

## *In 1920, Native Women Sought the Vote. Here's What's Next.*

The 19th Amendment did not bring the right to vote to all Native women, but two experts in a conversation said it did usher in the possibility of change.

By Cathleen D. Cahill and Sarah Deer

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Native women were highly visible in early 20th-century suffrage activism. White suffragists, fascinated by Native matriarchal power, invited Native women to speak at conferences, join parades and write for their publications. Native suffragists took advantage of these opportunities to speak about pressing issues in their communities — Native voting, land loss and treaty rights. But their stories have largely been forgotten.

After the 19th Amendment was ratified on Aug. 18, 1920, and celebrated by millions of women across the country, the Indigenous suffragist Gertrude Simmons Bonnin, also known as Zitkala-Sa, a citizen of the Yankton Sioux Tribe, reminded newly enfranchised white women that the fight was far from over. “The Indian woman rejoices with you,” she proclaimed to members of Alice Paul’s National Woman’s Party, but she urged them to remember their Native sisters, many of whom lacked the right to vote. Not only that, she explained, many were not United States citizens, but legally wards of the government, without a political voice to address the many problems facing their communities.

Bonnin and other Native suffragists would continue to remind audiences that federal assimilation policy had attacked their communities and cultures. Despite treaty promises, the U.S. dismantled tribal governments, privatized tribally-held land and removed Native children to boarding schools. Those devastating policies resulted in massive land loss, poverty and poor health that reverberate through these communities today.

Native suffragists’ activism contributed to Congress passing the Snyder Act of 1924, which extended U.S. citizenship to all Native people, though in response many states enacted Jim Crow-like policies aimed at disenfranchising them. The Native suffragists also aided the push for the Wheeler-Howard Act of 1934, which stopped the breakup of tribal lands and emphasized tribal self-governance.



President Calvin Coolidge with a Native delegation, possibly from the Plateau area in the Northwestern United States, near the South Lawn of the White House in 1925, the year after the passage of the Snyder Act. Library of Congress

As the centennial of the 19th Amendment approaches, it is worth taking up Bonnin’s call to remember Native women and their full range of political experiences. With this in mind, Prof. Cathleen D. Cahill, a historian who has written about Native suffragists, joined Prof. Sarah Deer, a scholar of Native law and a citizen of the Muscogee (Creek) Nation, to talk about issues Native women face today. The conversation has been edited for length and clarity.

**Cathleen D. Cahill:**

You have spent much of your career addressing the issue of violence against Native women, including in your book “The Beginning and End of Rape.” Native women have been calling attention to this kind of violence for more than a century. **Why are Native women especially vulnerable?**

**Sarah Deer:**

I’m a citizen of the Muscogee (Creek) Nation of Oklahoma, and I have been working to address violence against Native women for over 25 years. I started when I was 20 years old as a volunteer advocate for survivors of sexual assault, and that experience inspired me to go to law school. It was in federal Indian law classes that I began to understand the reasons for the high rate of violence. Quite simply, the criminal legal system in Indian Country is broken. What else could explain these statistics: Over 84 percent of Native women have experienced violence in their lifetime, and over 56 percent of Native women have experienced sexual violence. This is data directly from the federal government — and these are probably low estimates.

To make matters worse, in 1978 the Supreme Court ruled that tribal nations lack authority to prosecute non-Natives — again, for any crime. Many experts believe this is one of the reasons Native people experience the highest rates of interracial violence in the nation. A system that doesn’t hold people accountable sends two messages: to victims, it says “don’t bother to report,” and to perpetrators, it says “keep victimizing people.”

