

PETER PURCELL

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## Secular Thoughts on Sacred Sites

While the Voice is being loudly proclaimed in parliamentary halls at present, and will likely echo through Australian society for decades, “sacred sites” will continue to stud the battlefields between Aboriginal and other Australians for the right of authority over land. This is well illustrated by the current controversy over new heritage legislation in Western Australia and the recent prohibiting of weirs on the Ashburton River because it is deemed sacred to the Thalanyji people.

“Sacred sites” have become a fundamental aspect of spiritual and political life in Australia but remain controversial and are, in the main, poorly understood. Aboriginal Australians generally consider the sites to be sacred personal links to Country, the capitalised term now popularly used for the ancestral tribal estate or even the landscape in general. The sites are taken to validate claims for legal title to land or effective custodial authority over it. Many other Australians agree with this perspective and commonly hold strong convictions about its higher morality.

Other Australians hold contrary views. Some see sacred sites and the status accorded them as a cultural anachronism, out of time in a modern democratic society. They disagree with the legal authority vested in sacred sites, which effectively weaponises them for groups opposing development projects or making land claims in urban areas. Put bluntly, they view most sacred sites in urban areas as fabrications for political or monetary purposes. Dinner-table conversations invariably reveal polarised opinions, with a romantic sentimentalising of Aboriginal culture on the one side and a dismissive view on the other. A clearer perspective is difficult to find, partly because of the limited insight most Australians have into traditional (that is, pre-colonial) Aboriginal culture, as opposed to the popular romantic version, and partly because few sites are sufficiently documented to allow rational evaluation of the claims or, by implication,

the concept.

One exception with which I am familiar is P Hill on Noonkanbah Station in Western Australia’s Fitzroy Valley and, before the Juukan Gorge incident, Western Australia’s most famous “sacred site”. Purportedly the mounded dirt from a hole dug in the Dreamtime by a mythic goanna and said to ensure a plentiful supply of goannas for the local community, P Hill was the focal point for opposition to proposed oil exploration drilling on the station. This confrontation occurred over forty years ago and has now largely faded from the public memory, but it is very well documented: Aboriginal demographics and culture in the region had been studied for decades by Australian and international ethnographers and the confrontation itself was the subject of extensive media coverage, court documents, government files and company reports, as well as several subsequent books.

I will draw on that material elsewhere to detail the ancient origins of the P Hill site, its fading relevance as traditional culture gave way to modernising forces, both black and white, and its recruitment and embellishment for political purposes during the dispute. Suffice to say here that the hill, which was known as Umbambur by the Djaba clans who had lived in the area in pre-colonial times, was a well-known feature in the Aboriginal mythology of the river plains. It was, however, no longer a functional part of the spiritual or cult life of the Yungngora community, who lived on the station and considered it their home. By the late 1970s, the community was dominated physically and culturally by descendants of desert clans who had moved into the valley in the early twentieth century, bringing the desert “law” with them and modifying it to suit their new life in the valley. They were also participants in the “travelling cults” of Woagaia, Djuluru and Jinimin, then widespread and popular in the Fitzroy Valley, variously preaching millenarian and revolutionary messages. The future golden age, with its freedoms and wealth,

was dependent on the people reviving their traditional culture—or, more specifically, what they now deemed traditional culture to be.

Relations between the oil companies and the community were relatively cordial in the early years of exploration work but, when opposition did emerge, it came to focus eventually on P Hill. Early discussions and site mapping had raised no concerns about work near the hill, but this changed in 1978 after formation of the Kimberley Land Council at a meeting of Aboriginal lawmen on Noonkanbah. The proposed drilling location was several kilometres from the hill across a relatively featureless plain, but new anthropological studies “discovered” a “sacred sphere of influence” extending three kilometres around the hill. Drilling anywhere within that area was said to risk spiritual and physical harm, even death, to the community. When the drilling location proved to be safely 3.8 kilometres away, the sacred sphere was enlarged arbitrarily by the Aboriginal Legal Service to five kilometres!

