking and culture.

KEY AREAS FOR ACTION

1. **To raise awareness in all cultures, but particularly in western industrialised cultures, about the importance of sacred sites as foci in the landscape for continuity and maintenance of spiritual expression and nourishment of both society and the land.**
2. **To encourage all peoples, and especially those in industrial cultures, to think in ecocentric holistic terms and to recognise the risks and folly of a continuing and determined anthropocentric approach when relating to the environment.**
3. **To acknowledge that in order to better protect sacred sites, it is necessary for all concerned parties to collaborate and work together as an interdisciplinary alliance across local, national and international boundaries.**

4. **To encourage and support the voice and grassroots contribution of the cultural group using the sacred sites so as to manifest the development of strong local governance and effective environmental management.**
5. **To encourage indigenous and traditional peoples to support each other beyond local, national and international interests so as to strengthen their collaborative voice.**
6. **To begin to develop basic packages of educational and advisory material which can be of assistance to concerned groups in indigenous and traditional cultures, or in industrialised societies, to better protect their sacred sites.**
7. **To explore the feasibility and role of specialist ombudspersons at national and international levels to mediate and advise in multi-stakeholder disputes over sacred sites.**
8. **To encourage interest groups, civil society, NGOs and government departments concerned about protection of sacred sites to make contact with each other and liaise over mutual problems and strengths, so as to build up amicable working alliances and networks.**

Sacred lands is a serious topic. It is of increasing concern to Aboriginal people and also should be of increasing concern to non-Aboriginal people. When our people say, ‘I am the environment, for the land and me are the same’, a lot of non-Indians interpret those statements metaphorically. Philosophically, from a world point of view, non-Indian societies do not live in reality.

Leroy Little Bear at the Sacred Lands Conference, University of Manitoba, 1996

The general attitude in technologically developed countries with respect to natural protected areas is determined by the prevalent positivistic and materialistic outlook of modern science, which has caused a weakening, or even a loss, of the spiritual dimensions of nature, as well as other deep cultural connections related to the immaterial values of natural areas.

The purpose of the Delos Initiative is to identify the pertinence and meaning of sacred natural sites found in the technologically developed world, and to investigate whether and how spiritual values can contribute to the conservation and wise use of significant natural areas, as well as the maintenance of cultural heritage, in this part of the world.

From the General Purpose and Objectives of the Delos Initiative, 2005

What is needed is to encourage and strengthen people’s awareness and appreciation – which already exists, although it is rarely articulated – of the Earth and all its life is sacred, not as an abstract Life, but one which is embodied and embedded in specific relationships, communities and places.

Patrick Curry in Ecological Ethics: an Introduction, 2006

INTRODUCTION

In 2006, the authors of this report were commissioned by The Gaia Foundation to carry out an overview of the world of sacred sites including their conservation and protection. The Terms of Reference, generated in part from an ongoing dialogue with indigenous peoples, were over-arching, radical and a considerable challenge. We have endeavoured to rise to this challenge and provide an overview which we hope will be both informative in its content and stimulating in its analysis.

In researching this material, we discovered the huge, rich and complex world of sacred sites and the mounting world-wide concern for their protection and conservation. Much of this concern, at least as evidenced by internet research, is fairly recent and a large number of projects seem to have found their electronic voice only in the last five years. A main strand of this concern is the pressure on and threats to the sacred lands and sites of indigenous and traditional peoples. It is clear that globalisation and expanding western commodification of the traditional landscape has placed many sacred sites under a terminal threat. However, there is nothing new in this process, as all over the world for the last two hundred years thousands of sacred places have been compromised in this way and many, like rare biological species, have disappeared and become extinct. What appears to be happening now is a realisation at all levels from international agencies to the local community that continued loss of sacred places is no longer acceptable and urgent action at all these levels is needed to facilitate their protection.

However, this urgency is not only evident in the context of traditional and indigenous peoples in developing countries but also present in technologically advanced countries. Here there is concern to acknowledge the significance of ancient sacred places, previous cultures and traditions, and the place of pilgrimage and spiritual practice. Centres of contemporary religious and spiritual observance such as temples and churches are becoming foci of a growing movement of cultural heritage, protection and conservation.

We have found that underlying all this activity is an awareness, increasingly articulated in academic and policy documents, that all sacred sites in all settings, natural and man-made, act as foci of spiritual belief and expression, something which even in our secular western industrialised world is increasingly recognised as part of the basic human condition. The example of indigenous peoples apparently living more harmoniously in their sacred lands and through their spiritual observances maintaining rich biodiversity and cultural coherence is similarly being recognised as a balance which through our insistent global plundering we have virtually lost. Re-discovering a form of collective spirituality and remembering that we are culturally isolated from our indigenous brothers and sisters in not viewing the Earth and all its manifest life as essentially sacred is a theme which emerges strongly out of our survey. Hence the sacred site becomes a central issue, acknowledged as a portal into that wider view of sacred Earth that both sustains us with its wonder as we sustain it with our personal and collective spiritual expression. At this time of global crisis, such a view has good claim to be central to any sensitive and effective future environmental policy. Translating this from an attractive theoretical insight into a more practical and engaged expression is a great challenge for western thinking and culture.

Although many academic sources are freely used in our report, this is not an academic document, as we have needed the freedom to ask questions and speculate more widely than would be possible within the academic confine. We emphasise that all the views expressed and all factual errors are entirely our own, and are not to be seen as the responsibility, opinions or policy of The Gaia Foundation. For both of us, writing this report in both full and abridged versions and preparing the Provisional International Directory on Organisations Concerned with the Protection of Sacred Sites has been a powerful experience and a personal privilege.

OUTLINE TERMS OF REFERENCE

The Christensen Fund, The Gaia Foundation, the Africa Biodiversity Network, the Community Ecological Governance - Global Alliance (CEG-GA) and other agencies and individuals have seen the need for an overview of sacred sites including 'sacred natural sites'. How are these sites understood; who are the key actors and thinkers in the sacred sites field, and what are the range of initiatives, approaches, organisations and networks involved in this work from around the world?

This research will be used as a basis from which to evaluate whether and with whom it would be appropriate to link to strengthen the work on sacred sites, raise the profile of their importance and increase the level and effectiveness of their protection.

Background

The Gaia Foundation has been supporting an inter-cultural dialogue between leaders from the Columbian Amazon Indigenous communities and the African Biodiversity Network for several years. Out of this process, the Community Ecological Governance - Global Alliance was born. This alliance is based on:

- A common concern for the state of the planet, particularly the level of destruction leading to permanent damage to her life support systems already evident. These include species, climate and soils.
- A common observation that the solutions proposed or being implemented do not deal with the root cause of the problem, because they are being generated from the same mindset that created the problem in the first place.
- An understanding that, given that humans have not created or faced this scale of destruction before, a commitment to ongoing reflection and dialogue is necessary to allow a path to open and answers to emerge as they are required.
- A way of building an affectionate alliance that allows the space for indigenous elders with their respect for the active role of their ancestors to participate in the dialogue and to orientate the process. In this way we access a deeper level of thought which goes to the source of the problems that we face.

- An awareness that at the heart of the transformation in thought that is required is a shift from a predominantly human-centred (anthropocentric) view of the world to an Earth-centred (ecocentric) experience of the world. It is considered that actions based on an Earth-centred perspective will lead to the necessary level of change.

The work that can take these issues forward in what is an enormous global task is clearly going to be complex and ongoing for many years, and in this context priorities were identified as follows:

- Reviving Stories of Origin, such as creation myths, as this provides orientation and meaning and the Law of Origin, from which communities learn how to govern their lives according to the requirements of the ecosystem in which they emerged.
- Protecting sacred sites, as these are vital connected points of life force for the planet and they also transform human consciousness.

Already these issues have arisen in the work being done by the Community Ecological Governance - Global Alliance (CEG-GA) in Africa. Every community involved so far in this work identifies sacred sites that they want to protect, both internally by reviving associated practices and externally through stronger legislation and legal recognition.

This has led to the decision to commission an overview of available information on the world of sacred sites, as one of the ways of intensifying this work.

Research Aims

- To provide from the background literature and factual material a working definition of sacred site, which encompasses the 'sacred natural site', and which informs and facilitates this research project.
- To provide an overview of the various ways in which sacred sites and associated features (e.g. ley lines) are understood and the role they play in society, drawing from perspectives from across the world.

- To provide an overview of the related information and knowledge required to respect, protect and animate these sites. This should include details of relevant practices and protocols and how people understand the role of these procedures.
- To describe key actors and thinkers in this world, their background, experience and influence.
- To establish a simple database of the range of initiatives, approaches, organisations and networks involved in this work.
- To recommend who the relevant people and initiatives might be, as a basis from which to build an alliance to strengthen the overall aim of enhancing the knowledge, practices, protection and general awareness of sacred sites and associated features.

METHOD OF WORKING

Much of the background material for the Report was collected from books and academic articles in the possession of the authors. In addition, a major search of relevant sites on the Internet was carried out over a number of months. The title 'Sacred Sites' accesses over ten million sites on the Web and so additional words such as 'management' and 'protection' were introduced in order to focus on the relevant material.

The Web material was collected against general headings in the Terms of Reference, and against International Agencies and initiatives and then against the five geographical continents. All the principal material was printed out and made available for further factual analysis and use in the written report.

A number of agencies were contacted by email for further clarification of role and functions, and similarly a number of recommended personal contacts were followed up for additional information.

The Database entitled 'A Provisional International Directory of Organisations Concerned with the Protection of Sacred Sites' was compiled separately from the same Web and background material, with Website addresses specifically entered to facilitate efficient use and access to the internet.

The material was used to prepare this full report. Following a period of feedback and dialogue with The Gaia Foundation and its partners, this was further refined and developed into an abridged version.

A short working paper has also been prepared on the rationale for developing an operational multicultural definition of sacred site.

PART I

THE SACRED SITE IN CONTEXT

Although this report presents a brief world overview of the sacred site and considers many cultures and religions, it is inevitable that we have to address the question of what constitutes a sacred site and how it relates to a wider consideration of landscape through a western mindset, through the perceptions and traditions of our western European culture. We have to reflect that this is essentially a materialist culture where since the Enlightenment, subject and object, mind and body, religious and secular, and more specifically culture and nature, are essentially seen as separate. This position, whilst perhaps comfortable for us, is often at stark variance to the experience of the sacred and, more significantly, at variance with the world-view of many indigenous peoples who value what we in our culture call 'sacred' in their own unique way. So at the start of this report, we are aware of limitations and shortcomings as we approach our concept of the sacred and the failure that it often reflects when matched against the understanding of indigenous groups. However, the cultural dominance at a world level of our western Cartesian world, especially in terms of the framework of the legislative and political processes which indigenous peoples have to enter into in order to protect their own cultural understanding of the sacred, means that a survey which must necessarily enter into that distinction between the cultures of the west and indigenous peoples has to clearly understand western ideas of sacred landscape and sacred sites in order to be of any assistance in the more effective protection of such sites.

Defining Sacred Beliefs and Beliefs of Sacredness

It is clear that the dominant term 'sacred site' has to be used as the central reference point in this overview, simply because no better term in English has emerged to challenge it. However, the meaning of the word sacred, and even more relevantly the concept of our term sacred, is sorely tested when it is applied to the beliefs and

experiences of ‘sacred sites’ in other cultures. In this section we shall briefly explore some of the difficulties.

Our word ‘sacred’ derives through the legacy of mediaeval Latin from the classical Latin word *sacer.* Although some academic accounts emphasise *sacer* as meaning ‘set apart to or for some religious purpose’, implying some special quality differentiating *sacer* from the normal, there are a number of other meanings of the original Latin which are helpful in understanding how the word sacred has come to be such an umbrella-term in our own language. In Latin, s*acer* has a primary meaning: ‘dedicated or consecrated to a divinity, holy, sacred’ but also a related meaning ‘accursed, execrable, horrible, infamous’ or ‘devoted to a divinity for destruction, forfeited’. Thus immediately the word carries an association with divinity both as a powerful force for injury and destruction, as well as the idea of simply being esteemed or exceptionally acceptable. In addition, the root *sac* is related to the Hittite *saklais*, meaning ‘rite, custom, law’. The root *sa* relates to the Greek word for safe, and the derived Latin word *sanus*, meaning ‘safe, whole or healthy’. This is the same root that gives the Latin word *sanctus*, a ‘saint or holy person’, and *sanctum*, a ‘holy place or sanctuary’. Thus although sacred may seem a relatively simple word in our use of it today, it actually carries a fascinating admixture of meanings which make up its derivation: rite, custom, safe, whole, accursed, horrible, divine destruction, divine presence. The implication is one of power and complexity with perhaps a real touch of unpredictability. Certainly this is how the autonomous and wilful gods of the Classical era were viewed by worshippers, and hence the term sacred does seem to properly represent that unsure world. Today, our use of the word sacred seems to imply a more certain and less uncomfortable paradox, but it may be that the deeper, more complex meaning of sacred, rather lost to us, is actually well-suited to carry some of the rich meaning in indigenous and ancient societies.

On a lighter note, it is surprising how often in publications about the sacred the word is misprinted or misspelled as the word *scared*. Is this a slip-of-the-tongue which unconsciously carries a deep fear of the gods?

In the 1990s, two important academic compilations of the idea of a sacred site or landscape were published, both accounts which contemporary academics recognise as key documents. Our academic survey has been relatively restricted by time and the inaccessibility of much academic material on the internet to non-academic authors, but we have not detected any other major theoretical inputs since these two compilations. The first study, 'Sacred Sites, Sacred Places', published in 1994 and edited by David Carmichael and his colleagues, was a major effort by anthropologists and archaeologists to recognise the importance of sacred sites and sacred landscapes in the lives of contemporary indigenous peoples. The second study, 'Archaeologies of Landscape: Contemporary Perspectives' (1999), edited by Wendy Ashmore and A. Bernard Knapp, surveys the many ways that modern archaeology is confronted by different accounts, models and experiences of landscape by ancient and contemporary peoples. This work is not explicitly about sacred landscape or sacred sites, but through the various papers that are presented, the issue of the sacred comes up again and again so that it forms an important sub-theme to the aspirations of the book. Carol Crumley, one of the contributors, writing a commentary on the book's main themes,

> identifies a pattern echoed throughout this volume: sacred precincts everywhere are modelled on a core set of natural places (mountains, caves, rock outcrops, springs, etc.) and embellished with culturally distinct symbols. These places are considered liminal, tucked between the mundane and the spirit world; they are entry points into another consciousness. The human past and the history of the landscape are always woven together, defining both past and present human relationships.

Carmichael and his colleagues make an attempt at characterising the sacred place in their introduction:

> To say that a specific place is a sacred place is not simply to describe a piece of land, or just locate it in a certain position in the landscape. What is known as a sacred site carries with it a whole range of rules and regulations regarding people's behaviour in relation to it, and implies a set of beliefs to do with the non-empirical world, often in relation to the spirits of the ancestors, as well as more remote or powerful gods or spirits.

These two statements draw into focus an important insight into all sacred sites, that is that whilst they are often natural landscape features they are also often 'embellished with culturally distinct symbols' or carry 'a whole range of rules and regulations regarding people's behaviour' and so represent a fusion between the natural and human involvement or modification. Hence the term 'natural sacred site', which has become strongly associated with the sacred lands of indigenous peoples and is used to ostensibly distinguish between a cathedral and a rocky outcrop, becomes rather limiting and difficult to sustain, and will not be used as the core concept of sacred site pursued in this report. Although there are some man-built sacred sites that do not originate in a 'natural' feature, such as churches and temples, many do. We remember that Chartres Cathedral is built over a natural spring and an ancient grotto, and the Great Pyramid of Giza sits on a natural outcrop of limestone which is now invisible. Similarly, Georgian Bath, a listed World Heritage Site, is founded upon the sacred hot springs, but as Anthony Thorley has shown, is also a consciously contrived Masonic city-design so extending a focussed natural sacred site into a much wider ritual sacred landscape.

Jane Hubert in an important paper in 'Sacred Sites, Sacred Places', entitled 'Sacred Beliefs and Beliefs in Sacredness', questions the use of our word sacred in its application to indigenous peoples. She writes:

> Even if we can define it [sacred] in our own language, to what extent is the word an adequate translation of the word or words that denote unfamiliar concepts in other cultures and religions?...How far is it possible to translate, from one language to another, words that denote concepts that do not precisely – or even imprecisely – match?

She instances the problems of matching our word sacred to the Maori term of *waahi tapu* meaning 'sacred place' (see page 69 in this report), as our 'modern translation of *tapu* as "sacred" fails to capture its true essence, for the deep spiritual value of *waahi tapu* transcends mere sacredness'. Also she points out that there are even greater complications, for even within Maori society there are different definitions and classifications, and each tribe or subtribe has their own definition of *waahi tapu* which is valid only to them. Apparently, no tribe, subtribe or extended family would be so presumptuous as to define *waahi tapu* for another group.

If this kind of finding (surely not confined to Maori culture but potentially present in other indigenous cultures) strains the meaning of sacred, a further complication is that the use of specific sites as things pinpointed on a map does not always accord with how indigenous peoples use the same term. In Australia

> [w]hite people generally would think of sites as things that can be pinpointed on a map. A site can be distinguished from its surroundings, just as the eyes of a potato can be distinguished from the rest of the vegetable. Yet Aboriginal use is often less exact. The same word, for example, may function as the name of a clearly identifiable feature of the landscape and of a more or less extensive area in which that feature is located.

Jane Hubert goes on to ask,

> [i]s it, in fact, possible for people who have different religious beliefs really to believe in the sacredness of the sites or objects that are part of another religion? What do we mean when we say that we believe in the sacredness of someone else's site? How far can we really believe in the sacredness of sites which relate to beliefs we do not share? If we treat something as sacred, is that enough?...Can we say that something is sacred to someone else but not to us? Is not that the same as saying that it is not sacred? Could it be, on the other hand, that what is sacred to one person is in essence sacred?

This fundamental questioning is important as a corrective to the assumptions made by anthropologists and archaeologists previously but inevitably caught up in the eurocentric Christian colonial model of observation and interpretation of indigenous cultures. Hubert reminds us that Christianity has in general lost any concept of sacredness of the land. The Christian God may be everywhere, but in a secularised society, the sacred place may be restricted to the consecrated site of the church or cathedral, but not spreading out to include the cathedral close or the diocesan boundary. The location of a Christian church is often place-selected by man rather than being founded on a sacred place that pre-exists the building. The worship and liturgy of Christianity (with many honourable exceptions) is not very place-orientated, being more concerned with belief and the idea of the wider concept of 'the Church'. Hubert notes that more and more Christian churches are treated less and less as sacred places. In the past no woman would enter a Christian church without covering her head, but now many women enter church bareheaded. Most significantly, although the Christian church has the concept of consecrated land, it also has its opposite, *deconsecration*, so that church space can lose its sacred connotation when it changes its role into an arts centre or a shopping mall or private dwelling. Deconsecration as a

concept completely acceptable to Christians would be completely meaningless or unacceptable to many indigenous cultures. As Hubert notes, perhaps our experience and acceptance of deconsecration is one of the reasons that archaeologists and developers find it so hard to understand the reactions of indigenous peoples to the desecration of their sacred lands.

Another issue is the range of influence and significance of 'sacred' in a whole society. In a Christian society, the sacred is confined to religious activity which tends to be centred round church attendance, and there is little wider influence in the rest of society's activities. However, in many indigenous societies, the concept of sacred is not confined to one restricted area of life but is manifested much more widely and permeates all areas of life. Thus in the context of a wider relationship between sacred sites and people's customs and behaviour, the sites may exist to define and prohibit behaviour which occurs in many settings away from the sacred place. Sacred sites may be associated with Gods or spirits who may protect and assist, but as Jane Hubert reminds us, they can also punish and destroy, and therefore there is always some danger of offending a deity, who may then need to be placated and assuaged. Such breadth of influence and significance emanating from a sacred site or landscape may be difficult to comprehend for administrators resting in the nominally Christian state, with its sharp distinctions between sacred, religious and secular.

As has been noted, for North America there is a fundamental difference between western and indigenous religions. As one commentator has put it: '[i]n western religions, the earth itself is not sacred; it is created by the sacred, by god. In Native American religions, the landscape is sacred, it is a deity.'

Jane Hubert takes up the same point:

> [m]any indigenous peoples would extend the concept of sacredness to the whole of their land. This is a very important point, and to some extent indicates a different understanding of sacred and sacredness. The focus on sacred sites and sites of special significance, in the controversy between indigenous peoples and those who threaten them from outside, has been a necessary focus. But it should not obscure the fact that in some cultures the very land itself is sacred.

Famously, Chief Seattle, on the signing of the Treaty of Medicine Creek in 1854, said: ‘Every part of this country is sacred to my people. Every hillside, every valley, every plain and grove has been hallowed by some fond memory or some sad experience of my tribe’. Similarly, Australian Aboriginals hold the view that all the land is sacred. This does not mean that Aboriginals do not recognise that there are special places, especially sacred places which are set apart and which carry their own prohibitions and rules of behaviour for those who come into contact with them. But the rest of the land is also sacred in a way which is very hard for people from other cultures to understand. The sacralisation of all the land also tends to be a view, or a kind of social compensation, expressed by those Aboriginals who have been displaced from their traditional lands and know little about the individual sites and stories connected with them. This has created a new kind of ‘site of significance’ in Australia which few non-Aboriginal Australians can discriminate from the traditional view of sacred landscape or specific sacred sites.

Paul Devereux draws attention to other models or concepts of sacred space. He tells us that the Tibetans use the term *gnas* to denote what is often translated as a ‘holy place’, but the matter is more complex than this. It can be used to denote a more active sense, ‘such as to exist, reside or remain’, and reflects the Tibetan belief that the whole of the physical environment is teeming with a host of spirit forces and deities, so that ‘the term *gnas* and its compounds most often designate the abodes of all these deities and spirits and their associated states of being, variously conceived’. Another tradition of sacred landscape exists in Siberia. Here, Devereux tells us, ‘spirit of place is encapsulated in the concept of the supernatural “land master”, *gazarin ezen.* The master of an area provides it with beneficent properties, unless angered, in which case the land becomes stricken with drought or pestilence. The major land masters are associated with mountains’.

These examples have been given to illustrate the variety, fluidity and complexity of sacred sites and beliefs in sacredness. What emerges is that sacred sites, whilst traditionally for indigenous peoples tend to be considered as fixed and immutable, are in fact sometimes subject to change. Many sacred sites are certainly venerable and fixed in place and context, but it is possible for new narratives in modern times to

generate new stories, history and legend leading to new consecration and the creation or adoption of new sacred space and sacred sites.

Some academics have argued that the generation of new forms of sacredness and sacred place is very evident in our western commercial materialist society. The Glastonbury Music Festival site at Pilton in Somerset, England, is revered by many music lovers as having touched or changed their lives in a fundamental way. Although the festival only runs for a few days around each midsummer, it has been held for over thirty years and has up to 100,000 attending. People have been conceived on the site, people have grown up and arranged to be married on the site and ashes of the dead have been spread on the site. It also has its own particularly special local geography of energies and a newly-built stone circle. The Pilton site is not associated with any formal religious practice, but already for thousands it is a sacred place very integrated into our own social and recreational culture.

Another example is the way sporting venues, such as the Superbowl Stadium in the USA and the Old Trafford football ground of Manchester United Football Club in England, become sacred sites for sporting enthusiasts. So many English supporters of Manchester United have had their ashes spread in front of the goalmouths that it has inhibited the grass growth, and the Club has had to arrange to have a separate garden of rest set up for the ashes of more recent dead supporters. The implication is that the supporters wish to support and bring luck to their team from beyond the grave, or as others would express it, from the spirit world. Although general society would not easily recognise this burial activity as a divine religion (although many football supporters might!), academics in the study of religions would have no doubt that this is clearly the generation of sacred place and a sacred site in the context of an apparently secular, but also dare we say it, indigenous society. The parallels with the practices of more traditional indigenous societies revering burial sites and the influences and participation of the ancestors are plain to see.

Another parallel with indigenous peoples is the designation of large tracts of land in England with the designation of sacred. This does not happen around our Christian cathedrals or ancient abbeys but it does happen around our Neolithic monuments. It is

evidenced in the 1986 World Heritage designation of Stonehenge and Avebury, some eighteen miles apart, as one site. The UNESCO brief description is:

> Stonehenge and Avebury, in Wiltshire, are amongst the most famous groups of megaliths in the world. The two sanctuaries consist of circles of menhirs arranged in a pattern whose astronomical significance is still being explored. These holy places and the nearby Neolithic sites are an incomparable testimony of prehistoric times.

Even if Avebury (probably the largest stone circle in the world) and its Neolithic environs are considered separate from Stonehenge, the size of its sacred landscape runs into thousands of acres of cultivated farmland, and few who visit cannot fail to sense how the various monuments and features are in fact part of a huge ritual landscape which may not have always been used in the same way over the millennia but has always been a focus for religious observance. Although in no way a Christian sacred landscape, it still attracts huge numbers of tourists who are affected by its essential sanctity. It is also acknowledged by English Heritage as a sacred site which is still celebrated and ritually revered by neo-Pagan groups in a contemporary religious observance. If we were asked to enquire of these neo-Pagans where the sacred boundaries of Avebury and its environs stopped and started, and how they were classified in terms of sacredness compared to the more focussed component sacred sites of specific monuments such as Silbury Hill and West Kennet Longbarrow, we would probably find ourselves having a complex discussion which echoed Native North American, Maori and Australian Aboriginal views. We would not expect there to be exact parallels of definition or understanding of the use of sacred between these different cultures, but we would probably conclude that sacred space and the sacred site is a complex and subtly-nuanced concept which always demands great sensitivity and awareness of local and cultural perceptions.

Stonehenge in England has become something of a *cause celebre* in what is academically referred to as a 'contested landscape'. There have been a number of excellent accounts of this, particularly by Barbara Bender, a professor of Heritage Anthropology from London University, and Andy Worthington, a social historian. The contest is between various claims on cultural ownership. The site is actually managed by English Heritage, a charity concerned with preserving cultural heritage,

as a site for tourism on behalf of the nation. As a very pressured site having about a million visitors each year, it is not possible to have tourists walking amongst the one acre of four thousand-year-old stones except by prior arrangement. Long after the visitor centre has closed, all the year round, tourists still park their cars and stare at the stones through the wire fencing until darkness falls.

During the 1960s, an informal free music festival for the midsummer solstice dawn (a key feature of alignment of the site) began to attract thousands of revellers who joined with the tradition of modern druids in their white robes greeting the morning sun. Gradually over the years the numbers grew, and the stones were placed at real risk from anti-social behaviour and the pressure of numbers. The revellers were demonised by the press as hippies and travellers (people who are alleged to have essentially opted out of conventional society and who travel the country in vans and old buses from festival to festival), and demands were made to control access to the stones and ban the festival. Eventually the police carried through a policy to end the festival, which used unnecessary force and created a great deal of controversy. For over ten years the annual solstice festival was prohibited, but, following sensitive negotiations with various groups with vested interests and a changed and more sensitive policing strategy, access to the stones for the general public (some 20,000 for the solstice dawn) has been re-introduced and successfully managed for the last seven years and looks likely to continue. The attraction for all this activity is simply that Stonehenge is England's most famous historical site and that at some level in our general culture it is recognised as a sacred site. It carries some part of our national identity, and for thousands of people, celebrating the midsummer dawn is a cultural ritual of great significance: a form of religious observance at a key focus in a sacred landscape.

The various claims for usage of the site are complex and include the general public as tourists visiting a heritage site, druids and neo-pagans who wish to practice their religious rituals amongst the stones, the wider groups of midsummer enthusiasts who wish to have a mass festival, archaeologists and other academics who wish to study the site for scientific reasons, and the managers, wardens and security guards (who patrol the stones 24 hours a day) of English Heritage. As we shall see in later discussion of contested sacred sites, the resolution of contesting claims is most

likely to be successfully managed by sensitive and realistic local negotiation between the various parties.

To some extent, the bottom line of the sacred sites issue on a world-wide basis is that such sites come into contest from various claimants. The process of claim and counterclaim, whether from three major world religions with vested interests in the sacred sites of a city like Jerusalem, or between the State as legal owner, an indigenous people in terms of their sense of custodianship and sovereignty of traditional lands, a commercial organisation in terms of the right of access to develop and capitalise a specific sacred site, and a National Park agency wishing to manage the site as cultural heritage, is central to the way in which sacred sites and their status for complex pluralist societies are more and more in the news. However, we could say that learning to resolve and manage these local foci of multiple claims around sacred sites are lessons in miniature, or indeed a form of gift for learning to manage the greater international conflicts which hazard world peace.

The Western Academic Perspective

Distinctions between sacred and profane appear to have originated in European culture following the Enlightenment and the rise of nineteenth-century secularism. If Karl Marx identified religion somewhat suspiciously as the 'opium of the people' the pioneering philosopher and social scientist Emil Durkheim sought to provide a clear distinction between the sacred and the profane. He wrote:

> A religion is a unified system of beliefs and practices relative to sacred things, that is to say, things set apart and forbidden – beliefs and practices which unite into one single moral community called a church, and all those who adhere to them.

Building on his definition of religion, Durkheim saw the sacred as essentially a social construction and mutually exclusive from the profane, so that 'the two classes cannot even approach each other and keep their own nature at the same time'. Some fifty years later, the philosopher and scholar of the history of religions Mircea Eliade expressed an important view of sacred space almost diametrically opposed to

Durkheim's position. Whilst acknowledging that space is not homogeneous and that sacred and profane co-exist, Eliade casts doubts on the possibility of an absolutely profane existence: 'It must be added … that such a profane existence is never found in the pure state, … it will appear that even the most desacralised existence still preserves traces of religious valorisation of the world'. Eliade is hinting that in some profound way all sacred landscape, however secularised by commerce or indeed by social construction, remains at some level essentially sacred.

For Eliade, the sacred place manifests itself in a spontaneous hierophany (an expression of the divine), a natural expression of the very ground or landscape itself, but then secondarily consecrated and amplified by human recognition, participation and ritual. At these points in the landscape, Eliade considered that 'there is also a revelation of an absolute reality … which makes orientation possible, hence it *founds the world* in the sense that it frees the limits and establishes the order of the world' (original italics). Eliade's sacred places are therefore a repetition of fundamental creation and hence a divine cosmogony, an *axis mundi* where heaven, earth and the underworld meet and communication between those realms is facilitated.

We have pointed to these extreme and influential perspectives, because in the secular culture of the West there has always been a tension between those who advocate that sacred landscape is essentially a social construct that can be applied to any place in the landscape and those (like Eliade) who view the sacred as more autochthonous, more naturally born from a specific point on the earth itself, only awaiting social recognition and enhancement. It is worth identifying this distinction now, at this early point in our report, because it appears to underlie many of the cultural tensions between commerce and indigenous peoples over claims upon the role and function and related protection issues of sacred landscape and the sacred sites that may be identified within it. Thus notionally, for a logging company, the sacred rock of the indigenous peoples is nothing but another rock, and developing the site is a financial asset for the whole population of the country; for the indigenous peoples, the rock is a very special and sacred place where (in our western terms) heaven, earth and the

underworld are united, and profound and essential communication between those realms is part of holding the world together in harmony.

The Hindu term used for almost all forms of sacred place is *tirtha*, literally ‘a crossing’, such as a bridge over a river. The word *tirtha* derives from the Sanskrit *taras,* which is cognate with the Indo-European root *ter.* This is a very important word in European languages because from it we derive the word ‘through’, ‘thoroughfare’, the German ‘durch’ and through Latin the preposition ‘trans’ leading to ‘transport’ and ‘transcend’. Thus one of our most basic and much-used prefixes in English is based on the idea of a holy place or sacred crossing.

A *tirtha* thus may be a sacred site at a river, a rock, a mountain, a tree, a spring or well and so on, and modern India recognises thousands of such places. The crossing-place is the place where we can access the ineffable spirit and energies of another realm, a place for communication and discourse with the gods, or, as the Romans termed it, the *genius loci,* or spirit of the place. *Tirtha* as a crossing-place is a powerful concept and it appears to usefully inform ideas of the sacred in many cultures.

The Classical culture of Ancient Greece gave us some other words which help us to comprehend the idea of sacred. Professor Belden Lane, a contemporary American theologian, has made a study of concepts of sacred landscape, especially in Native and European North America, and points to the word *topos*, a term favoured by Aristotle. *Topos* means a distinct point or place in the landscape. It is neutral and carries no further meaning, and is the root meaning of our word ‘topography’. His teacher Plato favoured another word for place in the landscape, *chora.* This word meaning is closely related to ‘wet nurse’, as a place that feeds you with the basic substance of raw energy, resonates with the immediacies of human need and experience or literally makes you feel like dancing, hence our word ‘choreography’. Thus a ‘chorography’ is the description of the various streets and places in a landscape, whereas a ‘topography’ is a detailed delineation of specific points in a landscape, as on a map. Lane exemplifies the distinction by noting that in the USA, a McDonalds restaurant offers a classic example of *topos*, ‘a place without any distinctive sense of presence’, but if you proposed to your future wife or experienced

a life-changing conversation or encounter in a particular McDonald's, that *topos* suddenly becomes a *chora,* and intimately part of your life.

The Greeks gave us two further related words when they considered the concept of time. *Chronos* means measured time, like the regular ticking of a clock, where every unit is equal to the next unit. Time here, like *topos*, is neutral and objective. The other Greek word for time is *kairos.* This, as Lane points, out is 'an unrepeatable moment when events of great significance come to be gathered in the life of the individual or a people'. Hence 'to experience oneself simultaneously in a situation of *chora* and at a moment of *kairos* is truly to encounter *wonder*' (our italics). Lane's implication is that this experience of combined *chora* and *kairos* may be more likely to happen at a sacred site and hence is qualitatively distinct from experiences in a more secular or profane setting. Bell also makes the very helpful observation that a place of *topos* can be changed or transmuted into one of *chora* through the use of ritual or ceremony. This idea is very relevant in understanding how ordinary places in the landscape are changed by human involvement and attention into extraordinary places, and so come to be known as sacred sites. However, as an academic struggling to describe and ground such experiences and observations without invoking 'religion' or mysticism, he notes '[in] the poststructuralist world of academic discourse there are no readily available categories for acknowledging and interpreting such experience'.

Henry Corbin (1903-1978) was a French academic theologian, philosopher and Arabic scholar, who over a period of forty years struggled to make sense of mystical experiences encountered in his translations of Sufi and Arabic texts of a number of great spiritual teachers. He recognised that their accounts of experiences after having 'crossed over' and entered another realm (just as one does at a sacred site) carried such consistency and such a compelling sense of reality that he could not classify them as mere imagination or poetic fantasy and see them subsumed as psychology (or by implication as delusional). Famously, he coined the term *mundus imaginalis*, or the 'imaginal world', to describe their experience, and implied that their visionary journeys, although indefinable in terms of a spatial geography, were a kind of reality, and indeed a reality fundamentally important to the human condition. The word 'imaginal' has been much misused since Corbin's coinage of the term, but it remains a useful idea in our western discourse when considering the 'wonder' and apparent

reality of experiences at sacred sites. For example, Anthony Thorley has explored the idea of the imaginal realm as applied to allegedly imaginary landscape zodiacs, such as the one at Glastonbury, England. Here is an example in the western world of the intangible, non-material spiritual valuation of landscape so common to and so controversial for indigenous peoples when trying to protect their sacred sites.

