

Chapter 2

Peyote's Race Problem

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Abstract In the years since peyote became a controlled substance in Mexico and the US, a steady stream of advocates and activists have laid claim to two types of exemption, rooted in both US Law (the First Amendment) and International Law (the 1971 Vienna Convention on Psychotropic Drugs). Indigenous peyotists in particular have been largely successful in making a claim to a legal right to be exempt from national prohibitions on peyote possession and consumption. This has represented a significant advance in indigenous rights, yet in both contexts it has had the unpleasant effect of signaling that a drug that is otherwise so dangerous as to be prohibited should be permitted for Indians, because they are somehow essentially different from all other citizens. This, then, is Peyote's Race Problem. The ways in which we have created a legal framework that makes peyote use licit among indigenous peoples has hardened a certain notion of profound, an unalterable difference to the point that Indian bodies are said to be incommensurably different from the bodies of others who might desire to consume peyote, but for whom it is deemed too dangerous. This notion of difference has been exacerbated by the increasing scarcity of peyote in the US and Mexico, which as further racialized the spaces where peyote grows.

The history of indigenous self-determination in the USA and Mexico is also the history of peyote. Battles over the legal status of peyote "cults" in the USA date back to the early twentieth century and provided the backdrop to struggles for indigenous rights in that country. The peyote religions, which ultimately became the Native American Church of North America (NAC-NA), were the means through which indigenous peoples north of the border established what was first heralded as a religious right and later became more broadly framed as a cultural right to practice indigenous traditions free from the watchful eye of the state. In Mexico, peyote has an even longer history. Banned by the Inquisition in 1620, peyote lays at the heart of

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a series of colonial battles over the mixing of indigenous and European traditions. It was not banned because indigenous peoples were drawn to its power; the Inquisition had no power over indigenous peoples. It was banned because Europeans and *castas* (people of mixed race) were drawn to it. Inquisitional trials reveal stories of slaves grown preternaturally brave and strong under its influence, of mestizos turning to peyote in the hopes it would work as a love potion, of prospectors using it to find mines, and even of priests being administered peyote to cure their troubled minds.

Centuries later, one of the first sustained challenges to the incorporationist politics of Mexico's revolutionary state would come from indigenous peyotists seeking to defend their traditions. In a country where the indigenous past is an integral part of nationalist iconography, the claim that groups like the Wixárika (Mexico's principle peyotists) merited consideration and respect for their autonomous traditions offered a radical departure to past practice and upended government policy in the latter years of the twentieth century.

We should, then, think of the interlocking histories of indigenous rights and peyote as something of a success story, except that certain parts of this story feel a little troubling. Peyote, which research scientists long ago determined to be virtually harmless (it is not habit forming and does not cause deleterious health effects, and it is virtually impossible to overdose on peyote in its natural form), remains a prohibited drug in both the USA and Mexico, classified in both countries as without therapeutic use and subject to a high risk of abuse. It is prohibited for all of those who do not meet strict criteria, which includes both membership in a small number of indigenous communities and also, in the US case, a blood relationship to that community. North of the border, one must be one-quarter Indian by blood and a member of the NAC-NA to legally consume peyote (Feeney, 2014).

In effect, these regulations dictate that one must meet certain racial criteria to legally consume peyote. These racial criteria have been justified through various means over the years, sometimes through a claim that peyotism is an ancient indigenous religion and therefore should be treated differently from other cultural practices, sometimes through an insistence that indigenous peoples use peyote in profoundly different ways than nonindigenous peoples and more recently through a claim that nonindigenous use of peyote has placed the ecosystems in which the peyote grows at enormous risk. Indeed, over time, the logics around peyote prohibitions have shifted, but one thing has remained constant: White bodies are not allowed to consume peyote, and indigenous bodies may consume the cactus.

If peyote is so dangerous that it must be classified as a Schedule 1 drug, and yet the state has determined that indigenous peoples can be allowed to use the drug, the only logical conclusions one can draw are that either modern states do not care about the physical health of indigenous bodies, while they do care about non-Native bodies, or that when an indigenous person consumes peyote, what happens is so profoundly different than what happens when a non-Native person consumes in that the effects cannot be said to be commensurate. As for these explanations, I think we should stipulate that modern states have long histories of not caring about indigenous bodies but that, at present, it would not be acceptable for any state to make this lack of concern so explicit. This leaves us with the second possibility, which forces its own discomfiting conclusions. It may be that it is the value system of those who

