

“I Call It Hunting”: Centuries of Violence Against Native American Women

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Women’s Freedom Forum Virtual Panel Presentation: “Unite to Eliminate Violence Against Women and Girls Globally—2024”

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### **Abstract**

Native American and Pacific Islander women are missing and murdered at an alarming and relentless rate. The history of violence against this population starts with European contact in the fifteenth century and continues to this day with Native women suffering the highest rate of sexual assault per capita in the nation. This panel presentation held in observance of the International Day of Eliminating Violence Against Women concludes with a recognition of Native American resilience and actions all Americans can take to help reduce these crimes.

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Duluth, a city on Lake Superior in the northern part of my home state of Minnesota, is the biggest inland harbor in the world. Ships from the Atlantic Ocean sail along the St. Lawrence Seaway to this port that traces its origins to the mid-1600s when French fur traders started coming through. The region had long been home to the Ojibwe people, who still live near the city on a reservation called Fond du Lac.

As Europeans settled in the area as part of the western expansion that would eliminate all but a small fraction of the Native American population (for a time), Duluth, like everywhere else, became a particularly dangerous place for Native American women. The history of expansion since first European contact in the fifteenth century is the story of the abduction, slavery, sexual exploitation, and murder of Native American women. And the story continues today.

In our time, about 1,000 ships a year dock at the Duluth harbor, and studies report that in some of them Native women and children are sex-trafficked to ships' crews and disappear for months before returning.<sup>1</sup> A study by the Minnesota Office of Justice Programs in 2007 gathered reports of Native girls being "lured off reservations, taken onto ships in port, beaten, and gang-raped by the ships' crews." An advocate for sex-trafficked Native women said, "This has been going on a hundred years on the ships. There's women my mom's age who talk about their grandmas working on the ships."<sup>2</sup>

To understand the violence against Native American and Alaska Native women that marks more than 500 years of our nation's history is to understand the mindset that nonwhite people are inferior to whites to the point of being barely human. As one writer put it, "In order to seize land that belongs to someone else, colonizers must come to view the land—and its inhabitants—as inherently violable. . . . To this end, American Indian land and American Indian bodies are both represented as untamed and therefore available for seizure and use by white colonizers."<sup>3</sup>

Filmmaker Michelle Latimer, who produced a film about violence against Native women during the North Dakota oil boom that started in 2006, says the same: "This idea that's perpetuated that we have a right over this land is the exact kind of entitlement that perpetuates the idea that we have a right over your body."<sup>4</sup>

The sexual assault and missing and murder rate of Native American women is one of the most severe, if not most critical, areas of violence against women in the United States.

The rate of sexual assault for these women is the highest (per capita) in the nation.<sup>5</sup> More than one in three Native American women will be raped in their lifetime, twice the rate of rapes reported by all races combined. Three-fourths of Native American women have experienced some type of sexual assault in their lives.<sup>6,7</sup>

Sexual assault is so prevalent for Native women, whether they live on or off reservations, that Native American mothers have a "talk" with their daughters similar to how Black parents in the U.S. have "the talk" with their sons about how to act if they are stopped by the police. Native American mothers talk to their daughters about "what to do when they are sexually assaulted—

not *if* they are sexually assaulted, but *when*.”<sup>8</sup> That talk typically covers how to access emergency contraceptives.

The majority of the perpetrators of these crimes—96%—are non-Native men.<sup>9</sup> As one woman from the White Earth Nation in Minnesota stated before the Violence Against Women Act was expanded to prosecute non-Natives, “I call it hunting—non-natives come here hunting. They know they can come onto our lands and rape us with impunity because they know that we can’t touch them.”<sup>10,11</sup>

Part of the problem in prosecuting sexual assault on tribal lands is the complex tangle of who has jurisdiction over what. Federal law prohibited tribal authorities from prosecuting non-Natives for *any crimes* until the 2013 reauthorization of the Violence Against Women Act (VAWA). That was a big step, but the crimes the tribes could prosecute were limited to domestic violence or dating violence, and non-Natives living outside tribal land still could not be prosecuted.