Corbin coined another useful term when he noted that the visionary accounts of Sufi and Arabic mystics, even when separated by hundreds of years and without an apparent cultural contact, carried a remarkable consistency of descriptions of the sacred cities, mountains, valleys and gardens, and some of the angelic beings encountered. This consistency for Corbin constituted its own quality of reality, best described as an actual *visionary geography.* This term, albeit in a slightly modified form, has been taken up by other students of the sacred landscape and in particular by Richard Leviton, whom we shall discuss in the next section.

All these constructs which attempt to describe perhaps the central characteristic of the sacred site, whether Eliade's *hierophany*, the Hindu *tirtha,* the combination of *chora* and *kairos*, or Corbin's *mundus imaginalis*, all imply passing across a boundary into another realm. Thus sacred sites are particularly associated with boundaries or the concept of liminality. The need to explore the liminal, or pass across the boundary from this world into another, is a fundamental aspect of the human condition whether it is induced by worship, drumming, ritual dance, sound, chanting, meditation, trance states, shamanism, or mind-altering drugs and plants. All these human activities to produce a 'breach' (as Corbin puts it) in consciousness in order to explore the liminal are associated with sacred sites.

Professor Lane, when considering the complexity of trying to define a sacred site, has proposed four axioms, not meant as a categorical inclusive definition, but as a series of themes which can be pursued in order to clarify the elusive character of sacred space.

1. Sacred place is not chosen, it chooses.

This axiom reflects Mircea Eliade's idea of a place having intrinsic sacredness which then draws or attracts human interest and eventual consecration and amplification through human involvement.

2. Sacred place is ordinary place, ritually made extraordinary.

This axiom reflects the fact that often a sacred place is found in the least expected, ordinary, non-exotic venue. It is then sacralised by human activity and ritual consecration. An example of this would be a small street shrine to a Hindu deity in a busy crowded Indian city street. We ask, how did this insignificant place come to be so important and set apart?

3. Sacred place can be trod upon without being entered.

People often enter sacred space without being aware of the sacred nature of the place. Sacredness may require a special experience or a cognitive process in order to be recognised. Thus the teaching or knowledge of a particular indigenous group will ensure that its people know, for example, that a particular rocky outcrop is sacred. To those not having that knowledge, the outcrop is one of many and not apparent as a sacred site.

4. The impulse of sacred place is both centripetal and centrifugal, local and universal.

Sacred places often seem to draw people in, and come to be a form of *axis mundi.* Paradoxically and at the same time, they seem to carry universality and imply a spreading or sharing of their sacred quality. This unique, unified experience of local/central and universal, so confounding spatiality, may contribute to the common feeling of the 'extraordinary', or of awe or wonder found at sacred sites.

In his account of the sacred place, Lane is attempting to ground his criteria and axioms in an objective reality, yet he is challenged by his own experience. He describes a powerful experience when visiting the Vietnam Veterans War Memorial in Washington. Although he did not serve in Vietnam and knows no-one personally who died in the conflict, just before leaving the site he suddenly remembers the name of an old best friend from school whom he believes is still alive. However, on checking through the listed names of 58,000 dead US servicemen engraved on the wall, he comes across the name of his friend. Overpowered by the experience, he sits on the grass and weeps.

As an academic he is at a loss to explain his experience:

> I don't know how to explain this. What was it that made me think of Pete Lantz in the moment before leaving? Had the name jumped off the wall at me earlier as I had walked by it, speaking to my body as part of the total sensory input received in moving through that space? Something more than cognitive, beyond cultural construction occurred in my experience there. I felt called to the place, entering into something of its mystery in a profoundly embodied, interactive way….

However, in trying to summarise his feelings, of this and other experiences at sacred sites, he concludes:

> The sacred site speaks, then, with its own voice, even as that voice is heard by thoroughly culturally conditioned ears. Furthermore, the individual's perception of the numinous or wholly Other in connection with a site is inescapably mediated by culture and place. The joining of these three terms – place, culture, sacredness – allows us to recognise what it is that attracts people to some of the most peripheral places traditionally understood as sacred – places so remote that few human beings have ever had the opportunity of seeing them.

As a western academic acknowledging that sacred place has agency or a kind of consciousness separate from his own, and yet somehow interdependent with his own, he is joining a growing group of academics and thinkers who through anthropological and archaeological observation combined with *personal* experience are having to reframe the traditional Cartesian split between subject and object, mind and body, and nature and culture, and reconsider the concept of animism.

Foremost amongst these academics is the philosopher and ethnographer David Abram, who in his seminal book ‘The Spell of the Sensuous: perception and language in a more than human world’ makes a bold case that the natural world of forest, rocks and rivers as well as the animals and creatures that dwell there all have agency and consciousness which perceives us humans and has a worldview as much as we do. He encourages us to recognise that not only are we sentient beings observing the sensible ‘outside’ but that we are also sensible beings observed by the sentient world out there. Abram describes a number of examples of this fusion of consciousness and breakdown of the traditional subject/object divide derived from what are obviously sacred sites, but does not write specifically about sacredness. For Abram this fusion and interaction of consciousness is universally present between a man and all other matter, and a numinous special sacred element does not have to be evoked.

Similarly, the archaeologist and anthropologist Professor Chris Tilley, working from University College London, is another academic who has pioneered the value of the personal experience and phenomenology in archaeological fieldwork, partly in order to try to better enter the cognitive world of the prehistoric peoples or contemporary indigenous cultures that are being studied. Again, he is not writing specifically about sacred sites and artefacts, but often, as in the case of standing stones and barrows, he is acknowledging the importance of ritual landscape and the value of approaching it in an observational style that is more authentic to its originators. He gives many examples of how additional insights have come out of this new form of fieldwork approach, and again implies that a landscape or a single standing stone that is visited many times, observed from many angles in many weathers and sunlight conditions, will slowly reveal extra information which would not arise from a single more ‘casual’ or conventional field visit.

He hints that again the landscape, artefact or standing stone has some kind of agency which communicates itself to the archaeologist/observer and again tests our traditional subject/object divide.

He writes:

> We no longer primarily speak to, and identify ourselves with, a relationship to a non-human world of stones and artefacts we ourselves have made. In a culture of mass consumption we primarily speak instead with an intrinsically alienated artefact world of computers and cars and trainers and lawnmowers, which, through a love and labour of consumption, we relate to and animistically make our own. Things, places and landscapes influence us, alter our consciousness, constitute us beyond ourselves. In this sense they are not radically divorced from us.

Tilley goes on to boldly state that in a sense ‘we are all primitive animists’ and summarises this view in the following way:

> Our primordial experience is inherently animistic, disclosing a field of phenomena that are all potentially animate and expressive because our perception involves the reversibility born out of our participation in the world.

The Gaian model of an animate Earth has been pursued by a number of environmentalists and ecologists but none in such eloquent detail as Stephan Harding, an ecologist from Schumacher College, in his recent book ‘Animate Earth: Science, Intuition and Gaia’. He writes as if every constituent chemical and molecule carries some basis of animism and follows a line of thinking that owes much to David Abram.

This call from the academy to reconsider the role of animism not only in academic work but also in our everyday life has been recently surveyed in an important book by Graham Harvey, an authority on indigenous religions and currently a lecturer in religious studies at the UK’s Open University. Harvey’s basic position is nicely summarised on the dust jacket:

> What if, far from being alone or unique, humanity shares this world with a vibrant community of living beings (e.g. particular animals, birds, plants, rocks, clouds)? How might we learn to communicate respectfully with those other-than-human neighbours of ours?
>
> *Animism* [i.e., this book] enthusiastically engages with indigenous and environmentalist spiritualities in which people celebrate human relationships with significant other-than-human beings. This new use of the term ‘animism’ applies to the religious worldviews and lifeways of communities and cultures for which it is important to inculcate and enhance appropriate ways to live respectfully within the wider community of ‘persons’.
>
> The notions that ‘animism’ is about ‘beliefs in spirits’, the attribution of life to inanimate objects or the projection of human attributes on to ‘non-humans’ are rejected in favour of a nuanced and positive evaluation of indigenous and environmentalist understandings that the world would be a better place if humans celebrated their relationships with the whole of life.

Professor Tim Ingold, social anthropologist at Aberdeen University, has gone to the heart of the division between western thinking and the thinking of hunter-gatherer and indigenous peoples. In essence, western thinking mentally constructs a worldview made up of a separation between our human culture and nature, which we see as something 'out there', a construction necessary before we are able to engage with either. In contrast, for indigenous peoples all is nature and there is no distinction between natural agencies and themselves, reflecting an essential animism. Ingold summarises this important dichotomy:

> The contrast … is not between alternative views of the world; it is rather between two ways of apprehending it, only one of which (the Western) may be characterised as the construction of a view, that is, as a process of mental representation. As for the other, apprehending the world is not a matter of construction, not of building but of dwelling, not making a view *of* the world but of taking up a view *in* it.

We have emphasised the growing academic interest in agency and animism and the phenomenology of fundamental experiential interconnectedness and the challenge to the traditional Cartesian world of subject and object simply because we consider that this movement, or at least the nascence of an academic stirring, represents the beginnings of an important change in the academic paradigm. The change is important because it does not subsume unusual or numinous experiences into the mystical, religious or depth-psychological (e.g. Carl Jung's archetypal world) or even psychopathological/delusional (a polite way of indicating madness), but it asserts that these experiences are primary in the human condition, are not actually 'unusual' but are commonplace and usual, and that somehow they need to be solidly integrated into our understanding of the normal.

Here we have a movement in understanding, an actual shift in our academic culture which will have important future significance, for ultimately, changes in our academic worldview impinge on and create changes in our formally-constructed cultural worldview, particularly as evidenced in the institutions of western-based legal and political systems that are present in a majority of countries. These new academics are going to influence fellow academics, anthropologists and archaeologists and social scientists, the very people who currently act as expert witnesses in legal and political disputes between the State and indigenous peoples over the development or threat to sacred landscape and sacred sites. It is one thing for a sensitive field anthropologist to

reflect appropriately and inform a court of the essential animism of a sacred site in the culture of an indigenous group as grounds for special consideration, and another for that expert to say that this animistic belief system is, in his opinion, the basis of the true world that all who actually sit in the Court or Tribunal experience and live in. The prospect of these new academics taking part in the sacred sites debate in the future can only, at least in the long term, be helpful.

Perhaps at some deep level in western society there is already a curiosity and unusual interest in the animism of indigenous peoples, in that it is seen as reflecting a more honest way of living in the world. Curiosity may lead to western culture increasingly taking these ideas aboard and integrating them into our mainstream culture.

The Experience of the Sacred

Defining sacred place or sacred in the landscape, at least in our western culture, seems to involve a special quality of atmosphere and experience which is almost tangibly different in quality from experiences and cognition in ordinary or non-sacred settings. Catching the nature of this quality is not easy, because it almost defies words, as it is sensed through feelings and the special qualities of physical perception.

Rudolf Otto, the German theologian writing in 1924, writes of the sacred place:

> It connotes solely the numinous awe, which has been undoubtedly sufficient in itself in many cases to mark out 'holy' or 'sacred' places…. There is no need for the experient to pass on to resolve his mere impression of the eerie and aweful [i.e. filled with awe] into the idea of a 'numen', a divine power, dwelling in the 'aweful' place.

For Otto the idea of a 'numinous something or entity' was 'from beyond the border of "natural" experience'.

This quality is explored by Sean Kane in his powerful essay on ‘Wisdom of the Mythtellers’, which examines myth and the narratives of indigenous peoples in designating sacred space. Kane observes that these indigenous myths and stories often carry a quality of *mystery*. For example the Native American Objibwa word ‘manitou’, often applied to sacred place (e.g, Manitoba), at base means ‘something mysterious’.

So how is this ‘something mysterious’ actually expressed? We can turn to many thoughtful and poetic accounts that have tried to catch the mystery and the heightened quality of sensation. Here are four.

The Chinese geomant and hermit Shen Hao, writing in 1652, describes his wonder when present in a sacred place:

> At a true site there is a touch of magic light. How so, magic? It can be understood intuitively, but not conveyed in words. The hills are fair, the waters fine, the sun handsome, the breeze mild; and the sky has a new light: another world. Amid confusion, peace; amid peace, a festive air. Upon coming into its presence, one’s eyes are opened; if one sits or lies, one’s heart is joyful. Here the breath gathers, and the essence collects. Light shines in the middle, the magic goes out on all sides. Above or below, to the right or left, it is not thus. No greater than a finger, no more than a spoonful; like a dewdrop, like a pearl, like the moon through a crack, like the reflection in a mirror. Play with it, and it is if you catch it; put it off, and it cannot be got rid of. Try to understand! It is hard to describe.

William Wordsworth, writing as a romantic poet with refined sensitivity in the nineteenth century, echoes the Chinese account with his ideas of the quality of light, expansion and oneness in his poem ‘The Recluse’:

> ’Tis, but I cannot name it, ’tis the sense
> Of majesty, and beauty, and repose
> A blended holiness of earth and sky,
> Something that makes this individual spot
> This small abiding place of many men,
> A termination, and a last retreat,
> A centre, come from whatsoever you will
> A whole without dependence of defect,
> Made for itself and happy in itself,
> Perfect contentment, Unity entire.

In a contemporary account (2006), Celia Gunn, whilst exploring Native American myths and traditional place-names on the inundated Columbia River with her colleague Tom, a Sinixt pipe-carrier, contemplates huge cliffs whilst navigating Lake Roosevelt in Washington State:

> After an hour or so, I became aware of an enormous outcropping of sheer cliffs ahead, that seemed to gleam brightly with a light that was not just about the sun. Almost white, they loomed vertically out of the water, like buttresses pushed up and hacked out by the hammers and chisels of the gods, a convoluted jumble of outcroppings, ledges, nooks and cracks. As we drew closer, I could make out images: stern, ancient Native profiles with high foreheads and strong features, frowning into the distance; exotic, alien looking animals and birds, crowding the serrated surfaces. Just above the crest hung the pale shaving of an old, waning moon; a ghostly apparition.
>
> But the feeling was not just about the look of the impressive cliffs. A heavy, ominous silence seemed to blanket them; an aura impregnated with the supernatural. A familiar fizz tingled in my adenoids and temples; not uncomfortable, but reminding me of a newly-discovered sensitivity to sacred sites. Filled with awe, I found myself whispering to Tom to take us closer. He smiled, inclining his head in some kind of acknowledgement that was more than agreement, and wordlessly steered us alongside the cliffs. Sheering straight down, they disappeared into the darkly-greening depths. High above, great boulders perched on lips and ridges. Startled by flocks of rock doves that burst out of fissures and crevices, I had the sense of an imminent explosion of life, as if the sun-baked, wrinkled hide of an immense mythological monster were about to shiver and raise itself from a long, deep sleep.
>
> ‘Whitestone.’ Respect breathed through Tom’s gentle naming of the place. ‘Lots of stories about this place. Skunk got thrown off here.’

Gordon Mohs, an archaeologist working with the Sto:lo Indian Band in southwest British Columbia, tells us that a key sacred site for these people was Th’exelis, the place where Xa:ls (a key creator god) first instructed the people on the methods of catching salmon. Th’exelis is a grooved bedrock exposure some fifteen metres above the Fraser River. This site was revered long before the coming of Europeans to the area and it still has contemporary significance, as recounted by a Band member, T.G., in 1985.

> When my grandfather used to go up there fishing he’d take me over there when I was turned 13 – I think this was another training that young people go through – if you want to be strong, you sit there when you are 13. So I sat there and I put my feet where his was. Mind you it makes you quiver to sit there. Cause maybe the powers are there of Christ [Xa:ls] himself, being sitting there. Goes through a person and then makes you feel…. I imagine that’s the way the long-house makes you feel too. You know, when they recover the spirit, you know, they quiver. So that’s the way it is up there.

These accounts not only reveal a heightened perception within the five senses but also the experience of a special quality of energy, something which literally in some people makes the adenoids tingle or the whole body quiver. The reality of this energy and its source have always been controversial, and never more so than in the strange history of the ley line.

The Rise and Apparent Demise of the Ley Line

The story of the ley line is a particularly English affair, but it is important when considering sacred sites in contemporary times because the term 'ley line' has now passed around the world and is still an important idea, particularly amongst New Age spiritual groups in North America.

The idea of an 'old straight track' or a straight alignment across the English countryside connecting significant points on the landscape was first mooted in the early 1920s by Alfred Watkins, a Hereford brewer and amateur photographer. He believed that these alignments were the remains of Neolithic trackways used for trading. As the ancient forest land was cleared around and along the alignments, he coined the Saxon-rooted word 'ley' (a grassy space or clearing) to describe these trackways and the term 'ley line' was born. Watkins soon saw that the term was not entirely accurate and abandoned it in 1929, but the name stuck and has been used ever since. Watkins published his influential book, 'The Old Straight Track', in 1925 and founded the Straight Track Club, which had field trips to explore and describe these alignments. Watkins died in the 1930s, but the Straight Track Club did not finally disband until 1948.

It has to be said that Watkins was not the only person to note straight track alignments in European and English landscapes. There had been reports in the nineteenth century of such tracks; for example, in 1938 a German called Dr. J. Heinsch presented a paper, 'Principles of Prehistoric Sacred Geography', to the International Congress of Geography in Amsterdam, which described alignments in England, France, Germany, Czechoslovakia and Palestine exactly on the same basis as Watkins, although there is no evidence that he ever saw or read any of the Englishman's research.

Ley lines seem to have been forgotten in the 1950s but in the sixties they emerged again in the writings of John Michell, notably in his book ‘A View over Atlantis’. This is the seminal account of alignments, sacred sites and energy fields and related traditions from all around the world, which essentially seeded a field of enquiry which was to emerge as ‘Earth Mysteries’. Michell’s writing was (and continues to be) perhaps the most influential voice in the field of sacred sites and what would be termed ‘geomancy’, over the last forty years.

The Earth Mysteries movement in the sixties was heavily involved and intermingled with the popular counter-culture and social experimentation of that time. For example, Michell was influential in the geomantic orientation of the pyramidal main stage of the early Glastonbury Music Festival, and there was a strong sense that Earth Mysteries were a form of rediscovery of a lost knowledge and wisdom found in the ancient sites of our countryside and reflecting the ancient peoples who constructed them. The Earth Mysteries movement was born partly out of the perennial English romanticism of the pastoral, in which tradition we find the Lake District poets, the music of Vaughan Williams and many other English composers, the folk-song tradition, and the rise of interest in mythology, folklore and the Arthurian legends. It has been noted by writers in the Earth Mysteries field that although Scotland, Wales and Ireland are richly endowed with many more ancient and megalithic sites than England, those countries have not generated the same degree of committed local interest and debate in their own Earth Mysteries, perhaps further evidence of an uniquely English pastoral romanticism.

The Ley Hunter Magazine, founded in the early 1960s, became the flagship of a series of small Earth Mysteries magazines which reported findings of new power sites and ley lines, many of them linked to sacred sites such as churches and standing stones. The contribution of dowsers and other sensitive individuals who could detect some fields of power at megalithic and religious sites, e.g. churches and burial grounds, was an important influence in generating the idea that ley lines were not only alignments which joined up five or more ancient sites or features over several miles, but were also channels of power which linked the sites. Dowsers detected energy lines linking standing stones, and between stones in stone circles. There were many papers and

articles published in the magazines about these phenomena, but it was clear to many more sceptical readers that the dowsers often could not agree on the actual degree and character of energy lines or fields in the way they could agree about locating lost objects or dowsing for water. The more fantastic thinkers also identified ley lines with lights in the sky and the observation of UFOs. It is not surprising that John Michell's first book was called 'The Flying Saucer Vision'.

Conventional British archaeology broadly viewed the Earth Mysteries writers and enthusiasts, and most of their findings, as evidence of a lunatic fringe, and few took any of the work seriously. Then in 1977, Paul Devereux took over as editor of The Ley Hunter, a post he held until 1997. In those twenty years, he and a few like-minded Earth Mysteries researchers guided or led the Earth Mysteries field into more rational and intellectually sustainable territory. Devereux – who, after writing around twenty books, must today be accounted one of the most influential western writers on the Earth Mysteries and sacred landscape field – wished to approach the strange phenomena of energy fields, ley lines, power points and lights in the sky with a more rational and disciplined research approach.

Devereux first tackled the phenomenon of UFOs and 'earth lights' by showing that many key sacred sites and places associated with these phenomena occurred on geological faults, which scientific studies have shown to be correlated with unusual local lights, thus rationalising a huge amount of related mythology and folklore and literally bringing the UFOs down to earth. He then critically reviewed the many anomalies and inconsistencies of ley lines themselves, as he was concerned about the unlikely manner in which sites a few miles apart yet thousands of years separated in time were to be considered as an identifiable single object, and the fact that the inconsistencies of energy line findings of dowsers simply did not stand up satisfactorily to a critical approach. Finally, he approached the traditions and realities of straight line alignments which were evident at ancient and mediaeval sites both in Europe and around the world (e.g. the famous Nazca lines in Peru), and found that they could be related to burial practices, present in Europe as straight roads known as "Dead Ways" or coffin tracks, archaeo-astronomical bearings and spirit ways: the presumed straight routes associated with shamanism and shamanic flight.

Devereux's arguments could easily be seen as to carry all before them, as they dismantled the reality of the traditional Watkins' ley line and showed leys to be more imagination than substance, but his rationalisation that all coffin routes and shamanic spirit ways were necessarily straight was effectively shown to be an over-inclusive argument by another critical writer, Alby Stone. However, like Devereux in the late 1990s, Stone was sure that the traditional ley line was a dead issue.

Soon after, in the late 90s, the Ley Hunter Magazine closed down and many of the other small Earth Mysteries magazines also perished. The remnants of the fragmented Earth Mysteries community loosely divided into four groups. One small group continued to pursue the study of alignments and power points in the traditional Watkins way, setting up a Society for the Study of Ley Lines with an annual conference. There was a second group, made up of those dowsers and sensitives who remained convinced that many ley lines still had detectable energies, as they had always found that they had, even though proving that to the more sceptical researchers and certainly to academics seemed an insurmountable problem. A third group represented the emergence over the last thirty years of a significant neo-Pagan voice, widely recognised as a new religion in its own right. It is impossible and indeed it would be inappropriate to summarise all the varieties of practising pagans in one sentence, but almost all groups have a close relationship with the seasons and nature and revere the natural energies and power points at sacred sites. Many would still acknowledge alignments as lines of energy. A fourth group, loosely following Devereux and his revisionist researchers whilst eschewing the term 'Earth Mysteries', have sought to approach earth-related phenomena through a more rational research base of myth, folklore, local history, archaeology, social anthropology and archaeo-astronomy. Devereux has been especially interested in the objective phenomena measurable at megalithic sites, such as geomagnetic anomalies, acoustic phenomena, variable radioactivity, and the direct effect on consciousness of people who enter such sites.

Another Earth Mysteries writer and thinker, Bob Trubshaw, has written a most insightful account of the sacred site in the context of the rise and demise of the traditional ley line. Trubshaw was aware in the mid-1990s that there was common ground beginning to appear between academics, such as cognitive archaeologists and sharper-edged Earth Mysteries researchers, and his editorship of the last national Earth Mysteries magazine (almost an academic journal) '3rd Stone' reflected his determination to encourage what he describes as 'the middle ground'. Trubshaw reflects that the beautifully presented and informative 2000 book, 'Sacred Earth, Sacred Stones' with its subtitles 'Spiritual Sites and Landscapes', 'Ancient Alignments' and 'Earth Energy', written by academics Brian Molyneaux and Piers Vitebsky, could well have been written by Paul Devereux in the same year, and yet these academic authors never once reference any of Devereux's work or acknowledge the Earth Mysteries field. With the demise of '3rd Stone' in 2004, there is currently something of a hiatus in terms of written work about this field, although the perennial and apparently eternal magazine 'Northern Earth', edited by John Billingsly, remains valuable.

The history of sacred space and alignments has an important footnote which is certainly going to be a growth point for the future. The classic work of Professor Thom, an Oxford University professor in the 1960s and 70s, on the archaeo-astronomical and geometrical sophistication of Neolithic stone circles and other monuments leading to the suggestion of an ancient unit of measurement, the megalithic yard, although very influential in the Earth Mysteries movement, was largely rejected by the conventional archaeological academy. However, important new work by academics such as Robin Heath at Lampeter University, combining with the doyen of Earth Mysteries writing and theory, John Michell, has raised the issue of ancient alignments to a new and important level of academic consideration. Heath and Michell's work is very suggestive of the fact that people living in the UK four thousand years ago, the builders of the megalithic monuments, had extraordinarily developed observational skills of celestial phenomena, and the data and ability to be able to calculate the size and shape of the earth and predict events such as lunar and solar eclipses thousands of years before the Greeks. Many of these skills in what is known as geodesy (the science of the measurement of the earth's dimensions),

naturally incorporating Pythagorean principles of geometry a thousand years before Pythagoras himself, suggest that there was some form of ancient wisdom and knowledge present in these peoples, which although not evident through the written word, is evident through the mathematical inferences of their designs and alignments. This wisdom was incorporated into the design and positioning of many Neolithic sites, which are considered by our culture to be sacred both in the distant past and indeed in the present time. Stonehenge in England and Newgrange in Ireland are just two obvious examples of monuments incorporating this knowledge.

Thus although the Earth Mysteries movement hankered after a notional 'wisdom of the ancients' (albeit often with flamboyant connections to the legendary Atlantis and a Golden Age of previous civilisations) and the revisionists largely refuted this idea as fanciful and misplaced, more recent objective research into the prehistoric sacred place reveals that there is ancient wisdom which has credibility and is worthy of academic research. It is also interesting that the Ourobos Trust, assisted by Earth Mysteries researchers and academics, is currently pursuing an ambitious fundraising plan to set up a £30m museum/visitor centre in South West England by 2010 to raise public consciousness about 'The Wisdom of the Ancients'. Much of the Centre's exhibits will reflect, and draw to the attention of the general public, sacred sites all over the world.

So what conclusions can be drawn from the ley line story? The main observation has to be that the history of the ley line, and particularly its association with aligned energy, shows how a western culture deals with complex phenomena which invokes magical if not mystical thinking. Gradually, the experiential data such as dowsing, visions and other matters are overcome by a more rational scientific approach and eventually much of the subjective reality is reduced to near nonsense or delusion. It may be that brave academics can find the middle ground with objective Earth Mysteries researchers, but in the process it may be that much of the opportunity to pursue the deeper mystery has been lost.

The New Age Movement: an Important Voice for Sacred Sites

The Earth Mysteries movement in the UK, and to some extent in Europe and North America, deeply influenced commonly expressed ideas in the growing New Age movement. Again it is impossible to summarise or do justice to the depth and

complexity of this international spiritual movement except to say that although it is a significant cultural minority and an adjunct or alternative to more traditional religions, it has an important voice and role when it comes to considering respect for the Earth and its sacred sites. Wouter Hannegraaf (1998) has provided an excellent in-depth account of the origins of New Age thinking in the ancient mystery traditions, renaissance neo-Platonism and the Theosophical Movement of the nineteenth century. It is important to note that many people in the New Age Movement are comfortable with the idea of personal psychic and earth energies being related, and that all animals and inanimate objects carry agency or consciousness, and whilst more sceptical critics would view New Agers as fanciful and deluded, New Age views and ideas are slowly gaining cultural acceptance and authority.

If James Lovelock gave us a model of a homeostatic earth, Gaia, in the 1970s, and others have appropriated Lovelock's ideas to represent Gaia as some kind of conscious being, other New Age writers and thinkers have taken the idea of a conscious earth a great deal further. A good example is Richard Leviton, who in recent years has written several books about world-wide sacred sites from a position which combines his Rudolph Steiner background with a vein of serious scholarship and powerful personal clairvoyance and sensitivity to the energies of the land. Leviton writes:

> I'd like to thank Lovelock as well, and take his Gaia Hypothesis well beyond his comfort zone, and possibly beyond even that of those enthusiasts [who recognise Gaia consciousness]. Gaia is not only a goddess, but, more precisely, the landscape angel for the entire planet. The self-regulating planetary ecosystem, including the interlocking domains of the mineral, plant, animal and human kingdoms, comprise Gaia's physical body, but Gaia as an angelic being is the planet's singular *genius loci*, the spirit of place that holds our geomantic place.

> To a clairvoyant surveying the planet as a whole, the many thousands of sacred sites can appear as brilliant beacons of light dotting the earth's surface. Such a viewing may also reveal the intriguing fact that inside the light are structures that resemble temples, palaces, castles, star wheels, star patterns. On this insight alone, we can draw an important observation: sacred sites have an outer physical aspect, such as a mountain, cathedral, pyramid, or standing stone, and also an inner aspect, a light-englobed celestial temple.

> The *place* of the inner aspects of the planet's numerous visible, physical sacred sites … is the realm of visionary geography, also known as the Earth grid, geomantic terrain or the galaxy on Earth. We could say that it is the planet's energy body or Gaia's array of auric layers, chakras, and energy lines. Our planet has subtle aspects to its being, just as humans have.

In his book 'The Galaxy on Earth', Leviton reflects the ancient Hermetic maxim 'As above, so below' as representing the macrocosm of the galaxy (heaven above) corresponding with the classical microcosm of our human body. Thus our bodies are always in symbolic, if not actual, correspondence with the sky above, but Leviton goes on to add a third factor, the Earth itself. As he puts it:

> Left out of this handy axiom … is '*and the middle too.*' The middle is planet Earth templated with the same galactic imprint as the human. This gives us three things in a set: galaxy, planet, human. To understand the human and the galaxy, study the Earth. To remember how you came from the galaxy, study the Earth. To overcome your homesickness and sense of alienation, study the Earth.

Leviton strongly emphasises the natural interdependence of the human condition, the sky and the land in a way that reflects so closely the beliefs and cosmologies of many indigenous groups. Most significantly, '[t]he Earth's visionary geography is here *for us.* It was designed to be interactive and was designed for us to participate in its maintenance.' Leviton sees that the social and personal process whereby people visit and revere sacred sites and utilise their energies for healing and wellbeing also strengthens and amplifies the natural Gaian energies of the sacred sites themselves, and so ultimately and slowly man and Earth are entwined and co-dependent in an energy field which generates planetary and social evolution and positive development.

Leviton's ideas, however unlikely and fanciful they may seem to a hard-nosed rationalist, are reflected in many other groups and beliefs in the New Age Movement. There is a precedent for some of these ideas in the work of the English visionary W.

Tudor Pole, who convinced Churchill and the British War Cabinet in the Second World War to unite British people in a minute of silent communion which was broadcast every evening just before the BBC's nine o' clock news. This was an early example of focussed consciousness on a national basis seeking victory and peace. After the war, Tudor Pole set up the Lamplighter Movement, whose members still switch on a low wattage electric light in a window of their house and keep it on

permanently so as to provide a network of lights to link up for world peace and wellbeing, a pre-echo of Leviton's clairvoyant world vision. The late Sir George Trevelyan, a key figure in the New Age movement and supporter of the Lamplighter Movement, went on to found in the 1980s the U.K.'s Gatekeeper Trust along with other key New Age figures, Stanley Messenger and Peter Dawkins. Dawkins has identified and studied landscape temples, often representing chakric energy systems which may follow alignments over many miles and incorporate a number of recognised sacred sites. The Gatekeeper Trust organises pilgrimages to sacred sites in Britain and all over the world, on the basis that 'healing the land is healing ourselves'. The energies of the sacred sites are recognised in affecting the populations who live in the vicinity and thus proper attention to these energies is seen as a way of helping to improve planet Earth in a basic way. Fountain International, another British-based organisation, founded in the 1980s by the late Colin Bloy, a very gifted dowser and sensitive, also seeks to influence environments and improve planetary wellbeing by focussed meditation. Fountain groups all over the world select a *hara* (a focus for sacred energy), usually a local sacred site or a natural feature, and members from their homes direct a ten-minute meditation twice a day at 8 am and 8 pm to their local *hara.* Fountain International's national *hara* for the whole of Britain is Silbury Hill, part of a UNESCO World Heritage Site in Wiltshire, England. Fountain International has impressive anecdotal material about the effect of its meditation reducing crime rates and increasing social wellbeing in the communities who are living in the vicinity of the local *hara*.

Academics would condemn most of these New Age activities as delusional nonsense, and confine their interest to a sociological or anthropological study of the participants and the beliefs, but as in this report we are considering an overview of the world of sacred sites at a less academic level, we consider that the New Age contribution has to

be seriously acknowledged. Ideas and beliefs about connected consciousness, agency and animistic dialogue between people and places, which may seem to be nonsense to western rationalists, would actually ring true for many groups of indigenous peoples. It could be therefore that, to some extent, the New Age Movement is carrying for us in our western rational society the same spark of true insight and experience about energies and sacred sites, which members of indigenous cultures consider to be normal and natural.

Sacred Sites and Consciousness Studies

Although Paul Devereux has eschewed the more woolly and confused reports and thinking of the Earth Mysteries fraternity, he has always had an interest in any phenomena at sacred sites which might yield objective data. In 1977, he set up the Dragon Project, a programme of measurement and data gathering which centred on the Rollright Stones in Oxfordshire. After nearly a decade of measurement, the conclusion was that there were no strange energies which could be measured, but that there were anomalous effects in known and measurable energies such as radioactivity and local geo-magnetism. A further Dragon Project commencing in 1991 has been a dream-work programme: using volunteers to sleep in selected sites of reputed power or energy and recording the content of their dreams. This work has never been fully reported, but provisional results do suggest a slight effect on dream content related to the sacred site. This basic finding, particularly if later evidence supports or strengthens it, is in keeping with the value placed by indigenous peoples on dream experiences related to sacred places. Devereux has gone on to explore more fully what he calls ‘mythic consciousness’ in relation to visiting sacred sites, and the potential of human and landscape consciousness interacting, setting these ideas and observations out in his 1996 book ‘Re-visioning the World’.

Alan Richardson, in his 2001 book ‘Spirits of the Stones’, has further explored something akin to Devereux’s ‘mythic consciousness’ as applied to people’s experiences in sacred sites in Wiltshire, England. Although his results were anecdotal and there is no effort to provide a control group, his work is indicative of an important line of enquiry. Basically he contacted a group of people, some friends, some associates, many of whom were psychically sensitive, and asked them to recount any

impressions or powerful perceptions that they had when visiting certain sacred sites, for example West Kennet Long Barrow near Silbury Hill. Their reports often reflected the same perceptions or actual content from the same sacred site, suggesting that somehow the site and human consciousness did not only interact but was somehow relatively content-specific. Richardson's work is not meant to be a scientific study and could be easily critiqued by any academic, but it does form the basis for more work which attempts to collect experience and personal accounts from sacred sites.

For nearly twenty years, Princeton University has been studying interactions between mind and matter, or human consciousness and material objects, using random number generators (RNGs). An RNG is an electronic coin-flipper which generates thousands of completely random coin-flicks per second, but rather than heads or tails, the RNGs generate sequences of random information bits, zeros and ones. Experimental subjects who concentrated on the RNG producing more ones than zeros were found to influence the RNG in that direction and vice versa when concentrating on producing zeros. The effect is small, 51-54% rather than the 50% of chance, but over many experimental trials highly significant statistically, and highly significant in its implications about consciousness and causality. In his 2006 book 'Entangled Minds', Dean Radin, a psychological researcher with probably the greatest reputation for work in this field, reviewed over 490 RNG studies and found that although the overall effect of biasing the RNG by human concentration was small in magnitude, it was associated with odds against chance of 50,000 to 1.

