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Chapter Nine

Conflicts and Cultures in the West

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THE history of the West defies the conceptual and temporal boundaries set by historians who work from within the framework of the nation-state. By the start of the early national period, the histories of Southwestern and Plains Indian societies had long been influenced, to varying degrees, by the European colonial presence, especially the Spanish settlement of New Mexico (1598) and Texas (1690) and the transformations produced by French and English trade. The timing and nature of change in the region varied greatly. The Spanish conquest of California, for example, only began in 1769 and proceeded apace as the political structure of the United States, and new gender relations therein, took shape. The 1803 Louisiana Purchase moved the borders of the United States up against those of Spain. Fur traders and explorers established overland routes to the Pacific Northwest shortly thereafter. In 1821, Mexico won independence from Spain. Settlers from the United States, including slaveowners and enslaved persons, quickly began moving into Texas. Numerically overwhelming the Mexican and Indian populations, the settlers initiated a war for independence and Texas became a republic in 1836. Soon after the US Congress voted to annex Texas in 1845, Mexico and the United States went to war. In 1848, the United States acquired most of the Far West in the Treaty of Guadalupe Hidalgo that ended the war.

Indigenous women and Spanish colonial settlers who inhabited the various regions of the West bore distinctive histories that continued to influence the nature of society after the United States conquered successive areas and peoples. In addition, the US government forced the migration of nearly every eastern tribe to the area west of the Mississippi by 1848. Most African American women initially moved west as slaves when their owners claimed lands in Texas from the 1820s on. These settlements remained concentrated in Texas and along the eastern edge of the trans-Mississippi frontier until the early 1840s, when the first sustained migration of white women and children from the United States began on the overland trail.

Between 1840 and 1870, 250,000 to 500,000 people traveled overland to California, Oregon, and elsewhere. The gold rush in California that began in 1848 and waned after 1853 stimulated chains of family migration from all over the United States. It also initiated substantial migration from Asia, Europe, and Latin America.

Many Chinese women first arrived under coercive conditions during the gold rush. They faced an onslaught of racial hostility, and virtual exclusion after 1882. During these same years, Indian wars engulfed large areas of the Southwest and Plains. Only the Navajo received a substantial portion of reservation land in the Southwest. Elsewhere in the former Mexican territories, American migration ultimately created tremendous land loss, dramatic change, and substantial poverty, affecting the entire Mexican-descent and Native American population by 1880.

The West remained by far the most ethnically diverse area of the United States, a trend reinforced by migrations from around the world. Yet miscegenation laws, formulated as early as 1835 in the Texas republic, developed in the Far West to prohibit intermarriage between nonwhite and white persons. Although states in the South, East, and Midwest passed miscegenation legislation, none embraced the same range of purported racial groups as that written in the West. These regulations formed part of the legal and extralegal system of race inequality that shaped the West by 1880.

Until scholars of women began writing the history of the West in the late 1970s, the image of the area created by academic and popular media never embraced the multiple stories of the region's peoples and places. Instead, historians created a West "consistently identified with maleness – particularly white maleness" and a literature that "naturalizes and universalizes white manhood" more thoroughly than any other regional history (Johnson 1996: 255). The recovery of the "woman's West" changed the tale from one focused on gun-toting frontiersmen, miners, and ranchers to one focused on the creation of communities within a multi-ethnic frontier. However, the initial work on western women tended to frame the history from the perspective of white women migrants, despite scholars' intention to write a "multicultural" history.

This trend shifted as more historians began to write about nonwhite women from within the framework of indigenous, Spanish, Mexican, and Asian histories, thereby more accurately interpreting women's actions, communities, and politics. The growing body of scholarship on nonwhite residents, who formed a clear majority of women during these years, enables Anglo-American women's experiences to be interpreted more precisely as well. In this region, interethnic interactions and gender policies of conquest shaped all women's experiences, though they affected nonwhite women far more adversely than white women.

The Gendered Politics of Conquest

One of the major conflicts in the West involved the deployment of a highly gendered politics of conquest that proceeded simultaneously on the eastern and western seaboards. These policies, directed toward "civilizing" and culturally assimilating Indian peoples, attempted to impose new gender norms. Both Anglo-American and Spanish culture and practice demanded a shift away from the arrangements common in indigenous societies whereby men and women assumed complementary but differentiated roles that offered women power and autonomy from men in general, and from their husbands in particular. Though native societies differed greatly, men tended to assume primary responsibility for hunting, warfare, and interacting with

the outside world. Even when men made most decisions about war and negotiations for peace, a number of societies assigned women some authority in this domain, especially over the fate of captives. At the same time, women tended to manage and "own" the place of family residence, household goods, the fields they cultivated, and the places where they gathered specific goods. Women derived multiple kinds of authority from their control over the production and distribution of food and from their role as mothers.