Not until the landmark reauthorization of the law two years ago did tribal nations have the authority to prosecute non-Native perpetrators of sexual assault, child abuse, stalking, and sex trafficking. The 2022 version also provides critical funding for programs to assist Native American women victims and survivors of domestic violence and sexual assault.

The crisis of violence includes the fact that Native women make up only 1% of the population but are murdered at ten times the rate of the national average. Murder is the third leading cause of death for Native women.

In early 2023, 5,491 Native American women were recorded as missing by the FBI’s National Crime Information Center.<sup>12</sup> This crisis has motivated a justice system historically disinterested in the safety of Native American women to ramp up efforts to investigate, solve, and prevent more of these cases.

These numbers are important, but the message I really want to convey here today is that the same attitudes that caused so much devastation for Native American and Alaska Native women at the start of European expansion remain intact today.

They are the foundation of healthcare inequities, housing policies, wealth inequities, lack of protective resources, massive sterilization without consent, and poverty that are responsible for the vulnerabilities that make Native women highly susceptible to violent crimes.

These attitudes are heard when a Native woman testifies at a public proposed pipeline meeting about the heightened risk of sex trafficking of Native people it will bring and oil company managers sitting in the back of the room laugh out loud.<sup>13</sup>

They are heard in conversations among oil workers like those during the Bakken fracking boom who said, “In North Dakota you can take whatever pretty little Indian girl that you like and you can do whatever you want and police don’t give a f--- about it.”

The impact of these centuries-old attitudes and the violence they perpetuate is held literally under the skin of Native American women and children. Their historical trauma is passed on in the genes and creates generational health problems.<sup>14</sup>

This same epigenetic process can remedy that generational trauma when healing comes through programs that reinforce one’s Native identity and human worth. Enormous gains for Native lives, like legal victories at the Supreme Court and recently signed new laws like Savanna’s Act and the Not Invisible Act<sup>15, 16</sup> and movements that renew cultural pride, offer a hint that violence against Native women can also be turned around. More hope comes from Native American groups that are working to launch new policies to stop the wave of missing Native American Women. This Thursday, March 14, for example, the Federal Communications Commission (FCC), will discuss Native Public Media’s proposal for a national alert system for missing Native women and men similar to the Amber Alert for missing children.<sup>17</sup> At the state level, North and South Dakota already have this alert in place with a system called the Red Road Alert.

What can you do to be part of it?

1. Be an ally by giving financial support to organizations that investigate missing and murdered Native women, work with Native women who are victims of violence, and/or raise awareness about the crisis.

Here are links to lists of some of those organizations:

National Indigenous Women’s Resource Center: <https://www.niwrc.org/>

Red Road Institute: <https://redroadinstitute.org/protect-mmiw/>

Minnesota Indian Women's Resource Center: <https://www.miwrc.org/whoweare>

UC Santa Cruz American Indian Resource Center:

<https://airc.ucsc.edu/resources/mmiwg.html>

Native Public Media: <https://www.nativepublicmedia.org/>

2. Educate yourself on the signs of trafficking and call the National Human Trafficking Hotline at 1-888-373-7888 when you suspect it.<sup>18</sup>
3. At every chance, bust the myth that Native Americans have disappeared from the continent. Their 13-million population was reduced to 240,000 by 1900, but according to the 2023 Census, they are well on their way back at 6.3 million.<sup>19</sup> Among them are our Secretary of the Interior Deb Haaland, six members of the U.S. House of Representatives, and one Senator!
4. White Americans: Have the courage to confront the racial bias that society and all its institutions have conditioned in you. This is the only path toward equity, the healing of the oppressed, and a real democracy.

*Women's Freedom Forum is an educational and human rights non-governmental organization (NGO) holding consultative status with the United Nations Economic and Social Council (ECOSOC) and affiliated with the United Nations Department of Global Communications. This organization is committed to advancing women's rights and advocating against gender-based violence. [www.womenfreedomforum.org](http://www.womenfreedomforum.org)*

A 2023 version of these remarks is published here:

[https://cornerstone.lib.mnsu.edu/ed\\_leadership\\_fac\\_pubs/24/](https://cornerstone.lib.mnsu.edu/ed_leadership_fac_pubs/24/)

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## Notes

<sup>1</sup> Farley M., Matthews, N., Deer, S., Lopez, Guadalupe, Stark, C., & Hudson, E. (2011). *Garden of truth: The prostitution and trafficking of Native women in Minnesota*. Minnesota Indian Women's Sexual Assault Coalition.