This effect of consciousness effecting RNGs has been further evidenced in the 'field consciousness' research programme initiated by Dr Roger Nelson, a psychologist at Princeton University in 1998, known as the Princeton Global Consciousness Project. With RNG machines positioned at different points around the globe, it was found that the wave of human excitement and consciousness which sweeps around the world through the various time zones celebrating the New Year at midnight on New Year's Eve was picked up serially by alterations in the RNG outputs at a statistically significant level. The world network of Princeton RNGs have also famously picked up world emotional reactions to the 9/11 WTC episodes in 2001. Thus, collective consciousness at a global level is objectively measurable. Dean Radin has speculated that this global consciousness is closely related to, or the same as, Pierre Teilhard de

Chardin's concept of the 'noosphere', and has playfully termed the phenomenon, 'Gaia's Dreams'.

These studies of global consciousness or Gaian dreams have important implications for the alleged energies and consciousness phenomena described at sacred sites. If sacred sites carry some kind of power or energy of their own which many people who visit them say they can detect, would this alleged power affect an RNG taken to the site? Professor Nelson has taken RNG readings at the Wounded Knee battle site memorial and cemetery in Dakota and then at the Devils Tower sacred site in Wyoming, and found that each site altered the RNG output. Later, he visited further sacred sites in Egypt and again found positive RNG evidence of the sites carrying some kind of energy or field effect. Dean Radin's research team have also carried out experiments with groups of meditators or healers and found that they were able to alter RNG readings. One experiment using focussed healing by Japanese Johrei healers in twenty-five-minute periods four times a day was not just picked up by the RNGs in the healing laboratory and across on the other side of the University campus, but also detected by five other RNGs situated in the San Francisco Bay area up to a hundred miles away. The implication of this finding is that a focussed consciousness episode such as healing or a group ritual at a sacred site might have some kind of field effect over a wide area of land. On July 22nd 2006, a group of about forty people chanted and drummed for an hour before midnight in the middle of Avebury stone circle in Wiltshire, England. A Princeton RNG in the circle was affected, but so were more distant RNGs in the Global Consciousness Project. It appears that, when gathered at a sacred site in a ritual or ceremonial way using drumming, chanting or meditating (all acknowledged techniques of raising consciousness or 'raising the spirit'), quite a small number of people can amplify the natural energy of the site and have a field effect detectable at considerable distance, sometimes hundreds of miles. The Global Consciousness Project research seems to suggest that the more people who are coordinated to 'tune in' to the focus of the consciousness (for example world peace), the greater the field effect becomes.

It may be that these findings, remarkable in themselves as evidence of transmission of some form of conscious energy, would be even more remarkable if the energy could be shown somehow to carry specific information. We have already seen how some of

the apparent sacred site influence on human experience seems to have a degree of information specificity, as suggested by Paul Devereux's dream-work and Alan Richardson's study of psychic perceptions or impressions of sacred sites in Wiltshire. There are also countless anecdotal accounts and some published scientific evidence of the effect of prayer and healing over distances, which again suggests some form of specific information transmission. There is, however, what appears to be further supportive evidence of the influence of passionate desire or focussed intention from that extremely common electronic gadget, the iPod. Many iPod users listen to their thousands of downloaded songs using the shuffle function. The iPod then acts as a random number generator and shuffles the order of the songs in a completely random order. However, tens of thousands of iPod users have noticed that their favourite songs or artists seem to play to them so often that they have called into question whether the shuffle can be truly random. This has been investigated by the journalist, Steven Levy, who has recently written a book about the phenomenon. He found the bias to produce much-loved or desired songs was a widespread experience, and so significant that Apple, the maker of iPods, brought out a special version which had a buttoned function to eliminate or reduce the likelihood of their named favourite songs appearing, so as to give the experience of true randomness! There have been scientific explanations in terms of psychology, memory effects for desired tracks and mathematical cluster theory to account for the apparent conscious effect of specific choice over-riding the random shuffle, but none entirely and satisfactorily explains away the effect.

It appears that consciousness, when represented by a much loved or desired thought or wish for a particular song or artist, will tend to directly affect the iPod machine to produce those songs and over-ride the programmed random effect. Here is suggestive evidence of information-specific consciousness being transmitted and responded to between man and machine. The implication is that specific information can be transmitted between man and sacred site, and probably in either direction, and as sacred sites tend to be focuses of our consciousness, they carry a special role, arguably unlike more secular sites, for carrying and transmitting our desires and aspirations. It may even be that such energised and amplified sacred sites (i.e., amplified by focussed human involvement and ceremony, or by prayer or ritual), connect the consciousness fields between themselves and act potentially as a global

network of conscious power points. This suggestion, if true, would bring us back to the clairvoyant speculations and observations of Richard Leviton and his Galaxy on Earth. Hence it may be that a programme to raise awareness of sacred sites on a world-wide basis, and then use them in a proper and responsible way, could have huge implications for gradually spreading consciousness for living in harmony with nature and producing a better world.

The Place of Pilgrimage

All through recorded history, people of all religions have made ritual journeys to sacred sites to honour their deities and partake of the sacred essence that can be experienced there. The process of visiting or revisiting a sacred site has a very fundamental function, as Mircea Eliade explains:

> The idea of a sacred place involves the notion of repeating the primeval hierophany which consecrated the place by marking it out, by cutting it off from the space surrounding it…. A sacred place is what it is because of the permanent nature of the hierophany that first consecrated it. That is why a … tribe, when they feel the need to renew their energy and vitality, go back to the place supposed to have been the cradle of their ancestors. The hierophany therefore does not merely sanctify a given segment of undifferentiated profane space, it goes so far as to ensure that sacredness will continue there. *There,* in *that* place, the hierophany repeats itself. In this way the place becomes an inexhaustible source of power and sacredness and enables man, simply by entering into it, to have a share in the power, to hold communion with the sacredness…. The continuity of hierophanies is what explains the permanence of those sanctified spots…. The place is never 'chosen' by man, it is merely discovered by him; in other words, the sacred place in some way or another reveals itself to him.

Here Eliade is taking a position which sees all sacred sites as essentially of the Earth, or autochonous, and the emanation of the divine as a hierophany is repeated endlessly by the involvement of the visitors. However as we have already noted, Eliade's vision of the sacred place does not seriously countenance man setting up a sacred site without the presence of an initial sacredness or power already present, although many western church and chapel foundations, as sacred places, do appear to be man-initiated and apparently can eventually take on sacred power and exhibit hierophany. This role of man generating or enhancing sacredness by repeated visits has been commented on in an essay in 2006 by Edgar Mitchell on 'Consciousness in the Re-enchanted Reality' which explores some of the implications of Ervin Lazlo's theory

of the A-Field Quantum and the place of a quantum holographic model of consciousness. Mitchell writes:

> A common subjective experience is shared by people entering ancient structures, such as venerated cathedrals that have been there for centuries. Those entering have a feeling of awe, hush, reverence, and peace that is palpable. What mechanism could cause that? The quantum holographic formalism associated with the A-field suggests a continuous exchange of information between people, objects, and their environment. Thus both the people and the cathedral are emitting an aura in the form of holographic information that becomes absorbed by the other. Presumably the years of reverence, hush and awe in the psyche of the worshippers is absorbed over time into the very structure of the building and is re-emitted into the space. The space is ‘conditioned’ by the hordes who have visited it. It is interesting that one can visit the more mundane spaces of such a structure, say an office room, and the feeling present in the large sanctuary is either vastly diminished or totally absent.

Pilgrimage may be a religious journey, long or short, to a sacred site where the experience of a hierophany enriches or heals the traveller in the way described above. However, like much in life, the journey is perhaps more significant than the endpoint. Nearly all traditions suggest that the pilgrim travels on foot, experiencing with fellow pilgrims the travails, hardships, joys, inspiration and social companionship of moving slowly through a ritual landscape or along a ceremonial path. The Australian Aboriginals travel along their song-lines in this way, remembering the original process of creation by the ancient creator-ancestors, carrying out specific rituals and ceremonies at sacred sites along the song-line route, and so revitalising the very existence of the land and their relationship to it. The great pilgrimage routes of Christian and contemporary Europe, for example to Santiago de Compostela in Spain, follow similar routes, passing through cathedrals and sacred shrines over hundreds of miles before arriving at their destination. It is interesting that the classic route across northern Spain is called the ‘road of the stars’ and corresponds to the Milky Way in the night sky, and that the Aboriginal song-lines similarly often correspond to journeys across celestial constellations. Pilgrimage can literally unite heaven, earth and the pilgrim him or herself, as a traveller on a personal quest, in a way that recalls Richard Leviton’s ideas of a visionary geography.

Martin Gray considers pilgrimage to be a very important process which facilitates the human-sacred interaction and raises what he terms ‘eco-spiritual consciousness’ (see next section). Pilgrimage would seem to be a fundamental process which vitalizes sacred sites and provides a profound opportunity for individuals to experience personal and spiritual growth. If we are able to countenance a model of sacred sites as beacons of connected energy in a single landscape or even, as Leviton proposes, a network girdling the Earth, pilgrimage would seem to be a means by which that network might be energised to beneficially affect Gaia herself, as a major interaction of eco-spirituality.

Sacred Sites: Towards a Deeper Meaning

It is clear from our survey of the literature and internet websites that the issue of sacred sites is very much part of an emerging zeitgeist. For example, Wells, a cathedral in England, ran its annual set of five public lectures on theology in the autumn of 2006 on ‘Sacred Space – Sacred Place’, with contributions from distinguished Christian thinkers, architects and scientists. The lecture titles reflect the wide canvas being considered, ranging from ‘Cosmic Space – A Place for the Sacred?’ through ‘A Christian Theology of Place’ to ‘The Creation of Place’. Similarly, the International Society for Religion, Literature and Culture organised its 13th International Conference on the subject of ‘Sacred Space’ at Stirling University, Scotland, for three days in late October 2006. The conference abstracts reveal a huge range and depth of literary and religious scholarship examining concepts of sacred space as revealed in novels, films and the scriptures in a wide range of cultures. The dates of many of the internet sites that we have identified as being concerned about sacred sites and cultural heritage only go back to the beginning of the millennium, all suggesting that sacred sites and concern about their conservation and protection is an growing issue in collective consciousness. Concerns over the destruction of heritage and sacred sites in war zones such as Iraq and Afghanistan, and the potential impact of tsunami-type emergencies on communities and their religious institutions and sacred places, may have played a part in generating what seems to be an emerging world consciousness of interest and concern.

It may be that these issues of man-made environmental damage, whether through war or climate change, are beginning to find expression in the balance of collective responsibility for addressing these issues. Many websites concerned with biodiversity and environmental issues are recognising the value of sacred sites and sacred landscape in their strategies. These traditional landscapes, which may already have a degree of protection through the issue of indigenous sacred sites, are known to be commonly associated with biological environments of forest or mountains which are relatively unspoiled by commercial exploitation, and maintain a rich biodiversity. The biodiversity is correlated with the presence of sacred landscape and sacred sites and so environmental issues are bringing together concerns for the Earth and our collective relationship with it.

Many indigenous peoples are quite clear about the importance of their direct contact with the Earth. Luther Standing Bear, a Native American Indian reminds us:

> That is why the old Indian sits upon the Earth instead of propping himself up and away from its life giving forces. For him to sit or lie upon the ground is to be able to think more clearly and feel more keenly. The old Lakota knew that man's heart away from nature becomes hard; he knew that lack of respect for living things soon led back to lack of respect for humans too.

Something similar is caught by Carole Crumley as an academic in 1999 summarising her thoughts about 'The Archaeologies of Landscape'. She writes:

> While landscapes make it difficult to decouple identity from the sacred, we are put on notice that it is not impossible to banish the sacred from everyday life. The destruction or homogenisation of distinctive landscape elements, along with the substitution of trivial collective symbols devoid of personal meaning, threatens us today from all quarters. Individual identity must be reconnected with the sacred, through the mnemonic of the landscape, at all scales of time and space: from the short human breath to the respiration of the Earth. May this volume be a plea to defend our very humanity from the bulldozer and its spore.

Crumley's heartfelt sentiments are unusual for an academic publication, but she touches on the deeper significance of the impossibility of avoiding the sacred in our own lives and the urgent need to reconnect with sacred sites and sacred landscape as part of the way of defending our basic humanity and respecting the very life of our Earth.

Patrick Curry, an academic writer with a particular interest in ecological ethics, has explored the need in our western society for a recognition that all the Earth is essentially sacred, and that we need to develop a collective spirituality to acknowledge this reality and integrate it into the revisions we need to make in environmental policy. Curry is not explicitly discussing sacred sites, but his approach directly applies to them, and his important idea of Ecocentric Spirituality receives a more detailed consideration in our section on the rationale for sacred sites protection.

However, it is Martin Gray, as a tireless advocate of pilgrimage and the value of sacred sites in our everyday lives, who has provided perhaps the most succinct credo as to the deeper meaning of sacred sites. He writes:

> There is a global socio-cultural phenomena occurring which is the awakening and vitalization of an eco-spiritual consciousness. Among the wonderful aspects of the global awakening is the realisation of the interdependency of all living things and the earth. Deriving from this realisation is the understanding that each human – man or woman, white or black, western or eastern, rich or poor – is a child of one spirit, one energy, one god, one love. This sublime state of consciousness is the promise of each person on the planet. There are many paths to consciousness, many methods of inner work which each of us will use in the course of our lives.
>
> There is also an earth-bound energy available to human beings, concentrated at specific places all across the planet, which catalyses and increases this eco-spiritual consciousness. These specific places are the sacred sites discussed and illustrated on this web site. Before their prehistoric use, before their usurpation by different religions, these sites were simply places of power. They continue to radiate their powers, which anyone may access by visiting the sacred site. No rituals are necessary, no practice of a particular religion, no belief in a certain philosophy; all that is needed is for an individual human to visit a power site and simply to be present.
>
> As the flavour of herbal tea will steep into warm water, so will the essence of these power places enter into one's heart and mind and soul. As each of us wakens to a fuller knowing of the universality of life, we in turn further empower the global field of eco-spiritual consciousness. That is the deeper meaning and purpose of these magical holy places; they are source points of the power of spiritual illumination.

Some Classifications of Sacred Sites

In the main, academic sources that we have been able to identify do not provide a systematic overview or classification of sacred sites. The work of Carmichael and his colleagues from 1994, already discussed, provides many examples from indigenous groups and ancient cultures of varying types and functions of sacred sites, and incidentally indicates the wide variety of cultural expressions of the sacred. The upshot seems to be that the word sacred is almost a keyword or signifier for the subject rather than a word which can properly and effectively encompass all the meanings that are demanded of it. It is possibly for this reason, amongst others, that academics do not seem to attempt any form of classification.

We have to turn to non-academics for a classificatory overview which might include key characteristics of type and function. Indeed, it is perhaps only non-academics who are naïve or bold enough to attempt such a scheme. There is another feature which again many more specialised academics cannot provide, and that is wide and deep personal experience of many forms of sacred sites in many cultures both ancient and contemporary. There are two individual writers who stand out in the field. Paul Devereux, to whom we have already referred, and Martin Gray, resident in Sedona, Arizona, who runs the outstanding website ‘Sacred Sites’, which contains the finest set of professional photographs of sacred sites accessible on the internet.

Gray is a professional pilgrim, traveller and photographer who, following an early life as a monk and a short period in the travel business, had a personal calling to visit sacred sites all over the world. He has described his unique experience over the last twenty years visiting and photographing over one thousand world sacred sites in his 2004 book, ‘Places of Peace and Power: teachings from a pilgrim’s journey’. Gray is probably the greatest non-academic authority on sacred sites viewed at a global level and he has probably visited and experienced more of them than any other being previous or contemporary on the planet.

In the second part of his book entitled ‘Sacred and Magical Places: an Exploration of their Mysterious Powers’, he describes thirty-two categories of sacred space with some examples of each. These are as follows.

- Sacred Mountains: Olympus, Fuji, Popcatepetl, Ararat, Kailash, Hesperus
- Human-built sacred mountains: Great Pyramid, Teotihuacan, Silbury, Cahokia
- Sacred bodies of water: Pushkar Lake, Ganges River, Lake Titcaca, Blue Lake
- Sacred Islands: Lindisfarne, Iona, Mijajima, Delos, Wizard, Valaam
- Healing Springs: Askelepios, Milk River, Bath, Tomagawa Onsen
- Healing and power stones: Blarney, Men-an-tol, Kabba
- Sacred trees and forest groves: Bodh Gaya, Anuradhapura, St Catherine's Sinai, Glastonbury
- Places of ancient mythological importance: Vrindavan, Izumo Taisha, Kachina Peak
- Ancient ceremonial sites: Machu Picchu, Karnak, Palenque
- Ancient astronomical observatories: Stonehenge, Monte Alban, Externsteine, Carnac, Fajada Butte
- Human-erected solitary standing stones: throughout the world
- Megalithic chambered mounds: Newgrange, Gavr'rinis, sites around the North East United States
- Labyrinth sites: Knossos, Glastonbury Tor, turf mazes of England, stoned mazes of Scandinavia
- Places with massive landscape carvings: Cerne Abbas Giant, Serpent Mound, Nazca Lines
- Regions delineated by sacred geographies: Kii Peninsula, Languedoc, Australian songlines
- Oracular caves, mountains and sites: Siwa, Delphi, Patmos, Hebron, Mount Sinai, Katsuragi San
- Male deity/god shrines/yang sites: Shiva jyotir lingams, Apollonian temples
- Female deity/goddess shrines/yin sites: Shakti Pitha, Diana temples, St Brigid springs, Marian shrines
- Birthplaces of saints: Lumbini, Bethlehem, Assisi
- Places where saints attained enlightenment: Shatrunajaya, Nantai San, Bodh Gaya, Mount Tabor
- Death places of saints: Kushinager, Dakshineshwar, Tiruvanamalai
- Sites where relics of saints and martyrs were/are kept: Canterbury, Kandy, Mount Athos, Vezelay, Konya
- Places with enigmatic fertility legends and/or images: Cerne Abbas, Sayil, Paestum
- Places with miracle-working icons: Sabarimala, Tinos Island, Izamal, Guadalupe
- Places chosen by animals or birds: Durham Cathedral, Talpa
- Places chosen by various geomantic divinatory methods: Koya San, Chinese *feng shui* sites
- Ancient esoteric schools: Giza, Chartres, Uxmal, Mitla, Ephesus
- Ancient monasteries: Lhasa, Externsteine, Mihintale, Ellora
- Places where dragons were slain or sighted: St Michael's Mount, Delphi
- Places of Marian apparitions: Zaragoza, Lourdes, Fatima, Knock, Zeitun
- Unique natural features: geysers, volcanoes, sink holes
- Places where UFOs or other anomalous extra-terrestrial phenomena have been seen

Gray acknowledges that this list has overlaps and many of the sites could be listed under two or three categories. There are also some obvious other categories which could be added. For example:

- Sites where myths or legends have originated: Devil's Tower or Bear Lodge, Arthur's Seat in Edinburgh, Uluru, Rome, Prague
- Sites of battles: Little Big Horn, Trafalgar, The Somme, Lexington, Thermopylae
- Man-made temples: Avebury, Notre Dame Paris, Karnak, Chichen Itza, Ankor Wat
- Natural features in the landscape all over the world

Gray then goes on to identify and give examples of some twenty factors which he considers contribute to the power of place. As we consider many of them to be very insightful and useful they are listed below.

- Geophysical characteristics of the site location
- The visual beauty of the site location
- The location of sacred sites according to regional configuration of sacred geography
- The visual beauty of the structures of the sacred site
- The sacred geometry used in the structure
- The building materials used in the structures at the sacred site
- The influence of light and colour
- The influence of sound and music
- The environment and therapeutic use of aromatic substances
- The influence of the 'visual scriptures' which embellish the shrines
- The legendary discovery of sacred sites
- The intent of the builders of the ceremonial structures at the sacred site
- The presence of accumulated energy from centuries of ceremonial activity at the shrine
- The presence of accumulated spiritual energy from large numbers of pilgrims who have visited the sacred site
- The intent of an individual pilgrim, the physical activity of his or her pilgrimage and the heightened effect of religious practice performed at sacred sites
- The influence resulting from a culture's collective belief in the power and ideals enshrined in the pilgrimage centre
- The power or charge emanating from relics, ceremonial objects and miraculous idols
- The mysterious influences of Spirits, Devas and Angelic Beings associated with sacred sites
- The religious use of psychoactive plants
- Celestial influences [e.g. archaeo-astronomical alignments etc]

It is a useful exercise at this point to examine some examples of how indigenous peoples might express their categories of their own special spiritual or power places in

the landscape. Some of these accounts have to be accessed through the filter of western anthropology.

First let us look at the Chehalis Indian Band of British Columbia. The Sacred and Spiritual Sites listed below are taken from the Band's formal Cultural Heritage Resources Policy of 2001 (see Annexe 3)

3.3 Sacred and Spiritual Sites

Note: some sites are of such a sensitive nature that provenance and descriptive information about them is not to be made public.

3.3.1 Spiritual activity sites

Places associated with present day practice of spiritual beliefs including:

- Bathing pools
- Ceremonial regalia repository areas
- Fasting places
- Vision quest localities
- Burning sites
- Sweathouse locations
- Youth spiritual training areas
- Longhouse sites, etc

Note: any strange objects or odd features observed in the forest should be reported to the Chehalis Indian Band before touching or disturbing them.

3.3.2 Transformer sites

Example: Geographical features and areas associated with the transformer, Xa:ls or Xexa:ls [these are places associated with the creator god Xa:ls who transformed men and women ancestors into stones, boulders, outcrops etc] (see T.G.'s account of Th'exelis on page 42 in this report)

3.3.3 Spirited spots

Example: localities associated with spirits (ancestral and otherwise).

3.3.4 Legendary beings

Example: geographical areas and places associated with the Sasquatch [big foot quasi-hominid], water beings, Thunderbird and other supernatural creatures.

3.3.5 Legendary and historical sites

Example: localities integral to events and personages in Chehalis legend and history: ancestral village sites, flood story, etc.

3.3.6 Burial sites and places

- Present day graveyards
- Historical graveyards
- Ancient burial mound sites
- Tree-burial sites, etc
- Cairns

3.3.7 Resource sites and areas

Examples would include:

- Devil's Club resource sites
- Ochre procurement localities
- Medicinal plant gathering areas, etc

Note: some gathering sites are secret.

3.3.8 Other

Sites and areas of a spiritual nature that can not be classified or otherwise written about.

In his paper about scared places of the Sto:lo Indian Band, related geographically to the Chehalis Band, Gordon Mohs provides more detail of the basis of this classification. What comes across is how inadequate our Western term 'sacred' is to describe the nuanced categories of spiritual power and quality found in these different places and sites. Also note how many of them are categorised as 'sacred' in some way or another and are linked to everyday life rather than to special occasions.

David Carmichael, an anthropologist from the University of Texas describes Mescalero Apache sites considered sacred or sensitive in traditional Mescalero thought. Although the types of site show great diversity, all are considered to be places of power. Power, as he puts it,

> is spiritual energy or life force that enables an individual to interact with the forces of the natural and supernatural worlds. Supernatural power derives from a variety of plants, animals and meteorological phenomena….
>
> Power is offered to deserving individuals by the spirits, usually through dreams and visions. People may accept or decline the offer, depending on whether or not they want to accept what might be significant responsibilities associated with the power….

> Powerful places are areas where power is received or where power is needed for protection from spiritual danger. Both kinds of places occur at points of intersection between the physical and spiritual worlds. The physical places associated with the receipt and use of power can be more or less *diy'* [*diy'* is a word meaning degrees of beneficial power, sometimes glossed as holiness] depending on the relative potency of the powers involved.

Carmichael goes on to categorise the sensitive areas as follows:

1. Natural areas of intersection

These are places where the physical and spirit world come together.

- Four sacred mountains defining core Mescalero territory
- The universe conceived of as a sacred tipi
- The Holy Lodge built for the Girl's Puberty Ceremony
- Caves which allow access to mountain spirits
- Springs, as running water which has emerged from the earth

2. Places of Transformation

These are sites where journeys to the spirit world are undertaken.

- Burial grounds, most sacred and most dangerous
- The sweatlodge, to facilitate transformation of Indian into a successful hunter or warrior with heightened powers
- The site of the Holy Lodge for the four day Girl's Puberty ritual

3. Resource areas

These are places where materials, plants and various kinds of soil and rocks etc are collected for use in traditional ceremonies. These sites are *diy'* and are sensitive but not to the same degree as the sacred sites described in the first two categories.

In 1973, the Australian Institute of Aboriginal Studies was vested with the responsibility of recording all sites of either traditional or historical importance to the Aboriginal people, so as to set up a National Register of Sites. Although the categories from the AIAS's 'Instructions for the preparation of a site report' cannot do justice to the complexity and richness of all the categories of site types and sacred value of Aboriginal groups, the list gives at least a basic idea of the kinds of site and functions which are considered likely to be entered on a National Register.

Definition of Site Categories

1. Natural Feature: rock outcrops, trees or geological phenomena of significance to Aboriginals.
2. Rock Shelters: rock overhangs or caves affording some shelter from the wind and rain.
3. Open Sites: shell middens (deposits of shells representing food remains and containing cultural debris, surface scatters of cultural material (i.e., NOT occurring in a rock shelter)), grinding grooves on one or more rocks, rock 'gongs'.
4. Painted Sites: ochre paintings frequently occur in rock shelters or under rock overhangs.
5. Engraved Sites: rock surfaces bearing engraved designs.
6. Structures: e.g. arrangements of stones, cairns, hunting hides.
7. Quarries: open workings, dumps, stone quarries, pigments or raw materials quarries.
8. Fish Traps or Weirs.
9. Exposures: material in river banks, or road cuttings, river deposits, fossil beds.
10. Isolated Occurrences: carved trees, rock holes, burials.

The assessors of the sites are instructed as to how to assess the strength or sacred value as follows:

> Obtain by careful questioning and cross checking with informants full details on the significance of each site with particular reference to associated mythology. If possible evaluate the sacredness of the site – whether it is an increase centre, representation of a culture hero, ritual ground, secular site. Note all the variations in interpretation and differences of opinion expressed. Record the number of informants interviewed and the status of each, his tribal (and other) name, place of abode, totemic affiliation and relationship to the site.

This administrative mechanism can be seen as making a best attempt in the context of Australia in the mid-1970s to assess a complex and sensitive issue for Aboriginal peoples. However, its tone is eurocentric and, following more recent legislation regarding sacred sites protection in Australia, it is probably not in use today.

New Zealand's Maori population has a concept of sacred places called *waahi tapu*. Hirini Matunga, a Maori academic at Lincoln University, Canterbury, spells out the basic Maori position:

> Maori people are the *tangata whenua* (people of the land, indigenous people) of Aotearoa (New Zealand), having migrated to Aotearoa from Hawaiki over a thousand years ago. There are over fifty *iwi* (tribes) in the country, and prior to the coming of the Pakeha (European) in the early 1800s, they were the *kaitaiki* (guardians) over all the natural resources, *whenua* (lands) and *taonga* (treasured possessions), including *waahi tapu* (sacred places) within their *rohe* (territory).

The Treaty of Waitangi of 1840 was signed between various Maori chiefs and the British Crown, but the Crown did not honour the terms of the treaty, which lead to natural resources, *taonga*, including *waahi tapu,* passing out of Maori ownership into the hands of private interests and the Crown.

Matunga asks the basic question 'Who owns the past?' and places it at the centre of the issue of *waahi tapu* protection. He illustrates how Maori culture views the past in a completely different way from European:

> To the Maori the future is behind and is unknown. The past is in front and contains within it signposts and messages which give identity, and which enable the community to plot a path into the future with confidence and assurance. In essence, to know where you are going, you have to know from whence you came. Maori people, like many other indigenous people, see themselves as part of a living history, a continuum which reaches back through their *whakapapa* (genealogy), *tupuna* (ancestors) and through time, to the creator….
>
> Although the Pakeha [European] conceptualisation of their past in Aotearoa may include recognition of the importance of heritage, it lacks the spiritual dimension that makes many sites and objects of the past a fundamental component of Maori spirituality. The past for Maori people is not just a heritage resource. To the Maori immersed in it, it is a spiritual resource, whose 'use' involves prescribed procedures. The past is viewed as part of the 'living present'…. For Maori, relationships exist through time, from the past to the present and into the future, which must be protected. Furthermore, the Maori past in this country goes back at least 1,000 years, whereas the Pakeha past goes back no more than 200 years. The Maori past exists only in this country, it only has relevance to this land and therefore the Maori people lose everything if their past is not protected.

Matunga explains how in the Maori creation story humans are descended from Paptuanuku (Earthmother) and Ranginui (Skyfather) and their progeny of *atua* (Gods). The relationship of humans and Papatuanuku is through a complex pattern of kinship which essentially binds Maori people to the land. Hence, because of this kinship link,

> [h]umans have responsibility to safeguard Papatuanuku, Ranginui and natural and physical resources from violation and destruction. When a child is born the *pito* (afterbirth, placenta) is buried under a tree or plant to seal the connection between children/humankind and Papatuanuku. As the children grow up they are taught to care for Papatuanuku to prevent despoiling and desecration of her resources.

He goes on to explain that Maori recognise that within Paptuanuku there are *waahi tapu*, places which are sacred either because of events that have taken place there, or because they may be resource sites. Matunga goes on to list the main types of site to illustrate the wide range covered by *waahi tapu.*

- Places associated with death: burial grounds, caves, trees, mudflats
- Places where people died, and where bodies rested
- Battlefields
- Burial places of the placenta
- *tuahu* (altars)
- Sources of water for healing and death rites
- *Ara purahoura,* sacred pathways for messengers
- *mauri* stones and trees
- Carved *poupou* representing ancestors
- *pa* sites and *papakainga*
- Canoe landing sites
- Sacred mountains, lakes and springs
- *mahinga kai*, resource sites for birding, cultivation, fishing, forest plants and minerals
- *toko taunga iki*, rocks that identify fishing grounds
- *wahi taonga mahi a ringa*, resource sites for Maori art material such as *kickie*, flax
- Confiscated lands
- *Ara*, pathways connecting *iwi* [tribal] areas and resource sites
- Landscape features which determine *iwi* and *hapu* [subtribe] boundaries
- Mythological sites
- Historic sites
- *Waahi whakamahara*, sites recognised as memorials to events

Again, like the comment on the Chehalis sites reported by Gordon Mohs, Matunga tells us that it is:

> important to realise that, unlike Pakeha [European] custom, much of the knowledge handed down by the ancestors about *waahi tapu* is not available to every one, but is the responsibility of particular individuals, primarily *kaunatua* [?elders]. The knowledge is special, and may not be understood, valued or respected by others, and if the knowledge is made too freely available the sites may even be desecrated.

After this brief examination of the range and complexity of applying the words ‘sacred site’ to indigenous cultures, we return to a classification of ancient and historical sites compiled by Paul Devereux. He identifies the following types, seeing them as a range from most purely natural to most complexly human-made.

Types of Ancient Sacred Site

- Unaltered natural places that were prominent features of the landscape, resembled faces, human or animal forms or were otherwise distinctive, or were shadowy, liminal places such as caves and springs that connect with the underworld.
- Simple areas that had no distinguishing characteristics and were regarded as sacred simply by dint of some cultural factor (such as being where a battle or famous death occurred, plant resource areas, places of divination or healing, unmarked vision-questing sites and so forth) that is not visible after the fact to archaeological or other forms of physical investigation.
- Slightly modified natural places, such as rock art or boulders or cave walls, enclosures or platforms, the placing of offerings, the digging of pits, the re-arrangement of naturally distributed rocks, the working of resources such as flint, chalk and the like.
- Basic monuments of earth, stone, timber – such as the creation of burial mounds, the digging of ditches and banks to enclose ritual or ceremonial areas, the erection of standing stones or timber posts.
- Larger and more complex megalithic and earthen ceremonial and ritual structures.
- Sophisticated architectural features like Egyptian, Greek or Mayan temples and ceremonial sites.
- Ground markings, alignments of stones, modification or incorporation of topographical features, stones and posts and openings with astronomical orientation and so on to create sacred landscapes.

Devereux then itemises the various roles and functions of such sites, that variously,

- represented a mythic or spiritual presence in the landscape.
- marked where spirits or deities dwelled.
- were where a sense of the numinous was provoked.
- were for the worship of supernatural powers and other spiritual and ritual activities.
- memorialized a historic, mythic or otherwise important event.
- were for burial, the placing of the ancestors in the landscape.
- created a funerary geography for ritual and ceremony.
- mapped an otherworld geography.
- were for consulting the gods.
- represented a cosmological feature.
- linked heaven and Earth by means of astronomical orientation, for ceremonial purposes based on astrological and cosmological principles.

Towards a Working Definition of Sacred Site

The wide variety of classification of sacred sites described above all provide important insights into the richness of the concept of sacred and the huge range of religious and spiritual activities which take place in the landscape. However, none of these accounts and classifications makes any attempt to try and derive a formal definition of a sacred site. The reasons for this are plain to see. Any single short definition could only be local in nature and probably culture-bound, and simply could not be widely applied. Another reason for the apparent absence of definitions (even, to our limited knowledge, in the academic field) is simply because normally there is no need for such a definition when there is no need to place the concept of the sacred site as applicable across many different cultures.

The exceptions are to be found in national legislations covering sacred sites and in the terminology used by international agencies such as the IUCN (The World Conservation Union) and UNESCO in its designation of sites for World Heritage status. For example in Australia's *Sacred Sites (Northern Territory) Act* 1989, a sacred site is defined as 'a site that is sacred to Aboriginals or is otherwise of significance according to Aboriginal tradition', a definition, which strictly, avoids defining 'sacred' and is still geographically limited and culture-bound. A similar approach has been taken by the State of California in its Senate Bill 1828 of 2002. This would compel government agencies to notify a Native American tribe of any proposed development within twenty miles of its reservation or any identified sacred site. The Bill defines sacred site as 'any geophysical or geographical area or feature' that 'is sacred to Native North American tribes by virtue of its traditional cultural or religious significance or ceremonial use, or by virtue of a ceremonial or cultural requirement'.

If these definitions are very broad and non-specific about the nature of the sacred qualities of the site, the definition adopted by the Clinton administration in its Executive Order 13007 of 1996, whilst attempting to more specifically delineate the sacred site from a Native American perception, is little more successful. In the Order,

> A ‘sacred site’ means any specific, discrete, narrowly delineated location on Federal Land that is identified by an Indian tribe or Indian individual determined to be an appropriately authoritative representative of an Indian religion, as sacred by virtue of its established religious significance to, or ceremonial use by, an Indian religion; provided that the tribe or appropriately authoritative representative of an Indian religion has informed the agency of the existence of such a site.

The IUCN’s perspective on Sacred Natural Sites is concentrated on natural sites in the landscape which may be seen as ‘tools for biodiversity conservation’, but does not primarily recognise the importance of sacred sites and their spiritual value *per se.* The IUCN defines Sacred Natural Sites

> as natural areas of special spiritual significance to peoples and communities. They include natural areas recognised as sacred by indigenous and traditional peoples, as well as natural areas recognised by institutionalised religions or faiths as places for worship and remembrance.

UNESCO’s World Heritage Convention nowhere mentions the words religious, sacred or spiritual in its selection criteria, relying simply on the use of the word ‘beliefs’. So, as one of ten selection criteria, a World Heritage site might have

> to be directly or tangibly associated with events or living traditions, with ideas, or with beliefs, with artistic and literary works of outstanding universal significance.

This criterion, whilst allowing for the concepts of sacred, spiritual and religious under the term ‘beliefs’, in no way provides a definition of sites which involves such concepts.