In the East, the government and missionaries adopted a cultural program of assimilation that encouraged men to farm and assume the position of head of household. This policy subverted the position of women, especially in indigenous societies organized around matrilineal and matrilocal practices. In these societies, kin relations passed through the female line and the female-centered household favored the mother–child relationship. Assimilation policies encouraged women to limit their work to the confines of the home and to those positions in the family, economy, and government that corresponded to gender norms then developing among Anglo-Americans. The US government also encouraged the adoption of constitutions, male suffrage, and patrilineal kinship systems for naming and land distribution.

Much of the debate among historians over Indian–white relations during these years has focused on whether native women lost power and status within their own societies through contact, trade, and the gender policies promoting assimilation and Christianity. Since the mid-1990s, scholars have favored the idea of women as "negotiators of change," the title of a set of essays edited by Nancy Shoemaker. Those essays describe the way women from particular tribal groups "sought alternatives and created a new understanding of their roles by merging traditional beliefs with cultural innovation" (Shoemaker 1995: 20). Among the Cherokee, for example, many women assumed new gender tasks around animal husbandry, spinning, weaving, and sewing cloth garments. Here, as elsewhere, they added this work to their former responsibilities without giving up their positions of power and autonomy. Yet these changes undermined the legal recognition of their power. The Cherokee established a national police force in 1808 to give protection to children as heirs to the father's property and to assure the widow her share, thus fostering a system of male proprietorship of the home and land. In 1827 the Cherokee nation adopted a constitution that extended the vote to free male citizens, building on men's traditional role in politics, but potentially freeing them from the need to represent the interests of the seven matrilineal clans. Women kept the clans and local governing councils alive, however, "as origination points for grassroots resistance, thereby diminishing the central control of the National Council over the majority of families" (Dunaway 1997: 179).

The Cherokee and other "civilized" tribes of the South were forcibly removed to Indian territory west of the Mississippi in the years following the Indian Removal Bill of 1830. The tensions between various factions over removal and after settlement in the West continued to involve struggles over proper gender roles and the rights of women and matrilineal clans. Whatever the descriptions of customary rights, almost all the tribal governments that formed in the West acknowledged Indian women's rights to land and property. Yet, they also placed ever greater amounts of political power in the hands of tribal men.

Historians have also traced women's negotiation of change through the fur trade, which covered a vast region extending from the Great Lakes to the Pacific Northwest and California. The most recent studies argue that both men and women participated in the trade, replacing the idea that the trade subordinated native women because it rested on men's hunting practices. Instead, the situation offered different opportunities to women, who played gender-specific but central roles, supplying particular goods to the Europeans and seeking items distinct from those men acquired. Women also created vital links between their communities and European traders through marriage.

Women across the fur-trading region commonly took up new kinds of work that integrated them into the emerging economies, often adding that work to their patterns of seasonal labor. But European men, who wrote most of the records about contact, were often unable to see women or dismissed their presence as insignificant. For example, when a delegation of women appeared before a military commander to protest the forced removal of Sauk Indians of the Fox-Wisconsin River area to west of the Mississippi in 1831, their protest went virtually unrecorded. An official transcript of the meeting merely noted, "One of the women then rose and said that the land was theirs and had never been sold and so forth." The autobiography of Black Hawk, in contrast, elaborated upon the demands the women made and recorded the major general's dismissal of them. The general, Black Hawk wrote, told the women "that the president did not send him here to make treaties with the women, nor to hold council with them!" (Murphy 1995: 73). Black Hawk's record demonstrates one of the ways native women's power continued to be acknowledged within indigenous societies while being dismissed by representatives of the US government.

Gender politics similarly pervaded the Spanish conquest of the Native American population in California that began in 1769. The Spanish intended to conquer and settle California by converting and "Hispanicizing" a majority of the Indian population through the work of Catholic missions. Missionaries employed strict guidelines concerning gender roles and values, emulating those in Spanish society. The priests taught shame toward the body, but their vigilance of bodily practices focused on women. While they took Christian boys and girls from their parents at around the age of eight and placed them in dormitories until marriage, they kept a far tighter surveillance over the girls, who often had to work within the confines of the dormitory patios. The missionaries took careful note, as well, of married women's pregnancies. Women caught practicing traditional modes of reproductive control were punished, and missionaries commonly reported their suspicions that women confined to the missions practiced abortion and infanticide.

