



Universität Hamburg
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ספקנות
Maimonides Centre for Advanced Studies
JEWISH SCEPTICISM

MAIMONIDES LECTURE ON SCEPTICISM

MONDAY
10 JANUARY 2022
18:00

Religious Freedom and Land Rights: On Legal Language and Ethical Scepticism

Dana Lloyd

Discussions of religious freedom in the United States are often prompted by conflict over school prayer, the teaching of evolution, conscientious objection, and prisoners' devotion. The right to the free exercise of religion is understood as an individual right in the US context because of its framing in the First Amendment. In contrast, for societies that consider the land to be sacred, the freedom of religion and the freedom to possess land are often one and the same. When this is the case, freedom of religion is not an individual right; it is a collective right.

This paper explores the possibility of understanding religious freedom as a collective right, given the close relationship between religious freedom and the use of land as a place of worship. During this session, Dana Lloyd will discuss the 1988 US Supreme Court case *Lyng v. Northwest Indian Cemetery Protective Association*, a landmark case in constitutional law, where the court denied the right of three Native American nations to practise their religion in a place they consider sacred for the sake of protecting government property rights. She will ask what ethical scepticism can offer Native communities, who have neither common legal language nor common epistemology with settler governments and courts, in order to advance their struggles to protect their sacred lands.

Dana Lloyd is an assistant professor of global interdisciplinary studies at Villanova University.

ZOOM

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