This brief survey of definitions finds that they usually fall into three categories. The first group are rather inclusive and general, allowing a wide opportunity for interpretation and therefore carrying little opportunity for legislative specificity. The second group, much less common, are much more specific and delineated, and therefore fail to include many categories of sacred site which might require legislative attention. The final group, often occurring in legislation attempting to protect sacred sites in specific cultures, leave the definition and attribution of the sacred site to the perception of the cultural group concerned with its protection. These forms of attributive definition are clearly open to cultural manipulation and misuse, often fail to describe the sacred site’s specific nature and function, and are very limited in application to a wider multicultural forum.

As authors of this report we are very aware that in order to advance discussion and amicable working between agencies and across cultures in order to protect sacred sites, it might be helpful to attempt to generate a working definition which all participants could agree upon and sign up to. It is not satisfactory to use a term like 'tangibly associated with … beliefs' as it does not have the specificity of a more constructed definition which might even have some value in legalistic dispute. Nor is it satisfactory in international discourse regarding sacred sites to encourage a situation where everyone agrees that they know what the term means but no-one specifies it, as it carries the risks of conceptual vacuum and inevitable misunderstanding.

We believe that a valuable definition would be one in which many cultures and indigenous groups could easily recognise their own concept of a sacred site, placing it 'in the box' of international discussion and recognition rather than feeling it to be outside and unacknowledged.

In order to do justice therefore to the complexity, range of meaning and varieties of sacred site, we have considered all the instances, types and functions of sacred sites from a wide survey of the literature from many cultures and sources. From this material we have constructed the following operational definition, which seeks to be an improvement on the more limited definitions discussed above. Our definition is in an entirely original format and without, as far as we are aware, any obvious academic or legislative precedent.

We have endeavoured in its construction to provide a definition which is hopefully able to encompass any type of sacred site and also provide insight into the richness and wide variety of sites that can be described, and so act as a stimulus for further consideration and serious application. In that sense we hope that the definition is heuristic and educative, not only for participant cultural groups but also for policy- and law-makers.

After stating the basic stem of the definition we have operationalised its expression into four inter-related categories: 1. Descriptive; 2. Spiritual; 3. Functional and 4. Other. Each category provides for clarification of the form, function and role of the

sacred site being considered whilst admitting to the fact that for some cultures *all* the categories would be subsumed in some kind of way under an over-arching category of spiritual. There are nineteen cultural characteristics of sacred sites distributed through the four categories and to achieve the definition, a sacred site must satisfy both the stem statement and at least one of the nineteen characteristics. If the site satisfies more than one of the characteristics, it does not follow that it is more powerfully sacred but simply reflects the variety and richness of its sacred qualities.

Using the definition, a scared site could then be described as satisfying the Thorley/Gunn Definition (TGD) in one or more characteristics out of the four categories. These could be, if necessary, reduced to a briefer encoded form, e.g., TGD, Categories 1, 2, etc. To give two practical examples, Stonehenge in England could be represented as 'TGD, Categories 1.a,d,e; 2.a,e; 3.e;f.' and a sacred beach for fishing in New Zealand Maori culture might be represented as 'TGD, Categories, 1.b; 2.e; 3.b.'

This operational definition, of course, has real limitations. It has no capacity to delineate the precise size or shape of the sacred place or site. It could, however, be combined with information from a cultural mapping exercise to arrive at such a clarification which might be useful in developing policy about protection. It also has no capacity, other than be re-applied, to deal with changing notions of sacred at the same site from either different cultural groups or across a span of time. Finally, whilst the nature of its operational construction and application would probably have insufficient clarity for some legal processes, agreement and adoption by all parties of the definition as applied to a specific sacred site of sites might well assist other cases disputed in law.

We consider that this operational definition will almost certainly need refining, but it could form the basis for taking forward into international discussion or a multicultural forum concerned with policy-making. It could also form the basis of something which might survive legal examination and refinement so as to be used in disputes about sacred sites. We would hope that it, or something like it, could form the basis of an agreed definition used between agencies in the proposed networking that The Gaia Foundation might wish to develop in the future. Such a definition is not meant to

interfere with legal and statutory terms applying to sacred sites in countries with such legalisation, but to inform and facilitate related legal and political processes by having the status of an internationally agreed definition which an expert witness might reasonably use.

Our definition is set out below.

SACRED SITE: AN OPERATIONAL DEFINITION

A sacred site is a place in the landscape, occasionally over or under water, which is especially revered by a people, culture or cultural group as a focus for spiritual belief and practice and likely religious observance.

In addition, to satisfy this stem definition and reflect its wide and rich variety, a sacred site must also have one or more of the following nineteen characteristics found under the headings: Descriptive, Spiritual, Functional and Other. Having more or less of these characteristics does not imply that the site is more or less sacred but it may usefully reflect the complexity and rich variety of its sacred qualities.

1. Descriptive

a. It is a specific focus within a wider and possibly dynamically interconnected sacred landscape.
b. It is, or is founded upon, a natural topographical feature, e.g., a mountain, mound, rock, cave, tree, grove, forest, spring, well, river, lake, the sea, an island, etc.
c. It is recognised as carrying special manifestation of wildlife, natural phenomena and ecological balance.
d. It is embellished with man-made symbols or artefacts, e.g., rock-carvings, painting, holy or religious objects.
e. It is partially or wholly man-made, e.g., menhir, temple, church, wayside shrine.
f. It is a memorial or mnemonic to a key recent or past event in history, legend or myth, e.g., a battle site, creation or origin myth.

2. Spiritual

a. It is recognised as having a palpable and special energy or power which is clearly discernible from that of a similar landscape or surrounding.
b. It is recognised as a special place which acts as a portal or cross-over to the spirit world.
c. It is recognised as the dwelling place of guardian or 'owner' spirits which care for and oversee the site and possibly its wider environs.
d. Its spiritual forces or 'owner' spirits are in a mutually respectful dialogue with local people with specialist knowledge acting as guardians or custodians, who play important roles as mediators, negotiators or healers between the human, natural and spiritual dimensions.
e. It is identified as a place where the ancestors are present and especially respected, e.g., burial grounds.
f. It is a place of spiritual transformation for individual persons or the community, e.g., healing, baptism, initiation, religious conversion, rite of passage, funeral, vision quest.

3. Functional

a. It is a special place where relationships, both interpersonal and throughout the whole community, can be expressed and affirmed, often through a specific form of observance, e.g., prayer, songs, chants, dance, ritual or ceremony.
b. It is a place especially associated with resource-gathering or other key cultural activities, e.g., gathering medicinal plants or material for sacred or ritual ceremony or objects, fishing, hunting, cultivation, burial of ritual objects, giving birth.
c. It is a specific pathway or route between significant or sacred places, e.g., songline, sacred pathway, pilgrimage route.

d. It is a focus of past or present special visits of religious observance or pilgrimage.
e. It is a cultural sacred-secret, with its location and/or specific religious function only known to a limited number of people.
f. It has a significant relationship with astronomical order and/or calendrical phenomena, e.g., astronomical alignment, celestial-Earth correspondence, seasonal ritual or festival.

4. Other

a. It clearly satisfies the stem definition but has unique cultural features that are not represented in the previous eighteen characteristics.

Thorley and Gunn 2008

It is particularly to be noted that our definition allows ‘Sacred Natural Sites’ (for example as defined by the IUCN) to be identified, but it also allows such natural sites to be further defined or qualified in type or spiritual function. Hence a sacred forest that was also a birthing-area and a place associated with a creation myth can be represented by three separate characteristics. Also, what are apparently ‘man-made’ sacred sites like street shrines in India or roadside shrines on pilgrimage routes in Buddhist countries, which may have no significant natural features but are equally worthy of protection, can also be easily represented in the characteristics of the definition. Finally, we believe it is important to have a sacred site characteristic that enables the quality of ‘sacred-secret’ to be formally acknowledged and respected as a common expression of spiritual activity of indigenous peoples.

Our definition also clearly connects the meaning of the word sacred to spiritual practice and experience as discussed earlier. There is an academic consideration of the word sacred being used in a more secular way, for example in an atheistic state culture like Russia which reveres Lenin’s tomb as sacred, or where individual enthusiasts see Elvis Presley’s house at Graceland or the Manchester United goalmouth as sacred, apparently separating the meaning of sacred from the spiritual. We acknowledge that the spiritual can certainly be separated from religion and religious observance, but we consider that passionate belief as in the case of Lenin’s tomb or Graceland carries its own form of emotional individual experience, commonly imbued with wonder and awe, which is indistinguishable from more conventional spiritual experience and belief. Thus we would consider these so-called secular sites as sacred sites, and are able to easily include them in our proposed operational definition.

PART II

PROTECTING SACRED SITES

This section cannot do justice to the complexities of the issue of the protection of sacred sites as it presents to us from so many cultures and countries throughout the world. An exhaustive survey, even were it possible, would be exhausting and leave the reader and the central issue, we believe, more confused than clarified. What we have done therefore in this section is provide the reader with a selective survey of what we see as key issues, many of which have heuristic value simply because they reflect principles and problems that are applicable in many countries and settings. We hope our survey of these issues will prove valuable and that the case studies and examples of good practice we have chosen will provide some suggestions and indication of practical ways forward in what is a very sensitive and complex area.

Is there a Rationale for Protection?

Sacred sites have no absolute right to protection and conservation. The reasons for creating an argument for their protection fall into the subjective and arbitrary consideration of a cultural judgement. If a sacred site is to be protected or conserved, it has to convince the majority culture of the country in which it is found that there is a compelling reason which can, in the circumstance of either informal discretion or through the avenues of judicial and political systems, override any other claims on its integrity and survival. Common claims of this sort are commercial development, tourism and recreational use, and occasionally environmental deterioration leading to hazardous conditions for the site.

We have already identified sacred sites as being foci of past or present religious or spiritual observance, and we might expect this religious function, however expressed in contemporary times, would be a cogent factor to take into account when making a decision about protection. However spiritual observance is not always the primary issue and there are other factors linked potentially to a sacred site which also have to be taken into account.

A key factor which applies to many sacred sites is that they can be easily accounted as places of cultural heritage and therefore worthy as cultural heritage to be conserved and protected. Cultural heritage can be archaeological, historical, architectural, artefactual and social. Thus on any of these grounds, many countries have in place some form of formal statute or legislation which allows the provision of conservation of cultural heritage for the wider needs and valued issues of the state and its people. As we shall see below, international criteria have been successfully developed by UNESCO and other international agencies, which have greatly aided cultural conservation and set standards which individual countries have been able to follow in setting up their own schemes. Hence through the facility of cultural heritage, without invoking values linked to religious or spiritual use, many places which are also sacred sites are in fact successfully protected.

Sacred sites recognised and used by indigenous peoples as part of their spiritual life and basic culture raise more complex issues in terms of protection. Here, usually, the indigenous group is a minority as compared with a majority culture and they may or may not have current active use of the site in question. Often such groups argue that to destroy their sacred site is to fundamentally hazard their lifestyle and cultural stability, and whilst such claims may suggest, for example in a court of law, a fundamental rigidity and terminal cultural inflexibility, they are increasingly invoked as reasons why a sacred site should be protected or conserved. Here, the argument for protection is social and cultural survival of the group, and may be more secondary to the matter of spiritual and religious observance. Some of these issues will be pursued below.

When the survival of an indigenous group or its spiritual centre as a sacred site is under consideration, the majority society commonly considers this to be a minority position, so that although most just societies have statutes and laws in place to protect the interests of minorities, in the wider arena of national interest, a judicial or political judgement may well find in favour of the general benefit of society at the expense of the integrity of the minority group and the protection of its site. The question therefore arises as to how minority group interests in sacred site protection might somehow become issues of concern and indeed value for national interests.

There may be answers to this question in the intellectual and conceptual issues which are emerging about ecological and environmental management. It is recognised that many indigenous peoples have lived, and indeed do live, in a relatively balanced and harmonious way with their physical environment, and although there has been understandable criticism of over-estimation and idealisation surrounding the concept of the 'ecological Indian', such groups of people do seem to manage their lives and society in a style which has much to teach us. Whereas our western cultural needs for commodities and energy seriously compromise biodiversity, indigenous peoples and their sacred sites are noted as environments where biodiversity is likely to have survived or at least is more sustainable. Hence, protection of sacred sites of indigenous people often protects biodiverse landscapes with a rich ecological balance. Protecting biodiversity is not just about conserving rich flora, fauna and ecological systems as a museum exercise but is a more fundamental acknowledgement that such systems are essential for the survival of a richer global ecosystem and the quality of all our future life. Hence environmental and ecological issues linked to sacred site protection should be matters of national, majority culture concern.

However, there may be even deeper issues which unfold when we consider indigenous people's relationship with the land and our common western view. Many, if not most, indigenous cultures have a powerful spiritual valuation of themselves in relation to the land, which is in contrast to those countries of western culture with the less spiritual and land-orientated Christian-Judaic religions of the majority. In short, our own religions (including science) have allowed what environmentalists call ecocide in a way that would seem to be very unlikely if we had pursued a relationship and respect for the land that is evident in indigenous peoples.

This much has been argued by a number of ecological writers and theorists. For example, Sean Kane has written in 1999: 'As civilisation feels its way forward to practices of living with the earth on the earth's terms, we are discovering the respect for nature demonstrated by archaic humanity'. In an important recent (2006) book on ecological ethics, Patrick Curry has sensitively explored the role of spirituality in an ecocentric perspective of environmental strategies which is rightly positioned in its determined avoidance of the dominant, anthropocentrism which is seen to have brought so much of the process of ecocide upon us.

This refined ecocentric view of what Curry calls ‘Ecocentric Spirituality’ goes beyond the ecocentric position of much so-called deep ecology, avoids the commonly observable personalised spiritualities of New Age enthusiasts, ideas of ‘transcendent’ nature and misunderstandings of ‘Gaian Earth’ with its risk of abstract monism and potential anthropocentric superiority, to acknowledge the importance of the sacred as a central part of the human condition. Curry has previously written with authority about Tolkein’s Middle Earth being a model for a realm of enchantment, which we could well transfer across (as Tolkein intended) to our real world confronted by ecocide. Curry writes:

> Tolkein’s own definition of enchantment, by the way – ‘the realization, independent of the conceiving mind, of imagined wonder’ – also remains one of the best. One synonym could be ‘sacred’.

Another, Curry playfully adds, but with powerful relevance for sacred sites, ‘might be, “NOT FOR SALE”’. Like all true mystery, enchantment, or the sacred, is not a commodity.

As Curry puts it:

> The understanding of the sacred that can make a positive and effective contribution to ecocentric ethics, then, is a valuing of the Earth which is:
>
> - *pluralist* (while allowing commonalities, with other people in other places also valuing nature in other ways, to emerge);
> - *local* (while allowing connections with those others elsewhere);
> - deeply appreciative of, and involved in, the so-called material world in all its *sensuous particulars,* and recognises that being ultimately and fundamentally a mystery, it/they are not only or merely ‘material’; and
> - *social* as well as individual: if not exactly a religion, on account of the characteristics just mentioned, then a ‘collective spirituality’.

Returning to Curry’s observations about Tolkein’s Middle Earth, we read that:

> The natural world nurtures and supports human society and culture, and without such support they would quickly vanish. By the same logic, however, Tolkein was suggesting that nature too was sustained, and even dependent upon, the *spiritual*, without which living more-than-human nature dies and is replaced by its corpse: the inert, quantified and commodified object we are now taught to perceive. In this sense, then, sacrality has the last word … or enchantment, to use Tolkein’s preferred term: the experience, so to speak, of the spiritual [our italics].

Curry argues that the many examples in Tolkein's Middle Earth of persons-other-than-human (for example, the ents as animate trees) and its landscapes and places as 'living intelligent, personalities' provides us with a model in which nature is a pluralist, perspectival, sensuous experience, and which is totally applicable to our own ecological crisis today. And, as he puts it: 'without a vivid and profound grasp of just that, no ecological or environmental program stands much chance of success'.

Curry is therefore providing us with a form of spirituality which is totally applicable to our crisis today. As a 'collective spirituality', it would eschew the pitfalls and rhetoric of yet another formal religion and yet join with those beliefs (indigenous and otherwise) that acknowledge the universal nature of the sensuous and experience it in wonder. As he puts it, '[t]he best short term for such a spirituality is probably one which early anthropologists applied pejoratively to the religion of supposedly primitive people: *animism*'. And his suggestion for action now is:

> to encourage and strengthen people's awareness and appreciation – which already exists, although it is rarely articulated – of the Earth and all its life as sacred: not in an abstract Life, but one that is embodied and embedded in specific relationships, communities and places.

Curry's position entirely reflects the spirituality of indigenous peoples that we have encountered so many times in this report. Are they not deeply embedded in specific relationships, communities and above all in places as sacred sites? Are they not essentially animistic and more ecocentric than anthropocentric? Drawing finally from the example of Tolkein's Middle Earth (which is of course our opportunity of reframing our own authentic sacred landscape), is not this landscape of potential ecological harmony and diversity essentially sustained by and even dependent on the spiritual?

Here, for any majority culture, is the simple rationale for having a basis for attempting to protect *all* sacred sites as places of spiritual exchange and sustenance as a matter of fundamental principle. They are all essential for the wellbeing of our Earth and all its life in a wider systemic and ecological sense. To eliminate any of them is to hazard not simply the life and culture of minority indigenous groups but much more centrally everything that exists as we now know it on our planet. The challenge before us now is to raise consciousness about and (as Curry puts it) appreciation of, in our own

majority culture, the reality that at some deep level, essential for all survival, the Earth and all its life is best viewed as sacred, enchanted and imbued with an irreducible pluralist sensuous mystery which is of its essence. Seeking to dismantle or avoid that mystery is simply to sustain continuing ecocide. Acknowledging the mystery is to support the natural (man-included) processes of Earth's potential survival.

Curry's helpful analysis, by which we arrive at a central concept of the need for spiritual engagement, may seem to be overly theoretical and tinged with idealistic hopefulness, but already, at the cutting edge of international conservation, acknowledging the mystery has been identified in current policy. In an important IUCN document (2005) Oviedo and his colleagues have written:

> The Project *Conservation of Biodiversity Rich Sacred Natural Sites of Indigenous and Traditional Peoples* starts at the heart of traditional peoples' relationships with nature. It understands that it is the sacredness of nature that has helped them preserve biodiversity. If spirituality is removed the central motive for environmental protection is lost.
>
> There is an urgent need for conservation agencies to find new, creative and holistic ways of working to provide benefits to both people and nature – against the background of devastating threats to vulnerable people and nature at the beginning of the 21st century. By re-engaging with the spiritual, the Project seeks to provide this opportunity.

We may summarise this section as follows:

- Protection of sacred sites is finally dependent upon the subjective judgement of a majority culture.
- Protection of sacred sites cannot be presumed because of religious or spiritual observance.
- Protection of sacred sites may be due to preservation of cultural heritage.
- Protection of sacred sites may be due to preservation of the social and cultural diversity of an indigenous group.
- Protection of sacred sites may relate strongly to conservation of biodiversity in the landscape.
- Protection of sacred sites needs to recognise the centrality of the spiritual and its part in sustaining the absolute interconnectedness of the Earth and all its life.
- Attempting to protect all sacred sites is to support the natural (man-included) processes of Earth's potential survival.

Protecting Sites of Cultural Heritage

The movement to protect and conserve places, buildings and objects of cultural heritage and history has been evident for over a hundred years and has been evidenced in national legislation in a number of countries. For example, as early as 1915, the famous Medicine Wheel in Wyoming was nominated under US statutes as a national monument, long before it became a controversial issue of contested use in more recent times (see page 122). Similarly, the National Trust in the UK has been protecting buildings and sacred sites since the 1920s and has recently published a book on its specifically protected sacred sites. Almost every country in our search on the Internet has some government or NGO agency concerned with cultural heritage, and occasionally this may be the only overt evidence that sacred sites are actually being protected.

The foundation in 1972 of the World Heritage List through UNESCO was a huge step forward in raising awareness that cultural heritage was not only a national asset but, like all art and culture, an international one. The World Heritage List guidelines for arriving at a designated site also allowed the international community to draw attention to sites in countries where protection was not in place, or where there were grave risks to the future safety of a heritage site. The right of the international community to draw attention to at-risk sites is not without its tensions, as it raises issues of national sovereignty and responsibility, and whilst there have been occasional national protests about the right of UNESCO to be concerned about a building, or the development of a sacred place, it is our impression that the World Heritage Scheme works very satisfactorily and is a major force in creating international recognition and a culture of responsible conservation.

Initially the World Heritage Convention only had criteria for ‘Cultural Heritage’ which included monuments, groups of buildings and sites, usually those constructed or heavily influenced by man. Then the WHC adopted the important acknowledgement of the concept of ‘Natural Heritage’, in which places of natural beauty outstanding from the aesthetic or scientific point of view were included. The importance of this category from the sacred sites’ perspective is that it made possible the protection of a site without the presence of any archaeological or human evidence.

In 1992, further changes also identified the important category of Cultural Landscapes. These are defined as cultural properties and represent the 'combined works of nature and of man'. They are 'illustrative of the evolution of human society and settlement over time, under the influence of the physical constraints and/or opportunities presented by their natural environment and of successive social, economic and cultural forces, both external and internal'. The 1992 Guidelines also identified a particular form of cultural landscape: the concept of the Associative Cultural Landscape, which has further significance for the protection of sacred sites. The WHC commented:

> The inclusions of such landscapes on the World Heritage List is justifiable by virtue of the powerful religious, artistic or cultural associations of the natural element rather than material cultural evidence which may be insignificant or even absent.

In Australia, a 1995 ICOMOS Asia-Pacific Workshop on Associative Cultural Landscapes, which reported to the WHC, further defined them as

> large or small contiguous or non-contiguous areas and itineraries, routes or other linear landscapes – these may be physical entities or mental images embedded in a people's spirituality, cultural tradition and practice. The attributes of the associative cultural landscapes include the intangible, such as the acoustic, the kinetic and the olfactory, as well as the visual.

Advancing the principles of intangible cultural heritage and cultural diversity can benefit from the technique of Cultural Mapping. Since around 2000, UNESCO has encouraged the use of cultural mapping as an indigenous community process which can generate an objective multi-modal audit of cultural features, both tangible and intangible. These can be represented cartographically as an actual map or in some other form, such as, for example, a collection of medicinal plants or sound recordings of songs, stories or traditions. Cultural mapping is widely used as an appropriate technique for recovering control of lost traditional territory or negotiating access rights to cultural resources, including sacred sites. Cultural maps can be used as a powerful instrument in negotiating tenure of land and more fundamental cultural revitalisation, and could be increasingly relevant to the identification of sacred sites and their protection.

Sacred Natural Sites and Biodiversity: the International Response

Examining the international literature of UN agencies and related NGOs over the last fifteen years reveals a complex administrative and policy-making culture with, however, a number of convergent strands related to the increasing recognition of sacred sites. We summarise these as follows:

1. The increasing environmental consciousness linked to conservation of landscape and the essential protection of biodiversity.

2. The increasing awareness of the importance of protecting sacred natural landscape as part of cultural diversity and spiritual practice.

3. The increasing voice of indigenous peoples being acknowledged by international and national agencies in the protection and practical management of their sacred lands.

UNESCO itself, through its World Heritage Committee, has developed an increasing awareness and strengthened policy regarding sacred sites protection, as already discussed. The World Heritage Committee is advised by three major related agencies, ICOMOS (The International Council on Monuments and Sites), ICCROM (The International Centre for the Study of the Preservation and Restoration of Cultural Property) and IUCN (The World Conservation Union). Each of these has played a part in identifying an increasing importance in recognising and protecting sacred sites.

ICCROM has for the most part done this in the context of conservation of sacred art and artefacts related to heritage sites, and, as far as we are aware, has not played a major part in identifying or protecting sacred sites of indigenous peoples.

ICOMOS has been involved in developing increased awareness and clarification of the concept of cultural landscapes and examining in international workshops the validity and practical application of the concept of Associated Cultural Landscape.

The IUCN, particularly through its social policy section and associated networks, seems a more major player in the field, as it is concerned with conservation and the protection of biodiversity. Hence the IUCN has recognised that conservation of biodiversity rich natural landscapes often comes head to head with conservation of

what the agency has defined as Sacred Natural Sites, and that consequently it is essential to fully recognise the culture, the spirituality and the role of practical management of these landscapes by indigenous peoples. The IUCN perspective on protecting Sacred Natural Sites, presented by Oviedo and his colleagues in 2005, is a key document in the field.

The IUCN also collaborates with the WCPA (the World Commission on Protected Areas) to protect landscapes such as national parks. The IUCN Category V of Protected Areas deals with those areas where there is a focus on maintaining a relationship *between* people and nature, and in 2002 the IUCN-WCPA produced a set of best practice Guidelines for this category, edited by Professor Adrian Phillips at Cardiff University. There are many useful case studies in these Guidelines of indigenous cultures relating closely to nature, and the concept of sacred sites is also specifically included. Phillips suggests some basic guidelines to protect sacred sites when they fall into the IUCN Category 5. These are presented below.

> Guidelines for the protection of contemporary cultural/spiritual values
>
> *In managing a Protected Landscape, regard should be had to these considerations:*
>
> - Establish the cultural and spiritual values that people perceive in the landscape by consulting a) local people (particularly 'elders' among them), b) local and other groups interested in such matters, and c) experts, such as anthropologists, ethnographers, cultural and art historians;
> - Identify in particular those beliefs, values etc. which are linked to the protection of the present day landscape and could thus help to reinforce its conservation;
> - Identify in particular those places etc. that are especially important (e.g. as sacred sites, spiritual routes or as treasured viewpoints) and ensure that they are protected;
> - Make it clear that traditional values are respected and will be defended;
> - Seek recognition of these values through appropriate management policies;
> - Involve local people in the development and implementation of management (e.g. particular traditions, associations and behaviours may not be officially recorded and an established working relationship with the community will ensure that they are identified in a timely and non-confrontational manner);
> - Mobilise local communities to work to protect key sites; and
> - Consider the potential for interpretation programmes for visitors on cultural and spiritual values, and involve local people in delivering information to them where appropriate.

Together with the IUCN, the World Commission on Protected Areas (WCPA) set up a Task Force on Non-Material Values which in the light of discussion, interestingly, changed its name in 2004 to become the Task Force on Cultural and Spiritual Values. This has produced an important book 'The Full Value of Parks: From Economics to the Intangible' edited by the Task Force's leader Alan D. Putney (2003) and also a set of Preliminary Guidelines on the Management of Sacred Natural Sites (2004). These are being refined through consultation and discussion at the present time and it is hoped that they will be complete as a viable working policy by 2008.

These Guidelines (see Annexe 1 for a 2006 draft) do not have a specific definition of the Sacred Natural Site, but the following summary overview from the first draft is valuable:

> Sacred natural sites are areas where nature, the divine and remembrances come together in special combinations that are particularly meaningful to a community, society or people. They can be the abode of deities, nature spirits and ancestors. They can be feared and secret places and they can be benign areas for contemplation and meditation allowing also communication with the transcendental. Common to most sacred natural sites is that they are areas removed from everyday access and resource use.
>
> If properly managed, these special places can contribute meaningfully both to the conservation of biological diversity and to the maintenance of cultural identity.

The other major UN agency concerned with the environment and its conservation is UNEP (United Nations Environment Programme), working since 1989 in conjunction with the WCMC (World Conservation Monitoring Centre). The UNEP-WCMC's vision and mission is 'working towards a wiser world: one in which everyone recognises that the diversity of life on Earth is vital to the future of humanity. The Centre strives to promote wiser decision-making and sustainable management of the living world'. In 2000, the related Convention on Biological Diversity (CBD), recognising that traditional knowledge makes a significant contribution to the conservation and sustainable use of biological diversity, in conjunction with indigenous and local communities, set up guidelines for the 'conduct of cultural, environmental and social impact assessments' threatened by developments which impacted on their livelihoods and traditional knowledge. In 2004, the guidelines were produced as the Akwe:Kon (a Mohawk term for 'everything in creation') Guidelines.

These are:

> Voluntary Guidelines for the conduct of cultural, environmental and social impact assessments regarding developments proposed to take place on, or which are likely to make an impact on, sacred sites and on lands and waters traditionally occupied or used by indigenous and local communities.

Although very recent, the Akwe:Kon Voluntary Guidelines have already been trialled in a number of countries where indigenous peoples have been trying to establish protection for sacred sites under threat and reported at a CBD workshop held in Granada, Spain (2006). They are, of course, voluntary, but they are very comprehensive and provide a good basis for carrying out, in the context of a collaborative framework, a well organised and negotiated impact assessment. It would seem that they may have an important role to play in future sacred sites protection work as they become more established and accepted.

Another recent development has come out of an UNESCO conference on the 'Safeguarding of Tangible and Intangible Heritage' held at Nara, Japan in 2004. This has been the culmination of concerns about protection of 'intangible' cultural heritage on an equal basis to material or tangible heritage. Of course, many sacred sites containing no material, artefactual or archaeological material are reliant in their identification on intangible factors such as longstanding tradition, belief and cultural practices, thus the Yamato Declaration on Integrated Approaches for Safeguarding Tangible and Intangible Cultural Heritage is another important building-block in strengthening the status of sacred sites protection. Items 6 and 12 from the Yamato Declaration place its significance in focus:

> Item 6. further recalling that intangible cultural heritage is defined in the 2003 Convention as 'the practices, representations, expression, knowledge, skills – as well as the instruments, objects, artefacts and cultural spaces associated therewith – that communities, groups and, in some cases, individuals recognise as part of their cultural heritage [… and that …] this intangible cultural heritage, transmitted from generation to generation, is constantly recreated by communities and groups in response to their environment, their interaction with nature and their history, and provides them with a sense of identity and continuity';
>
> And
>
> Item 12. national authorities, international, governmental and non-governmental organisations, and individuals actively engaging in safeguarding cultural heritage to explore and support investigations of strategies and

> procedures to integrate the safeguarding of tangible and intangible heritage, and to always do so in close collaboration with the communities and groups concerned.

It is significant that the UN-organised 2005 Symposium ‘Conserving Cultural and Biological Diversity: the Role of Sacred Natural Sites and Cultural Landscapes’, held in Tokyo, in its final declaration calls upon

> national authorities, protected area and site managers, indigenous peoples and local communities, the international system, governments and non governmental organisations, to consider and implement, where appropriate:
> - The UNESCO/IUCN Guidelines for the Conservation and Management of Sacred Natural Sites;
> - The CBD Akwe:Kon Voluntary Guidelines;
> - The Yamato Declaration on Integrated Approaches for Safeguarding Tangible and Intangible Cultural Heritage.

In this collaborative work, we can begin to identify a cluster of key documents and initiatives at the international level which are shaping attitudes and hopefully future policy with regard to protecting sacred sites.

In March 2006 at Curitiba in Brazil, the 8th Conference of the Parties to the Convention on Biological Diversity (CBD) unveiled a major new international initiative to help conserve sacred natural sites. Called ‘Conservation of Biodiversity-Rich Sacred Natural Sites’, it is backed by UNEP and indigenous peoples’ groups such as the foundation founded by the Guatemalan Nobel Peace Prize laureate Rigoberta Menchu (The Rigoberta Menchu Tum Foundation). The initiative has secured preliminary funding from the Global Environment Facility and is setting up pilot schemes in Guinea-Bissau, Kenya, India, Mexico, Ecuador and Peru. UNEP have stated that this international initiative is ‘to conserve ancient sacred sites … in the belief that these culturally important locations may be a key to saving the world’s declining biodiversity’. This initiative is to be welcomed and will be watched with interest in the coming years, but it only singles out sacred natural sites which are of conservation value because of rich biodiversity. We are left with the question as to what provisions are being made for the protection of sacred natural sites, and indeed sacred sites in general, that do not have biodiversity-rich status.

The Rise of the Indigenous Voice

The final, and in many ways most significant, change in this field in the last forty years has been the rise of the indigenous voice. It is not necessary here to summarise the appalling record of human rights which many indigenous cultures and groups have had to endure over the last several hundred years. The assumptions of superiority both of rights and religion as part of the colonial expansion of Europe left many indigenous groups subject to genocide, decimated by disease, forcibly moved, cheated by treaty, dispossessed or simply ignored in the rush for land ownership and wealth. The broad labelling of all non-Christian peoples as heathens with inevitable inferior human status has (and still does) run deep in many Eurocentric majority cultures in a way that tests any sense of the words: decent civilisation. However, recognition of indigenous peoples as having completely equal human and political rights as any other national citizen, or indeed citizen of the world, is gradually taking place.

Both the authors of this report have had powerful personal experiences of this change. One of us (CMG) was involved from 1987 for several years with the Sinixt First Nation of Canada, who three decades earlier had been conveniently declared extinct by the Canadian Federal Government. In 1989, the Sinixt returned to the heart of their traditional lands to set up tipis on a 3000-year-old village site and burial-ground at Vallican in British Columbia, which fortunately, because of unique archaeological features, had been declared a provincial heritage site. Eventually in 1990, after several years of negotiation, the Sinixt were able to oversee the repatriation and re-interment at Vallican of archaeologically-removed ancestral remains kept in the provincial museum in Victoria, B.C. As part of their attempt to overturn the ‘extinct’ designation, the Sinixt have occupied the land ever since, possibly the longest such occupation in any Canadian First Nation’s recent history. Over seventeen years of occupation have been accompanied by other powerful assumptions and reclamation of Sinixt cultural identity and dignity, now very much evident on the Sinixt at Vallican website. 2005 saw the first Sinixt child to be born on these traditional lands for over 100 years.

In 1968, the other author (AT) worked with Amerindian Tribes in the Xingu National Park in Mato Grosso, Brazil. One tribe, the Mehinaku, visited as part of this medical

research, was reduced to less than three hundred people and looked destined for extinction. At that time it had virtually no representative voice to negotiate with the outer world. However, by 2006 the tribe had survived and also significantly increased its population, but its traditional way of life and culture is now even more threatened by commercial development of traditional lands in the Upper Xingu area. Earlier this year, members of the tribe began a remarkable tour of Europe, bringing their traditional ceremonial dances, music and songs as a performance to raise awareness amongst Europeans of their plight. The authors recently attended this performance of traditional and ritual dance and song and found it deeply moving. One of the Mehinaku elders, Kamalurre, featured in an interview in the UK's Guardian newspaper (September 6th 2006), made the following statement, which we give in full as it goes to the heart of so many of the issues still besetting indigenous peoples today:

> We left our land in the Xingu to come to Europe to speak out about the many problems we are facing. All the headwaters of the great Xingu river are very polluted. This is because the white people who are agriculturalists throw in toxic pesticides. They chuck everything in there – rubbish, empty cans and bottles of rum. They also kill the wild animals and they leave the dead bodies rotting by the river banks. We Mehinaku use the water to bathe in, to drink from and to fish. We are fisher people – we don't eat red meat. In the Xingu there is a lot of fish, every type of fish. Fish are so important to us and now the fish are dying.
>
> We are very, very worried because now a hydroelectric dam is being built on the Kuluene river. Building has already started. I went to Brasilia [the national capital] to protest. All the indigenous peoples of the Xingu wanted to demonstrate there, and they told us they can't stop the dam. They keep on building. We went to the dam site to protest and they stopped work, but as soon as we left they started again. They don't care about us. When we go to see what is happening they don't want to know.
>
> So we need help. We have to fight for a better life. We don't want that dam. We want to preserve our land. We have to show people not to pollute the water, not to kill the animals and not to throw poison in the rivers.
>
> The governor of Mato Grosso state, where we live, grows soya. That's all he does. He just orders people to plant soya so that he earns lots of money. He wants to grab half of our reserve, only to plant soya. I am beginning to understand things about the whites. What I see is that we, the Indians, respect them but they don't respect us.
>
> If you go to my land, all you will see is forest. It's unbroken. Now we have set up vigilance posts to protect it and the rivers. People come down the rivers in boats throwing out the rubbish and taking the fish. But I don't take things that

> belong to the whites. Funai (Foundation for the Protection of Indians) is responsible for our land. We want to register it in our name. We need our land and rivers for our life and our traditions. This is very important to us. We sing, we dance, we fish, we hunt, we plant. We are never still because that's our way, it's how we are.
>
> My message to people in Europe is, please stand by us. We the indigenous peoples of the Xingu, really need your help to stop these dams. This is very important – for all of us, for humanity.