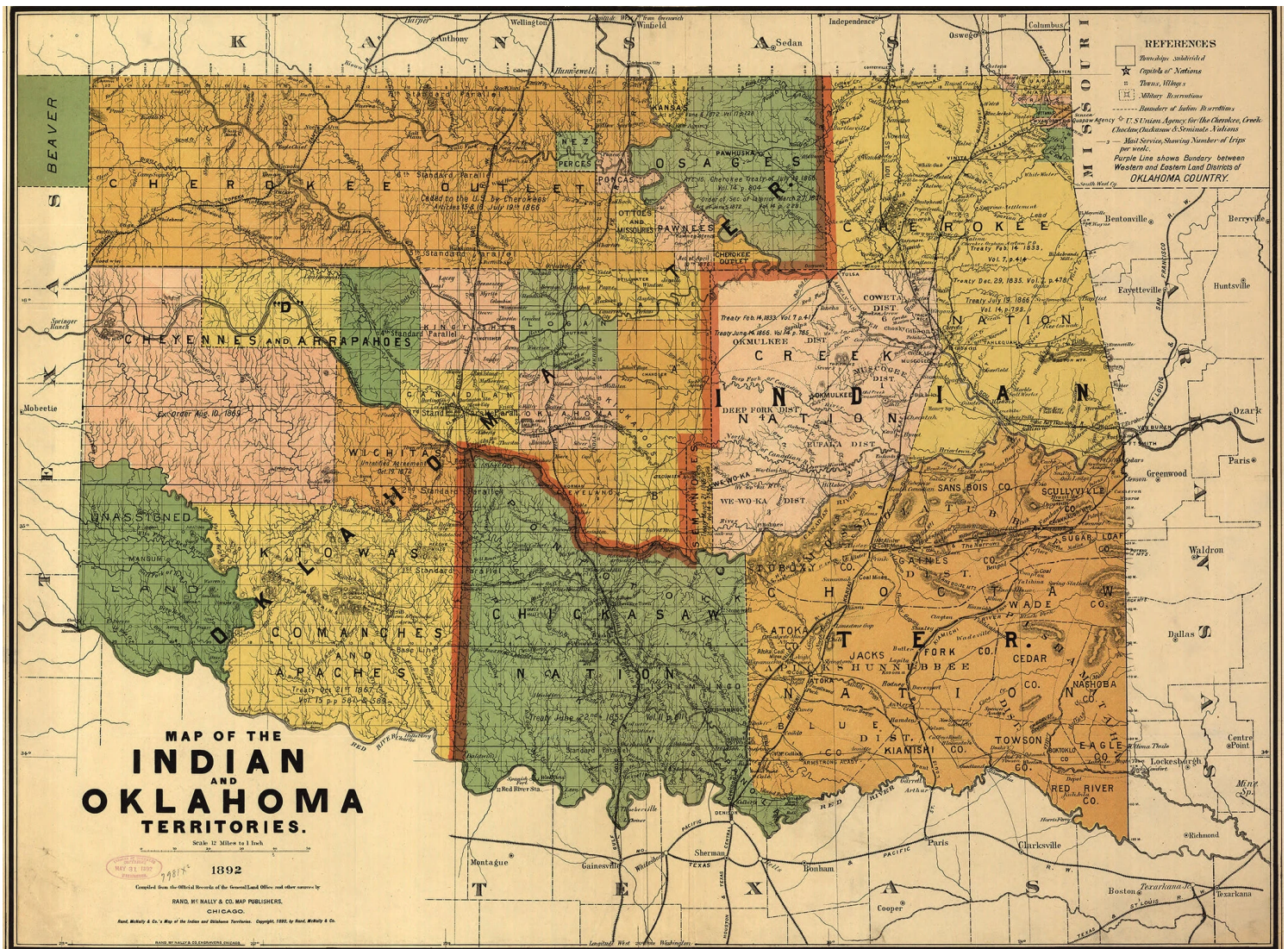
**Cahill:** That’s really awful. In the 1920s Gertrude Simmons Bonnin drew similar connections between violence against Native women and the fact that federal policies had dismantled tribal governments and made Indian people “wards” without any political power. That seems like such a long time ago, but **the July 9 Supreme Court ruling in *McGirt v. Oklahoma* demonstrates that the past is so clearly present in Indian Country. Can you talk about the ruling’s ramifications?**

**Deer:** Indian law scholars are calling this the greatest win for tribal governments in the last 50 years. It also hits close to home — it was a victory for my own tribal nation.

Our Nation signed a peace treaty with the United States in 1866 which established specific boundaries for our reservation — about 3 million acres. The United States promised that this reservation would “be forever set apart as a home for said Creek Nation.” Seems simple, right?

Throughout the 20th century, though, the state of Oklahoma ignored the treaty and gradually began exercising criminal and civil authority over the reservation, denying its existence.





An 1892 map of the Indian and Oklahoma territories showing the boundaries of tribal reservations. Soon after, the federal government started the process of dividing the tribally-held land despite resistance by tribal leaders. Library of Congress

The Supreme Court's 5-4 decision, written by Justice Neil M. Gorsuch, determined that the Creek reservation boundaries were never disestablished; the reservation promised to the Creek people in 1866 is still in full force.

