PART I

As we move further into the 21st century, one cannot help but reflect onto the political, social and cultural milieu that has impacted Native cultures in the Americas. In this regard, there appears to be important areas that negatively impact Native peoples; they are Western/European cultural and historical evolution, Western thought, religions, and European/American economic politics and jurisprudence. In view of the fact that the first meeting of Native cultures and Europeans mark essentially a clash in values and philosophy, it become paramount to contrast the cultural, political and religious frameworks between the two societies. While one can find exceptions, similarities and universals in distinct populations or cultures, there remains a substantial pattern of difference within the paradigms of Western thought and Native American thought. One
clear basic difference between the two, for example, is in attitudes toward essential features of Nature and Society. Paramount here is the Western propensity for ownership or attachment and materialism. Its impact after four to five hundred years has no doubt caused certain changes in the Native peoples of the Americas to the degree of some assimilation and syncretism in their religious and worldviews. What is particularly important at this juncture is to examine the differences between the two, its impact after 500 years and to reconstruct an authentic autochthonous view that attempts to correct the current colonial mythology and revisionism created by early church writers regarding Native cultural and religious views. This reconstruction incredibly has not yet occurred in mainstream academia regarding pre-Columbian society where Post-Conquest codices, written under the supervision of Church officials were altered to reflect the Roman Catholic Christian dogma and paradigm. Both Miguel Leon Portilla and Nigel Davies have voiced as I have for years; the need to critically assess all Post-Conquest materials on pre-Columbian cultures rather than to accept de facto biased and/or altered interpretations by ecclesiastical councils of the Inquisition.

While there are currently unique and diverse features of Native American peoples in all of the Americas, they share nonetheless, a number of common elements that comprise an essential view of the universe; some of these elements are in direct conflict with the existing socio-economic order of today. Also in conflict are the values of dominant U.S. society associated with a materialistic base as reflected in its capitalistic economic philosophy and its protestant ethic and individualism. Moreover, Christianity must be analyzed not for its purported values but from its historical record as an institution. Additionally, it is important to note the distinction between a secularized
American society in contrast with a spiritually based philosophy of Native peoples. It is these differences that will be reflected in the political/governmental policies of the State that will further impact the religious freedom of Native Americans currently.

Brother, you say there is one way to worship and serve the Great Spirit. If there is but one religion, why do you white people differ so much about it? Why not all agreed, as you can all read the Book?

We also have a religion which was given to our forefathers, and has been handed down to us their children. It teaches us to be thankful, to be united, and to love one another! We never quarrel about religion.

Sogoywapha, (Red Jacket), Seneca

CULTURAL, POLITICAL AND HISTORICAL BACKGROUND

Religious persecution as a political and religious weapon is mirrored throughout the history of Western civilization. It is present in Biblical, Roman, Carthaginian and medieval Europe, English/American colonies and subsequently in Spanish America, best exemplified by the Sanctum Officium or Inquisition. There is within Western religious persecution a pattern of power, violence, exclusivity and intolerance. What is ingrained in the Western mind and culture after many millennia will be transported to the Americas, first by the Spanish and Portuguese and later by the English and French. While friction existed between the Spanish and English, there were various attitudes that were homogeneous to both as representative descendents of Greco-Roman culture. Both Protestant and Catholic sectors of society shared a religious myopia and intolerance of Native spiritual beliefs. One notes that Spanish law severely punished Natives via torture
(forced confessions) and execution for practicing Native spiritual beliefs. In Virginia, it was unlawful to settle unless he or she acknowledged the English King as head of the Anglican Church. No Catholic could vote, hold office, carry firearms or be heard in a Court of Justice, while New England Puritans and Pilgrims were tyrannical toward all believers in any creed except their own.³ In both the English/American colonies and Spanish-America there was further persecution against Jewish people.

In addition to religious intolerance, the new European arrivals to both continents possessed cultural and political racism as they considered Natives to be subhuman or savages. This provided a rationale for political and legalistic justification for slavery an/or forced free labor and general proselytizing of Native cultures. In conflict were the newcomers’ attitudes concerning land, Nature, community relations and reality. These new attitudes and values were not only strange to the Native cultures but were in opposition to the Native American concept of a unified and balanced order of all things on earth. Additionally, it was an invasion of natural rights and native beliefs as had been observed as early as the fifteenth century by Francisco de Vitoria.⁴ Native Americans thus, suffered hegemonomically a severe rupture of their philosophy, traditions, religious and cultural practices. Now perceived as a heathen, self righteous Europeans and Americans found a justification to take their lands in exchange for preaching the “word of God.”⁵ By taking their lands and Christianizing them, the missionaries assured themselves of assimilation of tribes into “civilized society.” In time the tribes increasingly lost their language and religious practices. In the Spanish-Speaking Americas, many became Mestizos by violence and force, losing native languages in the
process and acquiring a new type of syncretic religion comprised of ancient concepts of the forces of Nature and the Cosmos and Christianity.