The telling point about Kamalurre's contemporary statement is that, despite being on a reserve, despite being under Funai protection, despite NGOs in Brazil and Brazil's own legislation, and finally despite all the activity to date at an international level, this man and his culture, his traditional ways and his sacred landscape are all at a crisis point. It seems that the panoply of current legislation and assistance has totally failed him, and the forces of ecocide move relentlessly on. Today, compared with forty years ago, Kamalurre may have some kind of indigenous voice but there is clearly a long way to go before it is properly acknowledged and acted upon.

It has long been like this. For example, the historical record shows that the USA federal government appeared to resist deeply the enfranchisement of Native Americans. Although African-Americans were given the vote in the US in 1868, it was not until the mounting national embarrassment regarding the devoted and patriotic service of Native American servicemen in the 1914-18 war in Europe that Congress finally passed the Indian Citizenship Act in 1924 and all Indians were able to vote by right. State resistance to that federal legislation in Maine, Arizona and New Mexico continued, extraordinarily, through many court battles, into the mid-1950s. Many indigenous peoples in other countries have failed to gain any significant basic human rights in the twentieth century and are only enjoying the most meagre human rights even at this time.

In the 1980s and 90s the pressure on the United Nations Commission on Human Rights from indigenous peoples and other agencies led in 1994 to the production of a Draft Declaration on the Rights of Indigenous Peoples. This was an important move in acknowledging indigenous peoples as having the same international rights as any

other citizen. Article 1 in the original 1994 Declaration spells out the basic rights as follows:

> Indigenous peoples have the right to full and effective enjoyment of all human rights and fundamental freedoms recognised in the Charter of the United Nations, the Universal Declaration of Human Rights and international human rights law.

Despite this Declaration, the process of formally adopting it has taken many years and must have frustrated many indigenous groups who felt that their voice was not being heard in important times. Around 2000, at the time of increasing awareness through UNESCO's World Heritage Committee of the use of Associative Cultural Landscapes and their relevance to sacred sites and lands, there was a move to set up a further advisory group to the WHC which would be a focussed indigenous voice. This was to be called WHIPCOE (World Heritage Indigenous People's Council of Experts). The provisional status of WHIPCOE was developed in international meetings at Cairns in Australia in 2000 and at Winnipeg, Canada later that year. When the proposal for WHIPCOE was formally placed before the World Heritage Committee in 2001, it was rejected, with a recommendation that more research was required. The reasons for the rejection of this initiative can only (at least by these authors) be guessed at, but it is important to recognise other initiatives from the UN which were in process around the same time.

In 2000, the World Heritage Committee had set up a World Heritage Indigenous People's Forum at the Cairns meeting which went on to propose the idea of WHIPCOE. However, also in 2000, the same year as WHIPCOE was mooted, the UN set up its own Permanent Forum on Indigenous Issues (UNPFII) in order to provide an indigenous voice which could relate directly to the UN Assembly. In 2002, the first session of this Permanent Forum took place and its work continues to the present. Members of this forum also took part in the activities and meetings that followed the declaration that 2002 was to be an International Year of Cultural Heritage. There had also been a first Decade of the World's Indigenous People's between 1995 and 2004 and a second decade has been declared between 2005 and 2014. All this activity has slowly raised the profile of indigenous peoples at the international level but at the practical level of action for many indigenous groups, little has changed.

Finally, the slow and controversial journey through committee and consultation of the 1994 Draft Declaration on the Rights of Indigenous Peoples was voted through on June 30th 2006 by the newly-founded UN Human Rights Council. The vote was 30-2 with only Canada and Russia voting against. Canada is currently beset with a great number of indigenous land claims, many of which have been legally mired for decades. The further legalistic adjustment of indigenous rights arising from the UN vote, which may be used in these cases, is clearly a sensitive matter for federal Canada. The Declaration now goes before the UN General Assembly for formal ratification later this year.

The Declaration has two Articles which are important with regard to the recognition and safeguard of sacred lands and sites:

In the original 1994 Draft Version

> PART III Article 12
> Indigenous peoples have the right to practice and revitalise their cultural traditions and customs. This includes the right to maintain, protect and develop the past, present and future manifestations of their cultures, such as archaeological and historical sites, artefacts, designs, ceremonies, technologies and visual and performing arts and literature, as well as the right to the restitution of cultural, intellectual, religious and spiritual property taken without their free and informed consent or in violation of their laws, traditions and customs.

> PART III Article 13
> Indigenous peoples have the right to manifest, practice, develop and teach their spiritual and religious traditions, customs and ceremonies; the right to maintain, protect, and have access in privacy to their religious and cultural sites; the right to the use and control of ceremonial objects, and the right to the repatriation of human remains.
>
> **States shall take effective measures, in conjunction with the indigenous peoples concerned, to ensure that indigenous sacred places, including burial sites, be preserved, respected and protected.**

In the 2006 Final Version to go before the General Assembly (with adjusted Article numbering: 1994’s 12 and 13 have become 2006’s 11 and 12)

PART III Article 11

1. Indigenous peoples have the right to practice and revitalize their cultural traditions and customs. This includes the right to maintain, protect and develop the past, present and future manifestations of their cultures, such as archaeological and historical sites, artefacts, designs, ceremonies, technologies and visual and performing arts and literature.
2. **States shall provide redress through effective mechanisms, which may include restitution, developed in conjunction with indigenous peoples, with respect to their cultural, intellectual, religious and spiritual property taken without their free, prior and informed consent or in violation of their laws, traditions and customs.**

PART III Article 12

1. Indigenous peoples have the right to manifest, practice, develop and teach their spiritual and religious traditions, customs and ceremonies; the right to maintain, protect, and have access in privacy to their religious and cultural sites; the right to the use and control of their ceremonial objects; and the right to the repatriation of their human remains.
2. **States shall seek to enable the access and/or repatriation of ceremonial objects and human remains in their possession through fair, transparent and effective mechanisms developed in conjunction with indigenous peoples concerned.**

Examination of these two drafts suggests that there have been significant changes through the drafting process which may have weakened the likelihood of State protection of sacred sites. In the earlier draft, based indeed on the original 1994 version, Article 12 states that not only do indigenous peoples have the right **to maintain, protect and have access in privacy to their religious and cultural sites,** but that **States shall take effective measures, in conjunction with the indigenous peoples concerned, to *ensure* that indigenous sacred places, including burial sites, be preserved, respected and protected** (our italics)**.** Examination of all the drafts since 1994 shows that the basic wording of this draft apparently survived until late 2005.

However, in the final (2006) draft that is to go before the General Assembly later this year (actually finally ratified in late 2007), with the 1994 Article 12 now numbered Article 11, whilst the right to protect and have access to religious and cultural sites is retained, the second paragraph, in which States shall take effective measures to *ensure* that sacred places are preserved, respected and protected has vanished, and has been replaced by an exhortation for States to support the repatriation of human remains and

ceremonial objects. We can only presume that in the 2006 version, in Article 11, the exhortation for **States to provide redress through effective mechanisms…[of] their *cultural property*** (our italics) must be accounted as covering sacred sites, but the words ensure and sacred sites are not there in this final version. It is much more straightforward for a national government to assist in the process of repatriation of ceremonial objects and human remains than it is to fundamentally uphold the protection of sacred sites as a matter of State policy, and it appears to us as if there has been a tactical retraction on this issue in order to win overall support in the UN vote. This change, despite other excellent recommendations in the Declaration, may be a disappointment for some indigenous peoples and those expecting more statutory state muscle being applied to protect their sacred sites. There is also a risk that national governments will see this retraction at the international level to be a precedent or policy-steer for further inaction at a state and local level.

Indigenous and traditional peoples are the main players

Despite these reservations about future international policy, the most significant main player in the internal or external protection of any sacred site remains the cultural group or community for whom it plays a key role. It is very apparent that the most successful examples that generate external or legal protection are those where there is close partnership with the indigenous and traditional peoples themselves. Effective partnership is therefore much more than a politically-correct consultation process. In addition, many traditional cultures and their representatives are very aware and concerned that social disruption and the pressures of modern living have jeopardised the transmission to younger members in their community or tribal group the traditional knowledge and practices held currently by the elder members. Without this transmission being present and intact, the proper use and observances at sacred sites will surely attenuate and the value of the sacred site will be lost to the culture, and indeed to the wider world. It follows therefore that agencies should both assist in the continuity and conservation of cultural guardianship as well as respectfully following the advice of current guardians and custodians of the sites as to how they are best managed and protected from outside exploitation. The development of Cultural Resources Policies by indigenous groups themselves, such as the Canadian Chehalis Indian Band Resources Policy of 2001 (see Annexe 3), is an important grassroots

process which better ensures authentic and accurate cultural representation in protection issues.

Some Key Representative International Agencies and NGOs

There are many prominent national and international NGOs and agencies which have taken an active part in producing evidence for the Working Group on the draft declaration on the rights of indigenous peoples and we have listed many of them in our Provisional Directory, through which further information about their activities can be accessed.

At the international level, there are many agencies that could be mentioned, but by way of drawing attention to a representative group of some key agencies, we would single out the following for their particular involvement, albeit in very different forms of approach, in safeguarding sacred lands and sites.

The Delos Initiative

The Delos Initiative is one of the most important groups to emerge in recent years. It arose out of the work of the IUCN/WCPA Task Force on Cultural and Spiritual Values of Protected Areas (see above), in that the Task Force was concentrating on sacred natural sites in developing countries with a similar need but with the different characteristics and approaches seen to be necessary in technologically developed countries. Thus in 2004, Allen Putney, leader of the Task Force asked Thymio Papayannis, a Task Force member and director of the important Med-INA project, to co-ordinate this action. The result was the Delos Initiative (named after the Greek Island sacred to the memory of Apollo), and is a parallel group to the original Task Force.

The general purpose and objectives are as follows:

> The purpose of the Delos Initiative is to identify the pertinence and meaning of sacred natural sites found in the technologically developed world, and to investigate whether and how spiritual values can contribute to the conservation and wise use of significant natural areas, as well as the maintenance of cultural

heritage, in this part of the world. It will focus on sites of high natural heritage value with a definite protection status that are representative of world religions and spiritual traditions.

More specifically, the objectives of the Initiative are the following:

- Understand the position of the major religions in developed countries on nature and on the sanctity of natural sites.
- Assess the pertinence of sacred natural sites for contemporary people, and attempt to estimate the significance of their spiritual values.
- Study how these spiritual values can be maintained and enhanced and investigate whether and how these values can be used as a tool for the conservation of sites.
- Attempt to resolve eventual conflicts between the character of sacred sites and conservation and management requirements, establishing instead synergies, where possible.

The Initiative has singled out over twenty sites in a number of countries for piloting the methodology, including Patmos Island, Greece, Holy Island of Arran, Scotland, Avebury, England, and Montserrat Nature Park, Catalonia, Spain. It hopes to eventually prepare its own Guidelines for management of these sites in technologically developed countries.

The Global Heritage Fund

The Global Heritage Fund is a major player in funding and supporting initiatives for protecting and conserving sacred sites in many countries around the world. The core strategy rests on three pillars.

1. Conservation Excellence

The GHF carefully selects endangered epicentres of outstanding universal value to humankind for funding. After formal approval the GHF provides funding, training and expertise to world-class conservation teams.

2. Community Building and Partnerships

The GHF builds partner networks of community stakeholders, conservation institutions and donors to effect rapid and sustainable change at GHF epicentres using conservation planning, scientific conservation and partnerships.

3. Global Heritage Network (GHN)

The GHF brings to each project a global network of more than 400 experts in conservation, science, tourism and community development. It supports in-

> depth training on conservation leadership and ensures that developing countries have the best conservation resources for critically-needed interventions.

In 2004, the GHF raised large sums of money to lead conservation at ten endangered epicentres, including temples and sacred places, in eight countries.

The Rigoberta Menchu Tum Foundation (FRMT)

The FRMT was set up by the Guatemalan Nobel Laureate Rigoberta Menchu Tum and has an extensive programme to assist and support indigenous peoples in the Americas with social, educational and human rights issues. In recent years it has been concerned with the conservation and protection of sacred natural sites associated with indigenous peoples. Early in 2006 it joined with the United Nations Environment Programme (UNEP) to pilot an ambitious series of projects on rich biodiversity, sacred natural sites and indigenous peoples in eight countries around the world, funded initially by the Global Environment Facility.

The International Indian Treaty Council (IITC)

The IITC is an organisation of Indigenous Peoples from North, Central, South America and the Pacific working for sovereignty and self-determination of indigenous peoples and the recognition and protection of indigenous rights, traditional cultures and sacred lands.

Among its objectives are:

- To seek, promote and build official participation of indigenous peoples in the United Nations and its specialised agencies, as well as other international forums.
- To seek international recognition for treaties and agreements between indigenous peoples and nation-states.
- To support the human rights, self-determination and sovereignty of indigenous peoples; to oppose colonialism in all its forms, and its effects upon indigenous peoples.
- To build solidarity and relationships of mutual support among indigenous peoples of the world.
- To disseminate information about indigenous peoples' human rights, issues, struggles, concerns and perspectives.

The IITC has been very active in the production of the UN's Declaration on the Rights of Indigenous peoples, and always has issues of sacred sites and sacred lands protection on its website.

Sacred Sites International

This US NGO was founded in 1990 and advocates the preservation of natural and built sacred places, believing that 'protecting sacred sites is key to preserving traditional cultures and time-honoured values of respecting the earth'. It is an all-volunteer organisation, and examples of sacred sites that it has recognised are: pilgrimage routes, petroglyphs and pictographs, burial sites, archaeological sites having sacred significance, ceremonial and calendrical sites, memorials and labyrinths, and all forms of sacred natural sites such as mountains, rocks and springs. It supports grassroots preservation campaigns to protect about twenty sites world-wide and lists its own endangered list.

The Sacred Land Film Project

The SLFP is an important part of its support NGO, the Earth Island Institute. It is dedicated to drawing attention amongst the general public in mainly developed countries by publicity and educational programmes to endangered sacred sites and lands. A number of films dedicated to both sacred natural sites, indigenous peoples, and man-made sites have been made and disseminated to raise awareness of sacred sites on a worldwide basis. Its pioneering work provides an important component in the network of international agencies concerned with different forms of sacred sites. For those readers making a first acquaintance with the issues around sacred sites and their protection, the Sacred Land Film Project's DVD film and related teaching material 'In the Light of Reverence', directed by Christopher McLeod, is an excellent and sensitive introduction to the field.

Yachay Wasi ('House of Learning' in the Quechua language of Peru)

Another NGO concerned with indigenous peoples of the Americas, Yachay Wasi centres on issues in South America. It has played a part in supporting international conferences concerned with the protection of sacred sites and indigenous peoples and has, like the IITC, liaised closely with the UN over the rights of indigenous peoples. It supports a number of sacred sites protection projects in the ancient Incan Empire.

Sacred Sites Protection: some Judicial and Political Issues

The protection of sacred sites, whether linked to indigenous peoples or not, often leads to a public dispute between various contesting claims on the site, and the usual resolution of such dispute is in a court of law. However, outside the formality of the legal process there are two other methods of dispute resolution. One is through a political process which is centred on more discretionary decision-making within a political constitution, and the other is informal negotiation leading to resolution and agreement. All these processes are different in every country in the world due to differing legal and political systems, but above all due to different cultures. Thus, writing about legal and political issues has to be confined to a number of general principles which are important and thought-provoking rather than didactic or imperative.

We have approached the complexity of this subject by deciding to concentrate only on situations where there is a legalistic process in order to protect a sacred site which directly involves indigenous peoples. This is simply because the law in cases without indigenous involvement is more straightforward to deal with when there is effectively only one culture involved and the legal principles which apply to the sacred site are basically all agreed upon. An example of this would be the conservation of Stonehenge in England. There has been a complicated twenty-year dispute between successive governments, the National Trust and English Heritage, archaeologists, local residents, festival users, and other experts, regarding its conservation and management, involving road removal, tunnel options, a new visitor centre and so on. The failure to resolve these issues lies in the complex interplay of all these interests and the current stasis may even hazard its future World Heritage status, but it is very likely that ultimately, through the legal and political processes which apply in the UK, the matter will finally be resolved.

When we turn to legal protection issues where indigenous peoples are concerned, there are often two cultures meeting in the court or even in the political chamber, and the national law which is being used is not attuned and constituted to properly deal with the issues raised by the indigenous culture. This often leads to legal failure for the indigenous interest. We have already noted that there has been an important change in the indigenous voice. Indigenous people now have their own people as lawyers and cultural experts in many settings and yet the law is still often barely equipped to deal equitably with some of the issues raised. Indigenous peoples often walk comfortably in the majority twenty-first century culture of their state but also walk in and deeply value their own native culture and customary law at the same time. Even when there is consummate skill in living in both cultures simultaneously, the courtroom is usually only geared up for the majority culture.

We examine below some of the basic issues in culture that have arisen in disputes over sacred sites between a majority culture and an indigenous culture.

Can there be Different Views of Time and Law?

We have already noted in the important observations from Hirini Matunga of the conceptual disparity for Maori people with regard to time; how past, present and future are not linear in the same way that they are for non-Maori New Zealanders. This kind of distinction is found in other native cultures.

Larry Zimmerman, a social anthropologist writing in 1989 about Native North Americans has said:

> Archaeologists view the past as something comprised of linear starts and stops, something that must be excavated, and studied to be understood. For many Indians, the past simply is. It is continuous, and forms the present, and perhaps guides the future. It need not be studied because it is always with you. The law is similar. Archaeologists tend to view the law in terms of a method for the settlement of disputes. We use it to talk about abandoned cemeteries, precedents and the like. Many Indians, though they sometimes use the white legal system effectively, view the law as something given by god or the spirits that is timeless and immutable by man. When we get into meetings with Indians, both sides can be using the same terms and simply talk right past each other.

More recently (2006), in a paper commenting on the value of trying to apply the Akwe:Kon Voluntary Guidelines in sacred lands in the Lake Baikal area of the Russian Federation, Ms. Erien Khamaganova reported the same problems when the sacred and community concepts of indigenous culture meet modern legal language in the courtroom. She critically reported that the regional legislation had failed for a number of reasons, including important indigenous considerations which had been lost or compromised when expressed in modern legal language.

A Special Relationship to the Land

Another key issue that arises in many indigenous cultures is the relationship of people to the land. The intimate exchange of this relationship has no equivalent in euro-centric western cultures and provides a challenge to legal systems. Whereas western views of man and the land are about ownership and rights of lease and tenancy, the view of land, ownership and sovereignty held by traditional peoples who have used and managed the land for perhaps thousands of years is completely different and at significant variance with western ideas. Many cultures see themselves as not on the land but *of* the land, so human and land are simply one, and that death and burial are about returning naturally to the land from which life has sprung. More importantly, disturbing this relationship of unity of man and the land is to fundamentally disturb and hazard the stability and integrity of man and his community and the traditional culture in which he lives. The relationship is not metaphorical in a statement such as ‘I am the land and the land is me’ but an absolute truth, and one which is going to be fairly incomprehensible in a court of law.

In 1997, an article in the UNESCO Courier illustrated this basic relationship for the Australian Aboriginal Ngarinyin community from the Kimberley Plateau in the remote north-west.

> In 1997 three elders and a young disciple left their community … and travelled to Europe to exhibit photographs of their sacred rock drawings and explain what the drawings meant. By this act, which not so many years ago would have been punishable by death, they sought to protect their access to their sacred sites against pressure from cattle-grazing, mining companies, tourists and souvenir hunters.

> Without immediate contact with their land, the Ngarinyin people cease to exist, for they are an integral part of the land, and the land is an integral part of them. If they do not actively maintain the land, the Aborigines believe it will cease to sustain life just as they will cease to exist if they are removed from it.
>
> [As David Mowaljarlai, one of the elders said:] 'Our paintings are our title to the land. If we lose our title, the paintings are empty. It is as *simple* as that.'

Clearly these complex Aboriginal concepts of land and land title would not be considered so simple in a court of law.

There have even been instances in Australia where Aboriginals, long gone from the lands under dispute in the court, have been cross-examined about the absence of their current use of their land. Aboriginal elders have replied that they visit the land regularly in dreams and in forms of astral travel, so maintaining their presence and their sovereignty. Can this kind of evidence be acceptable or even admissible in a conventional court of law in an industrialised culture?

Around 1980 in the USA, the Eastern Band of Cherokees tried to prevent the construction of the Tellico Dam and flooding of their homeland by the Tennessee Valley Authority (TVA), an agency of the federal government. In their evidence Cherokee plaintiffs made the following statement:

> When this place is destroyed, the Cherokee people will cease to exist as a people…. The white man has taken nearly everything away from us, our heritage, culture, traditions, and our way of life that is our religion … and I am afraid of what will become of us and our children if we allow the TVA to cover our sacred land with water…. [A]s the water backs over the once Cherokee land, our people will feel a great pain. The earth will cry … as water covers this beautiful, fruitful valley, members of our tribe will be in silence….

According to legal academic Kristen A Carpenter writing about this case in the New England Law Review (2003), the Indians lost their case and their worldview was discounted, as cultural barriers prevented the judges from understanding what 'our way of life that is our religion' really signifies. The future of the Cherokee Band may have echoes in the next example in which a dispossessed native band nearly did cease to exist.

The Sinixt First Nation, whose ancestral lands were eventually divided by the international Canada-U.S. boundary between British Columbia and Washington State,

lived principally along the waterways of the upper Columbia River and the Arrow Lakes system in Canada. Named after the bull-trout, which along with rich salmon fisheries was the centre of their culture, this people's way of life was destroyed by the construction of the Grand Coulee Dam on the Columbia River in 1936. In the 1930s there was no opportunity of legal challenge to this decision. Their southern land was flooded and the dam prevented the salmon's annual return. No doubt, like the Cherokee, they felt a great pain. It is said of a hereditary chief of the neighbouring Sanpoil tribe, that 'his heart broke as he saw the waters rise'. The majority of the fragmented Sinixt people were relocated onto the Colville Confederated Indian Reservation in Washington, while the Canadian remnant became so dilute that they were declared extinct by the Canadian Government in the mid-1950s. It was not until the late 1980s that the Sinixt First Nation began to identify and re-found its traditional sacred sites in the West Kootenay region of British Columbia and so recover its cultural heritage and its dignity (see Gunn 2006).

These examples show how relocation from traditional and sacred lands can not only be a material and economic disaster (e.g. loss of salmon fisheries) but also an insult, and social wound in terms of the spiritual relationship with the land that is not easily (or for many indigenous peoples even possibly) replaced in the setting of the relocation. It is notable that many dislocated indigenous groups only revitalise their culture when they are able to re-access the original sacred sites and land from which they have been dispossessed. It is this important idea of eventual return which is acknowledged in the new (2006) UN Declaration of Rights for Indigenous Peoples Article 10:

> Indigenous peoples shall not be forcibly removed from their lands or territories. No relocation shall take place without the free, prior and informed consent of the indigenous peoples concerned and after agreement on just and fair compensation and, where possible, with the option of return.

Differing Views of the Concept of Sacred

The third area of significant difference between majority and indigenous cultures is the use and interpretation of the concept that we refer to as 'sacred'. We have already touched upon this at earlier points in this report so our comments here will be brief.

It is generally recognised that indigenous peoples have spiritual relationships with their territories which go a long way beyond a simple reductionist view of land and natural resources as mere commodities. This is highlighted in the following two statements from members of indigenous peoples:

> Sacred lands is a serious topic. It is of increasing concern to Aboriginal people and also should be of increasing concern to non-Aboriginal people. When our people say, 'I am the environment, for the land and me are the same,' a lot of non-Indians interpret those statements metaphorically. Philosophically, from a world point of view, non-Indian societies do not live in reality. (Leroy Little Bear at the Sacred Lands Conference, University of Manitoba, 1996)
>
> We all need to remember that the spirit of the land is connected to the spirit within each one of us which in turn connects us to the Creator. There never has been a separation from this, even when our culture was at its lowest ebb. We need to acknowledge the spiritual connection within each one of us here today so Mother Earth can continue to provide for us. We need to begin a universal change of thought to preserve Mother Earth and to enable us all of us to co-exist in harmony with Mother Earth. (Unknown Native American)

When we read that our non-Indian society does not really 'live in reality', we are fundamentally challenged to re-examine our world view and our conventional way of thinking, and ask, what then *is* reality? And which reality should be the court's reality? It is through examining these issues of reality that we can come to realise and properly understand that sacred lands are very real and important for indigenous peoples and that indigenous concepts of sacred profoundly affect all aspects of their daily life: personal and social interactions, community values and cultural identity, and even political issues. Hence as we have already seen, aspects of the sacred can be found in all activities, places, states of mind and cultural functions, producing a wide array of features and issues that are subsumed under the term 'sacred site'. These are testing concepts for a court of law or a tribunal that only has a narrow repertory of western meaning to apply to the words 'sacred site'.

Key Issues with Legal and Political Import

In their guidelines for the management of natural sacred sites, Allen Putney and Thomas Schaaf (2004) have identified thirteen key issues that need to be taken into account in effective management. They are listed here, as each of them is commonly an issue in legal and political disputes.

> **1. Multiple Stakeholders:** Sacred Natural Sites (SNSs) may be sacred or important areas for more than one group. In such cases, multiple stakeholders with differing perceptions, uses of a site, nomenclature, practices and traditions must be taken into account if conflict is to be avoided. Traditional custodians, pilgrims, local residents, tourists and recreationists may all have differing demands for the site.
>
> **2. Visitor Pressure and Access:** Designation of an important SNS as a protected area at the national level, or designation as a biosphere reserve and/or world heritage site at the international level, can popularize a site and cause increased visitor pressures for which managers and traditional custodians are unprepared. With increased visitation, rights of access and demands for infrastructure development can become significant issues that conflict with sacred values and negatively impact on the site's quality and integrity. Pilgrimages and pilgrimage routes can also cause conflicts with local land use and/or property rights.
>
> **3. Culturally Sensitive Activities:** Many activities normally engaged in by visitors or local groups may be culturally inappropriate in SNSs. Some examples of such activities are the climbing of sacred mountains or rock formations, entering into sacred caves or forests, bathing in sacred rivers, lakes or springs, participating in sacred ceremonies without permission of the celebrants, the hunting of sacred animals, scattering of cremation ashes, leaving of "New Age" offerings, or entering into sacred areas without permission or without culturally appropriate preparation.
>
> **4. Development Pressure:** Encroachment, agriculture, pastoralism, hunting, tourism and mining are development pressures that can have significant adverse impacts on SNSs. Such pressures are particularly difficult to deal with if the SNS is not officially recognised or if there is secrecy regarding the site or the rituals associated with it.
>
> **5. Environmental Pressure:** Anthropogenic and natural disasters such as pollution, climate change, fires, floods, erosion and other related factors can create stresses that negatively impact sacred values and practices, as well as the physical integrity of sites.
>
> **6. Buffering:** SNSs which are not properly buffered from surrounding activities such as population increase, residential development, agriculture, grazing, hunting or tourism, can be negatively impacted.

7. Ownership: SNSs located in areas not owned by the traditional custodians, and not within established protected areas, create extraordinary challenges for management.

8. Political Access: SNSs recognised by minority groups or the powerless in a society are often unable to marshal the political support needed to gain national recognition or install sympathetic management regimes. This is particularly true of sites recognised by minority ethnic or religious communities.

9. Economic Considerations: Balancing the material and non-material values of an area is always difficult, but especially so in the case of SNSs.

10. Seasonal Differences: Some SNSs may be of cultural importance during limited periods, as when the area's values are associated with pilgrimages or festivals at specific times of the year. This may lead to increased demands or peak usage during specific periods that may be incompatible with uses the rest of the year.

11. Conflicting Jurisdictions and Integrated Approaches to Management: SNSs may contain cultural resources managed by traditional custodians or government agencies that differ from the natural resource management entity. This may cause conflicts between the management perspectives or philosophies of the different entities, and make integrated approaches to management an ongoing challenge. The charging and allocation of visitor use fees is often a particularly divisive issue.

12. Different Ways of "Knowing": Modern and traditional management entities often have conflicting views as to the means for acquiring the knowledge needed to make informed decisions on site management. While for modern management agencies science is the basis for acquiring information, traditional custodians may have greater confidence in knowledge or understandings that have been passed down through the ages, or which is acquired through spiritual revelations. Finding ways to balance these different approaches to knowledge and understanding can be extremely challenging.

13. Historically Sacred Sites no longer associated with Traditional Custodians: Sites which were historically considered sacred (e.g. Machu Picchu, Peru), but which are no longer associated with traditional custodians, present a series of difficulties for management. There are no traditional stakeholders to consult or to include in participatory management schemes. The value of a historically sacred site to modern societies is often difficult to establish and defend, especially when there have been multiple custodians over the centuries.

Sacred Sites in Court: a Series of Lessons to Learn

We now examine a series of issues regarding sacred sites which have become disputes in the courtroom and which have gone on to attract a significant public interest and occasionally political intervention. There are four major countries involved in these examples: the United States of America, Canada, Australia and New Zealand. These four countries represent areas where much of the major indigenous activity regarding sacred sites has been located over the last thirty years. They also all have an English-speaking legislation and all four share their legal origins in English Law from the days when they were British colonies. Nonetheless, today these four legal systems and the political responses to indigenous peoples are quite unique in each country and so remind us how difficult it is to arrive at useful generalisations which might be applied to any state with indigenous peoples in dispute about sacred sites.

The centre of the problem is that an indigenous group, large or small, has been over-run by an external colonising nation, and due to this process in all its many forms, the group has lost its power over its cultural property and traditional lands. Attempts to regain power over traditional lands have led to land claim disputes in all four countries. Where the dispute has been over land held by private individuals and corporations there has been very little success in restitution, but in the case of Crown or Federal ownership there has been more movement.

For example, in Canada there are hundreds of land claims made by First Nation and Inuit peoples and very few of these have been resolved. There is no specific legislation in Canada protecting indigenous sacred sites outside that for designated heritage sites, so the law has to resort to more general and non-specific statutes. To an outsider it almost seems that the Canadian government wished to improve its record on dealing with traditional land claims by acceding in the late 1980s to a number of claims in the thinly-populated far north of the country, where the indigenous group was the dominant population and leading a traditional lifestyle and economy. Since the late 1970s, the Inuit had been pursuing a major land claim which could lead to a degree of self-determination and self-government for Inuit Peoples. This led eventually to the 1993 Land Claims Agreement between the Tungavik Federation of Inuit peoples and the Crown, and the formation in 1999 of Nunavut, a vast new

territory with Province status, governed by the Inuit. One of the implications of self-government is that the protection and management of sacred lands and sites is an internal matter for the Inuit government. Five years on, Nunavut seems a very considerable success, but it is unlikely to be replicated even on a much smaller scale in the more densely-populated southern part of Canada where territorial contest is much more controversial.

If Nunavut allows virtual self-government and Province status within the federation of Canada, and ensures that sacred and historical sites come under the responsibilities of the new Nunavut nation, a lesser but significant land claim was agreed between the Gwich'in people of the northern part of the Northwest Territories. Other than the Inuit, this is the most northerly First Nation occupying traditional lands which include parts of Alaska (USA), Yukon and Northwest Territories (Canada), and now in Canada this group numbers about 2500 people. In 1993, the Gwich'in negotiated a Comprehensive Land Claim Agreement with the Crown which gives them considerable control and responsibility for maintaining and protecting their traditional lands and sacred places. For example, in the Northwest Territories Gwich'in Settlement area, the Gwich'in review land use permits for possible impact on heritage resources and provide input on policies and legislation regarding their own culturally significant sites. Although involving very large parcels of land, these special cases are important because they point to the value of an indigenous group actually having legal responsibilities, either by agreement with a national government or as would occur with their formal ownership of the lands.

The issue of ownership or formal title to land was put to the test in an important landmark case in Australia, again in 1992. Around that time an Aboriginal citizen, Eddie Mabo (1936 -1992), who was living on Murray Island north of Queensland and was aware that his family had lived on the same land for many generations, was surprised to discover that the land was actually owned by the Crown. He pursued a case to establish legal title to his lands on the grounds of continuous occupation. The Queensland Government, concerned about the implications of Mabo's case being successful, quickly passed a new law that summarily extinguished all native land titles in the Murray Island area. Mabo appealed to the High Court and the new law was

overturned on the grounds that Mabo and his fellow plaintiffs clearly had a compelling common-law claim to their land by right of ancestral occupation.

This ruling essentially changed the face of Australian Government-Aboriginal relations over land claims, and indeed much more. Before this ruling, the traditional view, as Aboriginal lawyer Noel Pearson has put it, was as follows:

> Australian legal understandings have postulated that Aboriginal people were as animals roving over the landscape; they had no proprietary interest in the land…. It is one of the most enduring pieces of social and psychological baggage in this country: a lingering view that Aboriginal people dwell in the lowest reaches of the alleged great chain of being.

In the Mabo case, the ruling implied that common law would no longer undertake an inquiry into people's social organisation in order to determine whether they can be respected in their property rights. Pearson adds: 'That rejection of racial discrimination determining whether people have some interest in land when they are in occupation of it – that is the nub of the decision in Mabo.' Very few Aboriginals were able to benefit in the way Eddie Mabo had, simply because 90% of them had lost their traditional lands many years ago and to date there is no way the ruling can be applied retrospectively. The ruling did however strengthen the status of Aboriginal peoples when considering issues over their lands, and it caused something of a crisis in identity of non-Aboriginal settler Australians in that it seriously raised for the first time the issue of their moral right to occupy, and indeed own, lands that had been effectively appropriated. In the past settlers argued (quite correctly), 'If you are going to recognise Aboriginal ownership, that means we have no place here.' Now that recognition is in process, it generates a measure of insecurity in non-Aboriginal Australians, raising the spectre of breakaway black states and apartheid. Aboriginal people may not have much land ownership but they have never abandoned a fundamental sovereignty over all the land. A recent judicial ruling (September 2006) has given the entire city of Perth over to the Noongar peoples. Aboriginal traditional ownership is part of the same process and has inevitable future repercussions for all Australian people as other major cities become subject to land claims. The Government of Western Australia will appeal the decision and the then Prime Minister of Australia, John Howard, has said that his first reaction to the Perth ruling was 'one of considerable concern'.

Kakadu is in Australia's Northern Territory and includes a wide range of wetland and woodland ecosystems with many rare species. Cultural traditions with ancient rock carvings go back more than 50,000 years making it Australia's oldest known human settlement and satisfying the World Heritage Committee's concept of a 'cultural landscape'. In 1981, the Kakadu National Park (the size of Belgium) was recognised by the World Heritage Committee and placed on the World Heritage List. In the late 1970s, the area was also recognised as one of the world's richest deposits of uranium. Mining companies applied to mine there, and in 1982 the Northern Land Council, which represents 16 local aboriginal tribes, gave the go-ahead for mining to start. A year later, a new Australian government curbed uranium production and the mining was not pursued. Then in 1996, the new Liberal Government restarted uranium production and a mine at Jabiluka began work in 1998. A local tribe, the Mirrars, were very opposed to further mining at Jabiluka as they see the site as a sacred 'Dreaming Place' which if disturbed will have 'terrible consequences'. In national opinion polls, about two-thirds of Australians were also against the opening of the mine and after direct action at the mine, including a blockade, the dispute eventually was referred back to the World Heritage Committee.