Indigenous boys and men could assume positions that held particular kinds of authority within the missions, but few such positions were opened to girls or women. The native population voted men into positions as *alcaldes* or leaders who mediated between their communities and the missionaries. Boys and men interpreted and taught catechism, were among the few taught to read and write, and worked in jobs that brought greater liberty and authority, such as *vaquero* (cowboy) and sheepshearer. Men also assumed positions as master craftsmen in the manufacturing

establishments of the missions. Women worked as artisans and completed common labor with other women, especially concerning food procurement and processing. They took care of the material needs of their families and communities under major constraints, and they worked on jobs with men that related to building, planting, and harvesting. Men, in contrast, very rarely assumed women's jobs. While women's modes of negotiating power within the missions have yet to be studied, scholars have traced their significant roles in resistance and rebellion. Only when this story has been fully told will we gain a better sense of women's myriad roles in, and responses to, the gendered politics of conquest.

Captivity, Conquest, and Status in the Borderlands

Analyses of conquest generally focus on the collective experiences of native women, but during expeditions of exploration and settlement, the role of cultural negotiator fell heavily on individual indigenous women who acted as translators and interpreters. Historians commonly portray their stories heroically, as they have done for Sacajawea, a Shoshone Indian woman who accompanied the Lewis and Clark expedition from the Missouri River to the Pacific coast in 1805. Yet Sacajawea, like most women who translated and interpreted in the early years of exploration and conquest, acted from within a context of pervasive violence and rape that accompanied exploration, contact, and Indian–white hostility. These women used their intelligence to ensure individual survival under extremely adverse conditions.

In New Mexico, people traded as slaves constituted one of the largest groups to negotiate culture under conditions of severe loss and inequality. Traded through a captive-exchange network that created one of the "vital, and violent, webs of interdependence" that knit together diverse communities from the Plains to the Rocky mountains, the system took thousands of indigenous women and men, and hundreds of Spanish women and children, into societies other than their own (Brooks 1996: 280). Settlers favored women, and purchased women captives for twice the price they paid for men. In New Mexico by 1800, these captive slaves and their descendents, called *genizaros*, numbered 7,000 persons out of a total population of 19,275. "Detribalized," renamed, and baptized to Catholicism, they could assume freedom, by law, upon the age of twenty-one or when assimilated into Spanish customs and practice. But in a society in which family honor and status intertwined closely with the degree to which women of the family remained protected from sexual aggression, *genizaro* women were particularly vulnerable as subject persons within Spanish households. Moreover, they retained a low status in a setting where social worth derived from a combination of factors, including legitimacy, ancestry, religion and the religious standing of one's family, race, occupation, and ownership of land.

Women settlers of Spanish, mestizo, and mulatto descent who inhabited New Mexico and other areas of the Spanish borderlands played a crucial role in colonization prior to US conquest. Their presence guaranteed the reproduction of family respectability, lineage, and status. Though they faced the harsh conditions of a frontier, they were granted a higher social standing than Indian women who, as a conquered people, retained the lowest place in Spanish and Mexican society. Yet

intermarriage among settlers and the indigenous population and the assimilation of some native people meant these boundaries were never absolutely fixed. *Vecinos* or town residents who shared collective rights and responsibilities over land, water, irrigation systems, and the general welfare of the community, derived from indigenous, mixed, and Spanish descent, though most settlers emphasized their Spanish heritage. In their villages and towns, women of all backgrounds assumed a central role in agricultural production, the feeding of their families, and the trade in subsistence goods. They derived respect from their role in feeding and caring for the well-being of their families and dependent members of their communities.

Spanish and Mexican law gave all women access to ecclesiastical, civil, and military courts out of a tradition meant to protect family property and lineage rather than foster the independence of women. This contrasted sharply to English law, which folded the legal existence of women into that of their husbands. In the borderlands, women exercised their rights to sue (and be sued) and to retain control over their property and possessions after marriage. They also inherited property equally with their brothers and maintained joint rights with their husbands to any property accumulated during the marriage.

The Spanish (and, after 1821, Mexican) legal system enabled some women to become landowners and important members of their communities even if they remained single or engaged in unconventional behavior. It offered those who lived in patriarchal marriages the ability to contest treatment they considered abusive and unjust. In court records women voiced complaints against heads of household, including physical abuse by spouses and the failure of husbands to support them and their children. They also spoke out against bad examples the patriarch might set for his children, including infidelity (a charge men also made against women). Though the courts did not always hear or believe the women who brought suit, "access to the courts enabled women to demand that men fulfill their obligations as husbands and fathers, and held them responsible for exceeding their power and authority as heads of households" (Chavez 1999: 275).