<sup>2</sup> Pierce, A. (2009). *Shattered hearts: The commercial sexual exploitation of American Indian women and girls*. Minnesota Indian Women's Resource Center. <https://www.niwrc.org/sites/default/files/images/resource/Shattered-Hearts-Full.pdf>

- <sup>3</sup> Condes, A. (2021). Man camps and bad men: Litigating violence against American Indian women. *Northwestern University Law Review*, 116(10), 515-559.
- <sup>4</sup> Brown., A., & Latimer, M. (2018, July 1). A new film examines sexual violence as a feature of the Bakken oil boom. *The Intercept*. <https://theintercept.com/2018/07/01/nuuca-bakken-oil-boom-sexual-violence/>
- <sup>5</sup> Deer, S. (2010). *The beginning and end of rape*. University of Minnesota Press.
- <sup>6</sup> Kingfisher, P., & Asetoyer, C. (2012). *Indigenous women's dialogue*. Native American Women's Health Education Resource Center. <https://nativeshop.org/images/stories/media/pdfs/Plan-B-Report.pdf>
- <sup>7</sup> Deer, S.
- <sup>8</sup> Kingfisher, P. & Asetoyer, C.
- <sup>9</sup> Indian Law Resource Center. (n.d.). *Ending violence against Native women*. <https://indianlaw.org/issue/Ending-Violence-Against-Native-Women>
- <sup>10</sup> Chekuru, K. (2013, March 6). *Sexual violence scars Native American women*. Aljazeera. <https://www.aljazeera.com/features/2013/3/6/sexual-violence-scars-native-american-women>
- <sup>11</sup> Begay, C., & Zandamela, T. (2018). *Sexual assault on Native American reservations in the U.S*. Ballard Brief. <https://ballardbrief.byu.edu/issue-briefs/sexual-assault-on-native-american-reservations-in-the-us#:~:text=Tribal%20courts%20can%20only%20try,a%20relationship%20with%20a%20Native.&text=Such%20stipulations%20reveal%20some%20noticeable,the%20offenders%20are%20non%2DNatives>
- <sup>12</sup> Ordway, D-M. (2023, April 26). *Research raises new questions about missing and murdered Indigenous women*. The Journalist's Resource. <https://journalistsresource.org/criminal-justice/indigenous-women-missing-unidentified-research/>
- <sup>13</sup> Condes, A.
- <sup>14</sup> Farley, M., et al.
- <sup>15</sup> American Civil Liberties Union (2024). Indigenous justice. <https://www.aclu.org/court-cases?issue=indigenous-justice>
- <sup>16</sup> National Indigenous Women's Resource Center. (2024). Missing and murdered Indigenous women (MMIW). <https://www.niwrc.org/policy-center/mmiw>
- <sup>17</sup> Roedel K. (2024, March 8). Native Public Media petitions FCC to create alert code for missing, endangered adults. KUNR Public Radio. <https://www.kunc.org/2024-03-08/native-public-media-petitions-fcc-create-code-missing-endangered-adults>.
- <sup>18</sup> Paxton, K. (n.d.) *Red flags for sex trafficking*. Attorney General of Texas. <https://www.texasattorneygeneral.gov/human-trafficking-section/signs-trafficking/red-flags-sex-trafficking#:~:text=Person%20seems%20overly%20fearful%2C%20submissive,sexual%20or%20inappropriate%20for%20weather>.
- <sup>19</sup> U.S. Census. (2023, June 15). *Census Bureau releases new American community survey selected population tables and American Indian and Alaska Native tables*. <https://www.census.gov/newsroom/press-releases/2023/acs-selected-population-aian-tables.html>.