

PEOPLE v. WOODY
61 Cal. 2d 716 (1964)

Facts

Peyote appears as small “buttons” on the tops of cactus plants found in the Rio Grande Valley of Texas and northern Mexico. When eaten, peyote produces several types of hallucinations, depending on the use. Most people report strange visions with bright colors, geometric patterns, or scenes involving humans or animals. For most users, peyote also fosters a feeling of friendliness toward other persons. Peyotism, the taking of peyote as part of a religious ritual, was observed among Indians by Spanish explorers in Mexico in the sixteenth century, and became an established practice among American and Canadian Indian tribes before 1890.

The “meeting,” a ceremony that is based upon the sacramental use of peyote, is one of the most important events in the Native American Church (a modern, formal church that practices peyotism). The meetings start on Saturday night and last until sunrise on Sunday. It is a solemn and special occasion, and everyone wears their finest clothes— usually suits for men and fancy dresses for the women. At the meeting, the members pray, sing, and make ritual use of drum, fan, eagle bone, whistle, rattle, and prayer cigarette, the symbols of their faith. The most important event, of course, consists of the use of peyote in quantities sufficient to produce a hallucinatory state. Though whole families attend together, young children never, and Indian teenagers rarely, are allowed to use peyote.

Although peyote serves as a sacramental symbol in the Native American Church similar to bread and wine in certain Christian churches, it is more than just a sacrament. The peyote is an object of worship itself; prayers are devoted to it in the same way that Christians pray to the Holy Spirit. Members of the Native American Church regard peyote also as a “teacher” because it causes them to feel as though they are brothers with all other members and “teaches” them to experience God.

On April 28, 1962, a group of Navajos, members of the Native American Church, held a “meeting” in an Indian hogan in the desert near Needles, California, to perform the ceremony that included the use of peyote. Police officers who had observed part of the ceremony arrested Jack Woody for violating a section of the California Health and Safety Code which prohibits the unauthorized possession of narcotics and hallucinatory agents.

Decision of the Court

In *People v. Woody*, the California court concluded that since the ceremonial religious use of peyote by the Indians had been a central part of the Indians’ religious belief for centuries, the state’s interest which normally would have prevailed was disallowed, and Woody’s arrest and conviction were set aside.

The *Woody* case clearly demonstrates our strong commitment to the right of religious freedom without regard as to how conventional a particular religion might be.