The Committee decided to send experts to Kakadu in 1998 to assess the environmental risk and they found that indeed there were 'severe and potential dangers to the cultural and natural values' of the Park. There was concern about the long-term impact of stored radioactive tailings, and the damage the mine might cause to the daily culture and religion of the Mirrar people. Both the International Council on Monuments and Sites (ICOMOS) and the International Centre for the Study of the Preservation and Restoration of Cultural Property (ICCROM), both key advisory committees to the World Heritage Committee, emphasised the fragility of the intangible spiritual heritage of the Aborigines. 'We respect Mecca and Jerusalem, so we should respect these holy places too,' said Mr Henry Cleere of ICOMOS. 'The problem is that nobody ever defined their exact area [the sacred lands]. That's just known to a few sages. They're supposed to keep this secret but now they're ready to reveal it to defend themselves.' The opinion was that to disturb the enclave by mining was to threaten the whole sacred network of dreaming trails.

In December 1998, at a meeting in Japan the WHC urged the Australian government to stop building the mine and suggested that Kakadu should be considered formally as being placed on the endangered World Heritage Site list, which was a considerable national admonishment and embarrassment for Australia. The Australian government launched a counter-attack and stated that with regard to safe mining it had no lessons to learn from anybody. They reminded the WHC that Aboriginals had originally approved of the mine and suggested that the Mirrars had extended their notion of Jabiluka being a special sacred place simply in order to stop the mine development. Australia then lobbied vigorously to prevent Kakadu being placed on the endangered list and eventually the WHC apparently acceded to this pressure, an act which raised a huge amount of criticism from environmental groups and international NGOs.

The case raises many international and political issues about world heritage conservation. Most significantly, it reveals the tension that is produced when the international conservation community (WHC etc) is at variance with a national government over management of a listed site. In a global economy it also has wider implications. In 1999, forty members of the US Congress petitioned President Clinton to support the Australian Government, saying that any dispute over the Australian mine should be settled by Australians ‘working with their elected leaders, not by some obscure World Heritage Committee’. The Congressmen, accusing the WHC of ‘eco-imperialism’, were reacting to a previous WHC intervention which had assisted in preventing a proposed gold mine on the border of Yellowstone National Park.

Since 2000, the Kakadu dispute has continued through many acrimonious twists and turns and much adverse international publicity for the Australian government until finally in 2003, ERA, the mining company, filled in the Jabiluka mine and ceased production. Then in 2005, the company signed an agreement with the Aboriginals acknowledging their traditional ownership of the Jabiluka mine and granting them a power of veto as to whether it is ever re-opened for mining. The current boom in world uranium prices means that the ERA is still keen to mine and they are allowed under the agreement to request the Aboriginals’ permission for reopening every four years. It seems unlikely that permission will ever be granted. This long dispute has not closed the mining option down, but it has acknowledged Aboriginal people as the traditional owners and granted them the absolute power to withhold permission,

which is a remarkable change from the attitudes of the Australian government in the late 1990s. And lest we forget, at the centre of this epic is the issue of protecting a sacred site.

Unlike Australia, New Zealand since 1990 has had a Bill of Rights and a Human Rights Act (1993) which allows for the protection of religious freedom and equality. Maoris are often Christians but continue to also practice their traditional spiritual beliefs and uphold ideas of sacred ground (*waahi tapu*). This legislation might be expected to assist protection of sacred sites, but as far as we are aware the Act has not yet been so tested in Court. The current law which is invoked to do that is Section 6c of the Resource Management Act of 1991 which explicitly protects *waahi tapu.* The Act defines *waahi tapu* as 'a place sacred to Maori in the traditional spiritual, religious, ritual, or mythological sense' and acknowledges values that are metaphysical and intangible.

The most prominent test case for this Act was a dispute between a Watercare company and two Maori named Minhinnick and Black, in 1998. Watercare planned to build a major sewer pipe to serve the south part of the city of Auckland, with a population of over one million. The pipe was to cross an undeveloped, rocky shoreline that had once been inhabited by Maori. After consultation with local Maori leaders, the line of the pipe was adjusted to take into account religious objections. A Maori blessing ceremony was then held on the site. Minhinnick and Black were two Maori who disagreed with the re-routed pipe and they sued in the Environment Court using RMA Section 6c to have the work stopped. The Court ruled against them, reasoning that to prevail, religious claims must be based on a reasonable person's viewpoint, a test that Mihinnick and Black did not satisfy. The Maori plaintiffs appealed the Environment Court ruling in the High Court, which overturned the original ruling, stating that the legal test should be based on the viewpoint of *Maori people in particular*, reasonable Maori rather than reasonable persons generally. Watercare then appealed the High Court decision in the New Zealand Court of Appeal (the highest Court in that country) which in turn reversed the High Court ruling agreeing with the Environment Court. The Appeal Court also held that as the sewer had been agreed in a previous district plan, it was not subject to further review and challenge by the Maori plaintiffs.

Throughout this case are the competing interests of the rights of religious freedom for two individuals set against the need for a sewer pipe for one million people. The religious claim in this case is seen as having only marginal importance in terms of actual religious exercise on the shoreline as compared with the practical need for the pipe. It poses the problems of judging the interests of dissenters as against the interests of an organised group, and also the difficulty for courts to decide between definitions of reasonableness in matters of religious faith, concepts which are not subject to proof.

Another landmark case in Australia further illustrates the difficulties that arise when there is a dissenting group of indigenous peoples. In the late 1990s, the Chapman Family wished to build a bridge which would link Hindmarsh Island, a resort area, to the mainland south of Adelaide. Local aboriginals from the Ngarrindjeri tribe agreed to the scheme as no Aboriginals currently lived on the island. However, a dissenting group of Ngarrindjeri women protested on religious grounds, invoking the Heritage Protection Act of 1984. When the Commonwealth Minister for Aboriginal Affairs attempted to commission a report, the Aboriginal women said that details of the island's sacred character could not be revealed to any men. The Minister therefore appointed a woman academic to independently review this 'sacred-secret' and advise him. After examining her advice and having not read a sealed envelope containing details of the sacred-secret, the Minister issued an order under the Heritage Act to forbid construction of the bridge for 25 years. The Chapman family sought a review in the Federal Court, which overturned the Minister's Order because as a man he had not examined the full evidence when he made the Order. Meanwhile the South Australian Government carried out a Royal Commission to examine the genuineness of the Aboriginal women's religious claim. The Commission found that the women's claim was essentially a fabrication in order to prevent the bridge.

There was huge controversy regarding this finding. No male expert witnesses such as anthropologists could ever be totally informed as to the details of the religious claim, and various female anthropologists came under criticism for being biased towards the Aboriginal women. As Robert Tonkinson, a respected anthropologist has commented, social anthropology as a social science used to gradation and nuance in its academic

expression did not come out well when it was tested against the sharp precision of opinion required in the courtroom. He felt that on balance there was some credibility in the dissenting women's claims, but by this time the whole case was mired in controversy. The South Australian Government amended the Heritage Act to exclude the specific Hindmarsh Bridge project, the High Court of Australia in a judicial review upheld the Amendment and the bridge was built and opened in 2002.

This case illustrates some important features. One is the protection of a sacred-secret, a matter of confidentiality, which sorely tests a court where open evidence is the usual currency for settling disputes. Secondly is the issue, particularly in civil courts and tribunals, of evaluating the sincerity and importance of religious claims when there are no legal precedents or guidelines for doing so.

There have been a number of similar landmark cases regarding sacred sites of Native North American peoples, and again it is in the last twenty years that new legislation has strengthened the issue of protection. Fundamental to many of these cases is the Establishment Clause of the First Amendment of the U.S. Constitution, which prevents the government from enforcing any law or policy which favours a specific religion, or even promoting religion in general. Consequently, several Supreme Court decisions have determined that the Government and its agencies are obliged to accommodate the free exercise of religion whenever possible. There is clearly a fine distinction between actually promoting a religion and allowing its free exercise by participants and this often leads to controversy in the courts.

If using this Establishment Clause is not very satisfactory, the 1996 American Indian Religious Freedom Act (AIRFA) is more helpful. It states:

> Henceforth it shall be the policy of the United States to protect and preserve for the American Indians their inherent right of freedom to believe, express and exercise [their] traditional religions … including but not limited to access to sites, use and possession of sacred objects and the freedom to worship through ceremonials and traditional rites.

This enactment did not create a judicially enforceable cause of action but it has had an effect on Executive Department Policy. The important Executive Order 13007 signed by President Clinton in 1996 requires federal agencies to:

> (i) accommodate access to and ceremonial use of Indian sacred sites by Indian religious practitioners and (ii) avoid adversely affecting the physical integrity of such sacred sites.

Another key Act in the US is the Native Graves Protection and Repatriation Act (1990), which protects Indian religious interests in burials and ceremonial objects. However, a number of legal commentators have pointed out that laws made in

Washington often have a very different interpretation in the places where they are applied, and the current legislation affording protection of sacred sites is still difficult for native groups to use successfully.

An early case from the 1970s raised some key issues about alleged fabrication of religious interests and the significance and validity of tribal revitalisation. In the late 1970s, Point Conception on the California coast became the focus of a major dispute over the construction of a natural gas terminal. A coalition of environmentalists and Native American groups occupied the site and protested against the plan. The central tribal players were the Chumash tribe, on whose alleged traditional lands the development was taking place. The controversy lay in that the Chumash (a word recently derived from the words Santa Cruz), being a very mixed and dilute tribal group, seemed to have very little evidence of religious continuity preceding the 1920s, so their claims over the Point Conception area were thrown into serious doubt. Like the dissenting Aboriginal women in the Hindmarsh Bridge affair, the Chumash were being accused of convenient fabrication.

The combination of Indian traditions annealed with the beliefs of New Age supporters led to the Point Conception area being identified as the 'Western Gate' of Turtle Island (all of North America), the place where all Indian souls left this earth to return to spirit. The Chumash saw themselves as 'Keepers of the Western Gate' and the Point Conception controversy led to the land being identified as the most sacred in North America. The Western Gate belief took on an extraordinary mythic power and significance of its own and received confirmation and support from Native Indian groups from all over the US. The problems of this mythogenesis were further

compounded when another Native group identified the Eastern Gate (where Indian souls came down to Earth) as somewhere on Long Island in New York State. Anthropologists, trying to unravel the Chumash traditions from recent accretions of new religious ideas borrowed from other groups, found they were charting the revitalisation of a hitherto vague cultural tradition, but had to accept that such revitalisation of religious beliefs was valid in contemporary times, and in that sense was not a fraudulent fabrication. Since the 1970s, cultural revitalisation has become generally accepted (an example would be the concept and use of the Medicine Wheel by contemporary tribal groups with no previous tradition of its use) and it is interesting that it is a theme which is strongly acknowledged in the new UN Declaration of the Rights of Indigenous Peoples.

Although the traditions and spiritual beliefs of Native North American Tribes (USA) and First Nations (Canada) are very similar, Professor Tim Casey has identified a number of important differences about how the two indigenous groups approach their claims for protection of sacred sites. In the USA, Indians focus on protection and practices at specific sacred sites, often in the context of significant competition from other interests. In Canada, First Nations tend to focus on sacred lands which might contain sacred sites, but are more often in areas of low non-indigenous population and less competition. This distinction is shaped more by cultural, legal and political differences than by any differences in native beliefs. In a very interesting discussion of these national political and constitutional differences, Casey identifies fundamental distinctions between the USA and Canada, even though both countries originate their laws towards aboriginal peoples from British Crown Law in the eighteenth century. Canada is seen as a society committed to multiculturalism and cooperation between groups. It favours the group interest rather than primarily supporting the rights of the individual. In the USA the opposite tends to predominate: the rights of the individual in a competitive culture predominate over group interests and the culture of cooperation. Thus in Canada there have always been Federal Government statutes protecting the rights of indigenous peoples, evidenced by Supreme Court decisions which often overturn lower court and Provincial Government rejections of protection of sacred sites. In the USA, however, the Supreme Court more often than not overrules a lower or State Court support for Indian protection.

An important USA case which illustrates the Supreme Court's power and the significance of its ruling in subsequent sacred site protection disputes took place in 1988. The US Forest Service, represented by Richard E Lyng, then Secretary of Agriculture, proposed to construct a road and issue logging permits on federal land called Chimney Rock. Three Californian Native tribes objected to the road as it encroached on traditional sacred sites and would interfere with their religious observances. The Forest Service offered to re-route the road as far away as possible from the centres of religious importance but the Indians insisted that their observances required peace and quiet. Through a lower court and using the grounds that the project would violate the First Amendment's Free Exercise Clause, and other laws such as AIRFA, an injunction was obtained preventing road building and logging at Chimney Rock. Lyng then sought a ruling from the Supreme Court which voted 5-3 in favour of the Forest Service, but it was the wording of the ruling which became controversial. The majority opinion written by Justice Sandra O'Connor accepted that whilst 'the threat to the efficacy of at least some religious practices is extremely grave', and even if the building of the road would 'virtually destroy' the religion of the Native tribes, the government had a right to build it. She went on: 'No disrespect for these [religious] practices is implied when one notes that such beliefs could easily require de facto beneficial ownership of some rather spacious tracts of public property…. Whatever rights the Indians may have to the use of the area, however, those rights do not divest the Government of its right to use what is, after all, its land.'

It is to be noted that there was no land claim here but simply a concern about sacred site protection on federal land. The Supreme Court's *Lyng* ruling has coloured all subsequent cases and reduces the likelihood of a more favourable opinion in future cases. This strong US assertion of federal rights to its land use is in stark contrast to the attitude to traditional indigenous lands which is developing in Australia.

There are two sacred sites in Wyoming which have each been controversial in their own way and which now represent a kind of truce of negotiated management of protection issues. One is the famous Wyoming Bighorn Medicine wheel at 10,000 feet in the mountains and the other is Devils Tower or Bear's Lodge.

The Bighorn Medicine Wheel has been recognised as a nationally significant site since the 1920s, but only in the last thirty years has it become a controversial site through contested claims on its use. The Wheel may date back thousands of years and there is a long tradition of a number of Indian tribes carrying out ceremonies which may go back centuries at this unique place. However, the site has also become a major tourist attraction and is visited by up to seventy thousand visitors each year. This interferes with Native religious observances and sometimes contaminates the sacred site with well-meaning (but possibly inappropriate) gifts and offerings from non-indigenous visitors. The site is managed as a cultural heritage centre by the US Forestry Service, and in 1988, because of tourist pressure they proposed new developments which would make the Wheel easier to access: a new visitor centre, an observation tower and additional parking etc. These proposals were vigorously opposed by a coalition of Indian tribes, and their political activism generated a backlash from local loggers, ranchers and mining executives – a major power group in conservative Wyoming state politics. The complexity and acrimony of the various contested claims on this piece of sacred land literally defied any sensible legal approach and eventually, after years of protracted discussions with all interested parties, an agreement was reached in 1996 about the management and conservation of the Medicine Wheel site. Gone are all the visitor developments and access by car. Visitors now have to access the last 1½ miles of road on foot. The Forestry Department has posted a sign as follows:

> To many people, particularly to Native American Indians, the Medicine Wheel has profound spiritual significance. Please follow these rules for the next ¼ mile. Please stay on marked trails. Please do not litter, move stones, pick flowers. Please leave the site as you found it.

The agreement allows for local loggers and ranchers retain limited use of some of the land surrounding the site. Those Native Indians who wish to use the site for religious reasons only need to identify themselves to a site ranger. Then the public is asked to withdraw 100 yards from the Wheel whilst the religious ceremony or prayers take place. On average this restricts public access to the Wheel for about 30 minutes each day. Finally, Forest Service staff, some of whom are Native Americans, guide tourists around the site, explaining its functions as part of their educational programme. Professor Michael J Brown, a social anthropologist and authority on issues of Native

cultural property, has written at length about this case and refers to the resolution of the contested claims as 'negotiated mutual respect'.

The vast volcanic porphyry plug rising to nearly a thousand feet and immortalised for the cinema-going world as a central feature of Spielberg's film "Close Encounters" is known as Devils Tower (reflecting a powerful Christian judgement about a native site) and Bear's Lodge by native people. Set in its own National Park, it has been the focus of another strongly contested sacred landscape. The site is visited by about half a million tourists annually, and about 6000 of these are rock climbers with a significant group of commercial firms providing guides and equipment. In the late 1980s, Indian tribes who visited Bear's Lodge sacred site for prayers and religious ceremonies complained that the climbing activities interfered with their rights to religious observances, particularly at midsummer when the Lakota held an annual Sun Dance. They found the shouting of climbers and hammering of pitons into the rock to be disrespectful of the spiritual forces found there. The National Parks service also became concerned about environmental damage to the rock and pressures on animal and plant life in the climbing areas. The situation became even more complicated when local non-Indian residents asserted that their own rights and concerns over the site were just as equal as those of the native Indians, noting that many of the Indians did not even live in the State of Wyoming. Here was a social challenge, coming from white settlers who valued their own consistent presence over two hundred years, in relation to the concept of 'indigenous'.

The Park Service found a compromise to the central issue by banning climbing in the month of June to allow the Indians access to the site around the summer solstice for their religious observances. The Indians agreed to this, but a group of professional climbing guides sued, alleging that the new rules constituted religious favouritism towards the Indians in violation of the Establishment Clause. A federal district judge agreed with respect to the June closure and rather than appeal (we guess not trusting in a favourable Supreme Court ruling), the Park Service withdrew the commercial closure rule. They did however invite a voluntary avoidance of climbing in June, which although regularly infringed by determined climbers, does reduce the numbers in that month and so allows the Indians some improved conditions for their religious ceremonies. This is technically a legal failure of indigenous peoples in protecting their

sacred site but it has, like the Bighorn Medicine Wheel, generated a working compact whereby all parties gain something. For Professor Brown this result is another example of the value of negotiated mutual respect.

Before drawing a few general conclusions about these cases from the four related national states we have to return to Canada to highlight a dispute which has only come to our notice as we have prepared this report. We heard about this dispute between Northgate Mining Corporation and the Takla First Nation and related Bands only as a result of sending emails of enquiry about networking to the Union of British Columbia Indian Chiefs. The shadow of the Australian Kakadu mining case, already discussed, seems to hang heavily over this current dispute.

J.P. Laplante, mining coordinator of the Takla First Nation has sent us these details.

> The Takla First Nation is currently fighting several proposed developments which are either intruding into a sacred area or proposing a plan that goes against the sacred laws of our Nation. For example, a company called Northgate Minerals Corp. has proposed to develop the Kemess North Mine but wants to dump 750 million tonnes of tailings and acid waste rock into a pristine, fish-bearing lake located in our territory. Duncan Lake, or Amazay in the Tse Keh Nay language, is a 6 Km long lake that has been used by the Tse Keh Nay people for thousands of years.
>
> While we are not opposed to all development, the impacts on the lake, the fish, the wildlife and the downstream water quality cannot justify ten years of [mining] work and any amount of money. We continue to oppose this plan, even when Canada and British Columbia's governments bend over backwards to make it possible for the company to 'amend' our environmental laws to allow this lake to be destroyed.

The company has plainly stated that there is no economic alternative other than to dump the tailings in Amazay Lake (Amazay means 'Little Mother'), and has offered to remove the fish stock of char, rainbow trout and whitefish to two nearby lakes. The practical feasibility of that action has not been discussed. Northgate would then build a ninety-metre dam and two smaller dams on Amazay to stabilise water inflow and outflow as a preparation for the tailings. There are archaeological remains around the lake dating back hundreds of years which make it potentially a heritage site but this option has not been explored. A recent article in Canadian Mining Watch's magazine has reported that the 'North Kemess issue is putting Fisheries and Oceans Canada

under the microscope' and states that permitting the lake's destruction would be in violation of a number of the federal agencies regulations. For example, Section 35 of the Fisheries Act states that 'no person shall carry on any work or undertaking that results in the harmful alteration, disruption, or destruction of fish habitats'.

The window for public input and comment about this dispute will soon close. There are public hearings in November (2006) and written submissions will be accepted by the Panel until December 14th. The Takla First Nation have not been able to secure a grant yet to prepare their own environmental assessment for these public hearings so there is a sense of urgency and a real need for more national and international support. It seems that this case, whilst current and ongoing, has all the classic features of so many of the cases we have already discussed. A small group of people are trying to protect their sacred site and lands with few technical resources and support to do so. Arraigned against them are the interests of a major corporation committed already to hundreds of million dollars of investment for a potential ten-year period in order to mine gold and copper and satisfy its investors and shareholders. The mining would inevitably bring jobs and improved prosperity to an underdeveloped region of British Columbia, but possibly also significantly contribute to a deterioration of its biodiversity and cultural heritage. It has been said that the future of the lucrative mining industry's potential future in BC hangs on the success of the Kemess North scheme being approved, and there is a lot of interest from the mining industry in this case. The Provincial and Canadian governments and their official agencies are acting as brokers over a sensitive environmental and economic issue, and are already being accused of bias towards the Northgate plan. No-one amongst all these players but the Indians recognises that Amazay Lake and its fishing constitute a longstanding sacred site, and as such cannot just be relocated or fundamentally changed. To the Northgate Corporation the Lake is neutral real estate but for the Indians its sacredness is immutable. This is the kind of contemporary living dispute over sacred lands which could benefit from access to international expert advice that might be provided in a future network of committed agencies and NGOs.

Total Heritage Protection or Informed Voluntarism?

The legal and political examples in the previous section have not discussed cases of the protection of sacred sites other than those involving indigenous peoples, as it is those examples which expose the clash of two cultures in the courtroom. Addressing this cultural distinction is a relatively urgent matter, as most of the legislation in the four countries considered has occurred since the early 1990s. What has changed in this brief period is a shift in morality about dispossessed and displaced peoples. In longstanding historical tradition, one of the natural outcomes of victory over a conquered people was ownership of their land, with the moral right to the land being seen as one of the fruits of victory. Many of the settler nations in the four democracies we have considered did not take over the land (entirely) through military victory but as an assumed right of colonial occupation and settlement. This process of land appropriation was compounded by reneged treaties and many other nefarious schemes and actions which effectively cheated indigenous peoples out of any rights they may have had in colonial law, and more significantly, mostly ignored their pre-occupation customary laws. For over two hundred years, assisted by an assumed cultural (Christian) superiority and not a little racism, the moral right to land ownership has been firmly with the settler nations. However, in the last fifty years and especially in the last twenty, the moral ground has slowly shifted. Indigenous groups, often seeing themselves as nations in their own right, have asserted their basic rights to their traditional lands, emphasising their own concepts of self-determination, sovereignty and sacredness. The particular focus of sacredness as part of a unique and powerful expression of indigenous relationship with land and cultural integrity has confounded the settler nations, confused court procedures and deeply challenged the creation of helpful legislation. Indigenous peoples have insisted that the settlers and conquerors were (and are) fundamentally thieves and that the traditional lands were not taken by right but were stolen, and the onus of moral right has consequently subtly shifted in their direction.

The court cases we have examined all reflect this change, and we suspect would be reflected to some extent in other countries if our legal survey could have been more international. Each of the four democracies we have presented has historically resisted legislation which would assist indigenous peoples to assert their rights, and even now

the laws about sacred site use and protection (such a key concept at all levels in the man/land spiritual symbiosis), whilst of some value, are still difficult for indigenous groups to use effectively.

Professor Richard Collins, in reviewing these issues in a valuable paper in 2003, writes:

> In recent decades, Maori, Aboriginals, Native Americans and Canadians have had greater success in asserting interests in sacred sites on government land by *political* means than by judicial action [our italics].

Collins points out that the fundamental problem for the judiciary is the assessment and judgement of the variety and integrity of religious claims.

> Lacking a workable metric to determine the importance and authenticity of religious claims, judges rest their decisions almost entirely on the adequacy of secular justifications for *denying* religious claims, and most contested cases lose [our italics].

Despite the relative failure of judicial success, there has been significant political accommodation on indigenous issues and as processes of self-determination have begun to emerge, it seems, at some level, that indigenous peoples pose a form of threat to national cohesion. It is notable that Canada (the only country of our four democracies to take part in the Declaration Working Group) voted against the new UN Declaration on Rights of Indigenous Peoples, and now that Declaration is about to be ratified in the UN Assembly, it is alleged that the three other nations – Australia, New Zealand and the USA – are all lobbying to have the term ‘self-determination’ watered down to ‘self-management’. It is clear that the sacred site concept carries a huge political import in these four countries.

In his 2003 book ‘Who Owns Native Culture?’ (to which a great deal of our previous argument is indebted), Professor Michael Brown has explored some of the underlying issues in improving the protection of sacred sites, making a useful distinction between what he has coined Total Heritage Protection, and the value of Voluntarism in civil society.

Brown considers that since the 1992 Australian *Mabo* decision, a line of argument has emerged which holds that land is inseparable from all forms and aspects of Aboriginal culture and that resistance to piecemeal protection of native heritage ‘has inspired

proposals that indigenous cultures be shielded in their *entirety*' (original italics). This for Brown is Total Heritage Protection. Its spirit was epitomised in an influential UN document entitled 'Protection of the Heritage of Indigenous Peoples' drawn up by Erica-Irene Daes in 1997. The Daes report enshrined the principle of Total Heritage Protection as follows:

> Indigenous peoples regard all products of the human mind and heart as interrelated, and as flowing from the same source: the relationships between the people and their land, their kinship with other living creatures that share the land and with the spiritual world…. All elements of heritage should be managed and protected as a single, interrelated and integrated whole.

Such absolutism, Brown argues, generates a clamour for rights and rights can only be articulated by specific statutes and legislation. This of course is very much the way the indigenous voice has in fact proceeded in the last twenty years, and the influence of the Daes report can certainly be detected in the new Declaration on Rights of Indigenous Peoples. However, Brown considers that the new legislation is a mixed blessing, reminding us of Foucault's observation that 'when law encompasses formerly undefined elements of social life, it has a pronounced tendency to impose regulatory frameworks that shift power ultimately to the regulators'. The paradox is therefore that in seeking freedoms of expression through the pathway of absolute rights and legislation, indigenous peoples may just be gaining nothing more than strict regulatory mechanisms that ultimately confine and stifle the very freedom they desire.

Brown seeks to temper the dangers of this drift to redress dispossession through the emphasis on rights and Total Heritage Protection by offering a more pragmatic solution. He reminds us that a majority of indigenous peoples do not live on isolated self-contained stretches of land, separate from majority society, as the tenor of the Daes report (maybe unintentionally) implies, but, although often retaining strong indigenous identity, they are embedded in urban settings in the majority culture. Even self-proclaimed indigenous nations who do have some degree of social cohesion around traditional lands live ultimately in the context of a wider majority society. This is a pluralist view of society, not a separatist one. Thus with regard to access to land with sacred sites, there is commonly a variety of interested players, all of whom in a pluralist society have some kind of right to the land. Brown is clearly influenced by his analysis of contested sites such as the Bighorn Medicine Wheel and Devils

Tower/Bear's Lodge which finds that mutually respectful negotiation has been the way for ultimate resolution. Such negotiation enshrines the principle in pluralist democratic society of what we may refer to as Informed Voluntarism. Brown notes that:

> Just as diplomats try to find ambiguous wordings in treaties so that all sides can claim to be winners, commonsense morality suggests solutions to difficult dilemmas that allow as many people as possible to retain their self respect.
>
> The ambiguity required to foster social peace is found in civil society, not in the State [laws and statutes] or in the market place [commercial interests].

Brown's analysis, which finds real advantage in Informed Voluntarism within a democratic civil society over the reliance on statute and legislation to support a more all-encompassing framework of protection for sacred sites, may not please those indigenous groups who are revitalising their social and political strength through demands for rights, self-determination and new legislation. For example, the Noongar Aboriginal people are most unlikely to have gained land title to the city of Perth this summer (2006) simply through Informed Voluntarism and negotiating round a table with all the parties concerned. Their success was based on an effective use of the new Native Title Act of 1995. However (if all the appeals etc fail), the Noongar's future management of public lands within the city, including also their right to settle on those lands, may require Informed Voluntarism operating in its most effective way and possibly through many years of exquisitely sensitive negotiation.

We consider Brown's championship of voluntarism and negotiation to be sensible but we also remember that negotiation in reality is rarely possible until all the parties sit at the table speaking from some position of strength. It seems unlikely for example that at this current time the Takla First Nation of Canada fighting for their lake, or the Mehinaku in Brazil fighting for their forest and river have enough political strength in order to have much effect at a negotiating table. In the cases flagged up where there have been successful negotiation and the use of Informed Voluntarism – for example Kakadu in Australia and the Bighorn Medicine Wheel and Devils Tower/Bear's Lodge in Wyoming – the indigenous peoples have come to the table exercising a powerful political voice, certainly through emphasising the importance of sacredness, but also through the considerable national and international support from other indigenous groups and concerned environmental NGOs.

In our opinion, from examining all these arguments, the effective protection of sacred sites of indigenous peoples on publicly owned lands requires both rights and voluntarism. Focussing on rights generates laws and statutes so creating the rules of engagement that can bring the contesting parties together in the courtroom or tribunal. Without these laws, civil engagement is extremely difficult to imagine. The courtroom might also promise a possibility of legal victory for any of the parties, but as we have seen, in multiple contests where religious demands are virtually impossible for the law to effectively judge, some of the parties, and especially indigenous peoples, are likely to be disappointed by the legal process. The reality, particularly in a high-profile case, is that the complexity of the different rival positions suggests that if as many parties as possible are to retain some measure of self-respect, negotiation (which may be long and hard) outside the process of the law is necessary. The existence of legislation supporting rights may nonetheless be a necessary predicate for eventual negotiation. If protecting sacred sites could slowly embrace a culture of resolution which avoided expensive litigation and legal stand-offs and tried more to take advantage of forms of Informed Voluntarism that can draw communities together, there could be real progress at national and international levels.

PART III

PROTECTING SACRED SITES: THE WAY FORWARD

A Basic Thematic Conclusion

In the previous two sections, we have surveyed sacred sites in context and examined the issues worldwide which relate to their protection and conservation. From this overview we would like to draw out what we see as a basic thematic conclusion which has implications for future policy and strategy.

We consider that our original Terms of Reference from the Gaia Foundation presented us with some fairly radical ideas about sacred sites which have stimulated us in the way we have approached our survey. For example we note

> [t]he way of building an affectionate alliance allows the space for indigenous elders with their respect for the active role of their ancestors to participate in the dialogue and to orientate the process. In this way we access a *deeper level of thought* which goes to the source of the problems that we face [our italics].

And how

> [at] the heart of the transformation in thought that is required is a shift from a predominately human centred (anthropocentric) view of the world to an Earth-centred (ecocentric) experience of the world. It is considered that actions based on an Earth-centred perspective will lead to the *necessary level of change* [our italics].

Finally we note that

> [p]rotecting sacred natural sites as these are vital connected points of life force for the planet, and they may also transform human consciousness.

We have tried to survey our material keeping in mind these challenging ideas and in particular aiming to access a deeper level of thought which we believe is essential to achieve the necessary level of change.

If we take our starting-point for thematic conclusions from the third of the Terms of Reference quotes, we would plainly state that we are convinced that protecting sacred sites is more than simply protecting *sacred natural sites* whether they are in developing or technologically advanced countries. If we are to take a more progressive, or indeed Gaian, view, it is necessary to acknowledge that there is a generic basis or function for all types of sacred sites in all cultures, past and present.

The common factor which all sacred sites in all cultures possess is a fundamental association with spiritual belief and observance.

Each of these spiritual places serves to remind us that a more valuable view of our landscape or Earth is to see it as sensuous and animate. This central perspective is certainly not anthropocentric but clearly ecocentric. Nor is this perspective necessarily theistic, as it can allow for a personal spirituality separate from religion. It places and, for those of us in western industrialised cultures, returns man and his culture simply back into the context of nature. In so doing, western industrialised culture at last finds common ground and belief with indigenous cultures all over the world.

The ecocentric view of a sensuous pluralist Earth is to acknowledge its wonder, its enchantment, or to put it another way, its essential sacredness. The implication here is that all of the land is fundamentally sacred, but that specific areas such as sacred sites with their special associations and qualities serve to remind us of that.

We need to acknowledge an elemental and most natural dialogue that is an inherent part of the sacred landscape. The landscape nourishes us and provides the basis for our material existence, but also nourishes our deepest spiritual needs with its numinous wonder. Indeed, we can say that landscape speaks to us. But also, through our awareness of sacredness and spiritual focus at sacred sites and through our own spiritual practice, we are able to nourish and support the sensuous landscape. This natural dialogue between man and landscape, and more fundamentally between all animate persons-other-than-human, affirms the natural interconnectedness within all nature without reducing that idea to a trivial and valueless concept of unity.

If we call this Ecocentric Spirituality, to borrow Patrick Curry's term, we need to advance awareness of its fundamental qualities.

This view of the essential nature of sacred Earth, however we wish to see it, means that attempting to protect and conserve *all* sacred sites, not only because of cultural heritage, biodiversity or cultural survival, but simply in their own right as spiritual foci, as crossing-over places, is compelling if not mandatory.

Certainly there will be those who say it is totally impractical to expect to preserve and conserve all sacred sites, but to adopt a position where we admit that some of them can always be lost is to clearly have missed the point of our profound and fundamental interdependence on them and is to court (if not encourage) more loss and disaster. For the optimal external protection of sacred sites, we need to adopt the example of the diligent and wise physician who strives at all times to preserve the lives of his or her patients, knowing that sometimes he or she will not always succeed.

This ecocentric and spiritual approach, that is, recognising the essential sacredness of all of the land and the role of specific sacred sites within it, and our own participant role with those sites and the nature which it sustains, is of course totally congruent with the traditions and beliefs of most indigenous peoples.

It is our contention that to advance an effective ecocentric environmental strategy in the coming years, The Gaia Foundation should strongly embrace the implications outlined above of a spiritual dialogue with sacred Earth and make it a core vision and the basis for creative development and effective practice. We see this as a fundamental creative opportunity. There may be controversy for some in these suggestions, but ultimately, networking with agencies and indigenous peoples who all have these same environmental and ecological ethics at heart will lead to convergence on these ideas and common ground. This common ground will considerably assist the formation of affectionate alliances and mutual respect in what is inevitably a tough political and economic arena. These ideas may be difficult to advance in the early years, as science, technology and most of commerce continues to function in a determined Cartesian world which necessarily separates culture and nature but there is clearly a paradigm shift occurring and we believe The Gaia Foundation can be in the forefront of that inevitable change and so assist other organisations and agencies to make the leap into an ecocentric worldview which recognises the centrality of the sacred place for ultimate survival.

Identifying Good Practice and the Main Players in the Field

In our survey of agencies concerned with the protection of sacred sites, we have at all times been seeking to identify the major players, whether individuals or organisations. We have also been looking out for evidence of good practice in the area, that is, practice which seems effective, ethical and worthy of wider awareness. We have also been on the lookout for innovative ideas and schemes. From an internet survey over a few months of time we have been able to identify what we judge to be key agencies in the field, particularly at the international level, and we have also been able to assess to some extent their activities, but with our limited methodology it has been very difficult to identify instances of good practice.

This section nonetheless sets out our main impressions, and we comment occasionally but cautiously on instances of what we judge to be good practice. We are going to take a top-down approach starting with the United Nations.

The United Nations Permanent Forum on Indigenous Issues (UNPFII) has drawn attention in a number of documents and case studies of the importance of protecting sacred sites and sacred lands.

