

Reading response

Religion



American Indian Religious Freedom Act This article is about the American Indian Religious Freedom Act (AIRFA) which was enacted by the Congress on August 11, 1978. The purpose of the Act was to protect the religious rights of the American Indians so that they can visit their religious sites and practice any kind of ceremonial rituals without prohibitions. However, ten years after the Act's enactment the US Supreme Court relegated it as ineffectual in any legal context because of its " loose language", and hence it cannot be used in courts for protection of their religious sites. On the other hand, the US Supreme Court did not completely render it legally useless and added a condition that federal agencies need to consider Indian religions before making any policies that will affect the religious beliefs of the Indians. This paved the way for some positive changes with the formation of American Indian Religious Freedom Coalition (AIRFC) in 1988 which made statutory changes to protect the religious rights of the Indians. One amendment happened in National Historic Preservation Act (NHPA) which was enacted in 1992. This Act required that Indian religious and cultural sites be included in the list of National Historic Properties and this automatically protected them from consequences of any federal agencies' policies (" American Indian Religious Freedom Act").

Firstly, I doubt the authenticity of this article provided the author name the date of publication are not stated. However, I have found this article quite interesting since it reveals the US government's contribution in preserving the rights and freedom of the Native American tribes. Being minority, they may endure cynicism in the context of their religious beliefs and it is common occurrence that they face hurdles when attempting to enter religious sites or practicing religious ceremonies. To get the full support of <https://assignbuster.com/reading-response-response-essay-samples-12/>

the US Supreme Court it is necessary AIRFA's language is rectified so that the clauses become more watertight. The article talks about the sacred objects, ceremonies and traditional rites of the American Indians which are included in the Act which protects them from any consequences of policies made by federal agencies. This article leads me to question the actual impact of AIRFA considering that it is not allowed to be used as defensive armor by the American Indians in the court of law. The US Supreme Court's limited support on the Act is stated in another article by Alvin M. Josephy et al. (1999) which tells about a case where two Native American employees were denied unemployment benefits after they were fired for using peyote in church ceremonies. According to the US Supreme Court their religious rights have not been violated since religious beliefs do not give them the right to breach a valid law of the State. Thus the authors have exemplified the concerned article's topic which is that AIRFA does not receive the legal status that will enable it to be used by Native Americans to protect their religious sites or sacred objects. However, in the year 1994 AIRFA was amended to allow the use of peyote for religious purposes.

References

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Josephy, Alvin M., Nagel, Joane & Johnson, Troy. Red Power: The American Indians' Fight for Freedom, Univ. of Nebraska Press, 1999