

When the Sacred Encounters Economic Development in Mountains

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Introduction

SPECIAL PLACES OF RELIGIOUS, CULTURAL, OR ICONIC VALUE may be forests, groves, caves, springs, wells, or water bodies, as well as mountains. Here I deal particularly with mountains as protected places with sacred or iconic value. While there are many physical definitions of what constitutes a mountain, (e.g., Kapos et al. 2000), the “Oh, WOW!” emotional reaction upon viewing one from the lowlands is a somewhat intangible, but important, defining criterion. Mountains have inspired humans since first ancestral contact. Sometimes this has been expressed through awe or fear, and sometimes through reverence and religious significance. Mountain names conjure up deep feelings among both traditional peoples and moderns: Olympus, Everest/Sagarmatha, Chimborazo, Elbrus, Tongariro, Ti’a Shan, Nanda Devi, Matterhorn, Fuji, Sierra Nevada de Santa Marta, Shasta. See *Sacred Mountains of the World* (Bernbaum 1990) for many others. Are these very special wild places, these mountains revered by so many millions of people, safe from damaging development? Not by a long shot! Metaphysical values usually do help, however. Here are a few of the many examples of mixed success.

Several years ago at a George Wright Society meeting, I had the privilege of hearing a presentation on the conflict between the sacred and profane at Devils Tower National Monument. This prompted me to get involved in the controversy at the San Francisco Peaks in Arizona. I hoped my work with the International Union for Conservation of Nature (IUCN) World Commission on Protected Areas, and my focus on mountains worldwide as long-time chair of the commission’s working group on mountain protected areas, might be helpful. Working with the Navajo, who revere the San Francisco Peaks, has been a wondrous experience. Frustration with politics, short-term profit focus, bureaucracy, and a ponderous legal system have been my disappointments.

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The sacred San Francisco Peaks

Rising from the usually dry, high plateau of the American Southwest, three volcanic peaks of around 11,000 feet thrust skyward just north of the city of Flagstaff, Arizona (Figure 1). Their sharpness of outline in the clear air gives them a supernatural appearance and enables them to be seen from great distances. This complex, the San Francisco Peaks, is sacred to most of the Native American peoples of this region, being significant to 22 tribes, and holy to 13 tribes, including the Navajo (Dine³), Hopi, Havasupai, Hualapai, Zuni, Acoma, White Mountain Apache, and Yavapai-Apache. To the Navajo, the peaks are the sacred mountain of the west, a key boundary marker, abode of the Holy People. To the Hopi, it is the home of the Kachina spirits who bring vital rains to the dry-farmed source of food. To other tribal nations, the holy massif has qualities of spiritual nourishment, providing a rare source of medicinal and ceremonial plants, and is central to cultural identity.

The peaks, as the Hopi believe, do “capture” water in the form of both rain and snow due to the orographic effect of this free-standing massif, nourishing surrounding farm and ranching lands with streams, springs, and groundwater aquifers. The nearby city of Flagstaff is dependent on this mountain water. It is indeed a special place in a vast natural landscape and spiritscape.

The San Francisco Peaks are part of the Coconino National Forest. Under the US Forest Service policy of “multiple use,” the peaks have received a small, rustic ski development (Arizona Snowbowl), a pumice mine (White Vulcan Mine), some timber harvesting, and general outdoor recreation. The tribes have for many years pressed the agency to designate the peaks as a traditional cultural property (TCP), but no action has been taken. In 2000, Native Americans and environmentalists won a victory over proposed expansion of the pumice mine, on the basis of sacrilege to the holy mountain (stone-washed jeans versus sacredness). The mine was closed in 2002 and the US Department of Interior bought out the mining rights, closing and restoring the site.

Late in 2002, however, another threat to the sanctity of the peaks arose with a proposed major expansion and infrastructure development of the Snowbowl, which had been suffer-



Figure 1. San Francisco Peaks, Arizona, USA. Photo courtesy of Brady Smith, US Forest Service.

ing from declining snow cover and hence profits (only four days of skiing were logged in 2001–2002). To counter unreliable snowfall, it was proposed to use Flagstaff’s reclaimed wastewater to make artificial snow. To the tribes, this would be an extremely sacrilegious action. Thirteen tribes united in a “Save The Peaks Coalition” and were joined by several environmental nongovernmental organizations (NGOs), especially the Sierra Club.