By the late 1800s, U.S. government officials, believing that traditional religious beliefs impeded Native progress, established policies to destroy Native American religions. To the mainstream American of the nineteenth century, Native ceremonies were seen as “heathened dances” and a “great hindrance to civilization.” The practice of traditional religious rituals brought about a month of imprisonment. This violation of cultural and religious rights required additionally that all Native males cut their braids and outlawed moreover, the Sun Dance. It was the Ghost Dance religion that was sweeping the Plains that prompted the government troops to massacre 390 Native American men, women and children at Wounded Knee in 1890. Incredibly, Congress awarded thirty Congressional Medals of Honor to soldiers of the Seventh Cavalry—the former unit of General Armstrong Custer. Religious persecution officially continued until President Franklin D. Roosevelt appointed John Collier as commissioner of Indian Affairs in 1932. While Collier ceased official prohibitions against native religious practices, general ignorance and prejudice against natives well ingrained in American mainstream culture, continued as before, giving rise and impetus to Christian communities to proselytize Native American people. By the 1940’s, Native American men found themselves fighting two wars; one foreign the other domestic. It was not until the seventies that brought a brief moment of self-determination and expression for people of color. This encouraged the formation of cultural and political organizations (American Indian Movement or AIM, Black Panthers, Brown Berets, etc.) For Native Americans it provided an opportunity to organize traditional religious leaders to testify in New Mexico
against the government’s unabated violations of Native religious rights. Heretofore, Arapahos had been arrested for possession and use of sacred eagle feathers under the 1976 Bald Eagle Protection Act. Native American Church members similarly were arrested for using peyote in their religious services. Additionally, archeologists and museum personnel denied proper burial rights to Native American remains and refused to return sacred objects necessary for ceremonies. And throughout the United States federal and state officials and private individuals had prevented tribal members’ access to sacred lands and had dispossessed them of sacred objects. The awareness raised in New Mexico brought about concrete proposals from the Native American community for changes in federal legislation. Native groups across the nation initiated lobbying efforts for a bill to protect Native religious rights. Thus, two hundred years after the founding of the United States, the American Indian Religious Freedom Act was introduced by Senator James Abourezk into the Senate. Opponents argued that it would conflict with the Equal Protection and Establishment Clauses. By August 12, 1978, President Jimmy Carter signed the American Indian Religious Freedom Act (AIRFA) into law and made history. Despite the passage of AIRFA, testimony by Native American witnesses and government officials clearly attest to the lack of federal administrative compliance with the law and congressional failure to rectify religious infringement through legislative reform.

Addressing issues of Native American rights encompasses further issues of representation, appropriation, authenticity, accountability, cultural and political chauvinism, Christian colonization, concepts of space and time, view of nature, land, trees, mountains, relations, Spirituality, reciprocity, interrelatedness, harmony and balance. Most important is the connection of the economic system of Market Capitalism
that is directly responsible for the resultant inequities, both of a cultural and economic nature. Intertwined in the materialistic paradigm is the Protestant ethic, whose values and individualism give the United States it’s own peculiar brand of capitalism. It is the driving force of all institutions and its influence has made such a lasting impact that the “market” is currently being compared to a deity with its respective Theology or Econotheology. It is the power structures backed by money that too often controls legislation. Thus, it becomes important to view how the Supreme Court has interpreted cases involving Native American religion and culture. But before viewing recent Supreme Court decisions affecting Native Americans, it is equally significant to see the evolution of the philosophy that has developed in the U.S. which conversely impacts legislative and legal decisions.

What life have you, if you have not life together
There is no life that is not in community.
And no community not lived in the praise
Of God
When the stranger says:
What is the meaning of this City?
Do you huddle close together
Because you love each other?
What will you answer?
We all dwell together to make
Money for each other?
Or is this a community?