consume the peyote that makes the experience different, but this is a claim that assumes that the value system is so deeply embedded in the physical body that, when an indigenous person consumes peyote, the effect on the body is somehow different than it would be on non-Native body. It does not allow for the possibility that a nonindigenous person might consume peyote in a traditional indigenous setting (in an NAC-NA ceremony or among Wixárika) and not be somehow endangered by the experience (i.e., the setting can be controlled enough to eliminate the danger). It assumes that, because of culture, tradition, or custom, indigenous and non-Native bodies experience the peyote effect in profoundly different ways and that what is safe for the former is dangerous for the latter. Moreover, US law specially treats peyote as safe for any indigenous body, regardless of the traditions from which that person came. Any person who is one-quarter Native American by blood and who joins a branch of the NAC-NA, is exempted from the ban. This arrangement aligns comfortably with the environmentalist claim that, because peyote habitats are endangered, access to these areas should be restricted to indigenous peyotists, because the loss of peyote would endanger their cultures. Non-Native peyotists, in this reasoning, are inauthentic interlopers whose desire for peyote is endangering an ancient Native tradition. But the logics of these bans fall apart when we acknowledge that peyotism is both quite new in some indigenous communities and long-standing in some non-Native communities; indeed, it leads us to the possibility that peyote may have a race problem.

The Origins of Prohibition

Drug prohibitions are funny things. As a rule, they rely on a series of logics that tell us a great deal about the context of their creation and about the things that the authorities implementing those prohibitions fear. When peyote was prohibited by the Spanish Inquisition, the edict signaled a fear that those who consumed the flesh of this small cactus were treading too closely to heresy. Inquisitors believed that the cactus had either been put in the earth by the devil to tempt the weak of spirit, or that those who took the cactus erroneously believed that it allowed them to communicate with the devil. At the very least, the cactus was tied to superstitious behavior that, while not heretical, was nonetheless illicit. Prohibition, in this case, spoke both to a fear of contamination (of the Indian realm into the Christian realm) and to a need to maintain religious discipline (Aguirre Beltrán, 1963).

Discipline, indeed, has been a feature of drug prohibitions since that time. From the gin panics of the eighteenth century to the international conventions aimed at limiting the flow of opium and cocaine in the early twentieth century, modern states have repeatedly intervened to restrict the consumption of substances that scientific, religious, and educational authorities associated with sloth and disorder (Schivelbusch, 1992; Courtwright, 2001). And, for the most part, the anxieties expressed through these prohibitions followed a series of logics. The substance (opium, marijuana, cocaine, alcohol) was said to poison the body, causing that

body to degenerate and be unsuitable for work, discipline, and other forms of social reproduction. That personal tragedy then became a social tragedy through various forms of contamination, as that body first contaminated other bodies, encouraging the same behavior, and then contaminated society as a whole. Naturally, it helped if the thing itself was of foreign provenance, allowing authority in all its forms to transform the battle against the thing into a battle to defend the nation from a foreign invasion (Gootenberg, 2008; Campos, 2014; Pérez Montfort, 1999).

Of course, this narrative relied very heavily on the word of scientific experts, who were called upon again and again to remind government officials and other gatekeepers of the specifically pernicious effect of the substance on the human body. The historical record is filled with the tales of “reefer madness,” of bodies made incapable of functioning by opium, and of dependence, addiction, health, and cognitive skills permanently impaired. These stories interest me a great deal, in part, because I think we are still attempting to sort through which of them do have a basis in evidence and which were simply the product of elite anxiety, spread as cautionary tales. We seem to be still struggling to separate out an empirical basis for understanding the difference between prohibitions rooted in actual harm from those that arise from social panics (Goode, 2008). For instance, while it does seem that long-term use of inhalants (industrial cements, paint thinner) causes brain damage, there is no evidence for the claims about cerebral lesions or insanity associated with LSD (Krebs and Johansen, 2012). And as far as peyote is concerned, a variety of studies (many of them decades old) established not only that it poses no health risks to those who use it in clinical or controlled settings, but that it might actually be tied to positive health outcomes.