In April 2005, the Forest Service announced its “finding” in favor of the expansion proposal, in spite of two years of negotiation with and petitions from the coalition. The Navajo Nation and the Sierra Club in August 2005 brought a legal appeal against the Forest Service decision. There followed a series of appeals, judgments, and counterappeals that continue today (see Appendix).

In the winter of 2013–2014, the Arizona Snowbowl became the world’s first ski area to have skiing on snow made almost entirely of municipal sewage effluent. (Official signs are posted which caution “Do Not Eat the Snow”.)

In the USA, there is some protection for sacred sites under the Religious Freedom Restoration Act, but the last judgment of the court in the case of the peaks was that “the diminishment of spiritual fulfillment,—serious though it may be—is not a ‘substantial burden’ on the free exercise of religion” (Ninth Circuit Court 2008). There is also a Registry of Traditional Cultural Properties, emanating from the National Registry of Historic Places. The process of registration is fairly lengthy and complex, especially in regard to boundary delineation. The San Francisco Peaks have not been designated a TCP in spite of repeated proposals to the Forest Service. Last year, President Obama did create a Sacred Sites Panel, but so far it has taken no action on the peaks. There is now a Navajo appeal to the Interamerican Human Rights Commission, which could go to the International Court of Justice.

In the San Francisco Peaks, the secular and profane have so far triumphed over the sacred. But the battle is not over!

Some other battles won or lost

To the early Greeks, their loftiest peak, **Mount Olympus**, was the primary home of the thirteen Gods. The mountain’s power to inspire and create awe has persisted through the ages to modern times, and indeed the fame and mythical value of Olympus have spread throughout the world. It was declared a national park in 1938. In 1981, the area was enlarged and became a UNESCO biosphere reserve.

In 1989, a proposal arose for a major ski center and road in the protected east side core zone. Mountain Wilderness–Greece, *Nature and Ecology* magazine, and World Wildlife Fund–Greece brought pressure on the government to oppose the development, and marshaled both national protest and global protest from the multitudes who regard this as a world icon. It is widely believed that this outpouring of opposition resulted in halting the proposal (Kostas Tsipiris, pers. comm., 2010). A new presidential decree for Olympus National Park was formulated. Public opposition, the bad economic situation in Greece, plus unreliable snow from climate warming have probably protected Olympus for the near future.

Mount Kailash in Tibet is the most sacred mountain in Asia (Figure 2). It is held sacred by Buddhists, Hindus, Jains, and Bons (over a billion people) (Bernbaum 1990; Ber-

nbaum, pers. comm.). The ultimate in merit is a pilgrimage to the mountain (very arduous itself) and then a circumambulation of 32 miles. Climbers' boots have been prohibited from despoiling the mountaintop. The celebrated mountaineer Reinhold Messner attempted summiting Kailash in 1985, but self-aborted when its sanctity was strongly pointed out. Similarly, a proposed Spanish expedition in 2001 was stopped by public outcry, including from the Dalai Lama.

In an effort to boost tourism, in 2003 the Chinese Government

proposed building an airport 155 miles from Kailash, and a road to the area, including a road around the mountain for vehicles (thus allowing people to “circumambulate” in the comfort of their cars). The resounding protest against the desecration of this special pilgrimage site from civil society in many countries has effectively stopped this plan for the present, though a road to the site is still being considered. There is a recent agreement among China, Nepal, and India that includes the mountain and a nearby sacred lake, Lake Manasarova, in a Kailash Sacred Landscape Conservation and Development Initiative (ICIMOD 2012). It is hoped that this may afford greater secular protection. A World Heritage nomination is also being considered (Bernbaum, pers. comm.).