The Overland Diaries and the Woman's Sphere

These histories of Indian and Spanish Mexican women defined the region prior to its incorporation into the United States and form a necessary background to understanding the significance of Anglo-American migration into the region. But to make them part of the study of the women's West, historians have had to expand beyond their initial focus on the westward migration. Some of the earliest women's histories of the West analyzed diaries and letters that Anglo-American women kept during their journey on the Overland trail. The first emigrant company to the Pacific mostly carried men on wagons in 1840. By the spring of 1842, over a hundred people, mostly families, left for California and Oregon. This massive movement by wagon train, which continued until the 1870s, when the railroad replaced wagons, captured the attention of both historians and the broader public. Here the diaries and letters written by women offer the only documents comparable in quantity to those left by men.

The first sustained analyses of these materials – by John Mack Faragher – contrasted men's and women's writing. He found that two-thirds of the content reflected similar, everyday concerns involving practical matters such as the economics of the trip, the health and safety of the travelers, and endless reflections on the landscape. Yet one-third of the diary entries spoke to the separate concerns of men and women. Women wrote about family and relational values, the happiness and health of their children, and family affection. They spoke to their longing for home and hearth, and expressed the importance that getting along with the traveling group held for them, as well as their need and desire for friendship, especially with other women. Men, in contrast, concerned themselves with violence and aggression and, most of all, with hunting. The commonality of their concerns emerged out of the shared understandings they forged through marriage, while the separate concerns replicated the world of the farming communities they left behind.

Most scholars who subsequently worked with the diaries found dramatic differences between men's and women's writing. Lillian Schlissel, for example, suggests that through their writing "women bring us a new vision of the overland experience" and articulate a sensibility vastly distinct from that of men toward the peoples and places they encountered on the trail (1982: 15). One of women's major refrains involved their fear over separation from family. While newlyweds and younger women spoke more favorably, women of childbearing age expressed their reluctance to leave home. The harsh conditions of childbirth, death, and widowhood were far more frightening and dangerous to women without the aid of their nearest kin.

While accepting differences between women and men, historians have also examined the differences among women involved in the westward movement. They have been concerned especially with how attitudes changed in the move from East to West and on continuities and discontinuities in the kinds of sentiments expressed prior to and during migration. A few argue that women who moved West held particular qualities and attributes not shared by those who remained in the East. Sandra Myres, for example, stresses women's spirit of adventure in moving West, their nonconformity to established gender roles, and successful adaptation to a new environment. Most recently, the diaries have been placed within the framework of narratives of travel and displacement. Since travel can call into question and transform the identity of the traveler, travel literature provides a space in which the writer charts and negotiates that displacement. In diaries of the western journey, "writing about the terrain, and autobiography, writing about the self, merge" (Roberson 1998: 213). The diarists' focus on topography and the natural environment becomes something more than describing what they saw. It reflects, as well, the conflicts, tensions, and fears they projected onto the physical world.

Judging from these interpretations of women's words, the West offered adventure and the possibility of nonconformity to some, while the four or more months of travel created anxieties about displacement for others. Whatever their overall assessment, many, perhaps most, Anglo women continued to embrace the ideologies and social roles governing womanhood that they brought from their place of origin. A substantial body of scholarship working in this vein describes how women utilized the tenets of domesticity in an attempt to place limits on men's behavior. Women sought

especially to curb the multiple abuses men committed against women. They fought matrimonial cruelty, sexual abuse, desertion, prolonged absence, adultery, prostitution, and alcoholism. As it did back East, the ideology of separate spheres offered a means by which women could empower themselves in the domestic and public realm. The moral reform efforts of women in the West, however, produced "a prolonged battle over what the west was to become, a battle that often brought women into conflict with entrenched male interests" (Griswold 1988: 26).

The impulse to establish "female moral authority" developed out of a sustained history of middle-class women's reform efforts. One important aspect of this work focused on Native American communities and government policy toward native societies. During the 1820s, before the westward migration began, many women's groups, charitable and church organizations, focused on missions and mission schools for American Indian children as their priority for philanthropy. The women corresponded regularly with missionaries and Indian students, while their associations commonly provided clergymen with financial support, sent goods to Indian communities through the missions, and sponsored events to raise money. They organized opposition to the Indian Removal Bill in 1830 across the Northeast and Midwest, sponsoring a huge campaign that deluged Congress with petitions against its passage. They lost that battle, but women's groups continued to focus on missionary efforts among native people and on reforming US Indian policy through the remainder of the nineteenth century.