By way of a brief primer, social scientists and scientists have been studying peyote since the late nineteenth century and have, since at least the 1930s, held fairly uniform views about this substance. They agree it is a hallucinogen. They agree that, given the nature of the cactus, it is impossible to overdose on the alkaloids (principally mescaline) within the peyote. They agree that it is not habit forming and that it has no adverse effect on the health of those who take it. Some go further, arguing that it is in fact healthful for those who use it and that its antibiotic properties and the way it is often integrated into religious rituals have a positive impact on the physical health and social well-being on most of those who consume it. They suggest that it has been critical in helping some people, most of whom have an indigenous background, fight alcoholism and other maladies. The set and setting of peyote use seem to be important, but as a rule, these researchers have not argued that the potential benefits and absence of harm apply only to indigenous communities. What they have argued instead is that, given peyote’s power to produce mild hallucinations, it is best consumed in a controlled setting and that, when done so, many users report a significant psychological or psychic benefit. Even outside of these settings however, they have found no evidence of addiction, degeneration, or overdoses due to peyote (Bergman, 1971; Anderson, 1980; Csordas, 1999; Halpern et al., 2005; Calabrese, 2014).

This makes the legal prohibitions that continue to surround peyote all the more perplexing. In Mexico, peyote was of almost no interest to the modern state prior to the late 1960s, largely because it circulated mostly in herbal markets and among a

small number of indigenous groups who were generally seen as terribly backward. In the USA, state and federal attempts to ban peyote dated back to the end of the nineteenth century but here again went nowhere for two particular reasons: First, prior to the 1960s, peyote use was largely confined to Indian reservations and spread mostly through the NAC-NA; second, members of the NAC-NA, working with a series of allies (anthropologists, botanists, and occasionally government officials who supported an indigenous right to religious self-determination), repeatedly fought off federal efforts to pass a peyote ban. Over the course of these battles, the US courts established a religious right that it assigned only to bona fide peyotists, which jurists generally defined as members of the NAC-NA and Indian by blood (Feeney, 2016).

It was only once young, largely White, middle-class kids started getting interested in peyote that successful pushes toward federal bans in Mexico and the USA started to take shape. In the USA, peyote was outlawed in 1965 (interestingly, 6 years before mescaline, the synthetic derivative of the peyote cactus was outlawed in the Controlled Substances Act). Peyote was outlawed in Mexico in 1971 (declared “without therapeutic value” in the Sanitary Code that year) amidst a growing concern among Mexican conservatives that young Mexican hippies (often seen as poor copies of their North American cousins) were falling victim to the drug culture. Social conservatives responded to the *jipitecas* (we owe the term to Marroquín, 1975) with disgust, seeing in their *desmadre* (the term connotes an embrace of chaos and social rebellion) an existential threat to the modern, industrial, orderly, postrevolutionary state and society their parents had worked so hard to create (Zolov 1999; Agustín, 1996). Bodies seemingly damaged by drugs (there were claims about cerebral lesions, permanent psychosis, schizophrenia, and other permanent damage) were also sites of more fuzzy pathologies: depression, sloth, “moral contamination,” and “corruption” (“Batalla Contra las Drogas,” 1970; “Llamado a los Padres,” 1970; Cabildo, 1974).

Peyote, with its association with Mexico's most primitive peoples, drew particular ire from the critics. It was rendered in the press like the Indian: “exotic” and “repugnant” (“Graves Peligros,” 1969). Youths attracted to its spell were said to be worshipping false gods, to be regressing to a primitive state, and to be embracing “perversity, vice, and degeneration” (“Graves Peligros,” 1969; Shortall, 2014). All of this was causing “terrible spiritual damage” (“Graves Peligros,” 1969).

What is perhaps remarkable in this critique is the way it collapsed a complex landscape of peyote use in Mexico into a single phenomenon. True, peyote was most closely associated with the Wixárika, but peyote also circulated somewhat openly in Mexico's herbal markets and among traditional healers, at least until the 1960s, and was used for a variety of illnesses. Some were of a more spiritual nature, such as *mal de ojo* (evil eye), though many of the uses of peyote were quite mundane. It was used, for instance, to treat joint pain and various forms of rheumatism, as an antibiotic and in some cases as a purgative. Peyote had also recently captured the attention of the controversial psychiatrist Salvador Roquet, who used it in his work with patients (Dawson, 2015). And yet, the very way that Roquet embraced peyote and other psychoactive plants—suggesting that indigenous value systems might

have a powerful role to play in contemporary life—deeply alarmed his conservative critics, who associated indigeneity with chaos.