P Hill was soon being described as a major secret-sacred site, and its sacredness only grew with time. Progressively through 1980, the hill was described by supporters and media as important in the mythology of the Kimberley and Pilbara region, then of the entire north of Australia, then as “the only Aboriginal worshipping place in Australia”, then declared to be “supernatural, supreme of God”, and finally accorded cosmological significance, with drilling said to “threaten the way Aborigines have of understanding the world”.

It was none of these, of course: Yungngora community elders told the West Australian Museum anthropologist that “the hill has no song”, leastwise not one that was remembered. My view was that the hill was not particularly significant to the community when the exploration commenced but, as opposition to the drilling increasingly focused on its proximity to the hill, a collective rethinking within the tradition-oriented community affirmed the hill’s sacred importance and potential dangers arising from damage to it. A new exegesis, the anthropologists would call it: the Dreaming evolved to better serve the new circumstance.

Spokesmen always maintained the opposition was not connected with land rights, then relatively unpopular in Western Australia, but that was a lie. The battle was always about land rights: the P Hill

“sacred site” was just a better battlefield. In the end, the conflict became a showdown between the West Australian government of Sir Charles Court and the unions led by Peter Cook (WA Trades and Labour Council) and Bob Hawke (ACTU). Hawke’s son, Steve, was press secretary for the Noonkanbah community and one of the main orchestrators of the confrontation. After the community declared the entire station was sacred land and not subject to West Australian laws, the government took over the drilling program and outmanoeuvred union black bans on transporting and manning the rig. The well failed to encounter significant oil or gas and the community reportedly claimed a witch doctor had moved the goanna oil.

While the history of P Hill claim is obviously not representative of all sacred sites, nonetheless it

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highlights two basic and important points. First, the site was not invented, having been part of the local tribal mythology since pre-colonial time. Second, the claim that the hill was “sacred” *sensu stricto* was of questionable validity and the degree and extent of any such “sacredness” were greatly exaggerated. The first point is an important lesson for the cynics, who consider all sites as fabrications; the second, for the sympathisers who consider all sites are as sacred as claimed.

There have been cases, such as at Hindmarsh Island, where the site was a complete fabrication, but that is not the norm. Most features which are claimed as “sacred sites” have an archaeological or, more commonly, a mythological basis. It is equally true that many claims of the site’s current sacred significance—that is, its role in the continuing religious beliefs and practices of the claimants—are exaggerated, often substantially so, to serve the interests of the claimants. This is not to say the claimant does not have strong emotional feelings about the site; just that that doesn’t make it sacred—or oughtn’t to. The problem arises where the relevant legislation defines the site as “sacred” and imposes restrictions that infringe on the rights and freedoms of other Australians.

Despite its current ubiquity, the “sacred site” terminology was little used in Australia until 1964, when it was adopted by the famous anthropologist Dr Ronald Berndt. Earlier in the century, according to the pioneering anthropologist A.P. Elkin, it was “the path of the totemic hero which

constitutes a person's country" with the areas off the paths being "a kind of no-man's land in which no-one is particularly interested". In the mid-century, seemingly in step with the emerging land rights movement, the focus shifted from the paths to the sites along them which were now seen as validating the tribal "ownership" of the surrounding land.

Appearing before the Northern Territory Supreme Court in support of the Yirrkala people's opposition to bauxite mining on Gove Peninsula, Berndt argued that a "song-myth-ritual-sacred site complex" underpinned the Yirrkala's ownership of the area. This was a clumsy term, he wrote later, and he chose to use "sacred site" as a "handy abstraction". His arguments were taken to heart by counsel for the Yirrkala, Edward Woodward (later Sir), who was later selected by the Commonwealth Government to inquire into land rights in the Northern Territory. In 1974 Woodward followed Berndt in his findings that an Aborigine's sacred sites were "more important to him than are places of worship of members of other religions", and also in retaining "sacred site" as the "most convenient" term, despite considering "sites of special significance" to be a preferable term in most cases.