T.S. Eliot

WESTERN CULTURAL LEGACY, THE PROTESTANT ETHIC AND INDIVIDUALISM

As one looks ahead to the twenty-first century, the question arises regarding change and the new vision for the future. Currently, the Western worldview has been
negatively characterized as mechanistic, rationalist and linear by such notable figures as Alfred North Whitehead, James Jean, and Nobel laureate Octavio Paz. In searching for the roots of physics and the meaning of reality, physicist Fritjof Capra traces the Western worldview and its changes to the early Greeks. Ironically, the current evolution of the Western worldview is diametrically opposite from its original foundation. The split occurred circa 550 BC with the Eleatic school which changed substantially the early view of the Cosmos into the current Western worldview. According to Capra the early formation and distinct Milesian School (6th century BC) did not separate philosophy, religion and science whose aim was to discover the essential nature of all things (physis). This view had a strong mystical/spiritual flavor since Milesians were called “hylozoists” or “those who think matter is alive” because they saw no distinction between the animate and inanimate, spirit and matter. In fact they did not have a word for matter since they saw all forms of existence as manifestations of the “physis” or the essential nature in all things. These were endowed with life and spirituality. Thus, the Universe was seen as a type of organism supported by “pneuma” or the cosmic breath. This view was best represented by the philosophy of Heraclitus of Ephesus. Capra’s objective in the first chapter of his book is to show how this monistic and organic view is very close to the ancient Indian and Chinese philosophy. What is strikingly apparent to this writer is its parallel to the ancient understanding of the Cosmos by Native peoples of the Americas. In the ancient and intrinsic Native American view there is also an essential Unity of the Universe and any dynamic and cyclic interplay of opposites are a non-conflicting part of that Unity (Ometeotl-Aztec) Here there is an awareness of the mutual interaction of all things where there is a continuous flow and change of all things (Moyocoyatzin-Aztec).
The Cosmos like our Mother Earth is one inseparable reality, forever in motion, alive, organic, spiritual and material at the same time (Tonantzin-Aztec).

The second essential view of the Cosmos properly belongs to what is now known as the Western worldview. It begins appropriately with the Greek civilization circa 550 B.C. with the Eleatic School of Thought. Here, there is a split of the unity of the universe which caused humans to be separated from the Creator and who now see a Divine Principle above all Gods and humankind. This idea was promoted and developed further by Parmenedes of Elea. From the split in unity emerged a Personal God that commands and punishes. As a consequence of this classical Greek model, there developed or evolved a strong philosophical stance by the Christian Church supporting those doctrines i.e. interpreting nature and reality that lasted throughout the Middle Ages. This second worldview of the Cosmos is *extrinsic* in which there is a division of nature into separate objects. Here the forces causing motion are outside the object. In this model, there is separation of spirit and matter; rather than the unity of the universe, there is an intelligent and personal God who stands above the world and directs it. In this second and more recent Western view of the world, there is a mechanistic and fragmented view of reality.

Opposite this Western view is the early intrinsic view where there is a unifying and interrelated nature of all things. This philosophical framework is very similar to the philosophical/spiritual view of the ancient Native peoples of the Americas. This is not suggesting that the Greeks influenced Native American thought. To the contrary, the intrinsic view of the world and knowledge of Astronomy, Mathematics and Metaphysics were not only highly developed in ancient Native American civilizations of the Americas but also well established prior to the Greek Milesian school of thought. With regard to
origin, there appears to be a bridge of knowledge between the East and the early Greeks. We know for example, that the father of mathematics and numerology for the Greeks was Pythagoras who learned it in the East during a ten-year stay there. On the other hand, there is much information that supports philosophical and medical/scientific affinities between China and the ancient peoples of the Americas. The question is not who learned it first but one of origin of thought from another age. My information on prehistoric advanced civilizations suggests that if one goes back in time prior to 550 BC, one begins to see a common basic and essential view of the Cosmos in the respective advanced civilizations of the world. Thus, at one point in prehistory, highly advanced knowledge in both science and philosophy was brought into different regions, which in turn provided advancement in Philosophy, Arts and Sciences. (Teotihuacan, Sumeria, Tiahuanaco, Egypt, Chichen Izta, Ancient Greece). The difference between the Greeks and the ancient civilizations of the Americas and the East is that the Greeks did not maintain intact the ancient universal worldview. Instead they moved to a different paradigm after 550 BC which created a division within Nature and reality. Another difference between the ancient Greeks and the ancient Native peoples of the Americas is that the Greek philosophy was more on the abstract conceptual level whereas in Native cultures of the Americas it was a Metaphysical as well as an integrated living system. In the Americas Native peoples did not draw lines between Science, Philosophy, Government, Economics or Metaphysics. It was one integrative and unified understanding of the Cosmos.