In a society not terribly far removed from a violent revolution, a civil war that many urban Mexicans blamed on indigenous barbarity (Gamio, 1916), these were not idle concerns. Mexicans lacked the easy confidence in their own modernity that could be seen north of the border, where the descent into indigeneity signaled by the hippies may have represented a threat to normative bourgeois Christian values, but did not pose quite the same sort of existential threat. Indigeneity was much closer in a country where millions within the urban underclasses were relatively recent migrants from the countryside, and a nationalist mythology had recently come to celebrate the *mestizo* as the true Mexican type. Moreover, the model citizen of the postrevolutionary era was orderly, disciplined, and committed to taking part in the sort of project of national progress that is essential in a society where dissent and *desmadre* risk causing the collapse of the entire social artifice. Drug takers, especially those who opted for those drugs that evoked indigenous alterity, represented a “generation in degeneration” (“Llamado a los Padres,” 1970), weakened by their drugs, susceptible not just to indigenous mysticism but also to other forms of perversion, such as homosexuality (a *bête noire* of the revolutionary state) (UNAM, 1971; Grosser, 1969; Maynez Puente, 1969). Much like backward Indians, they needed help (Pacheco Santos, 1976; Cabildo, 1974; Cardiff, 1977; “El Problema de la Drogadicción,” 1978; Iñigo, 1970; “Farmacodependencia,” 1975; “Las Drogas, Aventura Mortal,” 1980; Perez Isaak, 1979).

These anxieties were repeated over and over again by advocates of the two most prominent public initiatives in addiction treatment undertaken in Mexico during these years: Mexico’s Centros de Integración Juvenil (Youth Integration Centers), founded under the direction of Ernesto Lammoglia, and the Centro Mexicano de Estudios en Farmacodependencia (Mexican Center for the Study of Drug Dependence or CEMEF), which was founded under the leadership of Guido Belsasso in 1972. Expanding traditional definitions, the new specialists classified addiction (or dependence) as both a physiological need for the substance and by a body’s ability to develop tolerance, thus requiring an ever-increasing quantity of the drug. While psychedelics were not associated with physical dependence, these specialists could use rather fuzzy evidence to claim that they caused “psychic dependence” due to the “distortions in perception” (Alarcón Navarro et al., n.d.) that they produced.

The CEMEF regularly beat the drum over psychedelics (e.g., Berruecos, 1974), claiming that chronic use produced a need for the drug that, when unfulfilled, resulted in psychotic states. Addicts “have dramatically changed their value systems,” shifting from being useful citizens to embracing “passivity, mysticism, and fantasies” (Carranza Acevedo, 1971; UNAM, 1971). At their very worst, these drugs led to murder and suicide. Mescaline was specifically held to produce psychic dependency, tolerance, psychosis, panic, and extreme emotions. Psilocybin was said to have similar effects but was not known to produce psychosis. LSD was the worst, linked to the inability to work or study, possible genetic damage, cerebral lesions, and damage to the central nervous system (Consejo Nacional de Problemas en Farmacodependencia; Carranza Acevedo, 1972; Programa Nacional de Combate

a los Problemas de Drogas, 1976; Uso y abuso de drogas, 1974; Mayoral Pardo, 1973).

Hallucinogens were thus core threats in what was said to be the “crisis of our time” (“Farmacodependencia, Crisis de Nuestro Tiempo,” 1976). One story in *El Universal* in April 1976 claimed that there were between 500,000 and 800,000 minors in the federal district alone who needed treatment for industrial adhesives and solvents, marijuana, and other drugs (“Llamado a los Padres de Familia” 1976). Untethered to their traditional values, these youths were turning to crime, experimenting with dangerous lifestyles, and undermining society (“No Hay Centros,” 1976; Payan, 1980).

Indigenous Exemptions in the USA

It goes without saying that the numbers were way off—that this was a classic instance of anxiety and self-interest coming together seamlessly to produce a moral panic about the dangers of drugs to youths: a panic that in the Mexican case was exacerbated by the larger social crisis that accompanied the 1968 student movement and Tlatelolco massacre (Carey, 2005). More interesting for our purposes, however, is the fact that this panic aligns remarkably well with the anxieties that prompted the US Congress to outlaw peyote in that country. Missionaries and public health officials working on US Indian reservations had for decades tried to get the American public's attention about the dangers posed by peyote to indigenous peoples, but their campaign had come to naught in part because indigenous peyotism seemed remote from the day-to-day concerns of Euro-Americans and in part because their own rhetoric—highlighting the primitiveness of the ceremony and the widespread appeal that peyote had among Indians—reinforced the assumption that indigenous peyotism was a natural thing, even if it was a new thing. It was only when beatniks and hippies took to peyote and the counterculture increasingly seemed capable of disrupting mainstream America that Congress took action. And in the debates leading up to the ban, North Americans mobilized language that was remarkably similar to the language used by their southern neighbors. Peyote led to sloth, laziness, and genetic and cerebral damage. It was tied to the collapse of civilized behavior. And, even if they could never become Indians (this, within the context of American life, seemed absurd), they were copying Indians as closely as they could. The guardians of order looked on with disgust (Smith, 2012).