Tribal issues don't fare well in the U.S. Supreme Court — losing over 75 percent of the time — so this was an unlikely win, and a tremendous win; the legal reasoning in this decision will have far-reaching implications for many different tribal nations who are attempting to preserve land and resources. **Your research has looked into the role of Native women in the American suffrage movement. I'd love to learn more.**

**Cahill:** White feminists were inspired by the matriarchal traditions of Native people. They especially looked to Haudenosaunee (or Iroquois) women's power to appoint male political leadership, control their property, and have custodial rights to their children — those were legal rights white women did not have. They wanted to hear more and often invited Native women to speak at their meetings. This gave Native activists a chance to educate their audiences and while they did proudly talk about their traditions, they also insisted on talking about the problems that faced “the Indian woman of today,” as Bonnin put it.





Marie Louise Bottineau Baldwin, a citizen of the Turtle Mountain Band of Chippewa, posing with floral pattern beadwork on her wrists and behind her to showcase Native women's artistry. In 1914 she became one of the first Native American women in the U.S. to graduate from law school. Library of Congress

A good example of this is when organizers asked Marie Louise Bottineau Baldwin, a citizen of the Turtle Mountain Band of Chippewa, to put together a float for the 1913 suffrage parade in Washington. They wanted the float to portray Native women as they were in the past, you know, wearing buckskin with their hair in braids, that kind of thing. Baldwin was deeply aware of the power of imagery in shaping public perceptions of Native Americans, so she used her image strategically. She decided not to organize the float, and instead marched with her classmates and teachers from the Washington College of Law. I think she was making a statement that Native women were modern New Women who were looking to the future. She also thought it was important for Native people to study law to protect their land and treaty rights. She was one of the first Native woman to graduate from law school, in 1914. **You're also an attorney (and a tribal court justice). What do you think is the role of legal training for Native women in the 21st century?**

**Deer:** Access to legal education is a critical step to strengthening tribal sovereignty. There are still relatively few Native attorneys in the United States, but the numbers are increasing. There are also only a handful of Native women law professors. Nonetheless, Native people are actively litigating important questions of tribal jurisdiction, land rights and criminal authority. Native women serve on tribal courts, but there are also Native women who serve on state benches. Diane Humetewa (Hopi) became the first Native woman appointed to the federal bench in 2014. Some Native attorneys focus their work on legislation like the Violence Against Women Act (VAWA) which contains significant provisions that directly affect tribal justice systems. Native women have also been leading the movements to address environmental abuses and pipelines. At Standing Rock Sioux Reservation, in particular, women were doing most of the organizing and decision-making in the fight over the Dakota Access Pipeline.





Rep. Sharice Davids (D-KS), a Ho-Chunk citizen, at a news conference on March 10, 2020. Pete Marovich for The New York Times



U.S. Rep. Deb Haaland (D-N.M.) of the Laguna Pueblo, at a press conference on June 19, 2019 in Washington, D.C. Stefani Reynolds/Getty Images

**Cahill:** One striking thing just in the past few years is the growing number of Native women running for state and federal offices. The first Native women in Congress were just elected in 2018: Deb Haaland of the Laguna Pueblo represents New Mexico and Sharice Davids, a Ho-Chunk citizen, represents your state of Kansas. Native men have served in Congress for well over a century, but they are the first Native women to hold office in Washington. **What does it mean to have Native women in Congress or other elected offices?**

**Deer:** Native women have served in state legislatures for many years, but we are now seeing a critical mass of new Native women politicians. Today, we have one Native woman in the Kansas House, and another young Native woman is campaigning for the Kansas House as well. In Minnesota, White Earth citizen Peggy Flanagan, became the first Native women to be elected as a lieutenant governor in the United States in 2018.

When Haaland and Davids were elected as the first two Native women in Congress, it was seen as a tremendous victory for Native people. It seems fitting that there were two women elected together. From my perspective, being the “first” or “only” Native woman serving in Congress could be a lonely experience. A “partnership” of two Native women perhaps makes it easier to achieve great things in Congress. For far too long, Congress has been passing laws to limit the power of tribal governments without any tribal input. It is far past time for us to have a seat at the table.

**Cahill:** Absolutely. And that is so important to remember when we think about the anniversary of the suffrage amendment. For all suffragists, getting the vote wasn't an end point: It was the possibility for change that voting opened up. Native suffragists saw the vote as a way to change the awful circumstances that faced Native communities at the time. **One hundred years later, what's next for Indigenous feminism?**

**Deer:** I'm still basking in the afterglow of the McGirt decision, so I'm optimistic about the future for Native women and tribal nations. I hope to see more Native women elected to public office — at all levels, tribal, state and national. We have been politically and symbolically disenfranchised for too long. I'm so glad our issues are getting more national attention.



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