The important point—the loss of which lies at the core of much of the "sacred sites" controversy—is that Woodward specified that the term should apply "only to sites of such importance in the clan's cult life that only the initiated men were allowed to visit there". The "sacred site", as originally recommended for Australian law, was to have significance only in the context of traditional cult or religious life of the community. It was not meant to refer to sites that were simply places in myths of old: fondly remembered perhaps, but now lore, not traditional law that governed the tribal religious life.

Within a few years, however, the Aboriginal Land Rights (Northern Territory) Act 1976 had redefined "sacred site" to refer to any site of significance according to Aboriginal tradition. In effect, any topographic feature or locality would be "sacred" if deemed to be significant by an Aborigine for one reason or another. This thinking soon underwrote Aboriginal heritage laws in most Australian states and territories and was widely adopted. Detailed knowledge of the mythology of the site and observance of the traditional rituals—the very basis for Woodward's "sacred" designation—were not required.

This is where much of the modern disagreement over "sacred sites" begins: with the abandoning of the requirement of validation by associated traditional spiritual beliefs and rituals. "Traditional" must mean "beliefs and rituals of long standing",

even ancient; not simply the fragmented memory of them. But that is not the case in much of the public, legal or political perspective in Australia.

Witness *Forrest and Forrest Pty Ltd v WA Minister for Aboriginal Affairs* before the West Australian State Administrative Tribunal, where the Thalanyji people claimed that proposed weirs on the Ashburton River would upset the water serpent Warnamankura, for whom they were responsible, and he would attack them spiritually or physically with waterspouts and willy-willies. Despite this responsibility, the Thalanyji agreed that they had not performed the traditional rituals to ensure Warnamankura's well-being and their own for over a century. In finding for the Thalanyji people, the tribunal suggested that this neglect was not important because the spirit snake was still living there!

Current societal conflict over the West Australian Heritage Act 2021 is focused on its implementation but the real problem arguably lies in some of the basic assumptions underwriting the Act. It declares, for instance, that utilising land for the optimum benefit of the people of Western Australia will require that Aboriginal values be prioritised in heritage matters. Those values, however contemporary they might be, along with related practices, beliefs and customs, are defined as Aboriginal tradition, without any requirement of a link to the past. Out of this muddled thinking comes a requirement for heritage clearance from local Aboriginal groups on works conducted on land areas over 1100 square metres, effectively granting native title over freehold land, as *West Australian* columnist Paul Murray has astutely noted.

This mindset in the West Australian government is well illustrated by the gazetting as "sacred" of all the major rivers of the south-west region of the state, as well as several rivers in the north. The premise would appear to be that since rivers are known to be sacred to Aboriginal people, best to simply declare them sacred in their entirety and thereby avoid any problem vetoing proposed activity affecting them.

There is nothing intrinsically wrong with the "sacred site" term or the concept. Most people use the term for places they venerate or "set apart" because of their natural beauty or their significance, nationally or individually. In like fashion, Aboriginal people will hold "sacred" natural features or localities that are significant to them, whether they are archaeological in nature (habitation sites, artworks and graves) or cultural (ceremonial sites, localities mentioned in local mythology). Many of these sites deserve respect and preservation

and most Australians support that, as evidenced by the public condemnation of Rio Tinto over the destruction of Juukan Gorge in the Pilbara region in 2020. This archaeological site, with evidence of human occupation dating back 45,000 years, should—and could—have been preserved. It bears noting that Juukan Gorge is regularly described as a sacred site by the custodian communities and the media, especially—and understandably—in the aftermath of its destruction.

The societal conflict arises when the law prohibits or limits access to localities where the basis for the restriction—the claim of sacredness—is not convincing to other Australians who see it as a sham. This conflict looks certain to continue regardless of the outcome of the Voice referendum. Either way, mechanisms to demonstrate Aboriginal authority will include the use of heritage laws to limit or prevent access to areas deemed to be sacred sites. This seems likely to occur mainly in the more settled regions where there has been a marked revival of Aboriginal identity and aspiration among people of mixed Aboriginal and European heritage. Some will seek to affirm their indigenous identity and demonstrate its power by claiming authority over areas of renewed cultural importance to them. Efforts to ban climbers in the Grampians in Victoria and on Mount Warning in New South Wales are examples of this.