It was also in this moment that the racial divide would be most clearly delineated through the law. In passing the peyote and mescaline bans, the US Congress created specific exemptions with unmistakable origins in racial thinking. Members of the NAC-NA had long argued that they should be exempted from state-level laws criminalizing peyote and, by 1965, had won a series of important legal challenges in federal and state courts preserving their rights as peyotists under the First Amendment's Freedom of Religion clause. Supplemented by state laws designed

to protect the rights of members of the NAC-NA, these rulings created a context in which a universal ban would have created a constitutional mess.

Among the more prominent court rulings that established an indigenous right to peyote was *People v. Woody*, decided by California's Supreme Court in August 1964. In *Woody*, the court overturned the drug convictions of three members of the NAC-NA who had been arrested several years earlier while holding a ceremony in Needles, California. The court found that this was an ancient tradition; that it was an organized, bona fide religion; and that, as practiced within the NAC-NA, there was no evidence that peyote represented a danger to public health or to the participants in the ceremonies. The court did, however, conclude that the state had a compelling interest in otherwise controlling peyote. They did not overturn the California's state-level peyote ban. Instead, they found that within a very particular setting—an institutionalized and ancient church—peyote did not pose a risk, and as such, the ban violated the peyotists' First Amendment rights.

Race played only a shadowy role in the ruling. Indeed, in another ruling that day (*In re Grady*), the court did not find that a White "way shower" who gave peyote to his followers had broken the law. Instead, they returned the case to the lower courts with the request that a finding be made as to whether his peyotism met the standards of "bona fide" belief that they set in *Woody*. Still, the contours of their ruling made the racialization of peyotism impossible to miss. If indeed peyote could be legal only as an ancient tradition, formally institutionalized through something like the NAC-NA, and within a specific cultural context that excluded nonindigenous peoples, peyote had to be an Indian thing.

This became explicit in subsequent court rulings and federal legislation that, over time, shaped a very strict standard for licit peyote in the USA. Federal officials denied petitions for a religious exemption to all groups but the NAC-NA and began insisting that, beyond being a member of the church, one had to also be at least one-quarter Indian by blood. This particular interpretation of the law was rooted in Texas state law, and, though it had not been a part of the legalization of peyote in other states, it became the national standard. To this day, it remains the federal standard for licit peyote.

A couple of caveats are worth mentioning here. First, as peyote use expanded in the USA during the 1950s and 1960s, so too did the number of religious organizations that professed a belief that peyote was a sacrament. Some of those groups were offshoots of the NAC-NA, and some of those groups were exclusively indigenous; that is to say, members of those groups insisted that indigeneity be a prerequisite for group membership and that non-Indians were not welcome and could never fully understand what happened within these communities. We have every reason to understand these as moments of anticolonial renaissance, in which group solidarity and exclusivity played a critical role. Peyotism had the feel of being ancient, even if its connection to the ancient past was problematic (it was a relatively new practice in many of the communities where the NAC-NA was growing), and this produced important and meaningful connections among members.

And still, not every peyotist group functioned this way. In some contexts, nonindigenous members were welcomed in, even "adopted" as members of peyote

groups. We know of some prominent figures that played this role, such as George Morgan and J. S. Slotkin, because they wrote about their experiences. Others, like Robert Lawrence Boyll, come to us through court cases in which the complex intermingling of traditions within the NAC-NA can be seen. Still others sought to create their own peyote churches—the Church of the Awakening, the Neo-American Church, and the Peyote Way Church of God—pushing for licit spaces for nonindigenous peyote use within the USA.

Legal developments after 1965 have tended to put these diverse practices at risk. Federal law effectively made a clear distinction between indigenous and nonindigenous peyote use and created clear lines of demarcation between Indian and non-Indian, by seeking to punish both nonindigenous peyotists and indigenous groups that welcomed nonindigenous peyotists. These laws also created a series of perverse incentives, encouraging the NAC-NA to expel non-Indians, to carefully police membership (all-race chapters of the NAC-NA would not get legal sanction), and adopt narratives that created clear distinctions where they had once been rather fuzzy. NAC-NA leaders who had once taken a Catholic view of nonindigenous membership in the Church were succeeded by generations who increasingly cast Church membership in stark racial terms. A new history emerged in which the non-Indians who had long sought to participate in the Church were rendered as outsiders, always unwelcome, and barely tolerated (Schaefer, 2015).