The elevated place moral reform held among the middle class made it an excellent vehicle for nonwhite women to negotiate greater legal freedoms and social rights for their communities. The LaFlesche sisters of the Omaha tribe, for example, lectured about conditions among the Omaha and other native people, raised money, built schools, encouraged education, and fought alcoholism and other social ills. They lectured before and worked with white women's groups on behalf of the Omaha and other tribes, yet remained identified with native culture and practices that continued to undergo change in response to new conditions.

Reform efforts by women, especially white women, were enhanced in the West as they secured greater rights over property, divorce, and voting than their sisters back East. Legislation in western states and territories bore the traces of Spanish and Mexican law. Many adopted the common property laws of Mexico that offered women half of the wealth gained through marriage and enabled women to retain control over their wages and over the property they brought into their marriage. Western states also developed the most expansive statutes for divorce and far more liberal judicial interpretations of matrimonial cruelty than elsewhere in the nation. The region soon experienced the highest divorce rate in the nation, with women bringing 70 percent of the suits in the late nineteenth century.

Gold Rush, Immigration, and Racial Conflict, 1848–1880

Yet despite the legal advantages of western settlement for women, many parts of the West remained largely male preserves. The gold rush of 1848 offers one prime example since men formed the vast majority of miners. In the initial rush, Indian

men and women worked the mines alongside others, on land they had claimed for centuries. By late 1849, however, the white miners violently displaced Indians from gold mining and during the 1850s removed or killed the majority of California's native people who resided in those areas settled by miners.

Comparatively few non-Indian women joined the miners. By 1850 in the southern fields, the non-Indian population included only 800 women out of a total of 29,000 miners. By virtue of their very scarcity, all of these women stood to make significant money. Some actually panned for gold, but most sustained themselves by offering services and goods that remained ever scarce in the region. White and black women from the United States were scattered very sparsely through the mining camps. Many Sonoran women came with Mexican miners, and women from Peru, Chile, France, and a scattering of other places also migrated to the gold fields. Setting up businesses or working for others, they ran boarding houses, cooked and served food, washed clothing and other articles, dealt cards, sold goods, danced and offered sexual services for pay. Most of the life in the gold fields, however, revolved around the creation of male communities. Functioning in this multi-ethnic world, white men came to understand their masculinity differently or in particularly acute ways, based on "new hierarchies of gender, race, and ethnicity" (Johnson 2000: 166).

White miners directed strong anti-foreign sentiment against the Californios, Mexicans, and Latin Americans in their midst, passing a "foreign" mines tax in 1851, nearly two years after they began vigilante action to chase "aliens" out of the northern fields. Opposition from powerful merchants who depended on the business of Mexican and other "foreign" miners eventually persuaded the state to repeal the law. Yet it reimposed the tax against Chinese miners in 1853.

Most Chinese women who entered California during the two decades between 1850 and 1870 came as prostitutes, merchants' wives, or family servants. In 1860, as many as 85 to 97 percent of Chinese women worked as prostitutes. By 1870, that segment declined to around 71 percent, while women still only accounted for 7.2 percent of the total Chinese population. Unlike other women working in prostitution, the vast majority of Chinese women had been imported initially as unfree labor. Kidnapped, indentured, or enslaved against their will, these women were also purchased by procurers from poor parents. Commonly promising that good employment and marriage awaited the girls in America, they generally resold them once they arrived in the United States. The women worked under a wide range of conditions, but experienced an absence of political rights and limited access to legal recourse.

California legislation confined Chinese prostitutes to particular neighborhoods by 1866, echoing similar laws passed earlier elsewhere, when middle-class women's efforts to "reform" prostitution made it less visible. But restrictions against Chinese prostitutes also responded to the much larger anti-Chinese sentiment articulated by white men and women workers. By 1875, their combined forces resulted in the Page law that prohibited the entry of Chinese, Japanese, and Mongolian contract laborers, women for the purpose of prostitution, and felons. This law marked the first exclusion of a racially defined group of workers in the United States. It also produced local crackdowns against Chinese prostitution, so that by 1880, only 444 of the 2,052 Chinese women in San Francisco, and fewer than 1,000 of 3,834 Chinese women statewide, worked as prostitutes according to official counts.

