

## Peyote and the racialized war on drugs

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A summer of racial unrest throughout the country has led to calls in the presidential campaign to “restore law and order.” It’s the same line used by Richard Nixon in 1968 to appeal to white nationalist fears of black criminality after the “long hot summer of 1967.” Kiersten Willis [noted](#) earlier this month that three years later, as president,

Nixon declared a ‘war on drugs’ to quell social unrest across the country — feeding a new racially tinged narrative about ‘inner city’ crime for the constituency he called his ‘silent majority.’ . . . For people of color [today], arrests often turn into imprisonment, whereas whites may face probation or shorter sentences for committing similar acts.

It’s not the first time the federal government has leveraged the issue of drug use to discriminate against particular racial groups. Racialized wars on drugs emerged in the late 19th and early 20th centuries—directed against Chinese people for opium use, African Americans in the South for charges of cocaine use, and Mexicans and Mexican Americans surrounding allegations of marijuana use.

Then there is peyote, a sacred medicine and religious adjunct in Native American worship. The attack on its use is often overlooked in the literature on the history of drugs in America.

The mild hallucinogen, derived from the top of a cactus growing in the Rio Grande area, became the basis of a new American Indian religion in the late 19th century. As the peyote religion quickly spread throughout Oklahoma Territory to other tribes in the western half of the U.S., white missionaries and government officials became alarmed. In their zero-sum mindset, they viewed Peyotism as a threat to their efforts to Christianize the Native American peoples.

The timing of efforts to prohibit peyote use coincided with the [allotment era](#), during which Indians could attain U.S. citizenship status. White people believed that Native

Americans could not be “good” citizens if they used peyote in their religious ceremonies.

Peyotist Indians saw no tension in practicing religion, including Christianity, with the aid of peyote. They argued that the First Amendment guaranteed them a right to religious freedom. White officials sought a way to counter this argument. As Doris Marie Provine [explains](#),

Drugs are criminalized in two steps. First, the substance must be reconceptualized as dangerous . . . . Second, the user must be reconfigured as socially marginal and ignorant . . . the kind who responds only to the stern intervention of criminal law.

The early 20th century was an era of public concern over the increased use of narcotics in the United States, resulting in the 1906 Pure Food and Drug Act regulating patent medicines and the 1914 Harrison Narcotics Act. Against this backdrop, peyote opponents transformed the sacred peyote of Native Americans into a profane drug. Newspaper articles identified peyote as having the same effects as opium, cocaine, and marijuana. Exaggerated accounts of peyote use leading to physical and moral debauchery, as well as economic ruin, coincided with similar stories and arguments directed against other racial and ethnic groups.

In 1909, newspaper headlines—“Indian Office Makes War on Peyote Drug”; “Uncle Sam Wages War on the Indian Dope”—gave official notice of the government’s intention toward Peyotist Indians. Beginning in 1914, bills emerged in Congress to prohibit peyote use.

Peyotists fought to preserve the sacredness of their religious practice. The culmination of their efforts resulted in the 1918 incorporation of the Native American Church. Recognizing the power of statutory exemptions to protect religious liberty—as with the exemption under Prohibition for sacramental wine—the NAC identified “peyote as a sacrament” in their articles of incorporation.

The NAC’s tactic of using white religious language to preserve their Indian religious practice worked—at least until the Nixon administration’s war on drugs. The 1970 Controlled Substance Act listed peyote as a Schedule I hallucinogenic substance to be heavily regulated even for religious use. When the government invokes systemic privilege, even the Bill of Rights fails to protect minority rights.

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