

Smith discusses battle to legalize peyote use

Mara Stine

For the Oregon Daily Emerald

Alfred Smith, a Klamath Native American, told a group of about 75 people Tuesday night that cultural misunderstandings caused him to be fired from his job as a drug counselor after he used peyote in a religious ceremony.

Smith told the audience of *The Peyote Road*, a documentary about the plant with hallucinogenic properties that is used in the religious ceremonies of some Native American tribes.

Smith also discussed his Supreme Court battle to legalize the use of peyote for spiritual purposes. The film was shown by the Monitor, the University law school's Civil Rights Group and by the Native American Law Association Tuesday night.

In 1984, Smith was invited to a Native American Church meeting that would include the use of peyote. Smith, who is not a member of the church, was told by his employers not to ingest peyote, which they consider a drug. At the time Smith was employed as a drug rehabilitation counselor.

Smith, who was sober and drug-free for



SMITH

18 years, also considered peyote a drug before he used it.

"I expected to get loaded, high or turned on," he said. "It wasn't what I thought it was."

Peyote is a spineless cactus found along the Rio Grande River and in the southwest

United States. The Native American Church considers peyote to be the heart of the Creator, much as wine is considered to be the blood of Christ by Christians. Offerings are made before the plant is cut and ingested while a sacred fire is burned.

"It's used to get into harmony with the Earth, not to get high," Smith said.

When Smith returned to work after attending the meeting, he was asked if he took what they called a drug. He said, "No, but I did take the sacred sacrament," and was fired. Because peyote is part of a religious ceremony, Smith equates being pro-

hibited from using it to being prohibited from going to church.

"How can you say who can go to church and who can't or that I can go to your church but I can't go to mine?" he asked.

The case, *Department of Human Resources of Oregon v. Smith*, went to the Supreme Court, but Smith said he was discouraged from pursuing the issue by Native Americans as well as lawyers. Smith was viewed as a troublemaker who was putting the religious rights of Native Americans in jeopardy. Religious freedom is especially cherished by members of the Native American Church because in the past all tribal religions were banned.

In 1965, peyote was added to the list of controlled substances and in 1967, Texas made the possession of peyote against the law and required dealers to be licensed. This made getting peyote difficult because many peyote gardens are in Texas.

Although Smith was encouraged to withdraw his Supreme Court case, after many sleepless nights he decided to keep fighting.

"I thought that one of these days my kids are going to grow up and someone's going to say to them, 'Is your dad Al Smith? Isn't he that guy who sold out on the peyote case way back then?'" Smith said. "I wanted my kids to be proud of me. It was a fight and I didn't do anything wrong, so let's go for it."

The Supreme Court ruled against Smith, but agreed that individual states could decide whether to legalize the use of peyote. Since the ruling, Congress has passed the Religious Freedom Restoration Act, which generally protects religious freedom, according to Garrett Epps, assistant professor of law at the University.

Also passed were the Religious Freedom Amendments to the American Indian Civil Rights Act, which protect the possession and ceremonial use of peyote by Native Americans who are members of peyote-using churches. However, not all members of peyote-using churches are Native Americans.

"The war on drugs has come down very hard on people," Epps said. "The more I study this case the more I'm convinced it's a landmark case."

Martin Luther King Awards presented to classified employees

Amy Columbo

Oregon Daily Emerald

Three University classified employees received Martin Luther King Awards during a ceremony Wednesday in their honor.

Nancy Blake, Toby Deemer and T.K. McDonald were chosen by a University committee for their service to the University campus and the community.

The applicants were judged on five criteria: adhering to the principles of non-violence; promoting cultural diversity and racial justice; welcoming people of color and people from various ethnic backgrounds into the work place; working to reduce racial and social tensions; and setting a caring, example of such ideals.

Blake works as the office and volunteer coordinator of the Ore-

gon Bach Festival. She has advocated multicultural performances, hiring performers from Latin American, Middle Eastern, African-American and Native American cultures. She has been with the University since 1981.

Deemer serves as the assistant to the Dean for Academic Affairs in the Graduate School. She is described by her co-workers as being able to win support and

achieve her goals, and as very supportive of graduate students. She is described as one who refuses to accept bigotry, racism or discrimination. She has been with the University since 1968.

McDonald works as the operations coordinator for the Office of Public Safety. She is active in the University's Race Task Force, which is a group of students, staff and faculty who serve as advo-

cates for students who have experienced racial harassment.

She is also the chairwoman of the Lesbian, Gay and Bisexual Standing Committee and the treasurer of the local chapter of the National Association for the Advancement of Colored People.

The three employees were chosen from a pool of seven individuals nominated by fellow employees at the end of last year.

We want to extend our deepest sympathies to our fellow students whose families have suffered due to the horrible earthquake in Japan.

Our thoughts and condolences go out to those who have suffered because of this devastating event.

*Sincerely,
The volunteers, coordinators
and staff of ESCAPE*

Sale of old-growth sparks controversy; activist to present Sugarloaf slide show

Tony Lystra

For the Oregon Daily Emerald

Well-known forester and activist George Shook will speak tonight about an old-growth timber sale in the Siskiyou National Forest.

The free lecture and slide show, sponsored by the University Outdoor Program, will begin at 7:30 in the EMU Ben Linder Room.

Shook, 53, earned his forestry degree from Syracuse University and has worked for the Forest Service and private corporations. Over the last 10 years, he has served as an advocate for ancient forest protection, aligning himself with Earth First! and recently with the Siskiyou Regional Education Project.

SREP staff member Kelpi Wil-

son said Shook's lecture is a "hiking trip of what a typical backpacking trip in the Siskiyou is like. (Shook) takes you along the trail and shows you what's there as well as different threats" to the region.

Outdoor Program Environmental Coordinator Jon Raymond contacted the Siskiyou Education Project after reading about the sale of a plot of old-growth timber — known as the Sugarloaf Sale — in the Rogue River-Medford area.

The Sugarloaf Sale is surrounded by controversy because the 660-acre plot was the first to sell after President Clinton enacted a plan to protect old-growth while ensuring a timber harvest.

Because some critics have gnawed at the Sugarloaf Sale,

many see it as an environmental and public relations blunder for Clinton.

How did the Sugarloaf area sell if the Clinton plan guarantees the protection of old-growth timber?

According to the fall 1994 issue of the *Headwaters Journal*, a last-minute clause was written into the president's forest plan allowing the harvest of 21 timber sales from 1990.

Raymond said the Outdoor Program sponsored Shook's lecture to help wilderness enthusiasts and adventurers understand the environmental politics surrounding Northwest forests.

"We feel like, as a back-country resource center, people who are going out and hiking need to be aware of resource issues," Raymond said.

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