

Religious freedom for all means sacred Indigenous sites, too

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There is a concerning double standard that many political leaders perpetuate when it comes to acknowledging and respecting **Indigenous cultures and religions**. While politicians rush to ensure that the buildings of **churches, mosques and synagogues** are protected, many of these leaders fail to recognize the need to safeguard the lands and waters where Indigenous people **pray and worship**.

Nowhere is this more apparent than at Oak Flat, a **sacred area** east of Phoenix. As **faith leaders** from Arizona and New Mexico, we recently joined Apaches on this beautiful landscape to learn how they have prayed and connected with the Creator at Oak Flat since time immemorial. Unfortunately, a proposed copper mine would destroy these **sacred lands** using destructive mining techniques that could leave a devastating crater nearly two miles wide and 1,000 feet deep. As Apache Stronghold Founder and former San Carlos Apache Chairman Wendsler Nosie Sr. so eloquently stated, “Just because his **place of worship** doesn’t have four walls and a steeple, he should not be denied **the right to practice his religion** on these sacred lands.”

The U.S. 9th Circuit Court of Appeals recently heard arguments about how the federal government will violate **First Amendment religious rights** of the appellant Apache Stronghold — a Native grassroots community group — if the mine is allowed to move forward. Numerous religious and legal scholars have argued that the government’s actions will impose a substantial burden on Apache **religious freedom and exercise**. Religious scholar Thomas Berg has called this case “the most important Native American **religious liberty case** in 15 years.”

While we don’t know how the court will rule, Congress and the White House must take action to prevent destruction of these sacred lands. The Save Oak Flat from Foreign Mining Act, which was recently introduced in the House, should be passed. Additionally, the Biden administration must incorporate Indigenous traditional ecological knowledge into the pending environmental impact statement being conducted by USDA as well as other critical information. The public needs to know the full measure of the negative impacts of this proposed mine. For example, the mine would use over 250 billion gallons of precious water — which is enough water for 140,000 homes annually for 40 years — from this fragile desert ecosystem suffering from a historic mega-drought.

Rather than dismissing or marginalizing arguments that respect Indigenous **religious claims** to these lands, our hope is that people will listen, seek understanding and acknowledge our common ground — and every American’s **right to religious freedom**. As **ministers** rooted in the Judeo-Christian tradition, we remind our **parishioners** that we must not forget that our **spiritual beliefs**, too, are deeply tied and rooted in the land, water and wildlife. Did not Abraham in Genesis 12 encounter God under oak trees like those at Oak Flat? Was not Jesus baptized in sacred waters of a river that arose out of the desert like the sacred perennial springs at Oak Flat? Did not Jesus preach his sermons on mountains and plains like those at Oak Flat? Indeed, during this Lenten season we remind our **churches** that we, too, come from the dust of the Earth and to the dust we shall return. We are indeed one with **creation** and one with **the Creator** as we are called to be

¹ The Hill, formed in 1994, is an American newspaper and digital media company based in Washington, D.C. Focusing on politics, policy, business and international relations, The Hill's coverage includes the U.S. Congress, the presidency and executive branch, and election campaigns.

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responsible stewards of God’s good creation. Sacred places like Oak Flat help us recall these **core tenants of our faith**.

Allowing a mine at Oak Flat is not responsible stewardship of God’s creation nor is it respectful of the deep spiritual and religious traditions that indigenous peoples have practiced there since time immemorial. Destruction of Oak Flat threatens not only the rights of all **land-based religions**, but also poses a threat to all religions that find deep connections and memories in these sacred landscapes.

This week, USDA Under Secretary Homer Wilkes will meet with Indigenous peoples and tribal leaders, as well as other concerned groups and citizens on the sacred grounds of Oak Flat. The tribes connected to this area have incredible wisdom and knowledge to offer the U.S. government. It is imperative that the Biden administration listen to tribal governments and remain steadfast in its commitment to full and meaningful government-to-government consultations. Indeed, it’s time to end the double standard when it comes to protecting these sacred Indigenous lands.

Some cultural references explained:

First Amendment

The First Amendment to the United States Constitution prevents Congress from making laws respecting an establishment of religion; prohibiting the free exercise of religion; or abridging the freedom of speech, the freedom of the press, the freedom of assembly, or the right to petition the government for redress of grievances. It was adopted on December 15, 1791, as one of the ten amendments that constitute the Bill of Rights.

‘the House’

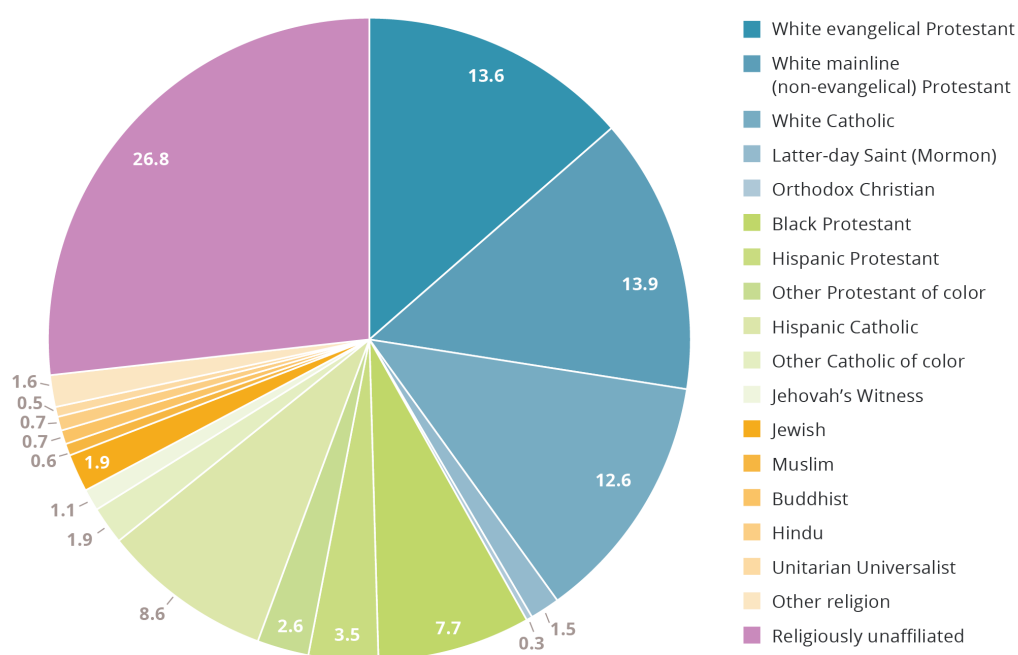
As per the Constitution, the U.S. House of Representatives makes and passes federal laws. The House is one of Congress’s two chambers (the other is the U.S. Senate), and part of the federal government’s legislative branch. The number of voting representatives in the House is fixed by law at no more than 435, proportionally representing the population of the 50 states.

USDA = United States Department of Agriculture

What are the different religions in the US?

FIGURE 1. The American Religious Landscape in 2022

Percent who identify as:



Source: PRRI 2022 American Values Atlas.