There is no way to make clear sense of these claims. The history of court challenges around peyote, and at least some of the testimonials we have from the period prior to the federal ban suggest a complex terrain in which racial identities were in some ways fluid within the NAC-NA. This would make sense, at least in part, because the NAC-NA was itself a twentieth-century creation and was pan-indigenous, rather than rooted in one specific indigenous tradition. This was, however, too much for the law. Racial identities had to be simplified. And to defend their rights, at least some in the NAC-NA willingly participated in this process.

The imperatives toward this arrangement grew stronger as peyote supplies in the gardens of South Texas dwindled. The ecological challenges faced by the peyote gardens of South Texas are undeniable and come from at least two clear threats. One comes in the form of efforts to convert more and more of the desert landscape to commercial agriculture, a Sisyphean task enabled by the supposed promises of improved desert agriculture technologies. The second comes from the fact that, over the course of the past century, peyote in the desert in an around the Texas-Mexico border has been overharvested. As the NAC-NA has grown (its members now number around a quarter of a million), demand for peyote from Church members has steadily risen. Non-Native consumption of peyote also puts pressure on the cactus, especially when novice pickers venture into the desert to collect their own. Peyote has a decade-long growth cycle and needs to be carefully harvested and cut midway down the root so that the cactus regenerates. Novices sometimes pick the entire cactus, leaving no chance for future regeneration. Some enthusiasts, including the Peyote Way and Leo Mercado, have tried to cultivate peyote in other regions or in greenhouses but have had relatively little luck. Peyote Way has had difficulty

creating the right conditions on their property in the Aravaipa Valley in eastern Arizona, and Mercado had his entire collection of peyote plants confiscated in a police raid (Sterling, 1999; Labate & Cavnar, 2016; Trout & Terry, 2016).

Some in the NAC-NA do not object to these efforts to cultivate, while others firmly believe that it is not just peyote, but the landscape within which it grows, that is sacred. For those members of the Church, the only reasonable solution to the peyote crisis lies in restricting access to the peyote gardens of South Texas to members of the NAC-NA. This proposition is more complex than it may seem, for a variety of reasons. First, not all members of NAC-NA have a demonstrable historical or cultural connection to this region. Peyotism was an evangelistic, largely twentieth-century religion, and was often introduced in settings far removed from the peyote gardens of South Texas. Beyond this, such a claim to exclusivity would leave local populations, who have long lived in proximity to the gardens and made their livelihoods there, in a tenuous position. Still, it is a claim that carries weight at least in part because the loss of peyote habitats does represent an existential threat to the NAC-NA. In this proposition, because the NAC is an Indian Church and because White peyotists are either charlatans or Johnny-come-latelies, the indigenous claim to the peyote gardens should take precedence.

South of the Border

South of the border, a similar logic has taken hold, though, in this case, the historical precedence of the claim is much more easily demonstrated. It may simply have been a manner of convenience (after Mexico signed the 1971 Vienna Convention on Psychotropic Drugs, the country was formally committed to guaranteeing the traditional use of these drugs by indigenous peoples), but Mexico's anti-addiction establishment (mainly centered on the CEMEF in the 1970s) never sought to eradicate indigenous peyotism. This was curious, because the very images they used to relay their alarm at youthful dalliances with peyote trafficked very heavily in tropes of indigenous backwardness and degeneration in order to condemn youth drug use; yet, they made no case to restrict indigenous access to peyote. Instead, distinguishing "ceremonial" use in Wixárika communities from peyote use among non-Indians, Belsasso and others repeatedly argued that indigenous drug users were of a different kind than others. Non-Indian bodies became intoxicated, degenerate, and were placed in physical danger by these drugs. In traditional settings however, where peyote was integrated into long-standing rituals and the truths it produced channeled through carefully stage-managed rituals, indigenous bodies were not placed at risk. The new drug addiction specialists even argued that in these settings, peyote might have a therapeutic value that was not available to nonindigenous peyotists. And yet, they also fell very easily into a series of orientalist traps, at times suggesting that the Wixárika were in fact so damaged by their peyote use that it made little sense to attempt to help them. At one point, members of the CEMEF even suggested that they represented a good case study for the long-term deleterious

effects of drug use (Belsasso & Kramer, 1972; Alarcón Navarro, Miranda, & Pérez Ramírez, n.d.; Gurza, 1976; Centro Mexicano de Estudios en Salud Mental, 1979; Belsasso, 1976; García Salazar, 1970).

