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POLS W3245 – Race and Ethnicity in American Politics

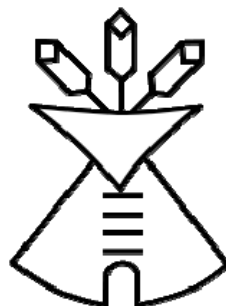
### **Issue Brief: Native American Religion**

#### **Key Words (4-6)**

Native American, Peyotism, Native American Church, Ritual, Christianity, The First Amendment

#### **Description (2 Sentences)**

This brief will focus upon the religious practices of Native Americans in the United States. It will primarily discuss the predominant religion among Native Americans, Peyotism, as well as federal efforts to prohibit its practice.



The Native American Church Insignia

#### **Key Points (4-6)**

- Peyotism is the largest religion created and practiced by Native Americans. The Native American Church, which practices the religion, claims 250,000 members.<sup>1</sup>
- Peyotism combines Christianity with traditional Native American practices and sacred rituals, including that which incorporates the use of the herb from the peyote cactus.
- Christian missionaries and the Bureau of Indian Affairs have worked together in attempts to outlaw the practice of Peyotism and, specifically, the use of peyote
- In 1970, Congress passed the Controlled Substance Act, which included the prohibition of the use of peyote by anyone other than the Native American Church<sup>2</sup>

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<sup>1</sup><http://web.archive.org/web/20060830091802/religiousmovements.lib.virginia.edu/nrms/naspirit.html>



A Peyote Cactus

### **Brief (500-700 Words)**

European arrival and colonization of American lands began a centuries long conflict between the settlers and the indigenous Native Americans. The European settlers immediately set about colonizing native land and introducing customs and practices from their homeland. The spread of Christianity was one of the primary reasons for settlement for many, and Christian missionaries sought to convert Native Americans. However, various Native American tribes already had established practices and rituals, which they clung to during this period of chaos and turmoil. Peyotism, practiced by over 50 tribes,<sup>3</sup> continues to be the most popular religion among Native Americans, despite unwavering efforts for its abolition.

Founded in 1918, the Native American Church practices Peyotism, a religion that incorporates “generic Native American religious rites, Christianity, and the use of the peyote plant.”<sup>4</sup> However, Native American beliefs, ceremonies, and rituals, including that of the peyote, were established thousands of years prior to the foundation of the Church. The Church’s integration of Christianity with these practices demonstrates the unavoidable penetration of colonizing forces. The effects of conquest are

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<sup>2</sup> [http://www.erowid.org/plants/peyote/peyote\\_law1.shtml](http://www.erowid.org/plants/peyote/peyote_law1.shtml)

<sup>3</sup> <http://www.history.com/encyclopedia.do?vendorId=FWNE.fw..pe062100.a#FWNE.fw..pe062100.a>

<sup>4</sup> <http://www.history.com/encyclopedia.do?vendorId=FWNE.fw..pe062100.a#FWNE.fw..pe062100.a>

undeniable, as certain aspects of the Christian faith have stuck with Native Americans, despite the religion's mission to conquer native spirituality.

However, the fact that Native Americans never fully converted to Christianity has been an issue for Christians, as well as the Bureau of Indian Affairs. As with other minority religions and customs practiced in the US, Peyotism has encountered resistance and efforts to block its use. From 1886 to 1932, there were continued attempts to prevent the Native American religious practice based on its use of peyote. However, in 1970, Congress passed the Controlled Substance Act, which granted Native Americans exclusive privileges to use the substance for religious purposes.<sup>5</sup> Congress also passed the American Indian Religious Freedom Act in 1978, which was created to protect and preserve Native American religious rights and practices. However, these concessions were not lasting. In 1990, the Supreme Court revoked the Native American Church's peyote use privileges, leaving it up to each state to decide whether or not to allow for the sacramental use of peyote.<sup>6</sup>

Given that peyote is essential to the practice of the Native American religion, federal prohibition of its use can clearly be seen as a violation of the First Amendment. This notion has not gone unnoticed by the Native American Church. There have been numerous cases pursued by various members of the Church that have cited the First Amendment as it pertains to the denial of Native American religious freedom. Federal cases have noted that various other religions legally practiced in the United States involve practices that "create some risk of harm,"

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<sup>5</sup> [http://www.erowid.org/plants/peyote/peyote\\_law1.shtml](http://www.erowid.org/plants/peyote/peyote_law1.shtml)

<sup>6</sup> <http://philtar.ucsm.ac.uk/encyclopedia/nam/nac.html>

including fasting and flagellation, which “those outside of the particular tradition might have trouble comprehending.”<sup>7</sup> This treatment of Native Americans is consistent with earlier failures to preserve Native American lands, tribes, and customs. Federal attempts to deny the use of peyote, while still tolerating other religious practices, demonstrate a persistent failure on the part of the United States government to protect and preserve Native American rights.

### **Works Cited (3-5)**

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<sup>7</sup> <http://animalnewyork.com/wp-content/uploads/2009/07/native-american-church-complaint.pdf>