The UN Human Rights Council's publication of the final form of the Declaration on the Rights of Indigenous Peoples is a key milestone in the field. Its relevance to self-determination and the recognition of traditional lands and cultural property encompassing sacred sites and spiritual activities establishes a key set of principles and exhortations for states to support these issues. It is good to see the International Indian Treaty Council, one of the Declaration Working Party's keenest critics over the twelve years of bargaining, publicly supporting the new Declaration in a press release in October 2006. Ultimately, this Declaration could be of immense importance in the sacred sites protection field and its future use and effectiveness by the countries that eventually sign up to it in the General Assembly will be keenly watched. This whole initiative at the highest level has to be considered as good practice. We recommend that readers access the Declaration document on the UN Human Rights Committee website.

The work of UNESCO and its World Heritage Committee since 1972 and particularly since 1992 has been very important and valuable in establishing the high standards of selection and expected management of sacred sites placed on the World Heritage List. The recognition of cultural landscape and the Sacred Natural Sites of indigenous peoples has been an important development of the WHC's work and whilst the remit is cultural heritage preservation, the overall impact of the WHC is internationally very important. The fact that it has an endangered category on its international list and uses this status to stimulate countries and nations to improve standards of management is very commendable. Overall, we consider the WHC work and the International List to be examples of outstanding good practice.

Closely linked to the World Heritage Convention are its three advisory committee organisations, ICOMOS, the International Council on Monuments and Sites, ICCROM, the International Centre for the Study of the Preservation and Restoration of Cultural Property and the IUCN, the World Conservation Union. The first two of these and particularly ICOMOS have to be considered as major players in their own right. The IUCN however has been involved in a number of initiatives which link and to some extent unite cultural heritage, biodiversity and general environmental conservation, all of which have had direct significance for sacred site protection.

In 2003 in Durban, the IUCN and the World Commission on Protected Areas (WCPA) formed a Task Force on Non-Material Values, changing its name rapidly to the more positive-sounding Task Force on Cultural and Spiritual Values. This was set up to explore the conservation and management of what became defined as Sacred Natural Sites. The Task Force, headed by Dr Allen Putney of IUCN, has generated a lot of important work but in particular has gone on to develop a set of important Guidelines on the Management of Sacred Natural Sites. What is important about this IUCN initiative is the way it has embraced spiritual values as a core dimension of sacred sites and their protection. This is clearly not a politically correct move simply to satisfy indigenous representatives on the Task Force but a central credo of the whole initiative. We commend this Task Force and its work, and have with Dr Putney's permission, included the 8th Version of its Draft Guidelines in the first Annexe of this Report. We note the support of the Christensen Fund in this important work.

The original remit of the Task Force was to look at conservation of sacred natural sites in developing and in technologically advanced countries, but the challenge of working effectively in technologically advanced countries led to the formation of the Delos Initiative in 2004. What again is important about the Delos project is that it too has centrally embraced the examination of sacred natural sites in a spiritual context. As we have already mentioned, Delos acknowledges that in technologically advanced countries the prevalent and positivistic and materialistic outlook of modern science has 'caused a weakening, or even a loss, of the spiritual dimension of nature, as well as other deep cultural connections related to the immaterial values of natural area'. The Delos Initiative is committed amongst other things to 'assess the pertinence and importance of sacred natural sites for contemporary people, and attempt to estimate the significance of their spiritual values… and how these values can be used as a tool for the conservation of sites'. Again we consider that the Delos Initiative, co-directed by Thymio Papayannis and Josep M. Mallarach, and its pilot project on over twenty sacred sites, is a major player and may generate very important guidelines for good practice and management in the future.

Very closely allied to the IUCN is the Convention on Biological Diversity (CBD) and their development together with indigenous peoples of the detailed document for environmental and cultural impact assessment, the Akwe:Kon Voluntary Guidelines of 2004, is a major contribution to the field. Space does not allow us to include the Akwe:Kon Guidelines in our Annexe as an example of good practice but we would recommend that readers access it from the CBD website.

There are a number of major agencies and NGOs operating at the international level that have important but oblique interests and commitments to sacred sites conservation. We would mention the World Wildlife Fund, The Wilderness Society, the Botanic Gardens Conservation International and The Mountain Institute as key examples.

There are a number of NGOs which are more centrally concerned with protection of sacred sites and sacred sites of indigenous peoples. We have not been able to assess their effectiveness or quality but the following agencies are all active in the sacred

sites field. The Global Heritage Fund carries out a huge programme of work on sacred sites around the world and is in contact with many sponsoring organisations and individuals. The International Indian Treaty Council (IITC) covers indigenous peoples from the Americas and the Pacific and is committed to the protection of indigenous rights, traditional cultures and sacred lands. It is a major player in the sacred sites field. Two other international NGOs representing indigenous peoples and committed to sacred sites work are Yachay Wasi (Quechua: House of Learning) and the Rigoberta Menchu Tum Foundation. The Mediterranean Institute for Nature and Anthropology (Med-ina) encourages an integrated approach to nature and cultural heritage through research, action and public awareness, does important work on sacred site conservation and is closely linked to the Delos Initiative. The Alliance of Religions and Conservation (ARC) is a non-denominational organisation carrying out important conservation projects on sacred sites in a number of countries. The Gatekeeper Trust is concerned with pilgrimage to sacred sites and the principle that ‘Healing the Earth is Healing Ourselves’. Fountain International is also concerned with spiritual consciousness healing the landscape. The Ancient Sacred Landscape Network (ASLaN) is committed to the preservation of sacred sites and their setting, and maintenance and access to them. We consider that these agencies would be important to liaise with in the development of any future networking.

We have noted that there is a great deal of interest in sacred sites protection in Japanese organisations concerned with cultural heritage. We would note the Japan Center for International Cooperation in Conservation as an agency to use as an access to other important Japanese initiatives.

There are a number of organisations which work almost entirely with sacred sites conservation or the raising of public awareness. We would particularly single out the Landmarks Foundation of New York, which is committed to conserve sacred sites and landscapes round the world; the Earth Island Institute, which has similar aims; the Sacred Land Film Project, which is committed to producing material to deepen public understanding of sacred places; and the Sacred Sites International Foundation which is concerned with built and natural sacred sites around the world.

Leaving these international organisations, we turn to individuals working independently, a much more sensitive matter. We have already mentioned the writer and researcher Paul Devereux as a key player in the study of sacred sites phenomena. He tends to centre on ancient sacred sites rather than contemporary sites of indigenous peoples but he has carried out important work on some Australian song lines. Similarly, Martin Gray is a world figure in sacred sites, has the largest photographic resource about them that we are aware of, and has particular interest in their spiritual qualities and the development of what he terms Eco-spirituality.

We are also aware that there are numerous academics whom we have identified and a number of representatives from indigenous peoples who are clearly key individual players, but we do not feel at this stage of our survey that it is appropriate for us to recommend any of them for contact without further enquiries being made.

Finally, we have not listed the organisations and alliances that work closely with The Gaia Foundation and that have a direct interest in our Report.

We have included three very contrasting documents in our Annexe, each of which we believe represents good practice and serves to remind us of the need for ethical action at all levels of activity. At the International macro end of the scale, we have the UNESCO/IUCN Guidelines on the Management of Sacred Natural Sites, prepared by Dr Allen Putney and his colleagues. At the intermediate national level, we include the Charter of Respect, which is distributed by the Ancient Sacred Landscape Network (ASLaN) in the UK. At the local micro end of the scale, we have the Chehalis Indian Band Cultural Heritage Resources Policy, which we consider to be a very useful document showing what a small indigenous group can do for itself in laying down local guidelines to protect its sacred places. We thank the Chehalis Band of British Columbia, Canada, for their permission to publish their policy and Gordon Mohs, Heritage Resources Advisor to the Chehalis, for his assistance.

The Challenge of Effective Networking

During the period we researched and wrote this report and prepared a provisional directory of agencies concerned with the protection and conservation of sacred sites, we have been very impressed (and at times overwhelmed) with the amount of international, national and local activity going on in this area. We had hoped to try to establish not only a useful overview of the main players in the field but also, through conversation with these agencies, gather some sense of what kind of networks currently exist and whether agencies would be interested in future potential networks and alliances.

We consider that we have reasonably satisfied our first ambition. We do have a perspective on the main players in the field, but also we have concerns that in a time-limited internet survey, some key players may have not become known to us. Due to the short timescale, we have not managed to realise our second ambition. We did request information through emails from several agencies about their networking and alliances, but replies about this issue were rather sparse and often delayed beyond the timescale of our enquiry. As our work went forward, it did however become our impression that not much natural networking was actually going on but we are cautious about making this a formal conclusion. Thus we have a sense that building up a more comprehensive and refined database and exploring over a longer period than six weeks the possible candidates for networking are tasks for the future.

It is also very important in our opinion to ask some fundamental questions when setting up a network of committed agencies. What are we setting up the network to agree to, and what are we expecting the network to achieve? Should the network be primarily linked to indigenous peoples and sacred natural sites, or should it have a wider remit unifying all concerns about protecting all forms of sacred site? Or are the arguments for two streams of networking, with careful coordination and links, being maintained?

We have not tried to address or answer those questions as we believe that they need to be informed by more work and the direct input of Gaia Foundation policy.

We have been very impressed and at times moved by the email responses to our enquiries asking for basic information and assistance. Nearly all respondents have shown great interest in and enthusiasm for this Gaia Foundation commission and the possibility of a longer term initiative. Many respondents would like to read this report and/or any future Gaia Foundation policy document which might arise from it. It is our impression that there is a great deal of interest, goodwill and potential cooperation from both indigenous peoples and others whom we have contacted, and that future work to develop networking about the sacred site issue is likely to be well received. Having said that, we are completely aware that agencies and individuals in the international and national NGO and advisory field often have long histories of failed alliances, inter-agency tensions, personality clashes of major players, jealous proprietary attitudes about roles and function, and general suspicions about motives, new initiatives and empire building. For example, although we have not personally experienced it, we are aware that some agencies representing indigenous groups would be immediately suspicious (and based on the record to date, with good reason) of any non-indigenous activity concerning their cultural property, including sacred sites. Negotiating effective and affectionate networks is a delicate and sensitive business and a definite challenge for all concerned.

An Overview of Key Issues and Strategies

‘we are the land and the land is us’

Protection of sacred sites and sacred lands is often inseparable from the issue of human rights of indigenous and traditional peoples. As the Kimberley Declaration of 2002 states:

> Our lands and territories are the core of our existence – we are the land and the land is us; we have a distinct spiritual and material relationship with our lands and territories and they are inextricably linked to our survival and to the preservation and further development of our knowledge systems and cultures, conservation and sustainable use of biodiversity and ecosystem management.
>
> We are the original peoples tied to the land by our umbilical cords and the dust of our ancestors. Our special places are sacred and demand the highest respect.

The core of the problem is that the indigenous group, large or small, has been overcome by an external colonising nation, and due to this process in its many forms, indigenous peoples have lost control and custodianship over their cultural heritage and traditional lands, including their sacred sites. This sensitive and controversial area has been valuably discussed by Lyuba Zarsky and other experts in her 2002 book ‘Human Rights and the Environment’.

In many countries, attempts to regain power and title over traditional lands have led indigenous groups to file land claims.

Strengthening human rights

For over two hundred years, assisted by an assumed cultural superiority and not a little racism, moral right to land ownership – in stark contrast to the communal custodianship of indigenous peoples – has been firmly with the settler nations. However, in the last fifty years and especially the last twenty, the moral ground has slowly shifted. Indigenous groups, often seeing themselves as nations in their own right, have asserted their basic rights to their traditional lands, emphasising their own concepts of self-determination, sovereignty and sacredness. Increasingly, indigenous peoples have argued that the settlers and conquerors were (and are) fundamentally

thieves and that the traditional lands were not taken by right but were stolen, and the onus of moral right has subtly shifted in their favour.

This change in the moral tone as a background to the call for indigenous rights may not result in rapid new legislation which assists their cause, but it does influence case law and gradually the moral shift which supports indigenous land claims gains ground and becomes more legally (and politically) secure.

It is this slow but steady formalisation of the legal basis of indigenous rights which countries like the USA, Canada, Australia and New Zealand, traditional upholders of settler values, apparently fear with regard to the UN Declaration on the Rights of Indigenous Peoples. This Declaration, discussed earlier in this report and eventually ratified by the UN's General Assembly in 2007, although not legally binding upon member states, provides a powerful consensus statement about the nature of indigenous peoples, the basis of their rights, the protection of their sacred lands and spiritual customs and the expectation of member-states to act to support these rights and be committed to protect sacred lands.

Emerging new legislation

A survey carried out earlier in this report of developing legislation which apparently supports indigenous rights, using the specific examples of the USA, Canada, Australia and New Zealand, shows that despite its presence, when tested in the courtroom, indigenous land claims have often only advanced very little, and in the main, government and corporate interests are more secure than ever. Some of the issues concerning human rights, commercial development and emerging corporate ethical responsibilities are helpfully set out in Lyuba Zarsky's Sacred Land Film Project 2006 document: 'Is Nothing Sacred? Corporate Responsibility for the Protection of Native American Sites'.

Political Intervention

Political intervention and process is something of a double-edged sword when it is applied to assisting indigenous peoples find and exercise their rights over sacred and traditional lands. In principle, political intervention, which can be based more flexibly on graded opinion over complex contested claims rather than on the absolutes of the law, can in principle find a resolution. However, political interventions and legislation, even when apparently in the interests of indigenous peoples, more often favour corporate commercial interests and ultimately legitimise site destruction.

Effective negotiation

There is however strong evidence from all countries where there are these kinds of disputes which suggests that the most successful outcomes giving some degree of satisfaction to all parties concerned are more likely to occur when all the parties meet together to formally negotiate.

The process of negotiation may seem to be sensible, but negotiation in reality is rarely possible until all the parties concerned can sit round a table speaking from some position of strength and mutual respect. In the cases the authors have examined of successful negotiation, the indigenous peoples have come to the table exercising a strong political voice, certainly through emphasising the importance of sacredness for their culture, but also through considerable national and international support from other indigenous groups and concerned environmental NGOs.

After detailed examination of these cases, it is clear that the most effective protection of sacred sites of indigenous peoples on publicly-owned lands requires both legal rights and negotiation. Focussing on legal rights generates laws and statutes, so creating precedents, procedures and the rules of engagement that can bring the contesting parties together in the courtroom or tribunal. Without these laws, civil engagement is difficult to imagine.

However, the absolute nature of the law will often disappoint the indigenous group. Thus the reality, particularly in a high-profile case, is that the complexity of differing rival positions suggests that if as many parties as possible are to retain some level of

self-respect, negotiation (which may be long and hard) outside the formal process of law is necessary. The existence of legislation supporting rights may nonetheless be a necessary predicate for eventual negotiation and resolution.

A role for a specialist ombudsperson?

Already some countries are developing the role of a specialist ombudsperson (see Zarsky 2002), embedded in a national or international NGO to actively mediate between the various stakeholders in commercial / environmental / human rights disputes, and this form of initiative could be usefully extended to apply to sacred sites. If protecting sacred sites could gradually embrace a culture of respect for discussion leading to practical resolution which avoided expensive litigation and legal stand-offs and tried more to take advantage of negotiation that can draw communities together, truly listening to grassroots needs and cultural values, there could be real progress at national and international levels.

Earth Jurisprudence and wild law

Whilst the ambitions of successful and effective negotiation within existing law is appealing, some thinkers doubt whether it can ever be successful without a major overhaul of the whole legal process. Thomas Berry, in his book 'The Great Work' (1999), has raised the important idea – very challenging – that on Earth we are a community of subjects, and not superior humans relating to a list of objects. If humans are simply one of a number of players, along with animals, plants, rocks, mountains, lakes, rivers and so on, making up an Earth Community, then there is a parallel need for recognising Earth Jurisprudence.

This would be a legal system which allows for equal representation in law for all the subjects of the Earth Community. This is based on the recognition that the Earth is the primary giver of law. We are born into an ordered universe. As humans we need to learn this law and regulate ourselves accordingly. This is the principle philosophy/cosmology underpinning and guiding indigenous governance systems.

Berry’s radical idea has been developed by Cormac Cullinan in his book ‘Wild Law’ (2003) into the concept of wild law, again a huge challenge for the legal system, based as it is so much on the legal precedence of the individual human over all other subjects. Cullinan considers wild law to be so radical a concept, that in effect it cannot be necessarily introduced in a satisfactory way simply by tangential adjustment and reformist tinkering with existing law, whether local or international.

What is required is a re-thinking of the laws of governance so as to recognise wild law in a more fundamental way. Cullinan’s implication, for example, that we should move away from relating to land on the basis of ownership, as human property and commodity, to some form of alternative which honours the Earth Community and allows for a fully human experience is so fundamental and profound as, in his opinion, to be fully justified. Cullinan and Berry are in the forefront of proposals which simply state that the current law, whilst binding for our culture, literally cannot do justice to the complexity and need for equable representation and protection of the Earth Community. They argue that we are trapped through our current law in a relationship with the land which virtually ensures its continuing mismanagement through commodification and extraction.

If we are to believe in the concept of Earth Community and that it is as relevant for industrial culture as is already found in indigenous cultures, we have to embrace Earth Jurisprudence and wild law. Neither of these keynote books mentions sacred sites as a focussed issue, but both authors value the idea of the sacred as applying to the Earth Community and indeed to the process of the law. Earth Jurisprudence and wild law have been received with growing interest by environmental lawyers and many other professionals dissatisfied with the value of the current law to support effective environmental management and sensitive ecological partnership, and there have been in recent years a number of important conferences and workshops developing these ideas. There have already been legal cases in existing legal systems where principles of wild law have been successfully argued in supporting environmental representation and good practice.

It is hoped that this radical legal movement will grow in influence and eventually come to play a part in better negotiation and representation for the internal and external protection of sacred sites and sacred land.

The Law of origins and origins of the Lore

Earlier in this report we mentioned that sacred sites were places of origin. What do we mean by this? The authors listened to a recent discussion on this matter between African spiritual elders newly-returned from a trip to Colombia to meet their South American counterparts. The elders emphasised that sacred sites, even as part of a greater enchanted landscape, are seen as places of origin, not only as the sources of creation myths but more profoundly as the sources of all knowledge and the natural law which informs and supports the local culture.

This law of origins accounts for all the basic regulatory issues, all the cultural wisdom and sacred secrets which makes the culture unique and stable and enables the people to govern their lives according to the requirements of the ecosystem from which they have emerged. At such a special and revered place, where chieftains or shamans may be newly-initiated with the unique wisdom of their ancestors and the myths of their origins, it is understandable if the indigenous culture prefers that such a sacred place remains a secret location.

If the sacred site is the source of the law, it is people such as elders and shamans who dialogue with that source and act as interlocutors in practical disputes and occasions when special decisions have to be made. Indeed some South American shamans understand their role as similar to western lawyers, as they are mediators between the world of humans, of nature and of the spirit world. This is what they believe is the role of the true ‘wild lawyer’.

The elders pointed out that it follows naturally, if sacred sites are the origins of the law and the knowledge of governing all relationships, that to destroy or demean the site is destroy the source of origins and inevitably this will lead to serious damage or destruction of the culture and its ecological balance. This deterioration or loss is also

more likely if the sacred site is not formally acknowledged and related to in ceremony and ritual, actions which are seen to naturally replenish the power of the site and the relationship and dialogue with the culture itself.

These interesting insights into the role of sacred sites as sources of ultimate knowledge and wisdom may not be culturally universal, but they are helpful in understanding failures in the industrial world to appreciate the true value of sacred sites and their loss of meaning in modern lives. We could say that these natural processes, based on cultural respect for the sacred site as a source of indigenous knowledge and wisdom are more lore than law. It is as if industrial culture has largely lost its own natural organic regulatory lore and has replaced it (certainly in the opinion of Berry and Cullinan) by problematic and, in terms of good environmental management, self-defeating law.

It is as if industrialised culture, whilst perhaps not entirely abandoning the idea of the law and the legal system, has to contemplate and indeed take steps to centrally integrate the idea of lore seen as a body of knowledge about attitudes, behaviours and relationships between ourselves and the whole Earth Community.

An underlying theme in this current report is the appeal for a changed valuation in industrialised society's perception of sacred sites, which would include their rediscovered identification as sources of a more fundamental cultural lore which has practical value in improved environmental management and a more organic sustained relationship with the land. And in a culture saturated and driven by concepts with regard to the land of 'lawful ownership' with all its implication of mindless commodification, perhaps the time has come for the modern industrial world to challenge those assumptions with new ideas or concepts of 'lore-full custodianship' which would reflect a more organic sustainable relationship with the land.

Recognising the enchanted cosmos

It might be said that Earth Community, wild law and sacred sites constitute a trio of related principles which acknowledge both a profound ecological and practical interdependence set against the overarching idea of a scared or cosmos or worldview.

Earth Community advances the principle of ecocentrism and the interdependence of a community of subjects carrying some kind of conscious agency. Wild law acknowledges the equal legal rights of all the subject members of the Earth Community and seeks to have them represented in our present and future legal systems. Sacred sites become a focus for both industrialised societies and traditional and indigenous peoples to acknowledge the totality and significance of the enchanted landscape and its inherent lore. A sacred site is a subject in the Earth Community and wild law is the means to its independent legal representation. Thus in advocating the recognition and external protection of sacred sites as focussed areas in the landscape, we are going some way towards raising the profile of a wider issue of the continuity of the landscape, its participant subjects and beliefs.

In readdressing the significance of sacred sites as part of an enchanted worldview or cosmos, we are acknowledging the limitations of a western industrial sacred / secular division and exploring the value of a more honest reality that commonly matches our most personal experience. Many indigenous and traditional peoples naturally carry this worldview and consequently often manage their environment more harmoniously than is evident in the extractive commodification and commercial enterprise linked to industrialised societies.

The challenge to the western mindset is to embrace this more holistic and enchanted viewpoint and accordingly find improvement in environmental dialogue and management.

Sacred Sites: the beginning of a modern renaissance

There is however a growing concern and interest in sacred sites in western industrialised societies which seems to be part of an emerging zeitgeist. The reasons for this change of consciousness are probably most complex, but in a chaotic materialist culture, beset with fears of terrorism, political instability, global financial collapse and governments apparently hell-bent on destroying the environment, thus amplifying terminal climate change, ordinary people are increasingly hungry for certainty and evidence of historical continuity and origins. One reflection of this new-found interest in origins is the boom in Cultural Heritage, often centred on sacred sites, whether presented as tourism, education, entertainment or plain big business.

In Great Britain and Ireland, this hunger for origins and the historical past has become particularly symbolised by the Atlantic seaboard Neolithic culture of 4500 years ago in the great stone circles and chambered tombs of Stonehenge and Avebury in England, Newgrange in Ireland, Skara Brae in the Scottish Orkneys, and the countless small stone circles and carved stones strewn over the moors and uplands. The consistency of the rock art patterns and cup and ring marked stones and their intervisibility in the landscape suggest pathways and ritual routes, but more specifically a landscape that was, in its totality, sacred or enchanted.

A further insight discussed at length by Professor David Lewis-Williams in his important book 'Inside the Neolithic Mind' has been that this British Neolithic rock art is almost indistinguishable from similar art-forms in found in contemporary Tukano Indians of Colombia and the San culture of South Africa and probably has a common source in the plant-induced hallucinatory images experienced by shamans and interpreted as profoundly sacred. Here is a remarkable unifying connection between the sacred landscape of contemporary indigenous cultures and the lost indigenous cultures of industrialised European countries.

English culture has always had a strong relationship to the pastoral landscape, exemplified by the Lakeland poets and a rich seam of musical composition, and more recently by a loyal following of people interested in Earth Mysteries – ley lines, landscape zodiacs and crop circles – but the growing interest in Neolithic culture as a

native indigenous sacred landscape goes far beyond New Age enthusiasms and includes many ordinary people. British people today may not have a sense of the totality of an enchanted landscape in its contemporary urban and rural landform, or indeed through their contemporary experience of conventional religion, but something about its Neolithic past strikes a rich chord and generates very strong feelings.

The annual summer solstice dawn solar sighting at Stonehenge in England attracts over 20,000 participants (whatever the weather) and is becoming a national event and part of a national consciousness. Similarly, Ireland has very recently rediscovered its passion for its pre-Christian past in the fight to save the Tara landscape from a motorway development, a conflict which has gone to the roots of the contemporary Irish folk soul. Recently at Rotherwas, a unique serpentine 4000-year-old trackway named the Rotherwas Ribbon, unprecedented in European archaeology and presumed to be a ritual processional way, was exposed in a road development near Hereford, England. The resultant vociferous campaign and demands for a full excavation and diversion of the road from this ancient sacred artefact have stunned local archaeologists and officials.

These examples, coupled with the increase in pilgrimage from the established major religions, walks, workshops and study groups provided by contemporary pagan groups, national agencies like the Gatekeeper Trust and Fountain International and many local groups, all point to a developing interest in the sacred landscape and sacred sites, a rekindling of an ancient relationship with the land. This renaissance of activities in contemporary Britain (also evident in other industrialised countries) is an important feature, not only in the beginnings of a fundamental cultural change, but also because it provides a more fertile ground to take up some of the attitudinal challenges presented in this report.

The potential effectiveness of amicable partnership

It is clear that the advancement of acknowledgement and appreciation of sacred sites and sacred lands and improved support for their internal and external protection can only happen if the relevant interest groups and their representatives work together to achieve successful negotiation. The importance of parties speaking from a position of strength and using local and national support cannot be over-emphasised.

Sacred sites are an international issue, and concerns of commercial developers who are likely to invoke the financial interests of their international shareholders, the forces of the world market and examples of permitted commercial development in other countries, have to be matched by indigenous and traditional peoples seeking support from similar groups and their allies in other countries who face the same problems. Similarly, there is a role for a coordinated voice of agencies sharing environmental, cultural, human rights and scientific concerns about factors hazarding the integrity of sacred sites.

Clearly, now is the time for international partnership and for all those interested parties who are concerned about the protection of sacred sites to work amicably together to support each other so as to maximise the strength of the protection issue in any subsequent local, national or international negotiation.

It may be that advancing the idea of a growing committed international partnership will lead to a critical mass of likeminded people and agencies that become part of a major shift of consciousness which profoundly affects the future of sacred sites world-wide.

Concluding Themes and Action Points

Whilst this report has found that sacred lands and sites of indigenous and traditional cultures in both industrialised and 'developing' countries are under threat, a noteworthy change in attitude is gradually beginning to emerge which provides for a more hopeful long-term outlook.

There is an emerging awareness, increasingly articulated in academic and policy documents, that all sacred sites in all settings, natural and man-made, act as foci of spiritual belief and expression, something which even in the more secular industrialised world is increasingly recognised as part of the basic human condition.

The example of indigenous peoples apparently living more harmoniously in their sacred lands and through their spiritual observances and practice maintaining rich biodiversity and cultural coherence is being increasingly recognised in mainstream industrialised culture as a balance which, through insistent global plundering, has been virtually been lost.

There is a need for industrialised culture to rediscover a form of collective spirituality, recognising how culturally isolated its beliefs, which so determinedly separate nature from culture, are from virtually all other indigenous and traditional cultures of the world, in not viewing the Earth and all its manifest life as essentially sacred or enchanted and profoundly interconnected so as to be expressed in ecological balance.

Taking this view of essential interconnectedness and ecological interdependence places the sacred site as a central issue for recognition and protection, so it becomes acknowledged as a portal into that wider view of an enchanted or sacred Earth as a totality which both sustains man with its wonder and revealed wisdom and knowledge, as man also sustains the land as sacred with collective spiritual dialogue, ceremony and observance.

At this time of global crisis, a view which recognises the importance of protecting sacred sites and the sacredness of the land has good claim to be central to any sensitive and effective future environmental policy. Translating this from an attractive

theoretical insight into a more practical and engaged expression of action is a great challenge for modern thinking and culture.

KEY AREAS FOR ACTION

1. **To raise awareness in all cultures, but particularly in western industrialised cultures, about the importance of sacred sites as foci in the landscape for continuity and maintenance of both society and the land.**
2. **To encourage all peoples and especially those in industrialised cultures to think in ecocentric holistic terms and to recognise the risks and folly of a continuing and determined anthropocentric approach when relating to the environment.**
3. **To acknowledge that in order to better protect sacred sites, it is necessary for all concerned parties to collaborate and work together as an interdisciplinary alliance across local, national and international boundaries.**
4. **To encourage and support the voice and grassroots contribution of the cultural group using the sacred sites, so as to manifest the development of strong local governance and effective environmental management.**
5. **To encourage indigenous and traditional peoples to support each other beyond local, national and international interests, so as to strengthen their collaborative voice.**
6. **To begin to develop basic packages of educational and advisory material which can be of assistance to concerned groups in indigenous and traditional cultures or in industrialised societies, to better protect their sacred sites.**
7. **To explore the feasibility and role of specialist independent ombudspersons at national and international levels to mediate and advise in multi-stakeholder disputes over sacred sites.**
8. **To encourage interest groups, civil society, NGOs and government departments concerned about protection of sacred sites to make contact with each other and liaise over mutual problems and strengths, so as to build up amicable alliances and networks.**

ANNEXE 1

UNESCO / IUCN DRAFT GUIDELINES
FOR THE CONSERVATION AND MANAGEMENT OF SACRED NATURAL SITES
Version 8 – August 10th 2005

Foreword by Gonzalo Oviedo

One of the most salient forms of culture-based conservation has been the establishment of sacred sites, which often harbour valuable biodiversity and protect key ecosystems. Indigenous and traditional societies created protected areas long before the advent of the Yellowstone model on which current protected area legislation, policy and practice is based worldwide. Sacred natural sites are indeed the oldest protected areas of the planet.

Yet, unfortunately, many sacred natural sites are at risk. They are subject to a wide range of pressures and threats, external and internal, such as illegal extraction of timber and wildlife, impacts from extractive industries' operations, encroachment by outsiders, disrespectful tourism, poverty and population dynamics, degradation of neighbouring environments, reduction of the availability of lands and resources for traditional peoples, etc.

In other cases, sacred natural sites have been inadvertently integrated in legally declared protected areas, without recognition by government agencies of the traditional practices having sustained them, and of the cultural significance of such places for inhabiting communities; this has resulted in violation of their rights and therefore mistrust and animosity, which apart from ethical considerations, creates obstacles to effective management of such sites and areas.

There is therefore an evident need for action. On the one hand, we must provide recognition and support to sacred natural sites currently facing threats, so that their traditional owners and conservation agencies can work together for their continued management and conservation. On the other hand, protected area agencies should recognize the cultural and spiritual dimension of sacred sites included within their designated boundaries, and recognize the rights of the communities concerned to continue using and managing those sacred sites as places for their cultural and spiritual realization and reverence. In both cases, effective action in support of the preservation and effective management of sacred natural sites will have large impact on enhancing biodiversity conservation, as well as the long-term vitality of the cultures that created them.

These guidelines are a contribution from the IUCN Task Force on the Cultural and Spiritual Values of Protected Areas and UNESCO's Man and Biosphere Program to support the efforts of indigenous and traditional peoples of the world for the long-term conservation of their sacred natural sites. After four years of field-testing they will be re-evaluated and revised.

1. Introduction

In many societies, traditional sacred natural sites fulfil similar functions as government-declared protected areas. Due to spiritual values attributed to these sites, access restrictions often apply, and such sites (groves, mountains, rivers and lakes, caves, even entire landscapes) are therefore natural or near-natural ecosystems and biotypes where human-induced disturbances and impacts are minimal. In many cases, these sites have survived environmental degradation because they are deeply embedded in local cultures and traditional belief systems. They can provide sanctuaries to rare or endangered species and therefore can play an important role as potential gene pools that can be used to restore degraded environments.

Natural ecosystems cannot be understood, conserved and managed without recognizing that human cultures that shape them, since biological and cultural diversities are mutually reinforcing and interdependent. Together, cultural diversity and biological diversity hold the key to ensuring resilience in both social and ecological systems.

Sacred natural sites often epitomize such cultural and biological diversity and importance due to their dual character in reflecting cultural worldviews and environmental significance. Sacred natural sites are areas where nature, the divine and remembrances come together in special combinations that are particularly meaningful to a community, society or people. They can be the abode of deities, nature spirits and ancestors. They can be feared and secret places or they can be benign areas for ceremony, contemplation and meditation allowing communication with the transcendental. Common to most sacred natural sites is that they are areas removed from everyday access and resource use.

If properly managed, these special places can contribute meaningfully to both the conservation of biological diversity and the maintenance of cultural identity.

In this vein, sacred natural sites can be very important reference places of cultural identity. A group of people, a tribe, or entire nations can relate to natural sacred sites as their points of origin, the realm of their ancestors, the abode of their gods, their destinations of pilgrimage and worship, and overall, as the embodiment of their spiritual beliefs.

The term “sacred natural site” is used in this document in a generic sense as a place that is venerated and held in awe. Thus, while the term may refer to sites of religious importance, it also encompasses places that are of symbolic significance – where space, place, memory and spiritual meaning come together.

Sacred natural sites can be contained within legally protected areas or they can lie outside the legally designated protected area system. In both cases, sacred natural sites pose particular challenges with regard to their recognition and management.

In the first case, it must be recognized that many protected areas have been superimposed over traditional use areas of indigenous and traditional peoples. In setting up protected areas around the world, the values and importance of sacred places and traditional uses have often been ignored, thus affecting the fundamental rights of those local cultures. The situation has many times led to conflict and mistrust, creating obstacles to the development of constructive relationships and cooperation between indigenous or traditional peoples and conservation agencies.

In the second case, sacred places may be jeopardized by desecration of trespassers who simply ignore the sacredness of the area, which has a transcendent meaning for a certain group of people relating to that place. Worse, a sacred natural site could be jeopardized by its transformation into an economically “more productive” area (e.g. logging, agriculture, mining) if the sacred natural site does not benefit from inclusion in a legally protected area.

The purpose of these guidelines is to distil the experiences of field practitioners who have managed sacred natural sites in different parts of the world, in order to share their experiences – and recommendations derived from them – with others involved in the management of these special areas. This particular document is a first preliminary attempt at developing the guidelines. It has been written as the basis for discussions on this topic at the Vth World Parks Congress (WPC), which was held in Durban, South Africa in September 2003. The World Parks Congress then served to further revise the guidelines which are reflected below.

2. Management and Conservation Challenges

Those managing sacred natural sites (SNS) face a variety of challenges, though each site is unique and has its own combination of challenges and opportunities (UNESCO, 2001; UNESCO, 2003). Some of the most common challenges are the following:

- **2.1 Multiple Stakeholders:** SNSs may be sacred or important areas for more than one group. In such cases, multiple stakeholders with differing perceptions, uses of a site, nomenclatures, practices and traditions must be taken into account if conflict is to be avoided. Traditional custodians, pilgrims, local residents, tourists and recreationists may all have differing demands on the site.
- **2.2 Visitor Pressures and Access:** Designation of an important SNS as a protected area at the national level, or designation as a biosphere reserve and/or world heritage site at the international level, can popularise a site and cause increased visitor pressures for which

managers and traditional custodians are unprepared. With increased visitation, rights of access and demands for infrastructure development can be significant issues that conflict with sacred values and negatively impact the site's quality and integrity. Pilgrimages and pilgrimage routes can also cause conflicts with local land use and/or property rights.

2.3 Culturally Sensitive Activities: Many activities normally engaged in by visitors or local groups may be culturally inappropriate in SNSs. Some examples of such activities are the climbing of sacred mountains or rock formations, entering into sacred caves or forests, bathing in sacred rivers, lakes or springs, participating in sacred ceremonies without permission of the celebrants, hunting of sacred animals, scattering of cremation ashes, leaving of "New Age" offerings, or entering into sacred areas without permission or without culturally appropriate preparation.