The Wixárika have been collecting peyote in a desert region of the State of San Luis Potosí near the town of Real de Catorce since before Europeans arrived in the Americas. The region, which they called Wirikúta, has long been one of the most sacred sites in Wixárika cosmology, and pilgrimages to the region are one of the most important events in their cultural life. Prior to the 1960s, the Wixárika undertook those pilgrimages largely out of view of the state, as they could cross relatively undeveloped landscapes and enter the desert with a minimum of interaction with the state or curious onlookers. Since the 1960s, however, both the Wixárika and Wirikúta have come under significant pressure from the forces of economic development and environmental change. Fencing now blocks off many of their old routes. First hippies, and later New Agers, have made their own journeys to Wirikúta, at times, indiscriminately taking the peyote and reducing the available supply. Already, during the 1970s, alarmists had suggested that hippie enthusiasm for peyote was placing the Wixárika at risk (Matta Torres, 1976), and, given the ecological fragility of the northern desert, it is unsurprising that it should become a concern that those same hippies were overrunning the desert and putting the long-term survival of the cactus at risk (Labate & Feeney, 2016).

Responding to pressures to protect peyote ecosystems, federal and state officials transformed Wirikúta into an ecological reserve during the 1990s (Frid, Poliakoff, Rajsbaum, & Martínez, 1994–95; Instituto Nacional Indigenista [INI], 1996). Peyote was placed on the Mexican government's endangered species list at the end of 1991, and 3 years later state authorities in San Luis Potosí declared Wirikúta to be a "protected natural area." As a part of this arrangement, the Instituto Nacional Indigenista (INI) secured permission from the governor of San Luis Potosí to grant the Wixárika unrestricted preferential access to 182,108 acres in the state to conduct ceremonies and gather peyote. The accords that enabled this arrangement envisioned shared governance over Wirikúta between several levels of government and Wixárika elders, an arrangement that was meant to ensure that the pressure to develop the desert economically would not take precedence over the need to preserve it for Wixárika use. More than this, the legislation and agreements that created a legal basis for Wixárika to collect peyote in Wirikúta were specially intended to prohibit the collection of peyote by non-Wixárika and for non-ritual purposes. Under the terms of the agreements, the Mexican government appointed "ecological guards" to protect the desert and maintain it as a zone of indigenous exclusivity.

It never quite worked out that way. Since the region was declared protected, local police and ecological guards have consistently used their authority to harass and humiliate Wixárika pilgrims. More shockingly, within months of signing a pact between Wixárika authorities and the federal government guaranteeing that they would have some say in development in the zone in November 2008 (the *Pacto De Hauxa Manaka Para La Preservación y Desarrollo De La Cultura Wixárika* [Hauxa Manaka's pact for the preservation and development of the Wixárika culture]), the

federal government issued concessions to two Canadian companies to open silver mines in the protected zone. Given the fragile nature of the desert ecosystem and mining's insatiable demand for water, environmentalists and indigenous rights activists rightly feared that these concessions would spell the end for Wirikúta.

Completely frozen out of the decision process, the Wixárika authorities organized to protest the concessions on the local, national, and international levels. Their protests were custom-made for early twenty-first-century activism, pitting what activists purported to be an innocent Stone Age people against multinational mining companies. Between 2010 and 2014, Wixárika activists traveled to New York, Vancouver (where they protested at board meetings of First Majestic), and elsewhere, repeatedly making the case against the concessions based on international and domestic laws.

That they succeeded (the concessions were canceled in 2012, though the government reserved the right to revisit the issue) was a testament to the power of coalitions that combine the twin forces of a claim to indigenous rights and environmental protection. Given the urgency of the issue, it might seem like nit-picking to point out the fact that in all of this, the winning argument in defending the desert was one that both located peyote firmly in the indigenous sphere and then used an argument about racial exclusivity to suggest that the spaces associated with peyote must remain exclusively indigenous. And yet, I think this is a critically important point to make.

It is not just that the campaign made the Wixárika out to be a Stone Age people, so trapped in their mystical alterity that they could not possibly survive in the modern world, and cast the destruction of Wirikúta as the destruction of their being as a people (they are, in fact, a dynamic, diasporic community, with a very strong sense of ethnic belonging that has, in some ways, grown stronger even as their worlds have proliferated and been transformed through technological, social, and economic change). It is also that this campaign so thoroughly participated in the racial re-inscription of peyote that it left no room for the fact that, for centuries, peyote has played a role as medicine and source of spiritual well-being and other things within a variety of nonindigenous Mexican communities.