This is not to suggest that the conflict over “sacred sites” is a racial divide. As noted earlier, vast numbers of Australian people now empathise with the Aboriginal minority and support their demands for greater representation and authority on the national stage. Many consider Australians who hold a different view to be “racist”. The increasing vitriol in the Voice debate further emphasises the two very different worldviews that persist among urban Australians. Reconciliation between them was difficult over forty years ago at Noonkanbah and is even more so now. In the case of P Hill, Western rationalism saw a hill created by Earth forces—a view informed by the science of geology; romantic primitivism saw a hill dug by a mythic goanna—a view informed by what might be called the anthropological perspective.

It is the romantic view of Aboriginal culture which has prevailed increasingly since, and it comes with an often low opinion of modern Australian society. It bears remembering that anthropology is, after all, “a kind of atonement for the wickedness

of society and a search for mythical alternatives to the present day”, according to the legendary anthropologist Claude Levi-Strauss. This mindset is typical of urban intellectuals who despise Western capitalist civilisation and, instead, venerate nature and “natural” man. This is not a new development, of course, being traceable back centuries, if not millennia, but it has become common in recent decades in Australia, spreading beyond the urban and cultural elite to many in the general public.

There has always been a romanticism about the land among urban Australians, including many with mixed Aboriginal heritage: that the “real” Australia lies in the “outback” beyond the city limits. But many now see that land as once populated by Aboriginal nations living peacefully in harmony with nature and each other and blessed

with a spirituality unknown to “white” people. This idyllic society has more to do with Disney and New Age ideology than with the reality of pre-colonial Australia, but it is increasingly the popular view of traditional Aboriginal life.

Sacred sites are seen as proof of that timeless spirituality, unchanged and burning bright in the far “outback” but with embers still aglow in urban dreams. People who see nothing spiritual in a landscape created by the Christian God, reverently hold sacred mountains fashioned by mythic dogs and rivers carved by serpent

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spirits. Large footprints on the beach at Broome were not made by dinosaurs 130 million years ago, but by Marala, the giant Dreamtime emu; columnar structures at Burleigh Heads on the Queensland coast were not formed by cooling lava but are the fingers of the sleeping mythic giant Jabreen. For many, religion is an unsustaining secular blend of faded Christianity and mysticism, and sacred sites seem to provide a spiritual reassurance, as though satisfying some ancient longing for a sacred grove or, in the modern vernacular, a place where the crawdads sing.

Such beliefs accord well with the nature worship that is now so prevalent in Western societies, including Australia. Optimism and faith in society and technology are lost; pessimism and belief in nature prevail—the ever-changing balance in the Western mind that historian Geoffrey Blainey called “the Great Seesaw”. Many Australians are metaphorically turning away from civilisation and back to the forest. This intellectual malaise blighting Western thought has worsened in recent

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decades, courtesy of critical race theory and other woke notions. Science is dismissed as just another tool of Western racist colonialism; wisdom belongs with the “lived experience” of the elders.

The simple rational truth is that P Hill was not dug by a mythic goanna. The hill was not a source of goannas and it most certainly was not a font of sacredness that overflowed across the landscape, and it should not be declared so by law.

As Justice Woodward wisely counselled, the sacredness of a site should be acknowledged and respected as long as it is part of a community’s continuing religious beliefs and practices. But if the community moves on, ideologically or geographically, the sacredness of the site would

not survive, except in memory. When the myths have passed into legend, and the sites are no longer living, the fragments of memory of these places should be held sacred in the hearts of those who remember them, but not in a landscape that should belong to all Australians.

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*Peter Purcell is a geologist, with experience in Australia, Oceania, South-East Asia and East Africa. He has edited several books on Australian geology and authored many articles on geological, environmental and social issues. He has had a lifelong interest in indigenous culture. He contributed the article “The Corrupting Myths of Indigenous Origins” in the July–August issue.*