By 1880 married women made up almost half the women in Chinatown due to the arrival of wives, the rescue of prostitutes from brothels, and/or their marriage to other Chinese immigrants. These women helped to build a community in the context of vile anti-Chinese sentiment and within a "bachelor society" that developed after the Chinese Exclusion law of 1882 denied entry to Chinese immigrants except for merchants, students, diplomats, and those born in the United States. During the six decades of legal exclusion (1882–1943), women's ability to enter the United States often rested on prolonged legal battles.

White women played two roles in the Chinese exclusion movement and its related politics. Missionary women set up a system of rescue, raiding brothels with police assistance when a woman made known her interest in being removed. The system rescued 1,500 girls and women between 1871 and 1901. Some returned to China, others to their former status, and a significant number married Chinese Christians and forged a new life in the United States. In these cases, Christian women sought to extend the benefits of civil society to women who otherwise had no legal recourse. At the same time, they placed restraints on the women's behavior, at least for the period they lived in the missions, by imposing middle-class Protestant ideals.

White working women, in contrast, fought alongside white working men to wage a systematic, relentless, and sometimes violent battle for Chinese exclusion. Native-born workers argued that Chinese labor, which they considered inherently degraded, caused the low wages and unemployment men and women faced in manufacturing industries such as cigars, shoes, and boots. They claimed that Chinese labor destroyed the wages a white family needed to live and the right to a decent wage for white working girls. Working women employing anti-Chinese rhetoric found wide support for their rights to unionize and gain a living wage among the ranks of white working men. By 1880, white women workers in California, especially in San Francisco, held union jobs in far greater numbers and in far more industries than elsewhere in the United States. Even after the passage of the Exclusion Act, white workers continued to define their interests against Chinese workers. Moreover, white women forged gender and race alliances with middle-class and wealthy white women, and established institutions designed to protect the condition of the white working girl.

Few African American women resided in the Far West. Most lived just west of the Mississippi River where slavery and its aftermath fostered southern institutions in Missouri, Texas, Arkansas, Louisiana, and Oklahoma. By 1850, only 392 black women lived in the Far West, most of whom arrived in California at the time of the gold rush. Some arrived enslaved, working for their owners and finding additional work as a means of purchasing their freedom and that of family members left behind. Free blacks similarly found employment as domestic laborers, selling goods, washing, cooking, and boarding gold seekers.

Free blacks also migrated to California and other western states seeking the riches other Americans aspired to find, but they encountered, instead, multiple legal restrictions. Though California's constitution prohibited slavery, partly in the interest of gaining quick admission to the Union, state law enabled slaveholders to bring their

chattel through California, generating an effective movement to overturn the law from within the black community. The majority of western territories debated whether or not to enter the Union as slave states. Some tried to ban African Americans altogether from their territories. Most did not extend suffrage to African American men, nor allow blacks to testify against white persons in the courts. They attempted to compel blacks to ride on the back of streetcar lines, or tried to prohibit blacks from riding public transport altogether. In addition, most communities imposed, or attempted to impose, segregated and unequal schooling.

Black women worked primarily in domestic service, but some taught school where segregated educational systems existed, and others managed hotels and boarding houses, all of which constituted more prestigious and lucrative work. In both western states where southern institutions retained a hold and in those farther north like Montana, African American women held uncertain freedom and found little justice. Black women imprisoned in Kansas, for example, reflected the patterns prevalent in Louisiana and Texas. "Most were young, poor women charged with crimes connected to the domestic services they performed" (Butler 1989: 31). Those most frequently arrested were uneducated women who possessed few resources and whose crimes appeared to have been minor or nonexistent. Their sentences frequently exceeded the seriousness of the accusation.

As Peggy Pascoe has demonstrated, miscegenation laws that underpinned the system of white supremacy in the South after the Civil War found their counterpart in the West. Texas passed the first western miscegenation law as early as 1837 and Utah passed the last in 1939. These laws forbade marriages between whites and other racial groups, including African Americans and American Indians, persons of Chinese and Japanese descent (often termed Mongolians), and Filipinos (often called Malays). South Dakota added Koreans to the list, and Arizona included Hindus in its statutes. Persons of Mexican descent acquired the full rights of citizens in the Treaty of Guadalupe Hidalgo that ended the Mexican–American War and ceded the Southwest to the United States in 1848. Based on the Treaty, regional Mexicans elected to early state and territorial legislative bodies were able to negotiate a white racial status for all Mexicans. Yet most Anglo-Americans perceived Mexicans as distinctly nonwhite, and race discrimination developed through extralegal means.