Mount Sinai in Egypt is the site where Moses is believed to have encountered God and received the Ten Commandments. It is sacred to Jews, to Islam, and to Christianity. It is a pilgrimage site for some 30,000 people each year. There are wild areas near the summit, containing over 400 species of plants (27 of them endemic), and ibex roam the slopes, protected by the sacredness of the mountain (Mansourian 2005b). Notwithstanding religious and biodiversity values, in 1990 the Egyptian government proposed an amazing tourism development of hotels, villas, and a shopping/services center, along with a cable car to avoid the arduous 2.5-hour climb to the summit, where a restaurant would be built. It was estimated that tourism numbers might rise to 565,000 per year. Public outcry over the “Disneyfication” of the holy site led to the cancellation of this economic development scheme, with protests arising from Jews, Christians and Muslims. In 2002, it was designated as a World Heritage site (for cultural values and protecting associated wildlands). A win for metaphysical values!

To many a present-day Scot, the **Cairngorms** are a wild domain held in fierce awe and delight. It was officially designated a national park in 2003. In 2008, a proposal for a funicular to the summit and a restaurant became part of the regional economic development package. In spite of strong protest from the Scottish and British rambling and mountaineering



Figure 2. Mount Kailash, Tibet. Photo courtesy of Edwin Bernbaum.

community (and many other mountain lovers) both were built. But, in a compromise, the restaurant and the funicular access to it has been sited 100 rugged vertical meters below the summit (Malcolm Payne, pers. comm.). Funicular visitors are not permitted access to the higher areas. This effectively safeguards the summit area and the high-elevation wilderness from throngs of tourists coming by funicular. It must be accessed on foot, as of yore. Sometimes compromise is the only solution possible for our special places, but it takes the passion of persons who have been smitten by the awesome experience of the mountain to fight for conservation, in the face of what is billed as “sustainable development.”

Peak Wilderness Park in Sri Lanka is also known as **Adam’s Peak** and **Sri Pada** (Figure 3). Many Christians and Muslims believe that this is the site where the Eden-expelled Adam landed on Earth. He was obliged to stand on one foot for a thousand years, and this ordeal left a sacred (Sri) footprint (Pada) on a large summit boulder (now protected by a wooden shelter). Buddhists believe that this print was left by the Buddha, while Hindus think it is that of Lord Shiva (Mansourian 2005a). At 7,359 feet, this striking pyramidal mountain has for thousands of years been a rugged pilgrimage site.

Aside from the pilgrimage route, this area is Sri Lanka’s most untrammelled wilderness, with intact forest cover ranging from lowland rainforest to high-elevation cloud forest. It is an important source of water and a sanctuary for wildlife. Despite being rich in forest resources, in gemstones, and potential for farming and exotic tree plantations in lower elevations, it seems clear that spiritual values plus designation of the area as a wilderness park have minimized resource development and damage (especially from mining and tourism).

Tongariro National Park in New Zealand consists of three sacred mountain peaks: Ruapehu, Ngauruhoe, and Tongariro (Figure 4). It was and is revered and feared (as an active volcano) by the Maori people—a place of “tapu.” It is ancestor and source of “mana” to the regional tribes. Following the Maori/British Wars and new land laws favoring acquisition



Figure 3. Sri Pada, or “Adam’s Peak,” in Peak Wilderness Park, Sri Lanka. Photo courtesy of Bourgeois, Wikimedia Commons.