It is, for instance, a campaign that has left Mexico's nonindigenous peyotists in an uncomfortable place. Nonindigenous allies and collaborators of the Wixárika have a long history of taking part in peyote ceremonies and of working with Wixárika communities to protect and preserve Wirikúta; yet, their close collaboration and participation were largely erased from a public campaign that relied on the exotic Indian to gain global attention. This practice oddly coincided with the Mexican state's own tendency to view non-Wixárika participants in these ceremonies with disdain and to pressure Wixárika elders to exclude these outsiders, lest they risk losing their own licit access to Wirikúta (Sánchez Azua, 2004).

More than this, Mexico has its own versions of groups like the Neo-American Church, some of them as distinctly non-Indian as their northern counterparts. And yet, the Mexican case is complicated by the fact that, according to the standards of racial indigeneity that satisfy the US government, many members of these groups would in fact qualify for licit peyote use (blood quotients are impossible to determine in a country like Mexico, where a majority of the population has some indigenous

origin). Mexico's version of the NAC-NA, the Iglesia Nativa Americana de Mexico (INAM), has for years been struggling for legal status in the country, with little success to this point. Though the Mexican Supreme Court ruled that the Secretaría de Gobernación could not take the beliefs of members of a Church into account when granting it legal status in November 2016, the government has yet to grant the INAM a legal charter. In the Latin American context, where claims to indigenous origin are both murky and increasingly politically salient, one cannot fairly accuse the members of the INAM of being frauds or charlatans. They simply fail to meet Mexico's particular criteria for licit peyote.

Concluding Thoughts

This, then, is why it does matter that we have created legal apparatuses in Mexico and the USA that have reserved licit peyote use (and the spaces associated with that use) for indigenous peoples, defined according to very limited criteria. In failing to acknowledge what has historically been a significant community of non-Natives who are drawn to peyote for both corporeal and spiritual reasons (and that the very notion of who is and who is not indigenous has shifted over time) while, accepting indigenous use as somehow natural, we reinscribe a critical difference that peyote might make us want to question. Instead of attempting to understand how it is that some indigenous peoples and some nonindigenous peoples are drawn to peyote and wondering whether there are moments of commensurability here (if, in these phenomena, we see similar forms of searching, longing for belonging, and belief in a world that is unseen and unknowable to the senses under normal circumstances), we make a world in which our actions reinforce the idea that peyote belongs to the indigenous realm and that those who try to enter this realm from the outside are fools, interlopers, and frauds.

There are no simple answers to the environmental challenges faced by peyote ecosystems in the early twenty-first century. What I propose here is merely that we step back from the ways in which environmental scarcity has moved Mexicans and North Americans into a posture in which creating racially exclusive spaces seems like a solution to this problem. I remain troubled by the fact that what is now a claim to an environmentally based proscription was at one time based in much more clearly racial stereotypes. In the 1970s, the state stepped in to protect White bodies from the dangers of peyote. Now, it steps in to protect peyote from the dangers of White bodies. The result is the same.

It is that peyote, while an indigenous heritage, is also a human heritage: a small cactus that has and continues to play an important role in the lives of indigenous and nonindigenous peoples. It may be that we have more to gain in remembering what it is that unites indigenous and nonindigenous peyotists and finding a way to protect what is a sacred medicine to all, rather than continuing to demarcate the one so starkly from the other.

There is a tradition in the West of laying claims to the spaces, cultures, and bodies of the other, a tradition that has been openly challenged in recent decades (Comaroff & Comaroff, 2009; Brown, 2003). I hope that the reader understands that this is not my intention here. I do not wish to stake a claim for nonindigenous peyote use that somehow subsumes or erases the particularity of different traditions. What I instead sought to do here was suggest that a close interrogation of the historical record of licit and illicit peyote use reveals a past in which indigenous and nonindigenous histories were more intertwined and less distinct from one another than contemporary legal and political debates about peyote suggest. And I want to suggest that we produce racial difference in the ways we distinguish indigenous from nonindigenous peyote use. The production of race here becomes an ongoing process, one in which modern states and systems of knowledge create and enforce essential difference. Where peyote's complex history might help us to destabilize racial boundaries, we instead simplify that history to enforce those boundaries.

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