2.4 Development Pressure: Encroachment, agriculture, pastoralism, hunting, logging, road-building, tourism and mining are development pressures that can have significant adverse impacts on SNSs. Such pressures are particularly difficult to deal with if the SNS is not officially recognized or there is secrecy regarding the site or the rituals associated with it.

2.5 Environmental Pressure: Anthropogenic and natural disasters such as pollution, climate change, fires, floods, erosion, and other related factors can create stresses that negatively impact sacred values and practices, as well as the physical integrity of sites.

2.6 Buffering: SNSs which are not properly buffered from surrounding activities, such as population increase, residential development, agriculture, grazing, hunting or tourism, can be negatively impacted.

2.7 Ownership: SNSs located in areas not owned by the traditional custodians, and not within established protected areas, create extraordinary challenges for management.

2.8 Political Access: SNSs recognized by minority groups of the powerless in a society are often unable to marshal the political support needed to gain national recognition or install sympathetic management regimes. This is particularly true of sites recognized by minority ethnic or religious communities.

2.9 Economic Considerations: Balancing the material and non-material values of an area is always difficult, but especially so in the case of SNSs.

2.10 Seasonal Differences: Some SNSs may be of cultural importance during limited periods, as when the area's values are associated with pilgrimages or festivals at specific times of the year. This may lead to increased demands or peak usage during specific periods that may be incompatible with uses the rest of the year.

2.11 Conflicting Jurisdictions and Integrated Approaches to Management: SNSs may contain cultural resources managed by traditional custodians or government agencies that differ from the natural resource management entity. This may cause conflicts between the management perspectives or philosophies of the different entities, or make integrated approaches to management an ongoing challenge. The charging and allocation of visitor use fees is often a particularly divisive issue.

2.12 Different Ways of "Knowing": Modern and traditional management entities often have conflicting views as the means for acquiring the knowledge needed to make informed decisions on site management. While for modern management agencies science is the basis for acquiring information, traditional custodians may have greater confidence in knowledge and understandings that have been passed down through the ages, or which are acquired through spiritual revelations. Finding ways to balance these different approaches to knowledge and understanding can be extremely challenging.

2.13 Historically Sacred Sites No Longer Associated with Traditional Custodians: Sites which were historically considered sacred (e.g. Machu Picchu, Peru) but which are no longer associated with traditional custodians, present a series of difficulties for management. There are no traditional stakeholders to consult or to include in participatory management schemes. The value of a historically sacred site to modern societies is often difficult to establish and defend, especially when there have been multiple custodians over the centuries.

3. Management and Conservation Opportunities

3.1 Conservation Value: Many SNSs have a high degree of biodiversity and are often important areas for freshwater conservation. Due to access restrictions, they are often found in a natural or near-natural state in virtually all the world's ecosystems and landscapes, thus serving as sanctuaries and gene pools for rare, endangered and endemic species. In areas suffering from excessive human impact and environmental degradation, SNSs can serve as

"indicator sites" for the restoration and rehabilitation of degraded systems. Based on species inventories in SNSs, strategies can be formulated for the reintroduction of native and endemic species in a wider spatial context beyond the area covered by the SNS.

3.2 Sustainable Dimension of Conservation: As SNSs are mostly community-based conservation areas, and are usually fully in line with traditional belief systems and values, their protection tends to be more sustainable than established legally protected areas. Traditional custodians and local people often manage SNSs in ways that have proven to be effective over long periods of time.

3.3 Model Sites for Integrated Management: SNSs reflect a more holistic view of human-nature interactions. They integrate cultural, natural and social values in a single management system.

3.4 Model Sites for Community-Based Conservation: Many SNSs can be considered as model sites for participatory conservation strategies and practices. As local people recognize the importance of protecting "their" SNS, such culturally important sites facilitate community participation in overall resource management and conservation.

3.5 Traditional Knowledge: Custodians of SNSs often also perform the function of traditional healers who have intimate knowledge of local plant and animal species. With a plethora of traditional ecological knowledge on ecosystem structure, functioning and dynamics, custodians can be important resource people for overall ecosystem management. The integration of traditional ecological knowledge and modern environmental science can be beneficial for sustainable land management.

3.6 Cultural Identity and Diversity: As carriers of culture-specific worldviews, traditional belief systems and languages, SNSs have tremendous cultural value. Many SNSs are reference areas of cultural, religious, and national identity. Cultural rites and practices (including music, song, dance, poetry, folklore), which should be preserved in the context of maintaining cultural diversity, are an area associated with SNSs. The recognition of SNSs offers a possibility to support endangered and vanishing cultural systems.

3.7 Eco-Tourism: SNSs are both a cultural and natural heritage for local people. At the interface of culture and nature, they can provide important opportunities for eco-tourism development, assisting visitors in experiencing new cultures while learning about nature. If practised well and managed with a guiding set of ethical principles, eco-tourism linked to SNSs can benefit local people directly, but only if due respect is paid to indigenous and local peoples' value systems.

3.8 Intercultural Dialogue: SNSs can provide a valuable intercultural space to experience human-nature relationships from different cultural perspectives. As such, they can serve to build bridges for intercultural dialogue, understanding, tolerance and peace.

3.9 The Value of the Sacred: To many people, the "sacred nature" of an SNS has an intrinsic value, which should be respected and preserved. There are many shared, fundamental religious/spiritual/philosophical values that exist between different cultures illustrating that cultural and biological diversity are intertwined and reinforced by such unique and long-established relations between people and place as embodied in SNSs.

4. Guidelines for Conservation and Management

The following guidelines are based on basic concepts, which refer to both to respect for the environment as well as respect fro traditional and spiritual belief systems.

4.1 Recognition: Sacred natural sites should be officially recognized. If sacred natural sites occur within established and legally protected areas, their recognition by government authorities will help to increase the overall protection of the entire area through an added cultural value. Such recognition will, therefore, also benefit the "natural" part of a protected area. The official recognition will instil a sense of pride and ownership for the local population of "their" site. It will also help to safeguard against the desecration of sacred sites by visitors who may not know that they are on sacred lands. Finally, it will contribute to avoiding friction among local communities, conservation agencies and government institutions over land use practices. Obviously, official recognition of a sacred natural site should only be effected if the custodians of the site, the chiefs and the elders and the community at large, agree to and express their willingness for such official recognition. If a sacred natural site occurs outside established and legally protected areas, their official recognition by

government authorities can greatly help to increase the overall protection of the environment. The cultural values tied to sacred places could pave the way for the conservation of the environment at large. This will be particularly useful in cases where the natural environment may be subject to transformation into "productive" land uses, such as for mining, logging, agricultural or residential purposes.

4.2 Inclusion: The management of sacred natural sites must involve all relevant stakeholders. Sacred natural sites are not relevant to one or a few individuals only, but to an entire group of people. Many sacred sites are significant to a number of different cultures. Therefore, the entire community for whom the sacred natural site has a specific value must be considered, especially the custodian(s) of the sacred natural site, the tribal chief and elders, but also women and children. In addition, the community which inhabits the wider area and which may not necessarily share the same belief system as the "sacred site community" should also be consulted with regard to the overall usage of the sacred natural site as a special conservation area. Local and national authorities in charge of the overall administration of the area must be involved for the provision of special designations for the conservation of the site if needed. Only the widest possible participation of all stakeholders can ensure the safeguarding of a sacred natural site.

4.3 Voluntary Participation: The conservation of sacred natural sites can only be effected through the voluntary participation of local people. The voluntary participation of local people in conserving sacred natural sites is the fundamental principle on which the integrity of a sacred area relies. It is therefore essential that locals be consulted on their willingness to accept assistance from outside to help strengthen the conservation of their sacred natural site. For fear of a sacred site's desecration by the uninitiated, local custodians and other members of a community may not always consent to outside assistance on area management. If such fears or concerns exist, they should be fully respected and no pressure whatsoever should be exerted on the local community.

4.4 The Secrecy of the Sacred: No outside pressure should be exerted on local communities to compromise the secrecy of their sacred natural sites. Many sacred natural sites are also "secret" sites to a community at large, or to a specific gender of age group, and their existence cannot be revealed to the uninitiated. As an overriding principle, every precaution should be taken not to exert any pressure on a community that may compel it to disclose information or violate the secrecy of their sacred natural site. When confidential cultural information is shared, all necessary means should be taken to ensure privacy and to prevent disclosure to the public.

4.5 Use of Plant/Animal Species for Ritual Purpose: Selective use of biotic resources for ritual purposes should be permissible in sacred natural sites if the overall quality of the environment is not jeopardized. While the respect of sacred natural sites is generally beneficial to environmental conservation, some traditional belief systems not only require the conservation of the area but also might require offerings and sacrifices of plant/animal species that live within a sacred site. While such traditions are often a classic source of conflict between protected area managers and local communities, efforts should be made to explore mechanisms by which the selective usage of such plant/animal species may be permissible for ritual purposes (while excluding the use of species for commercial purposes). If such mechanisms prove to be successful, they could also help in building trust and confidence between protected area managers and local communities and may help to reduce land use conflicts over the protected area in general. The selective usage of biotic resources could be spelled out in a "social contract" between all parties concerned. Great attention, however, should be given to avoid any negative impacts on the environment that such selective usage of biotic resources could have on the environment, and priority should be given to retaining the special qualities of the area.

4.6 Conservation Approach: An extended concept of conservation is needed in preserving and managing sacred natural sites. The classical western approach to conservation is based on scientific knowledge, while the traditional approach in sacred natural sites is based on values. In managing sacred natural sites, a rethinking of the most appropriate approach is needed to skilfully develop a sound multicultural system of conservation. The merger of a values-based approach and an approach

based on scientific knowledge would seem to be the most appropriate when managing sacred natural sites.

4.7 Integrated Management: Sacred natural sites require an integrated management system. Since sacred natural sites combine the preservation of the environment and its biotic resources as well as the living cultural manifestations of local and indigenous communities with their belief systems, a truly integrated management system is needed that must care for both the natural and the cultural space. In this vein, a holistic management scheme must be put into place that satisfies conservation aims, cultural preservation objectives, and expression of spiritual belief systems. Ecologists, cultural anthropologists and traditional practitioners should combine their efforts to ensure integrated management of the natural environment and the socio-cultural specificity of the area.

4.8 Modern Science and Traditional Knowledge: Modern science and traditional knowledge should be fully utilized for the conservation and management of sacred natural sites. Integrated management schemes will have to call upon the use of modern science as well as the use of traditional knowledge. As regards traditional ecological knowledge, many custodians of sacred natural sites have a wealth of knowledge on the biophysical environment in their roles as protectors of sacred species, traditional healers and herbalists, or as decision-makers in the context of the agricultural calendar. While respecting and protecting the intellectual property of indigenous cultures, the sharing of modern science and traditional ecological knowledge should be beneficial for all stakeholders in the sustainable management and conservation of a site. Scientists – including conservation ecologists, cultural anthropologists and socio-economists – and custodians of traditional knowledge should be encouraged to work together to ensure the sustainable safe-guarding of sacred natural sites.

4.9 Zoning: Buffer zones and transition zones should be created around sacred natural sites and monuments. Many sacred natural sites are subject to encroachment due to population pressure and economic forces. It will be useful to create buffer and transition zones around sacred natural sites that will enhance the conservation of the sacred site itself while at the same time ensuring alternative incomes for the local population. Ideally, the buffer zone should consist of the same vegetation found at the sacred natural site. In areas that are prone to fire, shelterbelts should be established around the buffer zone. These shelterbelts could also help to "designate" with its boundaries the general area considered to be sacred. The transition zone could be earmarked for economic activities that further help to conserve the site while allowing the generation of incomes for the local population (e.g. cultivation of crops, fruits, firewood productions etc.). This zone would help to reduce pressure on the sacred site for economic reasons.

4.10 Consultation: Frequent and regular consultations must be held among local communities, site managers and government official on the conservation of their sacred natural site. As culture is dynamic, and as traditional belief systems are an expression of culture, so are traditional belief systems dynamic and likely to change over time. This may entail younger generations no longer sharing the same values as older generations with regard to the preservation and maintenance of a sacred natural site. Also within a community, different views may exist on the continued need for the preservation of a sacred natural site regardless of age (or gender). Therefore, regular consultations must be held within the local communities and with site managers and government officials that will allow them to determine linkages between the status of conservation and the prevailing traditional belief systems. The monitoring and evaluation of such linkages should lead to regular reassessment of the need to reinforce, maintain at the same level, or perhaps reduce the conservation of the sacred natural site.

4.11 Training and Capacity Building: The study and management of sacred natural sites must be embedded in long-term training and capacity-building programmes. The complexity of sacred natural sites in terms of socio-cultural structure and environmental repercussions necessitates special training and capacity-building for protected area managers that can only be obtained through close interaction with the community in charge of a sacred natural site. The experience of protected area managers in handling sacred natural sites should be compiled and disseminated to

other site managers, such as through IUCN and UNESCO. Similarly, and if they so wish, traditional custodians of sacred natural sites should also benefit from training in "state of the art" environmental management and conservation techniques.

5. Conclusion

The erosion of genetic resources, the shrinking of wildlife habitats, and the loss of biological diversity are accelerating at unprecedented rates. At the same time, the diversity of cultures with their languages, ways of life and specific belief systems is jeopardized by globalization. As every ecologist knows, diverse systems tend to be more resilient than mono-structured systems. We therefore need to maintain cultural and biological diversity in a sustainable manner. As regards the environment, its conservation can only be sustainable if it finds leverage in local cultures. Sacred natural sites can play a vital role in ensuring the sustainable conservation of both nature and culture.

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These Guidelines were eventually published in 2008. See Valentine, P. (2008).

ANNEXE 2

THE ANCIENT SACRED LANDSCAPE NETWORK (ASLaN)

THE ASLaN SACRED SITES CHARTER

- Please take care when visiting sacred sites to leave them as the next visitor would like to find them. Respect the land and all its inhabitants – spirits, people, animals, plants and stones.
- Digging holes for any purpose will damage plants and probably insects and archaeological remains. Damaging any aspect of nature will not please the Spirits of Place. Damaging archaeology may upset the official guardians or owners of the site and lead to it being closed to all. Lighting fires can cause similar damage to digging. A fire can damage standing stones – and if they get too hot, they split. Fires can spread quickly in summer, killing wildlife, and it can be very difficult to make sure a fire is truly out. Heat, candle wax and graffiti damage moss and lichens which can take decades to recover.
- The Spirits of Place are more likely to be displeased at fire damage than upset that you haven't lit one.
- If an offering seems appropriate please think about all its effects. Don't leave artificial materials. Choose your offerings carefully so that they can't be mistaken for litter. Please don't bury things. Please don't leave biodegradable materials that may be offensive as they decay. If the site is already overloaded with offerings consider the effects of adding more.
- Please don't take anything, except litter, from a site. Much of the vegetation around sacred sites is unusual or rare so don't pick flowers. Don't take stones – they may be an important part of the site in ways which aren't obvious.
- In times past it was traditional to leave no traces of any ritual because of persecution. The tradition is worth reviving because it shows reverence to nature and the Spirits of Place.

Don't change the site, let the site change you

ANNEXE 3

CHEHALIS INDIAN BAND CULTURAL RESOURCES POLICY 2001

1.0 INTRODUCTORY COMMENTS

The Sts'a'i:les, currently known as the Chehalis and as the Chehalis Indian Band, have a long history and active involvement in the protection, management and interpretation of its cultural heritage.

This document outlines the Chehalis Indian Band's Cultural Heritage Policy. It includes the Chehalis Band's philosophy of cultural heritage, outlines the nature of cultural heritage resources that are included within the Policy, and provides a process for the identification, protection and interpretation of these resources.

2.0 HERITAGE PHILOSOPHY

For years, the Chehalis Indian Band has been concerned about the preservation and protection of Chehalis culture and cultural heritage resources. Band Elders have been instrumental in the revival of our Halq'emeylem language and, for over a hundred years, have participated extensively with anthropologists, archaeologists, historians, linguists, biologists, botanists and other researchers interested in our cultural heritage.

The Chehalis people maintain a community life, a culture based on fishing, and a shared history. The Chehalis people also maintain many ancient cultural practices and spiritual traditions. We continue to practice what has commonly been referred to as 'winter dancing' or 'spirit dancing' and many other cultural traditions that are foreign to mainstream society: memorials, burnings, belief in our legends and history, and our own language, to name but a few. Our cultural landscape is known and our traditions have been maintained through oral traditions passed down from generation to generation. Our cultural heritage is the essence of our identity as Chehalis people.

There are many places on the Chehalis landscape associated with our ancestors, transformer sites, and numerous other places used by our spiritual people, and those involved in the practice of our spiritual traditions. A lot of these places, and the activities carried out at them, is something Chehalis people don't talk about with outsiders. It is therefore impossible to include detailed information about these sacred traditions in a written heritage policy.

Over the past century, outside development and settlement of traditional Chehalis territory has accelerated. In recent decades, there has been an exponential increase in resource extraction activities, road construction projects, resort and institutional facility developments, parks and recreational developments, commercial, residential and other developments.

Chehalis people maintain a position of sovereign rights and inherent interests over lands and resources within Chehalis traditional territory, what is commonly referred to as Land Claims. Unfortunately, the issue of Chehalis sovereign interests remains unsettled with the governments of Canada and British Columbia. It is within this context that the Chehalis Indian Band has felt the compelling need and necessity of developing and presenting a comprehensive Heritage Policy.

To Chehalis people, concern about cultural heritage resources is an extension of Chehalis community life and cultural survival. We also believe that it is inappropriate to separate matters of spiritual, cultural, heritage and economic significance. At the same time, however, we acknowledge the reality of non-native interests within our traditional territory and the need for a policy and a position on Chehalis cultural heritage sites and resources.

3.0 DEFINITION OF CULTURAL HERITAGE RESOURCES

Any attempt at the categorization of Chehalis cultural heritage sites and resources is going to be artificial, because of the deep overlaps between all of the categories. Nevertheless, an attempt has been made to present an itemized list of some of the Chehalis heritage sites and resources.

As outlined, the typology includes examples and comments about specific sites and resources. The purpose of so doing is to familiarize researchers with the complexity of sites and issues and to provide an overall cultural-spiritual-emotional context as to why cultural heritage resources are important to the Chehalis Band and why they need to be protected.

3.1 Traditional Use Areas:

- fishing sites and places
- hunting areas
- plant procurement areas
- berry picking places
- cedar harvesting areas (i.e. CMTs)

Note: the Chehalis Indian Band considers all culturally modified trees (CMTs) located within its traditional territories as significant, regardless of age, whereas provincial legislation which only recognizes those predating 1846 as significant. The general policy of the Chehalis Indian Band is that every CMT will be preserved, unless adverse impacts are unavoidable.

3.2 Areas of Historical Significance:

- place name locations
- smallpox sites
- trap lines
- weirs
- pit-lamp drift areas
- village and camp sites
- trails
- quarries
- culturally modified trees and features

3.3 Sacred and Spiritual Sites

Note: some sites are of such a sensitive nature that provenance and descriptive information about them is not to be made public.

3.31 spiritual activity sites:

Places associated with present day practice of spiritual beliefs including:

- bathing pools
- ceremonial regalia repository areas
- fasting places
- vision quest localities
- burning sites
- sweathouse locations
- youth spiritual training areas
- longhouse sites, etc.

Note: any strange objects or odd features observed in the forest should be reported to the Chehalis Band before touching them or disturbing them.

3.32 transformer sites

Example: geographical features and areas associated with the transformer, Xa:ls or Xexa:ls.

3.33 spirited spots:

Example: localities associated with spirits (ancestral and otherwise).

3.34 legendary beings:

Example: geographical areas and places associated with the Sasquatch, water beings, Thunderbird, and other supernatural creatures.

3.35 legendary and historical sites:

Example: localities integral to events and personages in Chehalis legend and history: Ancestral village sites, flood story, etc.

3.36 burial sites and places:

- present day graveyards
- historical graveyards
- ancient burial mound sites
- tree-burial areas
- cairns

3.37 resource sites and areas:

Examples would include:

- Devil's Club resource sites
- ochre procurement localities
- medicinal plant gathering areas, etc.

Note: some gathering sites are secret.

3.38 Other:

Sites and areas of a spiritual nature that cannot be classified, described or otherwise written about.

3.4 Archaeological Sites

3.4.1 pit house sites
3.4.2 former long house sites
3.4.3 caves and rock shelters
3.4.4 pictographs
3.4.5 petroglyphs
3.4.6 burial sites
3.4.7 cache pits
3.4.8 roasting pits and associated features
3.4.9 processing sites and associated features
3.4.10 quarry sites
3.4.11 lithic scatters
3.4.12 buried archaeological remains

3.5 Fishing sites and areas:

Examples would include:

- set net localities
- dip-net sites
- beach-net sites
- harpooning sites
- drifting areas
- pit-lamp fishing areas, etc.

3.6 Cultural Materials & Documentary Evidence:

Examples would include materials residing in libraries, museum collections and other repositories including, for example:

- archaeological collections and provenance of documentation
- ethnographic collections and documentation
- linguistic collections and documentation
- archival documents and photographic collections
- genealogical records
- archival maps and other graphic materials
- soil samples, radiocarbon samples, faunal remains and other archaeological materials
- oral history tapes (audio and video), notes and related materials
- AIA documents

4.0 POLICY DECLARATIONS

(1) The Chehalis Indian Band asserts proprietary rights and governing jurisdiction over its traditional territory, both on and off currently registered Indian Act Reserve lands, including former reserves and expropriated lands.
(2) The Chehalis Indian Band asserts proprietorship and stewardship over all its heritage resources, on behalf of the Chehalis people.
(3) Where cultural material and resources have been removed from Chehalis territory, without the explicit consent of the Chehalis Indian Band, steps will be taken to repatriate these materials.
(4) The Chehalis Indian Band declares that this Heritage Policy is to be based upon the following fundamental principles:

- The Chehalis Indian Band and members are stewards of their cultural heritage resources;
- The Chehalis Indian Band has an inherent right and obligation to maintain and preserve a distinct cultural identity and way of life for both present and future generations; and
- The Chehalis Indian Band must have a meaningful say in all matters relating to the preservation and protection of Chehalis culture, cultural heritage resources and spiritual traditions. This must include full and meaningful consultation with all levels of government, researchers, developers and other agencies and/or special interest groups who may wish to carry out activities within Chehalis traditional territories.

5.0 APPLICATION OF HERITAGE POLICY

The Chehalis Indian Band asserts jurisdictional proprietary rights over all heritage sites and resources located within Chehalis traditional territories. This includes rights to obtain and be provided with copies of all AIA's, academic and other heritage research documents completed on the Chehalis people and on its natural resources.

Insofar as this policy may conflict with provincial or federal laws of policies or with the jurisdictional claims of other First Nations, the Chehalis Indian Band asserts the priority of its policy and shall take

all possible steps to require other governments acknowledge and comply with the Band's Heritage Policy.

6.0 TERRITORIAL AREA COVERED BY POLICY

For purposes of this policy, Chehalis traditional territory includes parts of the Fraser River, the entire Harrison watershed drainage area (lake and river), including all major and minor tributary streams (notably the Chehalis River watershed), but excluding the Lillooet river watershed and adjacent lands at the head of Harrison Lake. This territorial area is defined without prejudice to other aboriginal rights and land claims of the Chehalis Indian Band and its membership occurring outside of this area.

7.0 PROJECTS COVERED BY THIS POLICY

This policy shall govern and apply generally to all projects or works that may impact on the cultural heritage of the Chehalis Indian Band.

All land developments and resource management projects (including those proposed for rivers and waterways) shall come within purview of the policy.

This policy shall also apply to any and all research that may be proposed by anthropologists, archaeologists, ethnographers, linguists, historians or any other disciplinary research where Chehalis cultural traditions are the subject of study.

All such investigations or research must first obtain the approval of the Cultural Heritage Resources Manager of the Chehalis Indian Band. Approved projects will be granted with regard for academic inquiry. Projects will be approved only if the proposed research is authentic and reflects respect for the Chehalis people.

The Chehalis Indian Band encourages bona fide research of traditional cultural elements, providing this can be shown to be beneficial to the Chehalis people as a whole or to individual members of the Band.

The Chehalis Indian Band will also encourage and facilitate training of Band members in various aspects of culture, history and cultural resource management, through educational programs and other means.

All investigations will be granted on the condition that the Band receives copies of the completed research documents.

8.0 CHEHALIS INDIAN BAND CULTURAL RESOURCES MANAGEMENT PROGRAM

8.1 Band Management Process:

The Chehalis Indian Band will establish and maintain a Cultural Heritage Resources (CHR) Manager position. The CHR Manager (and direct designates) shall regulate and manage all cultural resource related projects within Chehalis traditional territory. The CHR Manager (and direct designates) shall also be responsible for liaison activities between the Band membership, the Band Council and all external agencies and governments in matters pertaining to the management of heritage resources.

The mandate of the Chehalis Indian Band's Cultural Heritage Resources Manager (and direct designates) shall be based on the following objectives:

- to ensure the protection of Chehalis cultural heritage sites, areas, resources and objects;
- to gain further knowledge about Chehalis heritage;
- to increase public awareness, understanding and appreciation of Chehalis cultural heritage sites and resources;
- to advise Chief and Council on the preservation and fostering of Chehalis heritage and culture;
- to undertake other such activities related to Chehalis culture and heritage as directed by Chief and Council.

8.2 Governing Jurisdiction

While the Chehalis Indian Band asserts sovereign jurisdiction and the right to self-government over all its traditional territories, the Band is not yet in a position within the Constitution of Canada to fully assert its jurisdiction outside of the existing registered Reserve lands.

The Chehalis Indian Band maintains and asserts inherent rights and governing jurisdiction over all cultural heritage sites and resources within its traditional territories, both on and off currently registered Indian Act Reserve lands.

The Chehalis Indian Band will take all necessary steps to work with the Province of British Columbia in order to enforce the Chehalis Indian Band Heritage Resources Policy in areas outside of registered Reserve lands set aside for the Band. The Chehalis Indian Band will do so without prejudice to its asserted rights and jurisdiction over all the lands and resources within its traditional territory. Consequently, the Chehalis Indian Band will consider entering into an agreement with the Province of British Columbia, pursuant to Section 4 of the Heritage Conservation Act (1979).

The Chehalis Indian Band will take all necessary steps to work with neighbouring First Nations to establish protocol agreements where common jurisdictional claims exist.

9.0 PERMIT APPLICATION PROCESS

Proponents are encouraged to consider cultural heritage resources concerns in their project planning and design from the outset. As participants in the assessment process, proponents and the consultants who represent them, are responsible for:

- complying with the terms of heritage investigation permits issued by the Chehalis Indian Band;
- implementing assessment and impact management recommendations; and
- reporting the results and recommendations to the Chehalis Indian Band for review in a timely manner.

A proponent is defined as any person, firm or corporation seeking or proposing to develop lands within Chehalis traditional territory. “To develop lands”, means any use of lands which involves alteration, change, or an expansion of an existing use different from that of January 16, 2001.

A consultant is the principal investigator(s) carrying out the work being authorized (the permit applicant or field director if different from the applicant).

The Chehalis Indian Band recognizes three basic categories of activities for which it considers Heritage Investigation Permits necessary:

- academic research;
- resource management projects; and
- land alteration developments (impact mitigation).

Permits are necessary for proponents (or the investigator conducting research activities on a proponent’s behalf) seeking to develop lands within Chehalis traditional territory. The requirements for these permits will vary slightly. The Cultural Heritage Resources Manager [for the] Band will take account of the following:

- the nature and justification of the proposed activities; and
- the training, experience and logistical ability of an applicant to successfully complete the proposed activities; and
- the demonstrated willingness to comply with the Chehalis Indian Band Cultural Heritage Resources Policy.

The Chehalis Indian Band may charge an administration fee in respect of each permit issued under the Cultural Heritage Resources Policy.

9.1 Academic Research Permits

For academic research permits, the Cultural Heritage Resources Manager will consider the following criteria or equivalent information as it applies to the person carrying out the work applied for on the permit:

- a Bachelor's degree in a respective discipline, or is an advanced student working under the direction of a supervisor who has previously held a permit;
- general competency to carry out the work applied for in the permit;
- compliance with the principle of informed consent;
- compliance with all requirements and conditions of previous permits held;
- access to facilities and services of related specialists required to carry out field work, analysis and report preparation;
- ability to arrange the proper curation of recovered cultural materials at a repository that is acceptable to the Chehalis Indian Band;
- inclusion of training component and/or employment opportunities for Band members where appropriate.

9.2 Resource Management Permits

The Chehalis Indian Band recognizes two basic types of Resource Management Projects:

9.2.1 Inventory

Included in this category are:

- Archaeological Surveys,
- Traditional Use Study Inventories.
- Place Names Inventories, etc.

9.2.3 Impact Assessment and Evaluation

Included in this category are:

- Archaeological Impact Assessments (AIAs); and
- Other cultural heritage resource impact assessments.

Resource management permits are often irreversible and can form the basis of subsequent decisions that may result in the destruction of cultural heritage resources. Additional qualifications of the primary researcher (permit applicant or field director if different from the applicant) will apply.

The CHR Manager (and direct designates) will consider the following criteria when making a decision as to the issuance of a permit as it applies to the person carrying out the work applied for in the permit:

- Master's degree in archaeology, anthropology or other scientific discipline relevant to investigations outlined in permit application, or a Bachelor's degree with an equivalent combination of post-graduate training and experience;
- experience and competency to carry out the work applied for in the permit;
- compliance with all provincial and federal laws and policies with respect to the research being conducted;
- compliance with the principle of informed consent;
- compliance with all requirements and conditions of previous permits held;
- access to facilities and services of related specialists required to carry out field work, analysis and report preparation;
- ability to arrange the proper curation of recovered cultural materials at a repository that is acceptable to the Chehalis Indian Band;
- inclusion of training component and/or employment opportunities for Band members where appropriate.

Permits issued by the Chehalis Indian Band shall stipulate that all material found or generated by the proponent as a result of heritage investigations shall be the property of the Chehalis Indian Band.

9.3 Impact Mitigation Permits

Impact mitigation permits refer to developments and land alteration projects where unavoidable and/or unanticipated adverse impacts to Chehalis cultural heritage resources may occur.

Mitigation refers to measures that reduce the deleterious effects of project construction, operation and maintenance on Chehalis Indian Band cultural heritage resources and actions designed to prevent or avoid adverse impacts.

Various options are available for the mitigation of adverse impacts including changes in project design, the implementation of site protection measures, and systematic data recovery. The nature and range of options will depend upon:

- the significance of the resource
- the nature and extent of the impact
- the relative effectiveness of mitigation recommendations
- research and resource management priorities and needs; and
- project conditions and constraints.

Development projects are normally irreversible, [thus] additional qualifications of individual consultants carrying out the work being authorized will be considered. In addition to the criteria outlined for Resource Management Permits, the CHR Manager will consider the following when making a decision as to the issuance of an Impact Mitigation Permit as it applies to the person carrying out the work applied for in the permit:

- previous experience in impact mitigation management;
- previous experience as a director or supervisor of impact mitigation projects, including experience with implementation of mitigation measures and/or systematic data recovery; and
- previous experience as senior author of an impact mitigation report.

9.4 Review Procedures

Permits will be issued to proponents by the CHR Manager. Upon receipt of an application for a Cultural Heritage Resources Investigation Permit, the following procedures will normally be undertaken:

- the CHR Manager (or direct designate) will review the application for completeness and for the inclusion of requested information; if found incomplete, the application will be returned for additional information from the applicant;
- the CHR Manager (or direct designates) may request comments from the Chief and Council and/or the Chehalis community membership (depending on the nature and sensitivity of the project); normally this will be done within 15-30 days, prior to issuing a permit;
- the CHR Manager (or direct designates) will provide the applicant with written comments identifying community concerns over the study, as raised by by community Elders, Chief and Council; and
- the CHR Manager will make a decision as to permit issuance.

9.5 Permit Reporting Procedures

Researchers and proponents (and the consultants representing them) conducting heritage investigations within Chehalis traditional territory shall prepare and submit a written report for the Chehalis Indian Band along with a computer disc copy of the report.

The deadline for submission of written reports to the Chehalis Indian Band shall be four months after completion of field work, unless otherwise agreed to by the CHR Manager (or direct designates) and applicant during the application review process.

All permit reports will include a synopsis or project summary (1-2 pages maximum) summarizing results and recommendations of [the] investigations conducted. The CHR Manager (or direct designates) may consider a project summary (in advance of the final report) in making resource management decisions regarding a particular development. The synopsis shall be written in simple English and shall appear at the front of the permit report.

Data recording procedures shall be consistent with provincial requirements (e.g. archaeological site inventory forms) and compatible formats (e.g. G.I.S. applications) employed by the Chehalis Indian Band.

10.0 HERITAGE APPLICATION FORMS (attached)

11.0 AMENDMENTS AND SPECIAL NOTATIONS (November 2004)

11.1 The Chehalis Indian Band requires a copy of archaeological site forms for any/all archaeological sites recorded by Archaeological Consultants in the course of their investigations conducted in the Chehalis traditional territory.

11.2 The Chehalis Indian Band does not accept recces as an acceptable form of assessment for Archaeological Impact Assessments.

11.3 The Chehalis Indian Band requires an AIA for all resource related projects.

11.4 The Chehalis Indian Band requires that any ‘Spirit Poles’ discovered within a proposed development area be protected by a minimum 30-meter buffer zone.

11.5 The Chehalis Indian Band requires that ‘meaningful consultation’ with the Chehalis Indian Band is a component of all heritage studies and heritage impact assessments.

11.6 The Chehalis Indian Band’s consent will be required where any heritage sites and/or heritage resources might be impacted by a proposed development.

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Always it is everywhere where we hear or get indigenous people concern about protection of the sacred, heritage sites and natural environment. And for them it is true that the ancestral rights-holder is not consulted or either gets full attention is very right. When we were with the Amazon people we talk about the disconnection of life that results from changing the original set up of the natural environment looking at biodiversity. If we disconnect nature, we disconnect life.

Mpathe, a community leader and visionary from Venda, northern South Africa,
from an email to the Gaia Foundation July 2006

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Anthony Thorley and Celia M Gunn
Bath, England
September 2008

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Anthony Thorley is a retired consultant psychiatrist and medical policy administrator who has been researching landscape energies, myths and historical traditions for over thirty years. In 2006, he graduated with an MA in Cultural Astrology and Astronomy at Bath Spa University and currently is completing a book, 'Sacred City, Secret City' on the Masonic vision of the development of eighteenth-century Bath. In summer 2008, he commenced a PhD at the University of Kent on the conceptual basis of landscape zodiacs as sacred space. Together with his wife Celia Gunn, he has developed a particular interest in pilgrimage and ritual journeys which honour ancestral traditions in the sacred landscape and revitalise our relationship with the wider environment.

Celia M Gunn is a Northumbrian writer and novelist who has lived in Israel and Canada, working in education and publishing. She was closely involved in the renascence of the Sinixt First Nation in British Columbia in the late 1980s, which led to her memoir 'A Twist in Coyote's Tale', published in 2006. This unique experience is currently being made into a film, and Celia is still involved with the Sinixt Nation's continuing struggle for full representation. A devoted gardener, for the last eight years, in dialogue with a wild piece of English woodland, Celia has co-created a sacred garden based on the chakras. Her latest writing projects include a book on animal symbolism, 'Simply Totem Animals', and a novel 'A Dark Wind', both due for publication in 2009.

Details of Anthony and Celia's activities can be found at www.earthskywalk.com