From the Greeks (after 550 BC) there has been a bifurcation in reality, which has been carried on through approaches to nature and approaches to the “divine”. According
to D. Coole, its foundations can be found in Greek origin myths. She not only sees their preference for the rational but also a preferential chauvinistic attitude. Zeus impregnates the goddess of wisdom then swallows her and give birth to his daughter, Athena, from his head, suggesting now, according to Coole, “that the male vision is of a superior kind, rooted in reason rather than in the dark recesses of the flesh”\textsuperscript{12} This superiority of the rational over the physical is carried on through Western philosophy. Plato sees the world as a world of imperfect shadows, reflecting the perfect forms. He also views the body as unholy and the world devoid of meaning.\textsuperscript{13} His student Aristotle although an empiricist creates a hierarchy of being, with the rational at the summit. St. Paul successfully grafts the Greek conceptual superiority of the soul over the body on to Christianity. Augustine merges Platonism with Christianity, as Aquinas later merges Aristotlianism with Christianity. This Western tradition emphasizes either transcending the body, the physical or splitting from it. The Spiritual becomes remote from the day to day. This allows humans to see the physical as inferior to the rational, nature as inferior to humans. It ultimately sets the stage for people to see the world as “dead” and humanity as the ultimate beneficiary and arbiter of Nature.\textsuperscript{14} This de-spiritualization can result in a faltering experience where people can become insensitive to those experiences that do not fit the rational model. When the Middle Ages ended with the demise of scholasticism, Descartes further fragments Western’s view of nature on a fundamental division of two separate and independent realms; that of mind and that of matter. The Cartesian division allowed scientists to treat matter as dead and completely separate from them and to see the material world as a multitude of different objects assimilated to an enormous machine. Isaac Newton, whose ideas dominated all scientific thought to the beginning of
the 20th Century, held this mechanistic worldview. The 20th Century with the rise of the industrial and technological revolution has further added to the materialistic and fragmentary view of reality.

Thus when we state that the Native American worldview is non-Western it is because it understands the natural unity of all things in the universe, the interconnectedness of all living things. It transcends the notion of an isolated individual self and sees rather the necessity to identify with ultimate reality (Manitou, Téotl/Zentéotl/Ometeotl/Hunab Ku, etc). In this manner, Native Americans in both continents do not separate themselves from the Creator but rather established an interconnection to all living things; moreover, the need for self actualization and the search for a deeper meaning which is within each person since he/she is connected to the Creator.15

In contrast, Western civilization took another path to perceiving reality. Its principle concepts of separation from ultimate reality, its division of nature and the separation of spirit and matter, and an extrinsic fragmentation of the material world set the stage for the rationalization and objectivity and further division of reality. Cartesianism led Western humankind to equate its identity with the primitive notion of mind (still to be defined adequately) rather than the whole organism, creating isolated egos existing “inside” their bodies. Each individual was, moreover split into a large number of separate compartments, according to his or her activities, talents, feelings, beliefs, etc; all of which are engaged in endless conflicts generating continuous metaphysical confusion and frustration. In addition to Nobel Laureate Octavio Paz, who called for an end the linear perception as well as our idea of history as progress, other
influential writers have come around to understanding the intrinsic Native American perception. Jorge Luis Borges, one the more influential literary giants of the 20th Century underscores the idea of the indivisible divinity operating within us, the idea of dreaming the world and thus creating it, mysterious yet visible. Borges further consented that our visible reality is comprised of ethereal intervals of non-logic in its architecture, that we might know it as false. Similarly, astronomer Sir James Jeans addresses a non-Western and more total perception of reality, which he calls an “omnijective” nature of reality. How omnijective nature of reality will change Western civilization remains to be seen, but certainly it will be transformative for all peoples. The idea is to move away from intellectually contrived paradigms and to move to more universal and natural patterns that the natural world offers to us. To date, the extrinsic/ Cartesian/ mechanistic and linear perception of the world has created unnatural settings in society as witnessed by the destruction of the environment for the sake of the economy or production, and has created further, a fragmented view of reality, materialism, violence and a lack of respect for the “other”. Capra addresses the issue of limited linear perception of rational knowledge:

Rational knowledge is thus a system of abstract concepts and symbol, characterized by the linear, sequential structure which is typical of our thinking and speaking. In most languages (of contemporary society,) this linear structure is made explicit by the use of alphabets which serve to communicate experience and thought in long lines of letters. The natural world, on the other hand, is one of infinite varieties and complexities, a multidimensional world which contains no straight lines or completely regular shapes, where things do not happen in sequences, but all together; a world where—as modern physics tells us—even empty space is curved. It is clear that our abstract system of conceptual thinking can never describe or understand this reality completely.
What are the philosophical implications with regard to the ancient Native Peoples? It is clear that the ancient advanced Native peoples did not follow a linear and sequential structure.

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