Interracial marriages occurred in the West despite laws to the contrary, but their effects on women of color proved devastating nonetheless. Because these unions remained illicit, the women involved had no recourse to the property or wealth accumulated during the marriage upon separation or death. Scholars are only now beginning to study other aspects of interracial unions, asking how people interpreted each other from distinct cultural frameworks, the manner in which communities welcomed or excluded such couples and their children, and racial/cultural identities selected and/or inherited by the children.

Contested Terrain

Although Mexican-descent politicians managed to minimize the passing of legislation that legally discriminated against people of Mexican descent, no such protection

existed for Native American people, who formed the majority of the population throughout the West in 1848 and whose land remained contested terrain between that date and 1880. Mexican and Native American inhabitants confronted the land hunger of American migrants who established, upon their migration to the region, a new economy and legal system. Despite the guarantee of property rights set forth in the Treaty of Guadalupe Hidalgo, Americans introduced laws that challenged the validity of Spanish and Mexican land grants made to individuals and the communal land rights of towns, thus affecting the land rights of the poor and rich alike. The battles over Spanish and Mexican land titles involved long years of litigation, spanning a period when the economy underwent vast and rapid change with the introduction of substantial amounts of capital invested in agriculture, mines, and livestock production.

Women, who held property rights under Spanish and Mexican law, increasingly contested this tremendous loss of land. In California, where the federal government set up a court to confirm Spanish and Mexican land titles, women appeared before the tribunal and in civil courts to fight for their property. They not only defended their land, but the very existence of their communities. In the cash-poor, pre-industrial economy that predominated in the former Mexican territories, land offered a means for individual and communal subsistence. The produce from women's gardens and the foods women produced from cows, chickens, and other animals bolstered their family economies. Land ownership and the commons enabled men and women to continue to engage in trade, which could be supplemented by migration for wage labor.

Women assumed an even more central role in their communities as men left to earn a wage in migratory or seasonal labor in the new mining, agricultural, and herding industries. Mexicans took advantage of the homestead laws and, like Anglo-Americans and Native Americans, homesteaded land near their original communities when possible, and farther away when necessary. But their lack of capital often kept them from prospering in the new market economy, where they found unequal prospects for success. The low wages paid to Mexican men, and even lower wages paid to Mexican women, often translated into poverty, a condition that loomed far larger for those without land. These conditions forced many families to find work in the new regional economy.

Native American women faced even more extreme conditions of loss. The United States did not recognize the land rights of native people who lived in the Southwest, and the Treaty of Guadalupe Hidalgo denied those rights to all "savages." Only a few groups, most prominently Pueblo Indians, successfully claimed rights of Mexican citizenship. Indian wars raged across the Southwest, engulfing parts of California during the 1850s and early 1860s, and erupted elsewhere in the Southwest and Plains region through the 1880s, lasting longest among the Apaches. The Apaches lived in kin-based bands. As with the Navajo, peace agreements made between one band and the government did not extend to other bands, and those who attempted to maintain the peace remained subject to white reprisal for the actions of others, perpetuating cycles of violence.

An incredible loss of life and of place shaped native histories during this era. The military rounded up whole villages, bands, and nations, taking survivors from warring

groups and negotiating the removal of groups who did not or could not fight. By 1880, most native people had ceded their land in return for peace, resettlement, and annuities. The conditions for negotiation varied widely, favoring some groups far more than others. Tribal sovereignty enabled each group to govern itself, but the degrees of autonomy from the US government varied, and every tribe remained subject to government land policy, as it held all property acknowledged through treaty in trust. At the same time, the government intervened in tribal affairs and began to force native children to attend government boarding schools shortly after the Civil War ended.

Gender relations depended to a large extent on the roles, rights, and responsibilities Indian women traditionally held within their communities. Among the Navajo, for example, women continued to be the center of the family. Families resided in domestic groups called camps, organized along the female line of descent. The social organization of the camps emphasized the mother–child bond. Men married into the woman's household, and women's economic activity, performed in cooperation with female kin, remained at the heart of the Navajo economy. They controlled the land, raised livestock, especially sheep, farmed, gathered wild foods, and produced crafts. Men decided tribal policy, yet they remained accountable to the female head of their household when making decisions.

