

“The Religious Use of Psychedelics in the Context of State and Federal Laws”

By: Taira Thermidor Research Mentor: Dr. Mason Marks

Introduction

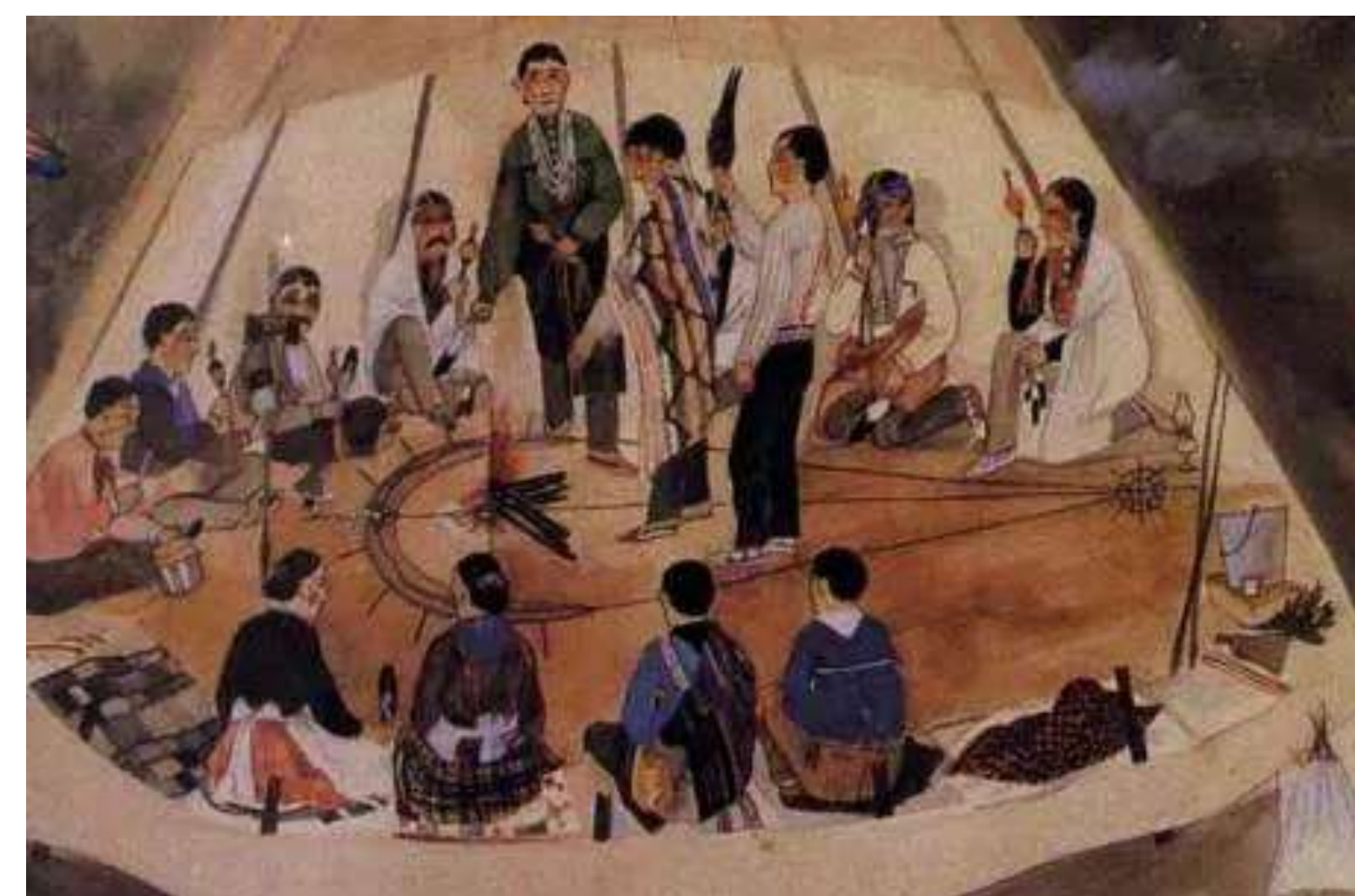
Psychedelics, such as Peyote, are a powerful substance that indigenous communities have used for centuries as sacred sacraments of their spiritual and cultural practices. However, such traditions come to be confronted with legal obstacles in a way that threatens religious freedom and even cultural survival. Indigenous communities have been stuck in an undeserved position under the CSA classification of Peyote as a schedule 1 drug, essentially the criminalization of their sacred substances. Forcing Natives to navigate the legal system that mostly disregards their spiritual rights. This research seeks to explore the intersection of Indigenous religious freedoms and federal drug policy, analyzing how legal battles such as those involving the Religious Freedom Restoration Act (RFRA) and the American Indian Religious Freedom Act (AIRFA) shape the ability of Indigenous communities to maintain their spiritual practices. By examining key court cases, advocacy efforts, and policy debates, this study sheds light on the ongoing struggle for religious autonomy and the resilience of Indigenous groups in preserving their sacred traditions.

Peyote meeting –
A central ritual of the Native American Church (NAC), used for spiritual guidance and healing,

Concise description of the drug classifications

C-1	No recorded medical use, high potential for abuse	<i>Peyote, heroin, ecstasy</i>
C-2	High potential for abuse and Severe dependence	<i>Adderall</i>
C-3	Low potential for abuse and dependency affects relative to C-1- C-2	<i>ketamine</i>
C-4	Low potential for abuse and dependency affects relative to C-3	<i>Xanax</i>
C-5	The least likely of the controlled substances to be misused	<i>Some cough medicine</i>

Peyote Uses



Huichol Peyote Art –
This intricate beadwork represents the spiritual and visionary significance of peyote in Indigenous traditions

Methodology

This research was conducted through an in-depth review of legal cases, policy changes, and scholarly articles that explore the religious use of psychedelics. To gain a well-rounded understanding, interviews and testimonials from Indigenous groups in Colorado were analyzed, offering firsthand insights into how legal shifts impact their ceremonial use of peyote. Additionally, legislative documents and court rulings were carefully examined to track how exemptions for religious use are granted, challenged, and interpreted at both state and federal levels. By combining legal analysis with real-world perspectives, I was able to highlight the complexities and consequences of these policies on Indigenous religious practices.

References



Future Directions

The Use of Peyote Must Be Preserved for Natives

The Why

- **Sacred Practices:** Peyote is vital for religious ceremonies and cultural identity.
- **Misclassification:** Its current classification as a controlled substance disregards its spiritual and cultural significance.
- **Exploitation Risks:** Commercialization laws threatens the sacred nature of peyote and its cultural importance.

The How

- **Legal Reform:** Reform the scheduling classification to reflect peyote's cultural and religious role.
- **Clear Protections:** Implement consistent legal frameworks that protect Indigenous traditions.

Conclusion

The legal landscape surrounding the religious use of psychedelics, particularly peyote, remains a complex and evolving issue. While federal protections such as the American Indian Religious Freedom Act (AIRFA) and the Religious Freedom Restoration Act (RFRA) provide some legal exemptions, Indigenous communities continue to face significant challenges due to inconsistencies in state and federal policies.

The drug laws in Colorado highlights the tensions between decriminalization efforts and Indigenous concerns over the commercialization and sustainability of peyote. This research showcases the need for clearer legal protections that respect Indigenous sovereignty, safeguard sacred practices, and ensure that policy changes do not unintentionally threaten cultural and religious traditions