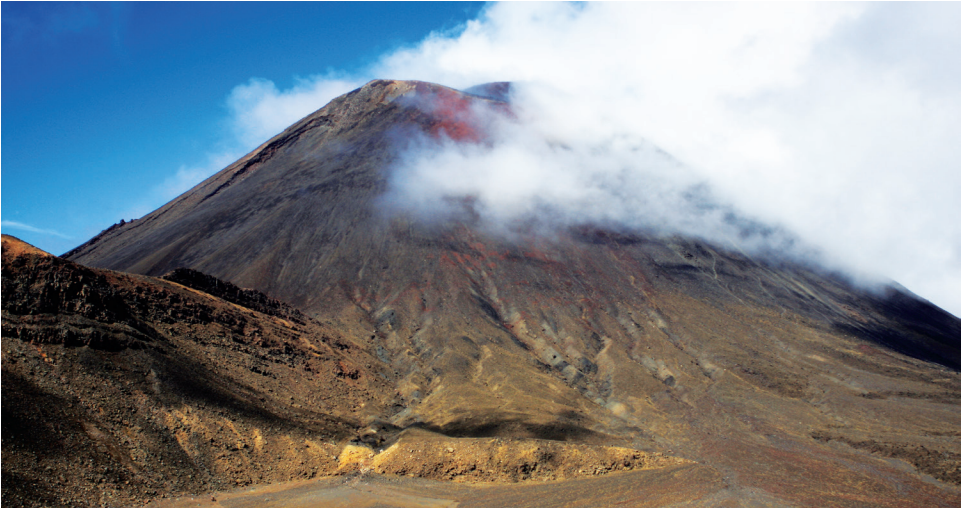


Figure 4. Mount Ngauruhoe in Tongariro National Park, New Zealand. Photo courtesy of O2, Wikimedia Commons.

by colonists with attendant logging and clearing of forest, concern arose over the fate of this place of power and sanctity. In 1887, Paramount Chief Te Heuheu Tukino IV dealt with this dilemma by giving the land to the Crown (Queen Victoria) to protect forever on behalf of his people. It thereupon became New Zealand's first national park (Potton 1995).

While limited recreational use (hiking, skiing, and nature studies) is permitted by the management agency, no other adverse development is allowed. Special interior sacred places are given total protection. In 1990 the national park was inscribed on the World Heritage List as a natural site, and three years later it was also listed for its cultural values. The conserved area now covers some 194,270 acres. It would be a breach of trust and law, and a violation of World Heritage standards, to expand the ski area or to permit mining.

This approach to preventing loss of wild nature and spirituality worked because the land at the time was controlled by the Maori people, who insisted that the spiritual values be honored. Happily, a vast majority of “new” New Zealanders now also cherish and support this protected area and take pride in its designation as a World Heritage site.

Uluru-Kata Tjuta National Park in Australia is a classic case of conflict between indigenous spiritual values and tourism promoted by a colonizing culture. It is revered by Australian Aboriginal people, especially by the local Anangu community (Anonymous 2008). Mount Uluru is an amazing red monolith that became a favorite photographic and climbing site for tourists. It and Mount Olga (Tjuta) were named as a national park in 1958 and tourism began in earnest. Greater governmental recognition of cultural values has finally led to restitution of ownership to the Anangu in 1985. It was leased back to the government for management purposes, with understanding that cultural values were to be respected, and Anangu are on the management board. It then received listing as a World Heritage site in 1987. In spite of an agreement to close the mountain to climbing when climbers dropped to

below 20% of park visitors (and this has happened as of July 2013), Parks Australia has not closed off climbing. Years of petitioning finally did result in the traditional owners receiving their sacred site back. However, all problems have not been prevented or resolved, even with the advantage of secular protection through World Heritage site designation.

Lessons learned

Can sacred or high cultural values protect mountains from having their wild nature destroyed by development? As seen in these example case studies, the answer is not simple: win some, lose some. Even governmental designation as protected areas of some kind has not been an effective extra mantle of protection. Sites with metaphysical values often also have enormous natural values. IUCN, along with the Rigoberta Mencha Tum Foundation, has initiated a project called “Conservation of Biodiversity-Rich Sacred Natural Sites of Indigenous Peoples” (Oviedo and Jenrenaud 2007). In developed countries there are well organized conservation NGOs that can bring civil-society pressures on decision-makers to at least bring intangible values into the decision process. This is often quite effectively organized and carried out for popular scenic and recreational places such as Yosemite and Mont Blanc, but less so when sacred values of indigenous peoples are involved. Where were they for the San Francisco Peaks? What suggestions can be made? A partial list follows:

- Recognition is needed in the law that sites of proven sacred significance to the original (aboriginal) owners merit protection from development that destroys or damages these values, even in the name of development and “progress.” Apparently, according to the courts, we do not have this in the United States.
- Designation as a secular, formal protected area by the government. For instance, the special spiritual significance provides opportunity for designation as a cultural landscape preserve (Category V in the IUCN protected area classification). Peru has recently designated a Vilcanato Spiritual Park, having the official label of a Community Conservation Area. Because such special sites are mountainous, they usually have high biodiversity and scenic values that often qualify them as well for national park (Category II) status, or as a natural monument (Category III), or even a national heritage area. Such recognition and labels erect barriers to harmful development, and slow down the permitting process, allowing opposition to get organized.
- However, once established as a protected area, recreational values of mountains may result in conflicts, as is seen in several case studies. Appropriate zoning that protects sacred places or provides exclusive access should be part of the management plan. This may include pilgrimage management or sightseeing restrictions.
- If managed by an agency that does not reflect the belief system of the people themselves, proper and consultation-based interpretation of cultural values must be the scenario.
- Since special cultural skills are needed in managing the land and associated resources, management staff should be selected from local people and they should be given special training involving Elder Traditionalists.
- An excellent set of guidelines for planning and managing mountain protected areas with

high cultural values can be found in Hamilton and McMillan (2004). A set of general guidelines is provided in Wild and McLeod 2008.

- An international conservation overlay, such as UNESCO biosphere reserve designation, can more easily marshal worldwide support. The ultimate in secular protection by governments is designation as a World Heritage site, if the area meets the outstanding universal value standards set by the World Heritage Convention.
- Listing these special places in some kind of a register (UNESCO? IUCN? National government?). Too often the claim for the sanctity of a site comes after a development is well into the planning stage and even into the action stage. Having them already listed creates an “official” barrier that has to be at least recognized by proponents of damaging development.

The major impediment to creating a register is the secrecy aspect of many sacred sites, whose custodians fear the loss of significance if “outsiders” who do not share the same values know of them. They may abuse this knowledge, exploiting it as the sacred place becomes a spectacle or a tourist magnet (as happened at Uluru). Registering also implies some loss of control over sites that have been protected for years by indigenous group spiritual leaders. I believe however that such listing becomes ever more imperative as younger indigenous people or younger adherents to nature-based spirituality drift from tradition and become less passionate about these sacred sites. Moreover, virtual reality of wild protected places via computer is becoming more the experience of these special places, and this erodes the passion and belief in sacred sites on the ground. As a first step, let’s start such a register, either a national one or a global one through UNESCO!

Appendix: Legal/court actions in the San Francisco Peaks controversy

The 2005 appeal of the US Forest Service decision by the Navajo and Sierra Club was denied in Arizona District Court, which apparently felt that the economic interest of Arizona Snowbowl Resorts had priority over the beliefs of hundreds of thousands of Native Americans. This decision was appealed to a federal Circuit Court of Appeals in San Francisco in September 2006. In March 2007, this higher court reversed the lower court’s ruling in favor of the Navajo Nation. But, in 2008 the Ninth Circuit Court of Appeals revisited and reversed the decision, upholding the lower court’s ruling in favor of the ski resort. The US Supreme Court denied an appeal to further hear the case.

In 2009, the Save the Peaks Coalition and nine plaintiffs filed a lawsuit against the US Forest Service on the basis that the reclaimed wastewater was not tested for endocrine disruptors. This case was lost in the lower court and in the Ninth Circuit Court of Appeals by the plaintiffs, allowing the ski resort to use the endocrine-laden wastewater to be made into artificial snow. In the spring of 2013 the Arizona Court of Appeals overturned a 2011 ruling by a former Coconino County Superior Court judge allowing the Hopi tribe to challenge the city of Flagstaff’s water contract with Snowbowl.

The battle continues seemingly without end. A good analysis of the various legal rulings up to 2009 is given by Hutt (2009), along with some other cases where Native American

cultural sites went through the courts. And Stumpff (2013) has an excellent, very detailed account and analysis of the issues and court battles that have been carried out over the years, and are still in process, to decide who speaks for the San Francisco Peaks.

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