The Navajo's cultural life reflected these historical arrangements, but they experienced severe punishment and confinement before signing the treaty that assigned them reservation land. In 1859 different bands began to systematically raid New Mexican towns where Navajo slaves resided as a result of the captive-exchange system. They set free livestock and horses and raided agricultural supplies in an attempt to get rid of the Americans and punish their New Mexican allies. In response, 700 men volunteered from New Mexican villages to wage a campaign against the Navajo and their livelihood, killing sheep and destroying fields. In the winter Navajo bands began entering US forts and in 1864, the government forced 8,000 captive Navajo to march 300 miles to a fort far from their country. After four years they returned home, having lost well over 2,000 people to smallpox, and many others to the exertion of the trip and poor conditions under captivity. The reservation land they agreed to, and upon which they reestablished women-headed households, accounted for less than one-fourth of the land Navajo bands previously claimed.

New Directions

The story of the women's West initially developed within the confines of the national story. Most work focused on white women's movement to a West that was conceived of from the perspective of the East. It embraced questions about the family, women's separate spheres, work, reform movements, politics, and white women's relationship to nonwhite women. While many historians focused initially on the pioneer era, a large body of work now covers the period after 1880, when persistent and continuous Anglo-American migration brought far more women West than during the period 1840 to 1880.

This tendency to define the West from the perspective of the East gave way, in this essay as in the literature, to studies that emphasized the region's own history and that approached change during the period of US conquest from the perspective of that regional past. The literature on women is far slimmer when approached in this way. Nonetheless, scholarship on Chicanas – women of Mexican descent – has blossomed in recent years, addressing a series of well-defined problems concerning the histories of conquest and of women's rights, obligations, and experiences before and after the region became part of the United States. To varying degrees, historians working on the history of the former Mexican territories incorporate a concern for both indigenous and Spanish Mexican settler women simultaneously. Historians of Chinese women, who constituted the majority of female émigrés from Asia prior to 1880 except in Hawaii, also offer a growing literature and address a well-formulated narrative and set of problems concerning legal status, prostitution, immigration, and ethnicity.

Native women's history remains the most underdeveloped part of western women's nineteenth-century history. Work on indigenous histories has gained momentum as scholars move beyond the narrowness of national paradigms to embrace stories that fall outside of them. The influence of southern institutions – on Native Americans, African Americans, and white women – also needs to be better incorporated into the western narrative.

New work also pays more attention to language and its meaning when interpreting sources and problems. These new strategies for approaching the text have proved especially valuable for reading diaries and letters, court records and newspapers. In addition, scholars are taking gender far more seriously. Rather than writing analyses of women alone, those interested in gender examine the construction of womanhood and manhood. Male and female power, masculinity and femininity proved to be crucial elements at play in forging the West. The ways in which that occurred have only recently begun to be explored. These developments – a concern for analyzing both language and gender – are richly illustrated, for example, in Susan Johnson's recent book on the gold rush.

The major conflict that predominates in the current view of women in the nineteenth-century West focuses on European and American trade and expansion. Long before 1800, both factors created migration and warfare among Indian people themselves. They also fueled the emergence of a far-flung captive-exchange system that transferred captives among tribal groups and offered a ready supply to New Mexican settlers, who purchased detribalized people as slaves with the specification that once made Catholic and Hispanic they would regain their freedom. This prolonged warfare kept Spanish and Mexican society confined to a fairly narrow geographic terrain until after the Mexican–American War (1846–8) ended and the American military moved into the region to protect Anglo-American settlers as they claimed land. By 1880, most native women in the West lived on reservations, and the amount of land held by the regional Mexican population had declined dramatically, despite the efforts of women to defend their land and their communities from disintegration.

A major set of conflicts that stemmed from this expansion involved establishing and contesting American race relations as they took form out West. Women's rights were limited by their perceived racial standing. While some white women reformers engaged in movements to address the conditions suffered by native and Chinese women, more frequently their politics built on the rights they perceived as inherent to the white family and working girl. The struggles of white women for laws and social norms that better reflected their interests, although not necessarily the interests of all women, constituted a third struggle out West.

The vast number of cultures in the West meant women held many and widely different positions within their households and communities, depending on the kind of property rights and authority vested in them. Yet, the cultural politics of gender that assigned women separate spheres from men and that devalued married women's right to own and control property and to hold a central place in the economy became the dominant gender arrangement in the West, as in the East. Despite the normative roles assigned to them, women from all backgrounds who migrated into the region continued to infuse its richly textured communities with distinctive ideas about gender, culture, and community. Their migration and immigration contributed to the already diverse histories of regional populations. The structure of inequalities that had developed by 1880 would grow worse in subsequent years. In response, women continued to negotiate against adverse change from varying positions within their communities.

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